

34
LAND ACTS (IRELAND).

R E P O R T

OF THE

ROYAL COMMISSION

ON

THE LAND LAW (IRELAND) ACT, 1881,

AND

THE PURCHASE OF LAND (IRELAND) ACT, 1885.

Presented to both Houses of Parliament by Command of Her Majesty.



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COMMISSION.

VICTORIA REG.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith, To Our Right Trusty and Right Well-beloved Cousin and Councillor Francis Thomas De Grey, Earl Cowper, Knight of Our Most Noble Order of the Garter; Our Right Trusty and Right Well-beloved Cousin Edward Nugent, Earl of Milltown; Our Trusty and Well-beloved Sir James Caird, Knight Commander of Our Most Honourable Order of the Bath; Our Trusty and Well-beloved John Chute Neligan, Esquire, one of Our Counsel Learned in the Law in that part of Our United Kingdom of Great Britain and Ireland called Ireland, Recorder of the City of Londonderry; and Our Trusty and Well-beloved George Fottrell, junior, Esquire, Greeting:

WHEREAS We have deemed it expedient that a Commission should forthwith issue to inquire and report to what extent, if any, and in what parts of that portion of Our United Kingdom of Great Britain and Ireland, called Ireland, the operation of the Land Law (Ireland) Act, 1881, is affected either by combinations to resist the enforcement of legal obligations, or by an exceptional fall in the price of produce; and also to inquire and report to what extent there exists any general desire among tenants to avail themselves of the provisions of the Purchase of Land (Ireland) Act, 1885, and whether the operation of that Act might be expedited and extended, especially in the congested districts, by providing security, through the intervention of Local Authorities, for loans advanced from public funds for the purchase of land, and also to report whether any modifications of the law are necessary.

NOW KNOW YE, that We, reposing great trust and confidence in your knowledge, discretion, and ability, have authorised and appointed, and by these Presents do authorise and appoint you the said Francis Thomas De Grey, Earl Cowper; Edward Nugent, Earl of Milltown; Sir James Caird; John Chute Neligan, and George Fottrell to be Our Commissioners for the purpose aforesaid.

AND for the better effecting the purposes of this our Commission, We do by these Presents authorise and empower you, or any two or more of you, to call before you, or any two or more of you, such persons as you may judge necessary to examine, and by whom you may be the better informed in the several matters hereby submitted for your consideration, and everything connected herewith, and generally to inquire of and concerning the premises by all other lawful ways and means whatsoever; and also to call for, have access to, and examine such books, documents, papers, writings, or records, as you, or any two or more of you, shall judge likely to afford the fullest information concerning the several matters hereby submitted for your consideration.

AND We also by these Presents authorise and empower you, or any two or more of you, to visit and personally inspect such places as you, or any two or more of you, may deem expedient for the more effectually carrying out the purposes aforesaid.

AND Our further will and pleasure is that you, or any two or more of you, do report to us with all convenient speed, in writing under your hands and seals, your several proceedings by virtue of this Our Commission, and what you shall find touching or concerning the premises, together with your opinion upon the matters hereby referred for your consideration.

AND We further will and command and by these Presents ordain that this Our Commission shall continue in full force and virtue; and that you Our Commissioners do from time to time proceed in the execution thereof, although the same be not continued from time to time by adjournment.

AND for your further assistance in the execution of these Presents, We do hereby appoint Our Trusty and Well-beloved Francis George Hodder, Esquire, Barrister-at-Law, to be Secretary to this Our Commission, and We require you to use his services and assistance from time to time, as occasion may require.

Given at Our Court at Saint James's, the Twenty-ninth day of September, 1886, in the Fiftieth year of Our Reign, By Her Majesty's Command,

(Signed) HENRY MATTHEWS.

Mr. George Fottrell, junior, resigned on the 1st October, before the Commissioners met, and Mr. Thomas Knipe, of Bellaghy, Armagh, was appointed a Commissioner in Mr. Fottrell's place.

LAND ACTS (IRELAND).

REPORT OF THE COMMISSION.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY—

1. WE, the undersigned Commissioners, appointed by Your Majesty on 29th September 1886 to inquire and report "to what extent, if any, and in what parts of that portion of the United Kingdom of Great Britain and Ireland called Ireland the operation of the Land Law (Ireland) Act, 1881, is affected, either by combination to resist the enforcement of legal obligations or by an exceptional fall in the price of produce; and also to inquire and report to what extent there exists any general desire among tenants to avail themselves of the provisions of the Purchase of Land (Ireland) Act, 1885, and whether the operation of that Act might be expedited and extended, especially in the congested districts, by providing security through the intervention of local authorities for loans advanced from public funds for the purchase of land; and also to report whether any modifications of the law are necessary," humbly submit the following report of our proceedings and the result of our inquiries, to Your Majesty.

Introductory.

Proceedings of the Commission.

2. We met in Dublin for the first time on the 6th of October, and having considered the questions with which we had to deal, we appointed Wednesday, the 13th of the same month, as the first day for the hearing of evidence. This fixture was duly notified in the Dublin daily and other newspapers, the existence and scope of the Commission having previously been made known in the public press.

Commencement of inquiry.

3. We commenced taking evidence in Dublin on the 18th of October, having arranged to sit there continuously until the 20th. We then adjourned the Dublin sittings, and commenced sittings in the country on the 22nd of October. We visited successively Londonderry, Omagh, Belfast, Armagh, Galway, Limerick, Killarney, and Cork, concluding our sittings in Cork on Wednesday, the 19th of November. After a short adjournment we sat in Dublin from the 2nd of December to the 14th, both inclusive, and met again at Westminster on January 7th to consider our Report. We have held in all 60 sittings. We examined 305 witnesses, among whom every county in Ireland was represented. The witnesses included four of the Land Commissioners, the Right Hon. Stephen Flanagan, lately judge of the Landed Estates Court; the Registrar-General of Ireland; 72 landowners and agents; 170 tenant farmers; besides several sub-commissioners and ex-sub-commissioners, some of the divisional and resident stipendiary magistrates, clergymen of all denominations, solicitors, and others who, from their experience and knowledge, were able to afford assistance to us in our investigation. In addition to the evidence given orally before us we were favoured with many written communications of considerable value, which we have published in the Appendix.

The evidence taken by the Commission.

Operation of Land Law (Ireland) Act, 1881.

4. The number of agricultural holders of land in Ireland according to the census return of 1881 was 499,108, of whom 161,029 were holders of less than 10 acres. It has been roughly estimated that about 150,000 of the total number were leaseholders. All leases were excepted from the operation of the Land Act of 1881, but it was specially provided that at the expiration of such existing leases, or of such of them as shall expire within 60 years after the passing of that Act, the lessees, if in *bona fide* occupation of their holdings, should be deemed to be "present tenants" within the meaning of the Act. After deducting leaseholders there were left, in round numbers,

Number of agricultural holders.
39 : 41 : 593.

about 350,000 holders of land, the great majority of whom hold as tenants from year to year. Certain other holdings, such as those let for the purpose of pasture, and town parks, were also by the 58th section of the Act excluded from its operation, but, with these large exceptions, tenants who were in bona fide occupation of holdings, as defined by the Act, were entitled to avail themselves of the benefit of its provisions.

Made of application for "fair rent" by tenant.

5. Under the 8th section of the Act all such tenants could apply to the court of the Land Commission, created by the Act, or to the County Court, to have a "fair rent" fixed. The landlord and any such tenant might also enter into an agreement as to what the fair rent of the holding was to be, and on such agreement being filed in court it had the same effect as if the rent agreed on had been fixed by the court. After the judicial rent has been fixed the tenant is practically entitled to hold his farm without disturbance for an unlimited period, provided he observes the statutory conditions, which include the payment of the fixed rent, a rent subject to revision at the expiration of every successive period of 15 years, by a tribunal independent of either party.

Insecurity of tenure removed.

6. The grievances to which tenants were liable by reason of insecurity of tenure were thus entirely removed by the provisions of the Land Act of 1881, which gave fixity of tenure to every tenant who applied for, and obtained a judicial term.

Recorded applications.

7. Tenants who applied to have their rents fixed before the 15th day of November 1881 were entitled to have their notices of application recorded, which procedure made their new rent run from the last gale day of the year of 1881, no matter when their case was subsequently heard. This provision brought a very large influx of cases into the Land Commission Court at the commencement, and, as a consequence, in a large proportion of the cases in which rents have been fixed, more than five years of the statutory term have now elapsed.

Number of "fair rents" up to 22nd August 1886.

8. The entire number of fair rents fixed by all the methods provided by the Act between the 21st of August 1881 and the 22nd of August 1886 was 176,800. The leaseholders are as yet excepted, but if we deduct them from the 350,000 holders who were *prima facie* entitled to come into court, after making a large allowance for other excepted holdings, we arrive at the conclusion that about 150,000 tenants who were entitled to avail themselves of the provisions of the Land Act of 1881 have not yet done so.

9. The following table* shows the per-centage reduction of rent made:—

Period.	Sub-commissioners Per-centage of Reduction.	Civil Bill Courts Per-centage of Reduction.
Year ending 22nd August 1882 -	20.5	22.
" " 1883 -	19.5	22.
" " 1884 -	18.7	20.1
" " 1885 -	18.1	19.6
" " 1886 -	24.1	22.5

The reductions made from January 1886 to the present time, if taken by each month, present a larger per-centage.

Reduction of rents made by Land Commission.

10. In the five years the sub-commissioners reduced a rental of 1,601,580*l.* to 1,287,272*l.*, the per-centage of reduction being 19.6; in the same period the county courts reduced former rents amounting to 112,709*l.* to 89,212*l.*, the per-centage of reduction being 20.8. During the five years, by agreements entered into and lodged with the Land Commission, rents amounting in the aggregate to 1,383,682*l.* were reduced to 1,153,546*l.*, the per-centage of reduction being 16.6. And by agreement lodged with the county courts, rents amounting to 109,157*l.* were reduced to 90,700*l.*, the per-centage of

* See Report of Irish Land Commissioners, 1886.

reduction being 16·9. In all, by the operation of the Act, including arbitrations, a rental of 3,227,021*l.* has been reduced to 2,638,549*l.*, a per-centage reduction of 18·2.

Operation of the Purchase of Land (Ireland) Act, 1885.

11. Three opportunities have been given by the Legislature to assist the Irish farmers to become owners of their farms. Very little advantage was taken of the first, under the Act of 1870, by which two thirds of the price was lent by the State, repayable by instalment and interest at five per cent. yearly, for 35 years. In this case the tenant had to find one third of the price. By the Act of 1881, in addition to other great advantages, the State was, on the same terms, to advance three fourths of the price, the tenant finding one fourth. A third or a fourth of the price was to be paid down, which was a guarantee that the purchasing tenant was either a man of some means, or of good credit. This safeguard was entirely withdrawn by the Act of 1885, so far as the purchaser is concerned, but instead of this the action was reversed, and the seller must make the deposit when the tenant has no capital to offer. Only 702 tenants purchased under the Act of 1870, the amount of the purchase money being 700,146*l.* Under the Act of 1881, 731 tenants obtained loans to the amount of 240,554*l.*, each loan representing, as a rule, three fourths of the purchase money. Under the Act of 1885, up to the 31st of January last, the Land Commission have had 5,103 applications for loans, the amount of the purchase money applied for being 2,445,948*l.*

We shall now deal with each head of the subjects of inquiry entrusted to us:—

Combinations.

12. It appears from the evidence that the operation of the Land Law (Ireland) Act, 1881, has been affected in many districts by combinations to resist the payment of rent and the right of free sale. In Ulster, such combinations do not, as a rule, exist.

13. In the other provinces combinations made themselves felt before the passing of the Land Act, 1881, and have in various forms continued to the present time. Outrage was at first made use of to intimidate parties who were willing to pay rents, but latterly the methods of passing resolutions at National League meetings, causing their proceedings to be reported in local newspapers, naming obnoxious men and then boycotting those named, have been adopted. Tenants who have paid even the judicial rents have been summoned to appear before self-constituted tribunals, and if they failed to do so, or appearing, failed to satisfy those tribunals, have been fined or boycotted. The people are more afraid of boycotting, which depends for its success on the probability of outrage, than they are of the judgments of the Courts of Justice. This unwritten law in some districts is supreme. We deem it right to call attention to the terrible ordeal that a boycotted person has to undergo, which was by several witnesses graphically described during the progress of our inquiry. The existence of a boycotted person becomes a burden to him, as none in town or village are allowed, under a similar penalty to themselves, to supply him or his family with the necessities of life. He is not allowed to dispose of the produce of his farm. Instances have been brought before us in which his attendance at divine service was prohibited, in which his cattle have been, some killed, some barbarously mutilated; in which all his servants and labourers were ordered and obliged to leave him; in which the most ordinary necessities of life, and even medical comforts, had to be procured from long distances; in which no one would attend the funeral of, or dig a grave for a member of a boycotted person's family; and in which his children have been forced to discontinue attendance at the National School of the district. Had we thought it necessary for the purpose of our inquiry, we could have taken a much larger amount of evidence to prove the existence of severe boycotting in very many districts. We did not, however, think it necessary to examine more than a sufficient number of witnesses to inform ourselves, and to illustrate the cruel severity with which the decrees of local self-constituted tribunals are capable of being, and are actually, enforced. A document entitled "The Plan of Campaign," which

Purchase Acts.

2809; 16,454;
20,798.

1586, 1209, 2079, 2073,
2024, 16,440, 16,448,
16,731, 20,000, 17,000,
17,000, 11,200, 20,000,
20,000, 16,000, 16,000,
20,000, 16,000, 16,000,
20,000, 16,000, 16,000.

21,212, 20,000, 20,000.

Boycotting
described.

16,000, 16,000, 16,000,
16,000, 16,000, 16,000,
16,000, 16,000, 16,000,
16,000, 16,000, 16,000,
16,000, 16,000, 16,000.

16,074; 20,884.

more in the position of an encumbrancer on his property, in the improvement of which he has no longer any interest, while his influence for good has been much diminished. If, on the other hand, the land were really the property of the occupier, subject to a fixed instalment to be paid like a tax for a certain period to the State, and which must be met like any other tax, there is every reason to hope that, during this period and still more when the payment comes to an end, he would set to work with a will to improve and cultivate what is really his own property, and would become a law-abiding and law-enforcing member of society. Such is the opinion of the vast majority of the witnesses we have examined on the subject, and such has been the result in several instances which were detailed to us where purchases have been effected. The Irish people are naturally honest, hard-working, and deeply attached to their native land, and all these causes will tend to make them, when invested with ownership, good citizens and loyal subjects. In the approximate establishment of local boards, elected by the people, it is pre-eminently desirable that those who are to regulate and fix the expenditure should be representatives of those who have to pay the public rates, otherwise the consequences to the country might be disastrous. If the system now prevailing in Ireland was found in practice to work well, no theoretical imperfection would much signify, but the direct contrary is the case. The landlords consider themselves in an untenable position. The tenants, as a rule, have not much regard for the landlords as such. In the north they are generally indifferent to them, and in the south they are often bitterly hostile. The tenants are already a prey to money-lenders, and are exposed to many of the evils which attend peasant proprietorship without the sense of independence and responsibility which it produces. While we are aware that no immediate change on a large scale is possible, we hope that ownership of land by occupiers in Ireland may gradually increase. It would be impossible, even if it were desirable, to restore the position of the landlord to what it is in England. Any move that is to be made must be in the opposite direction. We therefore strongly recommend that, without resorting to compulsion, the Government should continue their efforts to encourage the establishment in Ireland of the occupiers as the owners of the soil.

The action of the Purchase Act is necessarily slow, but it is essential to its success that time should be given for prudent arrangements between landlord and tenant, and for satisfactory inquiries by the State. And by continuing to give limited sums from time to time as the demand arises, Parliament will have the power to discontinue them if, from any cause, the recovery of the advances should appear to be in hazard.

23. Several witnesses have recommended that the Act should be made compulsory, both on landlord and tenant, at a price fixed by the Land Court, when the parties fail to agree. But, independent of other grave objections to compulsion, there might be some ground for repudiation hereafter by a purchaser who had been compelled by the State to buy.

24. We are clearly of opinion that while much benefit to individuals, and to the tranquillity of Ireland would arise by the substitution in each county of a large proportion of the best of the tenants as cultivating landowners, it is not desirable that good landlords, now resident, should feel themselves practically expelled from the country. This view has generally been held by the most competent witnesses examined by us. And it is very desirable that no pressure of any kind that might tend to discourage their continued residence in the country should be sanctioned by law. Such landlords have shown much consideration in dealing with their tenants in the difficulties of the time, and we have had sufficient evidence of the sacrifices they have readily made.

25. We do not recommend that the term of 49 years should be extended, as has been urged by many of the witnesses examined, in order still further to lower the amount of the annual instalments. There has never before been made in this country, nor in any other that we are aware of, so liberal an offer by the State to assist farmers to become landowners. At the probable rate of years' purchase on which sales will be made a large reduction will be received by the tenant on his present rent. If the term was lengthened the price would possibly be raised. And considering the position of other sections

13,374.
18,375. 18,380.

Operation of
Purchase Act
necessarily slow.
1838. 18,375. 18,380.

1838. 18,375. 18,380.

1838. 18,375. 18,380.
18,375. 18,380. 18,380.
18,375.

272; 731; 1689;
2618; 2719; 3628;
16,264; 16,467;
16,686; 16,732;
17,542; 18,711;
18,733; 18,923;
19,979; 23,040.

Term of 49 years
ought not to be
extended.

6447.
6606.

of the community in the United Kingdom, who might think they had as good a claim to be aided in their business by the credit of the State, we think the Irish tenants may well be content with the terms of this generous offer.

Security through Local Authorities.

26. We have found an all but unanimous opinion against the expectation that any satisfactory result could be obtained, by attempting to introduce local authorities as guarantors either for ordinary or congested districts. And the evidence shows that these authorities would decline such responsibility.

Congested Districts.

27. Nothing hitherto has been effectual in bringing any improvement to the condition of the people inhabiting what are called "congested districts." It would, in our opinion, be a very grave mistake to deal with this class of people as if they were "farmers," i.e., people understood to live altogether upon the produce of their holdings. That is not their position; it would therefore be mischievous to attempt to deal with them in this report, except as a class distinct and separate from "farmers" properly so called. The inhabitants of these districts must be regarded as labourers, who occupy residences with portions of land attached, which assist them in the support of themselves and of their families. Regarding them as such, we have to consider the conditions on which they occupy the holdings we have alluded to, and the labour or employment upon which they must largely depend.

28. It is well to define what we understand by a "congested district." We understand such a district as one where the land is of inferior quality, not good enough for pasturage, and not naturally adapted for profitable agriculture, occupied by a large number of poor people holding at small rents, and where each separate holding is not of itself capable of supporting the holder and a family. We desire to call attention to the evidence of the O'Connor Don on the subject, and to his description of these holdings of which he has much experience.

29. We found that the occupiers of such holdings supplemented their means of living by working as labourers during certain seasons of the year in England and Scotland, or for farmers at home, or, when they live near the coast, by fishing. In these congested districts a failure in any year of the potato crop, and of labour, means utter destitution, or public assistance. It is not their rent which reduces them to this condition, any more than the payment of rent affects other labourers. The liability to pay for house and home is an incident to the existence of all tenants. The inhabitants of these districts have this advantage, that the law of the land steps in to fix a "fair rent" upon their holdings. Employment is the condition of their lives, but there is no field for it near their homes. The relief of people living in such a precarious position seems to demand the careful consideration, and prompt action of the State.

30. The general introduction of mowing and reaping machines into England and Scotland has so greatly lessened the demand for Irish labour that these portions of the Kingdom can no longer be considered as offering a sufficient field for migratory labour of this kind. Under such circumstances, two remedies only have presented themselves; either employment must be found for these people at home, and we fear there is but little hope of this being practicable; or a considerable proportion of them must be enabled to move to some place where such employment exists.

31. We recommend that means should be found for affording technical education to those who remain in these districts, where knowledge as to the mode of earning a living is at present confined to a rude skill in manual labour. The children are intelligent and quick-witted, and would, if afforded instruction, speedily attain a sufficient proficiency in any skilled employment to induce them to go out and take their place among the trained workers of the country.

32. Whether it is desirable that the occupiers of such holdings as we have been now dealing with, should become purchasers under the Land Act of 1885, is a question on which we have heard a diversity of opinions. Having given this subject our best consideration, while we are unwilling to recommend

their exclusion, as a class, from the provisions of that statute, we think that much caution should be exercised in dealing with them as purchasers of their holdings. In the meantime the only remedy we can suggest for the relief of the more necessitous in these districts is assisted family migration or emigration. There are funds already provided for this purpose by the Act 46 & 47 Vict. c. 43. with which a beginning might be made next spring.

691; 14,461.

Emigration.

5871; 16,834;
17,847; 17,068;
18,032; 18,075;
21,816; 23,623;
23,639; 27,183;
14,453; 25,660.

33. With regard to emigration, when the population of a naturally infertile district has increased beyond the means of supplying itself with food, the remedy is to move a portion of them to a region where there is good land and sufficient scope for profitable labour. This becomes the more necessary in localities where the chief food produced is the potato, which is the most uncertain and variable in its produce from year to year, and the most liable of all agricultural products to disease. Within the last eight years, the crop in Ireland has varied from a full crop to a half and a third, the last placing the people in a condition verging on famine. There are thousands of holdings averaging 2*l.* rental, which may be assumed to be in this condition. A family of four or five on each holding indicates a large population always exposed to this hazard.

Beyond the sea, west or east, this country in its Colonies possesses immense regions of fertile land. That which is the nearest is also the most suitable for an agricultural population. The fertile plains of North-west Canada can be reached from this country in about ten days, not much longer in time than was occupied by a Galway or Donegal labourer, in former years, in reaching his harvest labour in Lincoln or East Lothian. The people are here, and the land is there. It is for the benefit of the people, and in the interest of the United Kingdom and Canada, that the people should for their own comfort and future prosperity be placed upon the land. It should be a National undertaking, and one great business of the Irish Office, and the Colonial Office, in conjunction with the Government of Canada, should be to arrange the best method to carry it out. Due care should be taken in the selection of suitable land and climate, and preparation should be made for the reception of the people towards the end of May in each year, with the summer before them, with lodging provided and sufficient ground broken, and planted with crops to afford sustenance in the coming season. The credit of the State could not be better employed in Ireland than in active promotion of this most necessary undertaking. Communities with their pastor and schoolmaster, should go together, and settle near each other for mutual help and neighbourhood. This may become only a part of a larger scheme for the systematic movement of the unemployed population from any part of the United Kingdom, to the unoccupied and fertile lands of the British Colonies, to the mutual advantage of both.

Judicial Rents.

217; 404; 706;
291; 1710; 6974;
17,077; 24,846.

34. The fall in agricultural prices in 1885 and 1886 has forced upon the Sub-Commissioners and Court Valuers the necessity of a further reduction in fixing rents, than was made on those dealt with in the four preceding years. We have received much evidence on this point, and various suggestions, such as the adoption of rents regulated by the annual average prices of the principal articles sold in each province; or by shortening the term of re-adjustment of rents.

35. It is clear that, if agricultural rent is fixed in money, the fluctuation of prices must cause it to be occasionally unequal. Variation of seasons has also to be taken into account. But for that there is no other remedy than the consideration that should be given, in fixing the rent, to the greater or less liability of variation in each locality. It is otherwise with prices, and as it is quite impossible to foretell how far they may be affected by foreign importations of food, and other causes, this uncertainty should be differently dealt with.

15,776; 16,636.
19,819.

36. Although it is most undesirable to disturb an arrangement which was understood to be a permanent settlement, we cannot put aside the pressing necessities of the Irish tillage farmers, many of whom have lost much of their means and are besides much indebted to banks, local merchants, and other creditors. The Purchase Act, as we have said, must necessarily be slow

in its operation. Tenant right, on which the Besborough Commission relied as a remedy is, under existing circumstances, frequently of little value. To force such tenants to sell their working stock in order to pay full rent would be fatal to their future prosperity. The just remedy is to abide by the principle of termly revision already established, but to shorten the period to a term during which no serious error is likely to result.

37. We therefore recommend that the term of revision should be shortened from fifteen to five years.

Term of revision should be shortened.

1817; 1820; 1825;
1830; 1835; 1840;
1845; 1850.

025; 17,433;
18,860; 18,808;
22,552.

38. It has been a question of anxious thought and deliberation with us to decide whether we should recommend an immediate revision of the earlier fixed rents, or wait further indication of the future range of prices. Should they continue on the present low scale, it will become absolutely necessary that a revision be made on the rents fixed prior to the beginning of 1886, when an additional scale of reduction was generally adopted by the Land Commission. It is clear from the evidence, that the great majority of the smaller Irish tenants are not in a condition to meet the risk of a fixed rent over so long a period as 15 years. It would therefore be prudent, without further delay, to make the revision at a shorter term. This should be done, however, on a principle, as near as possible, self-acting. With this object, and also because we believe it would work advantageously to both landlord and tenant, we think a change in the law should be made.

Change of the law recommended.

1880; 1885.

39. The revision at the end of 15 years, under the Act of 1881, implied more than the question of price, for it might include revaluation of the farm, with all its accompaniment of uncertainty of result, and certainty of large costs. The prospect of such revaluation might induce tenants to exhaust the land, in order to injure its appearance, as the time for revision approached. This would cause both a private and a public loss. And as the principle of the Land Acts is to reserve to the tenant the whole advantage of his own improvements, and as the Act of 1881 takes away all inducement to the landlord to spend money on works of improvement, we think it would tend greatly to encourage continuous good farming if the only question at a revision of judicial rent in future should be that of higher or lower prices. This would complete the three points deemed necessary by the Irish farmers: fair rents, fixity of tenure, and free sale. And we recommend this change in the law, believing that what tends to continuous good farming by the tenant will render the rent of the landlord more secure.

40. If this be admitted, the future revision of judicial rents will be simple and easy. The productive quality of the land having been already defined on the first inquiry, the rent would naturally have relation to the average prices of some preceding years. If five years are adopted as the future term for revision, the average prices of certain principal articles of production, during the last five years, should be compared with the average prices of the same articles for the five years preceding the last five, and a per-centage reduction or addition, in accordance with change of price, be made on the rent for the ensuing term.

Mode of future revision.

181; 182; 183; 184;
185; 186; 187; 188;
189; 190; 191; 192;
193; 194; 195.

41. The Records of the Land Court will afford in each case a *datum line*, which will enable that Court to alter the rent for the next five years, compared with those by which the first rent was regulated. The articles of produce in the different districts which are to regulate rents could be settled by general orders to be made by the Land Commission. And, as our recommendation is given on the understanding that the only question to be considered at revision shall be that of change of prices, the Land Commission will possess within itself all the information required. No court hearing, and no expense will be incurred by either landlord or tenant, in obtaining from the Land Commission the particulars of the change effected in the rent by variation of price.

1887; 1890; 1893;
1896; 1899; 1902;
1905; 1908; 1911.

1844.

42. For in this there is no change in principle, but simply a conversion of the money rent into a produce rent. The tenant will continue to give to the landlord the same share of the produce of his farm as was originally contemplated. This change would bring immediate relief to the tenants whose judicial rents were earliest fixed, about one third of the whole number;

No change in principle.
24,269.

and would insure to the rest the early prospect of relief should the present depression of price continue.

Record of prices
for comparison at
present value.
79, 706, 270, 11,447,
25,061.

43. There is at present a record for comparison of the prices of the last five years with those of the five years preceding 1881, compiled chiefly from returns of the markets of Dublin, Belfast, and Cork. This will be sufficient for present purposes, but it would be expedient that for future use a more detailed record of prices of agricultural produce should be obtained. With this object, arrangements should be made in the office of the Registrar General, and authority given to him, by which the prices in the chief markets in the country should be collected, much on the same plan by which the average prices in England are now collected through the Board of Trade. The yearly averages should then be authoritatively fixed and published, at the commencement of each year. When these returns have been obtained for a sufficient number of years they will then become a mechanical guide to landlord and tenant, in future five-yearly settlements. It would be advisable that every amicable readjustment of rent should be notified to the Land Commission with whom the custody of the record fixing the judicial rent will remain. In the event of difference the Land Commission, on the application of either party, should have power to readjust the rent by the official record of prices without any hearing in court, but we anticipate that the interposition of the Commissioners will then be rarely required.

If the Legislature should prefer to retain the present principle of re-valuation at the end of 15 years, the first two five-yearly changes can be made by the method we have recommended, and at very little cost, while the law would remain as at present at the end of the third five-yearly term.

Number of tenants
at present affected
by revision.

44. In considering the question of shortening the term of revision, the character of the tenants, and the extent of the interests affected have an important bearing. The number of tenants who have had judicial rents fixed up to last August were 176,800 on a rental of 3,227,021*l.*, and they held consequently at an average rent of about 18*l.* each. The revision we recommend, therefore, at present applies chiefly to the smaller and more needy class, comprehending only one third in number of the tenants, and about one fourth of the rental of Ireland, if the estimate of Sir John Ball Greeno of the agricultural rental of Ireland be accepted as approximately correct. We trust that the leaseholders will be admitted to the benefit of the Act of 1881. But for those larger holders chiefly of grass farms, who would remain outside of the Act, the remedy must lie, as in England and Scotland, in friendly consideration and arrangement between them and their landlords.

45. The question of an earlier revision of the judicial rents is for the consideration of the Government and Legislature. We are constrained to recommend it from the straitened circumstances of Irish farmers.

Leaseholders.

Leaseholders.

46. The admission of agricultural leaseholders to the benefit of the Land Act, 1881, has been everywhere strongly pressed upon us as an act of justice to a class of most deserving tenants. We have had ample evidence of the fact that such tenants are amongst the most improving of their class. Having considered this evidence and the position of such tenants, we recommend that in the following cases the holders of leases and grants should be entitled to all the benefits of that Act.

19,870.

1st. All holders of purely agricultural leases of lands which, but for being leasehold, would be within the operation of the Land Act, 1881, provided the rent reserved by any such lease exceeds the amount of Griffiths' valuation of the land apart from buildings. We adopt this limit as a convenient one, and without in the least intending to lay down Griffiths' valuation as a standard of value.

9545; 10,123;
14,369.

2nd. All holders of grants in perpetuity executed since the 1st day of January 1869, and which were not executed in pursuance of any antecedent covenant for renewal, provided the lands thereby granted are in the occupation of the tenant, and are exclusively used for agricultural purposes. We further recommend that in the foregoing cases the right to have a fair rent fixed should be conferred as well upon lessors and grantors, as upon lessees or grantees, and on those representing them respectively.

25,704.

3rd. It has been represented to us that the rents reserved by some grants in perpetuity of what were church lands in Ireland are excessive. If this be so we believe that the holders of those grants have a very strong case for getting their rents adjusted under the Land Act of 1881. 21,379; 23,001.

Whether any modifications of the Law are necessary.

47. We have reason to believe that the Land Act of 1881 in its operation has in some instances caused hardship, and should our suggestion be not adopted, may hereafter cause hardship and loss to persons, who being entitled to estates or interests in land under leases, or grants in perpetuity, and having sublet those lands, have had, or may have fair rents fixed thereon in favour of the occupying tenants, which in the aggregate are either less than the rents reserved by the leases or grants, or exceed them by so little as to leave the grantee or immediate tenant practically a loser. We recommend that such grantee or lessee should be empowered to surrender his lease or grant, and that such surrender should be without prejudice to the holding of any occupier, who should thenceforth hold directly from the grantor or lessor (as the case might be) to whom such surrender was made, such surrender to be, after investigation by, and with the approval of the Land Commissioners, or of the Judge of the Court of the county in which the lands, or the greater portion of them, are situate; and we further recommend that if the person making such surrender should happen to have in his own hands any portion of the holding to be surrendered, it shall be lawful for him to retain such portion as a "present tenant" within the meaning of the Act of 1881, and as such to have a fair rent fixed. Middle men.
1573; 23,008;
21,871.

48. Evidence having been laid before us as to the practical working of sub-section 3, section 58 of the Act of 1881, which excepts from the operation of the Act any holding let to be used for the purpose of pasture, and valued at an annual value of not less than 50*l.*, we suggest that it should be amended by substituting 100*l.* for 50*l.* Pasture Holdings.
1551; 2878;
14,721; 15,323;
15,382; 15,569;
17,137.

49. We recommend that all town park holdings exceeding five statute acres in size, and adjoining towns of less than 5,000 inhabitants, should be admitted to the "fair rent" provision of the Land Act of 1881, subject to the landlords having a power of resumption for building or improvement purposes on paying compensation for all permanent improvements. Town Parks.
1551; 14,182;
14,374; 14,726;
17,130; 19,262;
22,959; 24,247.

50. The operation of selling land to the value of many millions sterling, and of distributing the purchase money amongst the several parties entitled, must, under any circumstances, be a vast one, involving the investigation and determination of almost every possible right capable of existing under our law in reference to real or personal estate. Without at present going more deeply into the question, it seems obvious that the entire operation from the first investigation of the initial agreement to the final distribution of the purchase money, should be conducted by one and the same tribunal. This tribunal should be possessed of plenary jurisdiction for the trial and determination of every question which may arise, in reference to the receipt, lodgment, investment, and distribution of all purchase or other moneys which it may be necessary to have brought into Court, and be armed with all necessary powers for the enforcement of its orders and the carrying into execution of its decrees. It seems manifest that such a Court should be a tribunal of the first rank, and presided over by the most eminent Judges available. Whether this can be better accomplished by amalgamating the Land Commission with the present Land Judges Court, or by absorbing the Judge of the Land Court into the Land Commission, is a question for the consideration of the Legislature. All we desire is to urge the advantage of establishing one first-class Court for the transaction of business of great importance. Amalgamation of Land Courts.
27,379-27,381.

51. We recommend that when the purchase of a holding agreed upon between any tenant and his landlord has been sanctioned by the Land Commission, if the title of the landlord cannot be expeditiously deduced or proved, it shall only be necessary, in the first instance, for him to satisfy the Land Commission that he, or his predecessor or predecessors in title, have been in the actual receipt of the rent incident to the tenancy for the twelve years immediately preceding. Upon being so satisfied, the Commission may at Simplification of title.
2548; 3648;
12,227; 17,918;
22,932; 25,610;
27,227; 27,273.

once cause the purchase money to be paid into the Bank of Ireland to such credit as they may direct; and make an order vesting in the tenant his holding, subject in the first place to the payment of the annual instalments to become due in respect of the purchase money, and then to all claims, if any, affecting the late tenancy; and thereupon the Commission should forthwith proceed to ascertain the respective rights of the several persons entitled to the purchase money, and distribute it amongst them, having in the meantime paid the interest from time to time to those entitled thereto. And in cases where the title of the tenant who has agreed to purchase cannot be expeditiously deduced or proved, we recommend that it shall only be necessary for him to satisfy the Commission that he, or his predecessor or predecessors in title, have paid the rent incident to the tenancy to the landlord selling to him (or to his predecessor or predecessors) for the twelve years immediately preceding, and that thereupon the Commissioners may make an order vesting the holding in such tenant subject to all just claims. We suggest that when title has been made to an estate for the sale of any portion, such title should be recorded by the Commission so as to avoid the necessity of a similar investigation upon the sale of any other portion of the same estate.

See Appendix E,
Paper I.

52. Most of the proposed amendments herein-after submitted have been suggested by Mr. Lynch a member of the Land Commission, as necessary to expedite and facilitate the working of the Land Act of 1885.

Guarantee deposit.
14,515; 1881;
2738; 17,196;
22,915; 22,935.

53. We recommend that a discretion should be vested in the Irish Land Commission enabling them to dispense with the guarantee deposit mentioned in the 5th section of the Purchase of Land (Ireland) Act, 1885, either in whole or in part, as they may think right, in cases where they are satisfied that the value of the tenant's interest added to that of the landlord's affords sufficient security.

Powers to trustees.

54. We further recommend that in all cases where a mortgage of an estate is vested in trustees, or where any estate is vested in trustees for sale, all such trustees should be empowered to authorise the application of any of the moneys payable to them in respect of such mortgage, or under such trust, to the purposes of a guarantee deposit.

390; 27,295.

55. We recommend that the Land Commission should be empowered, upon the application of the owner of a guarantee deposit, to invest the same in any securities authorised by the Settled Land Act.

Advance of portion
of purchase money.

56. Having regard to the language of section 2, sub-section A, of the Act of 1885, we recommend that the Land Commission should be empowered, when a purchasing tenant has either paid in cash to the Commission, or secured by mortgage of the holding any portion of the purchase money to advance to him the balance of the purchase money to enable him to complete the purchase of his holding, provided that such advance shall be the first charge on the holding.

Limit of advance
by State to one
tenant.

57. The Act of 1881 (section 34, 3rd sub-section) provides that an advance by the Land Commissioners to a purchaser in respect of any one purchase shall not exceed 3,000*l.*, unless by reason of some special circumstances the Treasury authorise an advance of 5,000*l.* We recommend that the Land Commission should be authorised to advance to the extent of 5,000*l.*, but that the same purchaser should not under any circumstances ever obtain an advance or advances together exceeding 5,000*l.* As the law at present stands any one purchaser may, by dividing one large holding into several small ones, obtain an advance exceeding 5,000*l.* We understand that such an operation has been effected.

Advances by State
to have priority.
2029; 2203;
25,629.

58. It should be more clearly provided than at present, that upon a sale under the Act of 1885 the advance by the State takes priority over all charges affecting the tenant's interest. It would simplify and cheapen the working out of a sale under the Statute, if sub-section C of section 4, which provides that advances are to be secured by deed, were repealed, and it were enacted that in all cases the holding should be vested in the tenant by the order of the Commission, care being taken to clearly define in express language, and not by reference, the effect of such order.

Recovery of instal-
ments.
25,624; 27,300.

59. In addition to the power now vested in the Land Commission of enforcing, by a sale of the holding, the payment of any advance made by them, we recommend that they should be empowered to issue writs

directed to the sheriff of any county or town, or, where the sum sought to be recovered does not exceed 40s., to any district inspector, requiring him to seize and sell for the purpose of satisfying such debt, any goods the property of the person in arrears which would be liable to be taken in execution, and may be found in his district. And we further recommend that it shall not be lawful for the Commission to declare any advance secured by a guarantee deposit an irrecoverable debt until they have exhausted all the means at their disposal for the recovery thereof, and further that upon a sale of a holding by the Land Commission on account of the non-payment of any instalment, they should be empowered to issue a writ to the sheriff of the county in which such holding or any part thereof is situated, directing him to forthwith put the purchaser into possession.

60. We recommend that all quit and Crown rents, and tithe rentcharges should be redeemable or apportionable. If apportioned, provision should be made against minute division, and if redeemed, that the rate of purchase required for that purpose should be reduced. It must be remembered that when the liability to pay the tithe rentcharge was placed upon the landlord, he could contract with his tenant for the amount of his rent, and he had the right to obtain a periodical revision of the tithe, which was dependent on the value of agricultural produce. Now, the landlord has the rent fixed for him, and the right of periodical revision of tithes has been taken away. Lay tithes should also, on a sale, be apportionable or redeemable as recommended in the case of quit rents and the other outgoings mentioned.

Redemption of
quit and other
rents.
2703; 19,296;
25,644; 27,287;
27,246.

61. The question of family and other charges on land, as now reduced in value, deserves the most careful consideration of the Legislature.

Family and other
charges.
14,796; 25,640; 19,071;
25,046; 27,244; 26,644.

62. With reference to head rents, we recommend, that in addition to having the power of apportionment, the Land Commission should, upon the application of the person entitled to such rent, redeem out of the purchase money any head rent or apportioned head rent upon such terms as may be just.

Head rents.
12,200; 20,000; 20,000;
20,000; 19,154; 20,000;
19,640; 22,040; 25,000;
19,771.

63. Large sums have been advanced by the Board of Works in Ireland for the drainage and improvement of lands, as loans repayable by annual instalments. It has frequently happened that such loans have been made charges upon lands other than those upon which expenditure has actually been made; in such cases the sale to a tenant, if not of the entire lands charged, will be either of portion of lands on which money has been laid out, or of lands on which there has not been any outlay, or of lands partly of one class and partly of the other. We suggest that in either case the Land Commission should have power to apportion the annual instalments payable to the Board of Works amongst the said several classes, or amongst some of them, to the exclusion of the others, care being taken that, in any case, such lands as have been the subject of expenditure should, in the hands of a purchaser, continue liable to a just proportion of such instalments while they continue payable.

Drainage and im-
provement loans.

64. A mortgagee is not bound to accept a part payment on account of his mortgage. It follows that if a holding sold to a tenant be portion of a mortgaged estate the purchase money must (unless with the consent of the mortgagee) be invested at 3 per cent., while the mortgagor is liable to pay the higher rate of interest secured by the mortgage. This fact is calculated to prevent sales. As a remedy we recommend that mortgagees should be obliged to accept the balance, if any, of such purchase money after payment of any interest due to them, in satisfaction *pro tanto* of their principal, provided the portion applicable to principal amounted to a substantial part thereof.

Mortgagees to
accept portion of
debt.

65. Upon the sale of holdings (portions of a settled estate) it may be often necessary, for the purpose of such sales, to indemnify the portions sold against head rents and other outgoings which cover the entire estate, by the portions not sold. We recommend that in such cases tenants for life, or other limited owners, to whom a power of sale is given by the statute, should also have the power to give such indemnities.

Power to limited
owner to give
indemnity.
2710; 17,163;
18,077; 18,092.

66. With a view to facilitate sales of insolvent estates, it seems to us desirable that in such cases the Land Commission should be empowered (after notice to the owner) to carry out sales of the holdings on such estates (on the joint agreements of the tenants and of three-quarters in number and value of the several incumbrancers thereon).

Sale of insolvent
estates.
27,140; 19,808

- Provision in case of disability of tenant.* 67. We recommend that where the tenant of a holding is a limited owner, minor, lunatic, or under any other legal disability, and is not represented by a trustee authorised to sell or mortgage the holding, the Land Commissioners should have jurisdiction to appoint a trustee for the purpose of a sale through them.
- Definitions.* 68. We recommend a very careful revision of the definitions incorporated in the Land Act of 1885, and that the word "landlord" in that statute should be so defined as to include any body politic, corporate, or collegiate, whether aggregate or sole, and any public company.
- Sub-letting.* 69. We suggest that any sub-letting or division which may be made of a holding purchased under the Land Act of 1885 before the entire advance has been repaid to the Land Commission should be absolutely void unless such sub-letting or division is made with the consent of the Commission.
- Specific performance.* 70. We consider it desirable that when once an agreement for sale has been lodged in the office of the Land Commissioners, and has been approved of by them, they should have jurisdiction to compel the specific performance of the agreement by either of the parties.
- Devolution of title.* 71. Upon the death of an occupier of a holding which has been purchased under the Land Act of 1885 provision should be made for the devolution of the holding on one occupier only while the instalments remain unpaid.
- Grounds of refusal to sanction loans to be stated.* 72. In all cases where a landlord and tenant have agreed upon a sale under the Act of 1885, but the Land Commission have refused to sanction such agreement, we recommend that either party should be entitled to obtain from the Commission a statement of the exact ground on which such refusal is based, and to be heard thereon, as we are of opinion that it is only reasonable that parties should have an opportunity of being heard upon a question vitally affecting the value of their property.
- Re-adjustment of time allowed for redemption.* 73. In accordance with an opinion very generally expressed by witnesses, we recommend that in all cases of ejectment for non-payment of rent, where the plaintiff shall obtain a verdict or decree, as the case may be, the period of redemption shall run from the date of such verdict or decree. This would practically respite the execution of the writ of possession, or of the decree, for six months after the judgment in ejectment is pronounced. Under the law as it at present stands, immediate eviction is daily becoming more frequent, as it is from actual eviction the period of redemption now runs.
- Limitation in actions for rent.* 74. We further suggest that for the future, no landlord shall be entitled to recover any greater amount of rent in arrear than for two years next before the bringing of any action therefor.
- Civil Bill decrees.* 75. We suggest that under civil bill decrees for sums of 10*l.* and upwards the decree of a county court shall in every respect have the effect of a judgment of the High Court of Justice in Ireland.
- Butterine.* 76. A matter mentioned in evidence as telling severely against the interests of Irish dairy farmers is that "butterine" is fraudulently sold in increasing quantities as "butter," and a suggestion was made that it should be made illegal to use the word "butter" as an affix to, or as any part of, the name of the article referred to. We submit the suggestion as well worthy of the consideration of the Legislature.

Maintenance of Law and Order.

- Maintenance of law and order.* 77. But whilst recommending certain changes in the law which circumstances have rendered necessary for the present relief of the tenants, it is right that we should also press, in the interest of all classes, the maintenance of law and order, which has in several parts of the country been grievously outraged. In the absence of that security which ought to be enjoyed in every civilised community, capital is discouraged, enterprise and industry are checked, and it is impossible that any country can thrive or any healing measures be devised which will add much to its prosperity.

Dairy Produce.

78. We have had much evidence regarding the production of butter in Ireland. There is probably no branch of Irish agricultural produce more

capable of large improvement than that of milk cows. There are 1,400,000 in Ireland, a small increase in the value of the produce of which would make much profit. Good butter would be cheap at 1s. per pound. Irish butter has been lately selling at 8d. If it could be so improved in quality as to be worth 1s., this, if three fourths of the milk was made into good butter, would increase the value of Irish butter by 3,000,000*l.* In Cork and other counties the more intelligent farmers and butter factors are working for this. Creameries are being established at central points to which the milk of the small farmers is sent in, and there treated by the best known process for the making of good butter. Winter dairying is also being introduced to supply butter and milk at the season when these are dearest. Very much in these directions may be done by farmers who will work intelligently with the means they may unitedly command. The value of foreign butter and butterine imported into this country yearly is about 12,000,000*l.*, a large share of which might be taken by Ireland if the quality of the butter was improved.

Large Scale Maps.

79. Sir Charles Wilson, who was at the head of the Ordnance Survey Department in Ireland when our Commission commenced work, drew our attention to the fact that Ireland was the only civilized country in Europe which has no cadastral survey on a large scale. We publish a memorandum from him on this subject in the Appendix to our Report. Except in the county of Dublin, there are no maps on a larger scale than 6 inches to a mile to represent rural districts. These larger maps have been found to be very satisfactory in consequence of the exactness with which the boundaries of small holdings can be delineated, and the greater accuracy with which the areas can be computed. The Land Judges Court and the Irish Land Commission have frequently found it necessary to get surveys made by the Ordnance Survey Department on the 25-inch scale for the purpose of carrying out sales. There are a very large number of holdings in Ireland held in small detached portions often at considerable distances from each other, which it is hardly possible to define on the 6-inch map with any degree of accuracy; and now that a Land Purchase Act has been passed, large scale maps for all Ireland would be an infinite advantage.

80. We desire to express our sense of the valuable services rendered to us by our Secretary, Mr. F. G. Hodder, throughout this enquiry. Besides conducting a voluminous correspondence on the business of the Commission, and in the arrangement of evidence, he has given valuable assistance in the preparation of the Report. His special knowledge of the details of the working of the Land Act has been most useful. And his forethought and care in carrying out the work of the Commission deserve our best acknowledgments.

COWPER.

*MILLTOWN.

JAMES CAIRD.

J. C. NELIGAN.

F. G. HODDER,

Secretary.

21st February 1887.

* Subject to the reservations and remarks set forth below.

Supplementary Report by the Earl of Milltown.

I regret that I cannot concur in the recommendation of my colleagues for the revision of the judicial rents. Considering the many and grave objections to disturbing an arrangement described as final, and so recently arrived at by the Legislature, and also the fact that only five out of the fifteen years have elapsed, three of which have been fairly prosperous and two only the reverse, and that there is ample time in the ten years which the term has yet to run for the tenant to recoup himself for his losses, I am of opinion it is not desirable to make any alteration in the existing judicial leases. Almost every witness of every class informed us of the absolute necessity for finality in Irish land legislation, and if the settlement so recently arrived at were to be again ripped up, to use the expression of one of the tenants, it would be impossible for any class in Ireland ever again to believe in the finality of any arrangement arrived at by the Legislature. The two Chief Commissioners whom we examined were strongly opposed to any alteration of the term. Mr. Justice O'Hagan considered that "15 years was short enough," and "that he should be sorry to alter the time at present," and Mr. Litton said emphatically that "he could not conceive anything to justify legislative interference with the rents fixed under the authority of the Act if there is to be any finality, any trust in the Legislature," and that "fairly ascertained under the authority of what is a court of arbitration nothing would induce him to vary them by Act of Parliament unless the parties consented," and "that as regards this generally he did not see, if every five years there is to be a re-arrangement, there ever would be an end of it."

And this appears to me to be the view taken by the vast majority of the witnesses of every class. If it were thought desirable to compulsorily interfere with contracts solemnly guaranteed by the Legislature, and arrived at after enormous trouble, expense, and sacrifice, the claim of the landlords for compensation would be absolutely unanswerable. It is quite true, no doubt, that the sudden fall in prices and the bad harvests have during the last two years in many cases, chiefly amongst the tillage and dairy farmers, and the breeders of young stock, added to other causes mentioned in the evidence, rendered the payment even of judicial rents extremely difficult, and the vast majority of such cases have been met by the landlords with generous statements and even remission of rent, a course of conduct the more honourable on their part as the fixing of their rents has been taken out of their hands by the State, and they themselves deprived of many of the legitimate rights of property. This fact, however, by no means proves that the judicial rents are too high.

Whatever the rent fixed for a series of years may be, unless it be altogether below the fair letting value in average years, such difficulties must be liable to occur from time to time, and their occurrence simply illustrates what one of the Sub-Commissioners themselves called, "The impossibility of fixing fair rents." Temporary depressions and temporary difficulties can only be met by temporary concession. It seems to be generally admitted that when fixed the judicial rents were not at any rate, with some few exceptions, too high, and that, therefore, if the remaining years of the term average the first three they will not be too high in the future. The average reduction all over Ireland has averaged about 20 per cent., and the judicial rents may be roughly stated to correspond with Griffith's valuation, which, unlike the judicial rents, was directed to be fixed on a scale of prices, those namely which prevailed in 1852. As the prices of farm produce which prevailed in that year, with the exception of wheat, which is very little grown in Ireland, averaged 50 per cent. less than they do now, it does not seem easy to see how the present state of prices can render difficult the payment of a rent that does not exceed Griffith's valuation, the more so as it was directed to be fixed at 25 per cent. below the fair letting value of the land, and, as it was made

6914; 6844.

1590; 22,853.

26,896.

311; 15,848.

26,040.

19,787

4658; 4370.

solely for purposes of taxation, it was the interest of both owner and occupier to get it made as low as possible. It is argued, on the other hand, first, that labour is much higher now than it was then; and, secondly, that the tenants have become used to a better style of living than that they were content with in former days. Both these statements are no doubt correct, and I heartily rejoice to think so, for the poor labourer in those days worked for starvation wages, and the food and clothing of the people was miserable in the extreme. But it must be remembered that the vast majority of the Irish tenants are very small farmers who employ no hired labour at all, working the farms themselves with the aid of their families, and that the large farmers, as indeed is pointed out elsewhere in the Report, have now the aid of machinery which was then unknown, and which has enormously reduced the necessity for manual labour. All articles of food and clothing, with the exception perhaps of meat, are cheaper now than then, so that after making due allowance for those two factors in the case, no adequate explanation has been given why a scale of prices which is at any rate 50 per cent. higher than that which prevailed in 1852, should render it impossible to pay rents which are at least 20 per cent. lower than those which were then paid without demur.

On the whole I am clearly of opinion, forming my judgment solely on the evidence, that the judicial rents cannot, with some few exceptions, when some excessive rents have not been sufficiently reduced and looking forward to the time they have still to run, be considered too high in any part of Ireland. No one would have dreamt of suggesting a revision had prices gone up, on the ground that the rents were too low, and I am unable to see the justice of an alteration, because during the last two years prices have gone down. The fact that when the league does not interfere, the tenant right at any rate of the smaller holdings, still fetches a very high price all over Ireland cannot be ignored; tables will appear in the Appendix showing that even in this year the liability to pay the judicial rents has fetched on the average considerably more than 20 years' purchase, and evidence has been given that land has been letting in the north for grazing and cropping purposes at 11. per acre more than it fetched last year.

It appears, however, by the evidence of the Sub-Commissioners, that these gentlemen, or rather the majority of them, for they are not unanimous, have at some period as to the date of which they do not agree, but within the last 12 or 18 months, thought proper to make reductions, in the amount of which they do not concur, on a much lower scale than they had previously done, and this fact has caused very great dissatisfaction among the tenants whose rents were fixed on a higher scale. They naturally feel that if their rents are fair, those of their more fortunate neighbours, who have had greater proportional reductions, must be too low, and that they themselves are placed in an unfair position of inferiority; and consequently though previously satisfied with their rents, they have now become discontented. The evidence will show the reasons assigned by the Sub-Commissioners for the course they have thought proper to adopt, the chief one being the fall in the price of produce in the last two years. I confess it seems to me as unfair to fix an extra low rent for 15 years to come, because we have had two bad seasons, as it would be to fix an extra high one, because we had had two good ones.

Even supposing that it should be thought consistent with justice and expediency to tamper with the existing judicial rents by further legislative interference, it seems to me that the plan suggested by the majority of the Commission is one that is open to the gravest objection of any that has been put forward, and according to the overwhelming weight of the evidence is, in Ireland at any rate, utterly impracticable. Not one single witness gave is unqualified support; even the four who appeared to be in favour of the principle admitted that it could not be worked without a datum line to start from, which at present we have not got, for it appears impossible to arrive at any general principle (if there ever was any) on which the judicial rents were fixed, and those rents *ex necessitate* have been fixed in the most perfunctory manner and on no basis whatever. They are said also to differ in amount according to the composition of each sub-commission court.

Again, it has, I think, been proved to demonstration that a sliding scale, founded on prices alone without taking produce into consideration, is calculated

421; 4493; 4628;
4770; 4923;
14,937; 23,661.

18,917.

22,028; 22,170;
28,342.

14,602; 23,816.

22,844; 26,297.

19,833.

24,328.

3840; 13492;
16,649; 26,294;
3837; 15,102.

15,006; 16,331;
24,263; 26,083;
24,290.

to inflict the greatest injustice and hardship to the tenant. The year 1879, for instance, the worst of the century, as far as crops were concerned, was a year of high prices, but to charge a tenant a higher rent on that account, and to ignore the fact that the land produced little or nothing, would cause a feeling of dissatisfaction in the country that it would be hard to over-estimate. The evidence of the O'Connor Den on this point appears to me to be unanswerable and unanswered. On the other hand, an abundant produce may well compensate for lower prices. Nor can the season be left out of consideration in estimating the value of what the land produced. It was the wet harvests as much as the low prices that rendered 1896 a bad year for the Irish farmers. Both the oat crop and the barley crop were abundant, but the oat crop was most difficult and expensive to save, and the barley crop all but rendered useless by the inclement season. No doubt a fair rent which varied from year to year with the varying prices and amount of farm produce would be an ideal one, but, as the Bishop of Elphin has observed in his interesting paper,* it would be, even if workable, a new and fruitful source of misunderstanding and litigation. No means at present exist for ascertaining the prices of the produce except in Dublin and Belfast markets and in Cork for butter, but the prices on Irish holdings vary indefinitely all over Ireland, and in order to draft a sliding scale it would be necessary to obtain statistics with regard to every county, and perhaps every barony, and none such now exist. It would be most difficult, in the opinion of practical men, to get at the prices of store cattle, on which so much depends, the prices given in the county papers being wholly unreliable, and the price of beef being no safe index of their value. It may be added that to the small occupiers, who consume the greater part of their produce themselves, the question of the price is comparatively with that of the amount and quality, unimportant. Another objection to the proposed scheme from the tenant's point of view is that it would seriously diminish the value of their tenant right. At present their judicial rents can practically never be raised, though nominally subject to revision at the end of 15 years it is clear from the evidence that the most sanguine landlord cannot hope, under the existing system, to have his rent raised at the end of the term, but, if the rent be liable to revision every five years on a self-acting scale of prices, it is evident that, if times improve, as there is every reason to hope, the rents must inevitably be raised all over the country, and the discontent and disturbance such a prospect would entail is fearful to contemplate. Nor would the proposal afford any relief to "the pressing necessities of the Irish tillage farmers, most of whom have lost much of their means since 1879, and are besides much indebted to banks, local merchants, and other creditors." The prospect of a remission of some 10 per cent. of their rents some twelve months hence will afford them no escape whatever from their present difficulties; their other creditors will not hold their lands because the landlords' claim will be assessed in the future, and the former possess the same power as the latter to compel a sale of the holdings, and are much more prone to exercise it. For tenants such as these here referred to in the report nothing short of some system of liquidation, similar to that recommended by Mr. Willis in his valuable paper,† seems calculated to afford any adequate relief. If tenants cannot bear the strain of two bad years it is clear that a quinquennial revision will not avail them in their present difficulties, and although they might look with complacency on a revision at the present moment when it must cause a reduction in their rents, they would look with the greatest aversion on a proposal which would entail the possibility of another revision five years hence which would have a totally opposite tendency. To sum up I object to the proposal, first, because it would be most unjust to alter compulsorily the existing judicial rents, secondly, because it appears to be, according to the overwhelming weight of the evidence, utterly impracticable in existing circumstances in Ireland, thirdly, because it would act most injuriously on the tenant by diminishing the value of his tenant right, and rendering him liable to have his rent raised from causes which may not affect his capability for paying it, and lastly, because it would plunge the country into a perpetual state of unrest and uncertainty which would produce a state of things even worse than that which

* Appendix D, Paper 2.

† Appendix D, Paper 2.

exists at present. The Land Act of 1881 is an admitted failure, and attempts to tinker it in accordance with abstract theories will only end in further disaster. 15,969; 18,973. 25,661.

All classes in Ireland are now looking, not to the discredited provisions of the Land Act, but to the cessation of the dual ownership which it created as the only solution of the Irish difficulty, and the sooner this can be effected, on terms just to both parties and not entailing an unfair risk to the State, the better for the peace of the country and the safety of the Empire, and I am satisfied from the evidence that if the tenants really believed that, as one of them said, "the last word had been spoken," and that there would be no further legislative interference between them and their landlords, that the conversion of occupiers into owners could be speedily effected on just and equitable terms. 5061; 19,960. 2383. 4034; 4284. 3198; 22,008.

There are some statements in the Report with which I do not altogether agree. In the first place I may mention the statement in paragraph 15, with regard to combinations, "that the refusal by some landlords of any abatements may explain much that has occurred." I can find nothing in the evidence to corroborate this statement, while there is much that is opposed to it. There is very little evidence of landlords having refused any abatements, they appear as a rule to have treated their tenants with generous kindness and forbearance. The chief refusals to grant abatements have been in Ulster, where, according to the report, "combinations do not, as a rule, exist." In the south and west, on the other hand, combinations appear to be in full force on estates like those of Lord Kenmare, where large abatements have been offered, while on Captain Cosby's estate, in the Queen's county, a refusal of any abatement appears to have actually put an end to a combination, and caused the rents to be paid in full. The evidence seems to me to point to the conclusion, that if the tenants were let alone, they would fulfil their legal obligations honestly, and to the best of their ability.

I am unable to agree with the statement in paragraph 18, "that there has been a gradual deterioration of the produce of the soil, both tillage and grass." The evidence shows that the grass crop of 1886 was one of the best on record, and that the oat-crop was the best remembered for 40 years. The turnip crop was also said to be one of the best ever known, and the barley crop, though ruined by bad weather in harvest time, was exceptionally good and plentiful. The potato crop too, of 1885, was a remarkably good one, and much above the average of late years. I also protest against the comparison drawn in paragraph 19 between the average production of two years with that of four; such a comparison seems to me unfair and misleading. 22,221; 20,113; 16,141. 9,774; 23,308. 22,539.

In conclusion I must express my dissent from paragraph 25. I see no reason why, when the tenant desires it, the time for repayment of the instalments should not be extended from 49 to 60 years in accordance with the recommendation of the great majority of the witnesses. I cannot see how this could act injuriously to the State as it will be obviously easier to collect smaller instalments than large ones, while the longer there is a control over the tenants which prevents sub-division the better. The smaller the instalment of course the easier it will be to pay, and every instalment paid being so much more invested by the tenant in the land will make the remainder more safe. There seems to be a universal opinion that the whole burden of the purchase should not be borne by the present generation, but that some of it ought to be left to their successors, and looking forward to the probable fluctuation in prices and seasons which may occur during such a long series of years, and to the punctuality with which the instalments must be paid, differing in that respect from their present rents, in the collection of which, in the vast majority of cases, generous allowances have been made in bad times, there seems to be a general idea that there ought to be a considerable margin for such eventualities between the existing rents and the future instalments. 23,006. 19,961. 19,962-3. 2376.

MILLTOWN.

Letter from Mr. Thomas Knipe to the Right Honourable
Earl Cowper.

Westminster Palace Hotel, Victoria Street,
London, S.W., February 15, 1887.

My Lord,

AFTER careful consideration I regret that I cannot sign the draft report, being unable to agree with many of the suggestions and propositions it contains, and further for the reason that I am unable and could not be expected as a tenant farmer to fully comprehend the meaning of the numerous and important proposed legal changes contained therein.

I am deeply sensible of the importance and value of the recommendations which the report contains, especially those dealing with the shortening of the judicial term from 15 years to 5 years and the admission of leaseholders to the benefits of the Land Act.

Upon the question of combination, however, my views differ so widely from the opinions of many of the Commissioners that I am compelled to dissent; especially as assent on my part to certain paragraphs might create the impression that I am in favour of any fresh coercive legislation. I know the feelings of the class I represent and believe that combinations derive their force mainly from the exactions of excessive rents which the land does not produce.

For these reasons I have come to the conclusion to embody my own views in an independent report, which I hope to send you at an early day.

I remain, my Lord,

Your obedient servant,

THOMAS KNIPE.

P.S.—You will please have this letter published along with your report should my report not be in time.—T. K.

NEWFOUNDLAND.

DESPATCH

FROM THE

SECRETARY OF STATE FOR THE COLONIES

TO THE

GOVERNOR OF NEWFOUNDLAND

ON THE SUBJECT OF THE

RESERVED BILL OF THE NEWFOUNDLAND LEGISLATURE,
ENTITLED "AN ACT TO REGULATE THE EXPORTATION
" AND SALE OF HERRING, CAPLIN, SQUID, AND OTHER
" BAIT FISHES."

Presented to both Houses of Parliament by Command of Her Majesty.
February 1887.



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1887.

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Despatch from the Secretary of State for the Colonies to the Governor of Newfoundland on the subject of the Reserved Bill of the Newfoundland Legislature, entitled "An Act to regulate the exportation and sale of herring, caplin, squid, and other bait fishes."

THE RIGHT HON. SIR H. T. HOLLAND, BART., G.C.M.G., M.P., to GOVERNOR
SIR G. W. DES VŒUX, K.C.M.G.

SIR,

Downing Street, February 3, 1887.

I HAVE the honour to acknowledge the receipt of your Despatch of the 14th of January last upon the subject of the Bill passed by the Legislative Council and Assembly of Newfoundland during the last session, and reserved by you for the consideration of Her Majesty's pleasure, entitled, "An Act to regulate the exportation and sale of herring, caplin, squid, and other bait fishes," a transcript of which accompanied your Despatch of the 26th of May last.

Her Majesty's Government have carefully considered your Despatch now under acknowledgment, together with your previous Despatches on the subject, as well as the Attorney-General's report and the petition which accompanied your Despatch of the 19th of June last, addressed to the Secretary of State by both Houses of the Legislature, praying that the Bill may not be disallowed.

The representations made by the Attorney-General and by Sir Ambrose Shea, with whom Her Majesty's Government had the advantage of repeatedly conferring during their visits to this country, have also received full attention.

Owing to the changes of the Government here, there has unfortunately been some unavoidable delay in dealing with this question, but I have made it the first subject of my consideration, and have not lost any time in bringing it under the notice of Her Majesty's Government, who recognise the great importance of maintaining and developing by all legitimate means that industry on which the greater part of the population of Newfoundland is directly or indirectly dependent. The representations of the French Government on the other hand have also necessarily received careful attention.

Her Majesty's Government are aware that when the Convention of 1857 was under consideration a clause relating to bait formed one of the grounds for the rejection of that Convention by the Government of Newfoundland; but it is to be remembered that the clause in question conferred on the French not only the right to purchase bait, but to take it for themselves on the south coast in a certain contingency, and was for this reason much more unfavourable to Colonial interests than that inserted in the "Arrangement" of 1885.

In the negotiations which have taken place since 1857 a provision for the sale of bait to French fishermen has invariably been contemplated, and has been agreed to by representatives of the Colony on more than one occasion. Moreover in resolutions adopted in 1867, and again in 1874, the Legislative Council and House of Assembly of Newfoundland agreed to a clause allowing the French to purchase bait at such times as British subjects might lawfully take the same.

More recently, again, when the "Arrangement" of 1884, in its first stage, was communicated to the Colonial Government, the article providing for the sale of bait to French fishermen was not objected to by them, although other modifications of the details of the Arrangement were pressed by the Colony. It was only at so recent a date as the spring of last year, when the Arrangement as revised in 1885, in accordance with the wishes of the Colonial Government, was presented for the final approval of the Legislature of Newfoundland, that exception was taken to the provision for the sale of bait to the French fishermen; and this objection was followed up by the passing of an Act to give effect to it.

I recapitulate these facts in order to explain how it is that Her Majesty's Government, while fully recognising the serious character of the representations now placed before them as to the actual condition and prospects of the Colonial fishing trade, feel constrained to admit that there are special difficulties in the way of an entire departure, at the present moment, from the policy which has been so long adhered to. The time

is now close at hand at which the French fishermen prepare to sail for the fisheries, and large expenditure has been incurred for the season; and the French Government, having received no formal intimation that the practice hitherto uniformly maintained will be departed from, has been entitled to assume that there will be no alteration in the arrangements for the current year. Her Majesty's Government would consequently not be justified in disregarding the strong protest of the French Government against the introduction at this late period of restrictions calculated to inflict grave loss upon the French fishermen; and as for this reason they are unable to advise the Queen to allow the Bill to come into operation in respect of the approaching fishing season, it will not at present be submitted for Her Majesty's confirmation.

I do not desire now to raise the question how far the objection to the sale of bait to the French should, if well founded, have been pressed at an earlier date. The papers before me make it clear that it has but very recently been discovered that the operation of the French bounties has so lowered the price of fish in the markets of Europe as to make the fishing no longer profitable to the colonists, who are not aided by bounties. In the 19th paragraph of your Despatch you state that on the continent of Europe French caught fish is sold for 12s. 6d. per quintal, while that caught by British fishermen, being better prepared, fetches 14s. per quintal. As the French fishermen receive, in addition, a bounty which you state amounts to some 8s. 6d. per quintal, it is sufficiently obvious that the British fishermen lie under a grave disadvantage; but I do not perceive that it has yet been shown in detail that although there is a great difference between the present price of 14s. per quintal and the former price of 15s. to 20s. which, as stated in a memorandum furnished to Her Majesty's Government, was obtained for Newfoundland fish until about two years ago, the Colonial fishery has actually ceased to be remunerative, and to what extent. It is desirable that the case for the allowance of the Bill should be supported by full evidence on this point; and during the current year it will be possible to ascertain accurately the full effect of the French bounties and the exact position of the British fishing trade. Until these facts have been established it is not possible for Her Majesty's Government to decide with confidence whether the proposed legislation will prove to be the best mode of applying a remedy for the depressed state of the Colonial fishery, or whether, after further communication with the French Government upon a more precise statement of the facts, such remedy may be found in some other direction.

Sir G. W. Des Vœux.

I have, &c.
(Signed) H. T. HOLLAND.

LAND ACTS (IRELAND.)

REPORT

OF THE

ROYAL COMMISSION

ON THE

LAND LAW IRELAND ACT, 1831, AND THE PURCHASE
OF LAND (IRELAND) ACT, 1835.

VOL. II.

MINUTES OF EVIDENCE

AND

APPENDICES.

Presented to both Houses of Parliament by Command of Her Majesty.



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1887.

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LAND ACTS ROYAL COMMISSION.

MINUTES OF EVIDENCE.

36, Morrison-square, Dublin, Wednesday, October 13th, 1886.

Oct. 13, 1886.

FIRST DAY'S SITTING.

Commissioners present: Right Hon. EARL COWPER, President; Right Hon. EARL of MELLTOWN; Sir JAMES CAIRD; Mr. NEILGAN, Q.C., Recorder of Londonderry; and Mr. THOMAS KNIFE. Mr. F. GEORGE HODDER, B.L., Secretary, was also present.

Doctor T. W. GRISWOLD examined by the President.

Dr. T. W. Griswold.

1. You are Registrar-General for Ireland, and have under your charge the statistics of births, marriages, and deaths, of emigration and agriculture, and certain banking statistics, as part of the regular duties of your office, and, in addition, you have under your charge personally the criminal and judicial statistics?—Yes.

2. I think many statistical questions are referred to you from time to time by the Government?—Yes.

3. The statistics of agricultural holdings in Ireland have been collected through what channels?—There are three principal channels; the returns compiled by the Local Government Board for Ireland in January, 1881, the census enumeration of 1881—the census returns were made up in April—and the agricultural statistics collected annually for the Registrar-General's office.

4. By Mr. Neilgan.—Is that April in each year?—The Local Government statistics were made in January of 1881, the census statistics in April of the same year, and then every year the agricultural statistics are collected in June—that is the acreage and so on. Then with regard to the crops the returns are made up in November.

5. By the President.—Is there any discrepancy between the number of agricultural holdings as given in the above mentioned returns?—Yes. They are different in some of the returns, and attention was called to it in Parliament, by Mr. Seale, on the 13th August, 1881, and it was partly explained at the time—the answer was to the effect that one set of returns were made by ratings and the other by holdings.

6. By Sir James Caird.—What is the difference between ratings and holdings?—The rating is simply what is taken as separate rating for taxation purposes, and there may be several ratings within one holding.

7. The ratings are for local taxation purposes?—Yes, for local taxation purposes.

8. And do you say they may include several holdings?—No; as a rule they do not.

9. By Lord Milnes.—The rating cannot include several holdings?—It is possible, but it is very seldom it does.

10. By Sir James Caird.—Then for our purposes "holding" is the more correct word?—Yes. In the first mentioned return, namely that by the Local Government Board for Ireland, the return is made up from the rate books and the information is given by ratings, and according to this return the

number of agricultural holdings in 1881 was 660,183.

11. Which you say is quite a mistake?—As there may be several ratings comprised in what is practically one holding this return would necessarily show a greater number of holdings than there really are, in fact it was an error to call it a return of agricultural holdings, it was a return of ratings connected with agricultural holdings; it is simply an error in the general title. In this return the holdings are classified by valuation, and it shows that there were 218,199 agricultural holdings of £4 or less valuation in Ireland.

12. By Lord Milnes.—That is £4 and under?—Yes.

13. These are cases where the landlord pays the poor rate?—Yes. That is the way this return is classified, but the unfortunate part of it is that all these are classified differently. There are valued at over £4 and at or under £10, 186,934 holdings; over £10 and at or under £15, 77,712.

14. That is holdings?—Yes. That is the number of so called holdings over £10 and at or under £15. In the same way the number over £15, and at or under £20, is 45,541.

15. Here the holdings mean tenancies?—No; these are ratings; this is with regard to ratings.

16. By Sir James Caird.—We only want the number of holdings?—I was giving you first a statement of the ratings.

17. That is of no use to us?—Very well.

18. By the President.—I suppose these figures are before the public already?—Yes, these are in the returns you have already before you.

19. Then there is nothing new in them?—No. It is merely an abstract I made for the purpose of the Commission.

20. Then these are not holdings but ratings?—Yes.

21. By Lord Milnes.—Then the only figures of tenants you have given are the 218,199 which are £4 or under?—Yes, and these are not necessarily tenancies; there may be several ratings for the holding belonging to one tenant.

22. By the President.—Does this return show approximately the number of holdings?—No. This is quite too large a number. I will give it if you want it, but in my opinion it is a misleading statement altogether.

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23. Is it a summary of the return?—Yes.
24. By Mr. Nelson.—That is not a return of the holdings?—I am coming to that.

25. By Sir James Caird.—That is what we want?—There was another return of the same sort, but I don't know whether it is of use; it is made also by the Local Government Board.

26. Is it by rating?—Yes, but it is under a different form—it is an old return of 1870, and it is really out of date now.

27. By the President.—Then we won't trouble you with that?—I don't think it is worth while. The second return was collected by the Census Commissioners in 1881 in connection with the census (Return given in evidence).

28. This is also in rating?—No. This is a totally different thing.

29. This is merely the census return?—Yes.

30. By Sir James Caird.—Would this give us the holdings?—I am going to tell you how this was collected.

31. What we want in facts as they stand?—If you will allow me I will show you what was ascertained, for this publication (produced) which is the General Report of the Census of Ireland 1881. The second return, that is the one we are speaking about, was collected by the Census Commission of 1881 in connection with the Census. The information for the return was collected on a special form—Form M 1, p. 415, General Report of Census, 1881 (form given in evidence)—and it shows the kind of information collected. And here is another form—Form M 2, p. 416, General Report of Census, 1881 (form given in evidence)—for the preparation of a Summary by the Commissioner, after he had made up the return for each township. Details relative to holdings, valuation and population are all taken on M 1. You will see that the first table of the Land Census return (table 48 General Report of the Census, 1881, p. 165), shows all the heads under which the details were collected. This table (produced) arranged by provinces in the first table, and they are worked out into counties and Poor-Law unions in further tables. This return was made within three months of the Local Government Board Return of 1881.

32. By the President.—This is classified not by valuation, but by area?—Yes, area. The number of agricultural holdings according to this return was 499,109.

33. By Mr. Nelson.—That is a return of all agricultural holdings?—Yes, it is practically 500,000.

34. By Lord Milnes.—Does that really mean tenants?—That really means holders of land, because when a man had two holdings the enumerator's business was to mark that on the return, and when that came into the office the several holdings were treated as one.

35. Then we may take it that that means the number of agricultural occupiers in Ireland?—Yes, in 1881. This was collected at the suggestion of the Statistical Society, and it was founded on a paper read before the Society by Mr. Henry Jephson.

36. Is there any definition of the word "agricultural"?—No.

37. To show how far it extends to townparks?—That was left to a great extent to the enumerators.

38. By Mr. Nelson.—As a fact it did include townparks?—Yes.

39. By Sir James Caird.—Would it include men under one acre?—It would. The first class given is not exceeding one acre.

40. You say it is first shown by provinces, and the last portion of the table is for the whole of Ireland?—Yes; this return is classified by acreage and the Local Government Board Table of 1881 was classified by valuation.

41. By the President.—Then you can come at some general idea of the average number?—Yes; I will point that out as I go on.

In the Tables the holdings are grouped in seven classes, namely—

1st Class—Holdings not exceeding 1 Acre.	2nd Class—Holdings above 1 and not exceeding 5 Acres.	3rd Class—Holdings above 5 and not exceeding 10 Acres.
1st " " " " " " " " " " " "	1st " " " " " " " " " " " "	1st " " " " " " " " " " " "
2nd " " " " " " " " " " " "	2nd " " " " " " " " " " " "	2nd " " " " " " " " " " " "
3rd " " " " " " " " " " " "	3rd " " " " " " " " " " " "	3rd " " " " " " " " " " " "
4th " " " " " " " " " " " "	4th " " " " " " " " " " " "	4th " " " " " " " " " " " "
5th " " " " " " " " " " " "	5th " " " " " " " " " " " "	5th " " " " " " " " " " " "
6th " " " " " " " " " " " "	6th " " " " " " " " " " " "	6th " " " " " " " " " " " "
7th " " " " " " " " " " " "	7th " " " " " " " " " " " "	7th " " " " " " " " " " " "
8th " " " " " " " " " " " "	8th " " " " " " " " " " " "	8th " " " " " " " " " " " "
9th " " " " " " " " " " " "	9th " " " " " " " " " " " "	9th " " " " " " " " " " " "
10th " " " " " " " " " " " "	10th " " " " " " " " " " " "	10th " " " " " " " " " " " "
11th " " " " " " " " " " " "	11th " " " " " " " " " " " "	11th " " " " " " " " " " " "

And the Census Commissioners remark in their Report (General Report p. 11.)—

"The statistical results will be most fully appreciated by classifying the holdings into those not exceeding and those over 50 acres, when it will appear that of the 499,109 agricultural holdings, there are 346,978, not exceeding 50 acres. Of these there are 293,465 not exceeding 20 acres, 52,433 not exceeding 15 acres, 161,029 not exceeding 10 acres, 78,580 not exceeding five acres, and 16,339 not exceeding one acre. It would be unprofitable to consider all these as land, the agricultural holdings, having regard to the fact that deduction should be made for villas standing on small plots of land situated sufficiently outside large towns to be excluded from town holdings. Again, certain of those not exceeding one acre are merely labourers' holdings. In any case, however, the return shows a vast number of small agricultural holdings in Ireland, the occupiers of which are endeavouring to earn a living by the product of the same."

42. By Lord Milnes.—You could not give us an idea of how many holdings are in these two exceptions?—No. "The holdings above 30 acres number 150,139, of which 84,430 are over 50 acres; 32,864 over 100 acres, 11,394 over 200 acres; and 2,413 over 500 acres."

43. By the President.—Is there any particular reason why you fixed upon 50 acres as a kind of boundary?—It arose from talking over the matter with various people we consulted at the time, we rather came to the conclusion that 50 acres was about the average economic boundary of success. This is a matter of opinion more than anything else.

With respect to this question the Census Commissioners observe (General Report, p. 12.)—

"This is not the place to discuss the economic question—what is the smallest holding of an average quality sufficient to enable a person living by agriculture to subsist and maintain a family, but it must be clear to any political economist that a vast number of the holdings referred to above are incapable of affording such means of subsistence."

44. By Lord Milnes.—Then there are only 150,000 tenants who have more than 50 acres?—150,139.

45. Then according to that idea these are the only tenants who can live on their holdings?—If that view is taken as correct.

46. By Sir James Caird.—Before you leave the figures of the smallest holdings—not over one acre—are we to understand that there are only 15,678, out of 499,000, who hold not over one acre?—Yes.

47. And from that it is to be deducted the small villa holdings near towns?—Yes, a portion of them.

48. And labourers?—Yes.

49. And when one says over one acre the holding may be one-and-a-half acres, or three acres?—Yes. You will observe that the holdings, as given in the published returns, are not classified by valuation, but according to area. The aggregate value of each class is given, and in this way averages may be struck for any class in any locality, and a tolerably correct idea of the average agricultural capacity of the holdings can thus be obtained. The Census Commissioners remark in their Report, (General Report p. 12.)—

"Comparing the four provinces, it will be found that the holdings not exceeding 30 acres constitute in Leinster 64.1 per cent. of the total number, in Munster 50.2, in Ulster 76.3, and in Connaught 68.7. In the county of Mayo the proportion reaches 55.0 per cent., and in Roscommon 83.2. In the county of Antrim we find the highest proportion of small holdings in any county of Ulster, where the per-centage of those not exceeding 10 acres is 81.3."

50. By the President.—I suppose the land is better

there than in the West?—I am afraid in many of the small holdings it is not, but I would not venture to give evidence on that point.

51. By Sir J. Caird.—That is in the neighbourhood of Portadown?—No; but in some of the mountainous portions of Armagh where the land is not good.

52. By Lord Millican.—I don't understand what we can gather from that 89 per cent. of the holdings—does that give us any idea of the proportion of these holdings to the area of the county, how much is occupied by large holdings, and how much by these small ones?—Having mentioned the area of the county Armagh, and the area of the holdings, the proportion is easily ascertained. We know the total area of all the holdings of a certain size: we know the total area of the county Armagh, and by a little calculation it could be known.

53. By the President.—But you can explain as to Armagh and Ulster generally certain circumstances as to landlords weaving which bear on this question?—Yes, but those are matters more of opinion than of fact. The Census Commissioners remark:—

"These large proprietors of smaller holdings in Connaught, and in some portions of Ulster, point to narrow means of subsistence for such small agriculturists. These deficiencies are, however, to some extent compensated for in the case of Mayo and other Connaught counties by the earnings of the agricultural labourers who annually visit Great Britain, as shown by the returns of Migratory Labourers recently published by the Registrar-General. In the case of Armagh and other Ulster counties in the north-east of Ireland, the deficiency is made up by the earnings of hand-laborers in those parts where this industry is still carried on. Again, the small agriculturists along the coast of the west and north-west supplement their earnings from farming operations, by fishing, and the manufacture of kelp. The former occupation has been always quiescent under great difficulties, and the kelp trade has of late years become unremunerative."

54. By Lord Millican.—What do you mean when you say "under great difficulties" in the case of fishing?—The difficulty arising from want of harbour accommodation, and want of means of getting their fish to market, and their kelp has decreased so much in value.

55. By Mr. Nilsson.—Chemical science, I believe, has beaten kelp out of the field?—Yes; I have heard it stated that on the coast of Douglas they used to earn 400 or 470 per family by making kelp, and now the same family would not earn more than 42 or 43 even at the best times. The Census Commissioners further observe. (General Report, p. 12):—

"If we follow up the investigation by the light of Table 62 we find that the valuation of the small holdings varies very considerably in different portions of the country. That in Dublin the average value of a holding not exceeding thirty acres is £98, in Cork £10, in Antrim £13, in Down £19—these high figures being evidently produced by the high value of small plots of land in the vicinity of great towns like Dublin, Belfast, and Cork. On the other hand, we find the value of these small holdings falling to an average of but £8 for the whole of the province of Connaught, and reaching to the lowest figure in holdings in the county of Mayo, where the average valuation of holdings under thirty acres amounts to but 24."

56. What is your means of information as to these valuations?—We have taken the valuations of all those from the poor-law valuation. It is the government valuation, and we have no other authority—it is not necessarily the real value. The holdings, as given in the published returns, are not classified by valuation, but according to area. The aggregate value of each class is given, and in this way averages may be struck for any class in any locality. Thus, taking the average value of holdings above fifteen and not exceeding twenty acres, they are for Antrim, £155; Carlow, £121; Mayo, £58; Cork, £10-4. It is thus evident that the value of a holding is of as much importance as the size in estimating its agricultural capacity. In investigating the question of migratory labourers we took account of land held by those who were land-

holders, and we came across a man who retained his self as holding 700 acres, and he went to England every year to earn the balance of his living in wages.

57. By the President.—The land was worth nothing?—When we looked into the valuation we found the average on that townland was 2½ an acre.

58. By Sir James Caird.—It was mountain?—Yes; it was mountain with a little bit of useful land about the base of it. There is no doubt about the size of his holding, for we compared the plot.

59. For that reason which you have taken—that line of thirty acres as being necessary for the maintenance of a family—would not hold?—I think it would fairly hold as an average. It is a matter of opinion.

60. It could not possibly hold where there is a man with 700 acres obliged to work for wages?—There are very few of those and the number would not run down the average.

61. By the President.—You mean thirty acres of agricultural land?—Yes.

62. By Sir James Caird.—You don't hold in any way yourself from any information you have, that it is necessary for a man to have at least thirty acres of good land to maintain a family?—No.

63. By Lord Millican.—Who holds that opinion?—Well, it was really mentioned in discussing the question at the Statistical Society, and in making up the return we took that as a useful average line to draw.

64. By the President.—I suppose it was meant as an average?—Yes; because thirty acres of good land would be quite sufficient.

65. By Lord Millican.—These are statute acres?—Yes; that is a point upon which the Commission should be particular—it is all statute acres. It is clear from the above statement, that the small occupier in Mayo, so far as the value of his land is concerned, has only half the chances of the Cork occupier, less than half that of the Carlow, and little more than one-third that of the Antrim occupier.

66. By Sir James Caird.—I don't see exactly what you mean by half the chances of earning money out of his holding?—If his holding is only worth £5, and the Cork man's is worth £10, the Mayo man is much worse off than the Cork man when he tries to farm his land.

67. That is not a clear consequence: the basis of valuation is a very fluctuating one?—Possibly; but of course it is all based on valuation. In a paper I read before the Statistical Society in 1883, I got all the principal facts with regard to each of the counties of Ireland and arranged them in that table (table given in evidence). It is made up from the statistics of 1841 and 1881—to compare the state of things in 1881 with the condition in 1841 was the main object; and in further tables I have arranged the various counties according to each of the items dealt with in the larger table, thus they are arranged according to size and valuation of holdings, &c. It will be observed that in the census statistics the number of holdings is given as 499,109 or 161,076 less than in the Local Government Board return of 1881. This is not merely owing to the fact, that in the former case holdings are taken and in the latter ratings, but also to the method of compiling the census returns, which when two or more holdings are known to be in the occupation of the same person, they are treated as one which practically they are, so that 500,000 was the real number at that time. The agricultural statistics are collected annually in June by the constabulary with the greatest care according to the general instructions drawn up by my department and approved by the Inspector-General. (Paper put in evidence). The forms are sent out during the month of May, and are collected in June and returned to the office. We get ready in March and April, issue them in May, in June the enumerators commence to work, and during June they are supposed to collect all the information.

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Dr. T. W.
Graham

68. By the President.—I suppose the condition and number of migratory labourers has changed very much since 1881?—The number has decreased considerably since 1881.

69. They are much fewer now?—Yes. You will see that in Mayo they amounted in that time to about 10,000, and that was almost the same as in 1841, so that the system had continued up to that time of making up the balance of their income in that way.

70. By Lord Millicorn.—I suppose the decrease arises from the fact, that there is not a great demand for labour now?—Yes.

71. In June the returns are collected?—Yes.

72. So that they mean to represent the state of things in June?—Yes. The average under crops and the live stock are all taken in June. In October we have another demand, which is for a return of the yield of the crops; that is made up by the enumerators who are selected by the Constabulary officers. The Constabulary officers act as superintendents of the enumerators, and those put persons in each electoral division—experienced persons—to give them estimates of the average produce per acre in that division. We get these returns through the Constabulary officers, and apply them to the average which we know to be in existence from the previous returns, and that is the way the produce return is made up for Ireland. It is very much on the same principle as that on which the English produce returns are made out, except that it is not done through the Constabulary.

73. By Sir James Caird.—They are supposed to be pretty correct?—We have very few complaints about them.

74. Besides the facts regarding crops and live stock, do you, in your final returns or in any returns give any estimate of the value of the stock or crops?—Not on the responsibility of the department. I am coming to that presently. These are prices published, and we have from time to time made estimates, and these are market estimates obtained from other sources.

75. You don't publish these with the returns?—Yes, but I guard myself against being supposed to be responsible for them.

76. Are they supposed to be reliable?—They are supposed to be reliable. They are generally taken from *Thorn's Almanac*, and the returns are collected from the markets.

77. But the question is whether the value of agricultural crops and produce is on the whole maintaining itself or not?—I have some statements to make with regard to that point.

78. By Mr. Nelson.—Practically, you take the return from the *Farmer's Gazette*?—No; from *Thorn's Almanac*.

Which again takes it from the *Farmer's Gazette*?—No; they are, I believe, specially collected for *Thorn's Almanac*.

79. By Sir James Caird.—*Thorn's Almanac* takes a definite price from year to year?—They don't always take the same price.

80. They have altered it from the original agricultural returns, but I don't think they have altered it from the data on which they now reckon prices.

81. So that, probably, the prices they give are the prices of 1881 and 1885?—It is the average, I think.

82. I rather think they take the same prices?—They did in some places, but they have altered it from time to time and struck new rates.

83. With regard to the prices which I understand your department takes from the *Farmer's Gazette*, are you aware whether the *Gazette* has altered these prices from year to year?—Yes, they take them at the market prices.

84. By the President.—According to the agricultural returns for 1881 the number of agricultural holdings was 577,739.—Yes.

We wish to get rid of the first returns altogether, as they were made out upon ratings.

85. These are now the actual holdings?—These are from the agricultural statistics which I am responsible for annually.

86. And these are holdings, not ratings?—Yes, but you will see a similar difficulty arising here again.

87. What is the date of this return?—This is for 1881. The number is 577,739—that was the number of holdings on which the agricultural produce was produced, which I reported upon in 1881. That is 82,445 less than the return of the Local Government Board, which was a rating return, and, as I have already explained, there may be two or more ratings in one holding.

88. So that the 577,000 that you now refer to as the number of holdings in 1881 are now only 499,000?—No; they were returned as 499,000 in the same year in the Census return. We returned all the complete holding land as 529,000, which is only 30,000 more than the Census return. The number of occupiers is arrived at by amalgamating all the holdings occupied by each individual.

89. By Mr. Nelson.—That would be a difference of 80,000?—Yes. The difference between the agricultural return and the Census return is 30,000, and the reason is that the enumerators were not taking up returns of crops and live stock, they were taking up agricultural holdings—they were not going into the produce, but if there were a dozen cottages, for instance, during the taking of the agricultural statistics, each with a cabbage garden at the back of it, these cabbage gardens would all be lumped together, and these dozen holdings would be put in as one acre, say, of cabbages, on twelve holdings not exceeding an acre, all these holdings which are in excess, the 30,000 of the 529,000, are really cottagers' holdings which had some produce of which the agricultural enumerators had to take notice, but the other enumerator did not take notice of them.

90. By Lord Millicorn.—These are in the 499,000. A great many were of the class you have mentioned?—A considerable number, which were not in villages, and could not be classified as town or village holdings. The reliable number is 499,000.

91. By Mr. Nelson.—For practical purposes we may take it at the half million?—Yes. The number is really 500,000 in round numbers. In 1865, for instance, which is the latest return, the number is 565,000 holdings. It has considerably decreased, and the number of occupiers is 521,000, so that it is only 21,000 above 500,000, showing that the small holdings are diminishing in number.

92. By Sir James Caird.—Have you anything to show exactly the parallel of numbers comparable with 499,000—what the difference is now in diminution as compared with what it was in 1881?—No, we have never had an accurate land census taken except at that time.

93. You could not say whether there is a diminution in the number of land holders?—No, not until 1891; it is the census machinery which makes it so accurate. We have no power to take that return, except in connection with the Census. In 1885 the number of holdings, according to the agricultural statistics, was 565,313, of occupiers 521,364.

94. By Mr. Nelson.—The result would be to leave things very much as they were?—Only about two per cent. difference, so that the number we have given before—500,000—is certainly right.

95. If your inference be accurate there would be a falling off in actual agricultural holdings of about two per cent. since 1881?—Yes, about that.

96. No more?—No. In 1885 the number of occupiers not exceeding one acre was 49,027, and of those, above one and not exceeding five acres, 58,573, being a total not exceeding five acres of 107,600, leaving only 418,936 over five acres, of which 143,421 do not exceed fifteen acres, leaving but 275,515 occupiers above fifteen acres. Many of these holdings, however, consist of poor land, and cannot be considered as bona fide agricultural holdings.

97. Have you intermediate returns?—Yes.

98. We could compare these as against the returns

of 1881 and see how the difference arose?—I have them here, for several years past.

99. The practical result is that you come to a diminution of about two per cent?—Yes. The number of farmers in Ireland according to the census of 1881 was—males, 382,342; females, 59,586.

100. By Lord Milltown.—What is the meaning of farmers?—These are people who returned themselves as farmers. Total, 441,928.

101. By the President.—Do you count people who hold over one acre as farmers?—No, these are what the people themselves called farmers.

102. By Mr. Neligan.—As a result that is practically 442,000, which you take as against 495,000?—Yes.

103. By Lord Milltown.—That strikes off 53,000 from the 500,000?—Yes.

104. And these would really be labourers?—You will observe that the number is not far from the number over five acres—419,000. The number of agricultural labourers according to the same census was—males, 188,519; females, 16,429; total, 205,000.

105. By the President.—In fact, there are a great number of agricultural labourers in Ireland who call themselves farmers?—Yes, a great many of these people work themselves—these are farmers' sons and members of the family—they would not call themselves labourers even if they worked as labourers.

106. By Lord Milltown.—What class of men are these labourers?—*Semi-fide* day labourers.

107. Men who have no other means of support?—Not as a rule.

108. Because we know that small holders do work and would gladly accept labour?—Yes, but they would not return themselves as labourers. There is a very common return in the Census—"land holder"; a great number of the labourers return themselves as land holders—they won't debase themselves by calling themselves labourers and they are not dignified enough to call themselves farmers.

109. By the President.—And which do you put these into?—I put them into neither. To these should be added the great bulk of persons in rural districts who returned themselves as labourers and are entered in the Census under "General labourer" in the industrial class of occupations.

110. By Sir James Caird.—Do you know the number of these?—I could not tell you without the Census book—that would include town labourers, which would get you into a difficulty again.

111. These do not include casual labourers?—No, these are men who returned themselves as agricultural labourers; and if I were to go on the line you suggested, I should then go in on town labourers, dock labourers, and all these people who call themselves simply labourers; and if we mix up these we would add too many to the 215,000. The total number of general labourers is 144,000; they are put down as general labourers for the whole of Ireland.

112. That would include everybody who called himself a labourer?—Yes.

113. By Lord Milltown.—Everybody except the class you have just mentioned?—Yes.

114. By Mr. Neligan.—You may call it 144,000 to cover dock labourers, railway labourers, and town labourers?—Yes—the number of persons directly dependent on agriculture in 1881 may be estimated at 2,500,000; that is about half of the population.

115. By the President.—Men, women, and children?—Yes, we made a rough estimate of it.

116. And that is half the population?—Yes, more than half the population—the estimated population is under 5,000,000 at present.

117. What do the rest of the population depend on?—A great number are in towns; there are a great many engaged in commercial pursuits, and so on.

118. By Mr. Neligan.—That will allow a pretty big average for each family?—The average family is five.

119. By Lord Milltown.—Could you give us any idea of the number of families that 2,500,000 would represent?—About half a million in round numbers.

120. The average of the family is five?—Yes.

121. By Sir James Caird.—I suppose you have no knowledge in regard to those you describe as agricultural labourers, whether they are wage receiving labourers or whether they are paid in kind and live in the house with the families?—We cannot tell that. I have a general return of the wages here (handing to some.)

122. By Lord Milltown.—I fancy all the labourers except herds are paid in money?—I should say nearly all now.

123. Although they may have allowances in houses and gardens?—Yes, in old times it was very common to give no wages at all practically.

124. Do I understand that the number dependent on agriculture has been estimated at 2,500,000?—Yes, by Sir J. Ball Green, but I don't agree with him.

125. By the President.—Did you ever verify how the other 2,500,000 live?—I went into the whole thing, and could not account for more than 2,500,000 as directly dependent on agriculture. The total population of the towns with more than 1,200 inhabitants is about 1,300,000, and none of these are included.

126. As to the waste land question—have waste lands increased?—I have reason to believe there has not been any increase of uncultivated land in Ireland; on the contrary, a large amount has been reclaimed. This (produced) is a table of the distribution of land at different periods. There is a little variation; there is an apparent increase between 1871 and 1881. When there is an increase of cattle in the country, the farmers use the rough pastures, which at times would not be utilized at all; if there are cattle on it when the enumerators call it tennis it pasture, in the previous year perhaps it was not regarded as pasture by the enumerators.

127. By Lord Milltown.—If it was not pasture what would it be?—Waste.

128. Then it would be called reclaimed land, and put upon your books as such if there happened to be some cattle feeding on it?—No; there is no heading for "reclaimed land." In the year 1841, according to the Census Report for that year the waste lands of Ireland amounted to 6,489,971 statute acres. In the year 1881 the amount was only 4,729,251 acres, or in other words, 1,760,720 acres, or 8·6 per cent. of the whole surface of Ireland had been reclaimed in forty years.

129. By Mr. Neligan.—That is still giving the same meaning to the word "reclamation"?—Yes. There is a report going that land is falling out of use; it may not be so well farmed, but as to any considerable quantity having gone out of use—that I believe to be incorrect. It will be observed from the Table that the decrease of waste land between 1841 and 1881, was 1,073,652 acres; between 1841 and 1861, it was 828,328 acres; and between 1861 and 1871, it was 277,093.

130. By Lord Milltown.—That means the amount reclaimed?—Yes.

131. What means reclamation?—It means brought into use. I don't say reclamation.

132. By Sir James Caird.—From the beginning of the potato disease to 1851 there could not have been a diminution in waste land?—Between 1841 and 1851 there was a decrease of waste land of 1,073,000 acres, and between 1871 and 1881 an apparent increase of 418,210 acres took place.

133. By the President.—You say an apparent increase?—Yes. The natural conclusion arrived at by anyone testing the question in this manner, and without going into details, would be that during the last decade, land in Ireland to the extent of nearly half a million of acres, had fallen out of use. If a more detailed examination of this question is made, it will be found that up to the year 1876 the statistics show a general decrease of waste lands, with slight variations from year to year, sometimes showing a slight increase. From the year 1876 up to the present year, the returns apparently point to a steady increase

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of waste land, and from this apparent fact the lamentable conclusion has been arrived at that Ireland is steadily "going back to bog and waste." The real facts of the case are these:—In the earlier days of the collection of agricultural statistics it was thought unnecessary to go into too minute detail, and thus if a grazing farm on a mountain side had a strip of barren mountain land at the top, and a little bit of marsh at its lowest level, the whole area would be probably put down as grass. No doubt nearly all was grass, but the stony part, and the stony part, were practically useless, and, therefore the area of such a farm should have been divided amongst these elements, and only the usable grass included as pasture. For some years prior to 1870, greater care was enjoined on the enumerators, and land not actually used for grazing or other purposes, was, unless of good quality, classed as waste. In 1877, in accordance with the increased accuracy demanded by advancing knowledge, a still further detail was insisted on, and the enumerators were required to ascertain, as nearly as possible, the amount of land available for use, and how it was employed, and also how much bog and marsh, barren mountain land, &c., was actually in the case of each farm. It has been this picking out of little scraps of waste of all kinds, that has during the past few years apparently so much diminished the land in use in Ireland.

133. By Lord Milnes.—Then there has been no increase really?—No; really there has been none—lately it stood about what it was.

134. Since the year 1876?—Yes.

135. By Sir James Caird.—But from 1876 an apparent increase has taken place?—Yes, because they have been actually picking out these useless places.

136. By Mr. Neligan.—And it is really due to a more accurate description of the land?—Yes.

137. From 1876 to 1884 there was an apparent increase of waste land?—Yes, but that is explained to be not so really.

138. Might that not in some degree have arisen from the gradual fall in prices?—It might, for as I said before it always depends on the variation of cattle—for this rough pasture is treated in that up and down method by the enumerators.

139. By Lord Milnes.—I think you said just now that though there was an apparent increase of waste land from 1876 to 1884, yet in reality there had been none?—I said probably.

140. By the President.—You have no means of knowing?—No, I have no means of knowing.

141. By Sir James Caird.—How is it apparent?—Because the return gives us so much more bog and waste.

142. By Mr. Neligan.—I suppose you do know as a fact that the enumerators were more particular?—I do know that as a fact, and I know there was some variation in the cattle.

143. By Mr. Knipe.—Would it all be returned as waste if you did not find cattle on it?—Yes; it would not be put down as fallow but as waste.

144. And if cattle are found on it next year it is put down as pasture?—Yes.

145. By Lord Milnes.—And if a man's cattle were asked for rent and taken off it, it would be put down as waste?—No; it would be returned as grass. These variations occur only in rough pasture, or in the case of mountain land.

146. If a man had a farm thrown on his hands, and it was lying idle, that could not be returned as waste?—No, it is only in those cases where the farmer has no stock or does not choose to put any upon it.

147. By the President.—Have you any information about prices of agricultural produce?—Yes; here is a table compiled from the *Farmers' Gazette*: It commences with the year 1840; there is no return available between 1840 and 1846, but from 1846 the return is continuous up to the year 1885. We have had averages of the highest and lowest prices, and the average of the prices is put in at the end for comparison. This of course was not collected officially by

my department and I am in no way responsible for the correctness of it, but it is believed to be the best information to be had in Ireland, and it has been very much used (this put in evidence). In the year 1852 Griffith's valuation is introduced instead of the market prices. There is a similar table made up by the clerk of the markets in Belfast; it was prepared as evidence for the Adams and Duncanson case, and he has since kept it up.

148. Can you give me the date of Griffith's valuation?—1852 is the date of the standard prices of Griffith's valuation.

149. Is the valuation at the same date all over Ireland?—No; they valued at different dates, but the price basis is here fixed in 1852.

150. It was on that basis it was fixed all over Ireland?—It was supposed to be—on the basis of the prices made in 1852 all over Ireland of certain articles.

151. By the President.—You don't answer for the accuracy of these returns?—No; I do not.

152. How is it compiled?—That is compiled by the *Farmers' Gazette* from returns that they receive from markets in the country, they publish these weekly, then at the end of the year they make up these returns which they publish annually in an almanac.

153. They get returns from each market?—I don't know whether they get them from all.

154. This is an important matter and we would be glad to know whether it is accurate?—I give it for what it is worth.

155. You think yourself it is accurate according to your own private opinion?—Yes. I think the prices will be lower this year than last year.

156. But as to the prices last year, do you think these are fair standards?—Yes, I think they are very fair standards; of course the prices have risen through a series of years, and probably that is owing mainly to the increased facilities for bringing goods to the markets. I have a table drawn up to illustrate this point; it is an abstract of the exports of cattle from Ireland to Great Britain; it begins in 1847 and ends in 1885.—Oxen, bulls and cows, exported in 1847 numbered 186,483—that is from Irish ports to Great Britain.

157. By Sir James Caird.—There is practically no export trade to anywhere else than Great Britain?—I should say not. Last year the number was 288,170, the earlier numbers were taken from the Board of Trade returns.

158. 1847 was not a good year?—No; well, take 1851, it was 184,000; we will drop the odd numbers, in 1852, 183,000, in 1853, 197,000, the next is 180,000, and then you get 214,000 and it has been going up pretty steadily ever since.

159. Give us the return for some date after the famine altogether?—Yes, in the year 1855, which is thirty years ago, the number was 214,836.

160. What was it for 1855?—233,000 in round numbers.

161. For 1875?—360,000.

162. For 1885?—588,000.

163. By the President.—During the last ten years the number was not increasing?—The highest number on the list is for 1882, when it was 722,000; in 1884 it was 644,000; in 1885, 588,000.

164. It dropped in 1885 to 588,000?—Yes. I think it is increasing at present. The latter years are made up from returns from the Veterinary Department of the Privy Council; the previous ones are Board of Trade returns.

165. By Lord Milnes.—The returns could be depended upon?—Yes, I think so; calves 8,900 in 1885, 14,000 in 1885, 35,000 in 1875, 58,000 in 1885.

166. What were the numbers for the years of which you have given the other returns between 1882 and 1885?—In 1882, 60,000; in 1883, 47,000; in 1884, 71,000; in 1885, 51,000.

167. By Sir James Caird.—There is a great fall between 1884 and 1885?—Yes, and the same occurred in the cattle. The number of sheep and lambs in 1885 was 429,000.

166. In 1865 £—333,000.

169. In 1875 £—815,000.

170. In 1882 £—558,000.

171. In 1884 £—533,000.

172. In 1885 £—619,000.

173. By the President.—They seem to fluctuate enormously from year to year, for instance the number in 1885 was 538,000, and in 1889 it was 1,015,000!—Yes. The return of swine is as follows:—in 1855, 234,000; 1865, 383,000; 1875, 464,500; 1882, 503,000; 1884, 457,000; 1885, 399,000. Pigs have been going down steadily for the last few years.

174. By Sir James Caird.—They have not gone down in a larger ratio than sheep in the exports!—They have during the last few years.

175. By Mr. Knipe.—Have you any return of losses?—No, it is owing to the Veterinary Department that we are able to give that return at all—the animals they don't deal with we have no return of.

176. By Sir James Caird.—Can you give us the prices for the same year?—Not exactly, this is a return of the value of the live stock in the country.

177. The price is taken at standard prices.—It is on the Thorpe's Almanac principle, which I don't think is a very useful one?—I have here "The estimated value of live stock from 1841 to 1885, calculating the rates adopted by the Irish Census Commissioners in 1841." I don't think it is really of much value, the general tendency is to show that the total value of live stock taken at the 1841 prices has greatly increased, namely, from £35,090,000 in 1847 to £36,000,000 in 1884, owing to the increase in the number of stock. On the other hand, the value of the produce of the crops, valued at the prices adopted from time to time in Thorpe's Almanac for the same period, was £30,560,000 in 1847, and in 1882 £38,560,000, showing a decrease. During the three years ending with 1885 the value of the crops showed an increase as compared with 1882.

178. You say that although the value of the live stock increased the value of the crops diminished?—That is the total value, and consequently when you add the two together as the total value of everything, the increase in the value of stock is cut down by the diminution in the value of tillage produce in 1882 as compared with 1847.

179. And what is the final result?—It is an increase even at those prices.

180. By Mr. Neilson.—Would one be right in inferring that the general result is an increase in the capital wealth of the country?—It must be.

181. An increase in the capital wealth while the tillage has decreased?—Yes, the total value of the agricultural material in the hands of the agriculturist must be very much greater.

182. There is a decrease running in one way and an increase running in the other?—Yes.

183. By Mr. Knipe.—What is the date of the return?—The return is from 1841 to 1885. I was asked by the Government sometime ago, and I believe Sir John Ball Green was asked to do the same thing, to make an estimate of the total value of agricultural income of Ireland. I made an attempt at it and perhaps the Commission would like to have the paper for what it is worth. It is another piece of estimating and guess work, and it is as reliable as guess work can be made—it is the income of Irish agriculture in 1885, but the difficulty was about the prices put on these articles, and the reductions to be made, and so on.

184. By Lord Milnes.—What does agricultural income mean?—The profit in fact supposed to be obtained by agriculture.

185. By Sir James Caird.—Did you make it up?—I made it up by applying to various people for prices. It is a document, I may say that I am not at all satisfied with myself, but it was the best I could do.

186. It is a comparative table?—No, it is simply a statement; I think it would be better for the Commissioners to take it as it is without giving it as evidence. (Handed in the same)

187. By the President.—In this year there was an attempt made to collect statistics of the rate of wages?—Yes, and I wrote private letters to a great many people whom I picked out as suitable persons, and I got answers from two or three places in each county, and I have classified these according to poor law unions. What I asked for was the rate of wages in 1800, 1840 and 1884. (Return handed in.)

188. Are these agricultural wages?—Yes, these are returns of the price of agricultural labour.

189. By the President.—The next point is as to the "migratory labourers."—In 1841 at the census there were statistics taken of migratory labourers; but no attempt was made at any subsequent census, or at any other period to take them until the year 1889, when I was asked by the Government to compile special returns on the subject; migratory labourers are agricultural labourers who go to England and Scotland annually to work at harvest time; some of them go twice a year, in spring to do spring work and come back and go again for harvest work; these must be a comparatively small number but there have been such a great number go over for the hay harvest and continue to go over until the hay harvest is well started in England, they return after the grain harvest is completed. The way in which these statistics have been collected is this; when we are taking the agricultural statistics in June, the enumerators are directed to inquire of the people whether they intend to go to England or Scotland for labour and whether they intend to go to any part of Ireland. They generally give this information very freely, but some of them may not go so that it is not absolutely correct. Then in another way we get two returns which are added together; one from the Midland Railway Company—nearly all the migratory labourers travel over that line of railway; they travel on harvest men's tickets; the Railway Company have generally special trains and have arrangements with the Steamship Companies to carry these men. Through tickets are issued to them. The railway company give me a return of the number of these tickets issued; the emigration enumerators give the number of harvestmen who cross in any of the vessels except those going from Dublin, and these are supposed to be sufficiently represented by the railway ticket returns. The result is that we get two returns—one is the traffic return and the other the direct return from the people themselves. The passenger traffic return is much larger than the return given to the agricultural enumerators by the people; this is partly accounted for by the people going twice, and partly because a number of people who go to look for work of other kinds avail themselves of this opportunity of going across at cheap rates. In 1841, this migration of agricultural labourers was a common practice almost all over Ireland, but it is now confined almost to Connaught and Donegal. There are a few people going from other counties in Ulster, but the principal number go from Donegal. Now when these statistics were collected in 1841, there were nearly 55,000 of these migratory labourers. By the return for 1889—the date of the report is 4th September—the total number according to the Midland Railway returns would be over 21,000, and according to the Port returns would be nearly 9,000. That is 30,000, but the number who expressed their intention of going according to the return taken by the police is only 15,375, so that there is a great difference between the railway and port returns and the returns collected with the agricultural statistics. Now the supposition is that the people who return themselves in the agricultural statistics are really only those who habitually go, and that the others are those who go if it is a good season. The number in 1885 was nearly 15,000.

190. That is in the agricultural statistics?—Yes.

191. Then you may put aside this 21,000?—Yes, I think it is only a sort of check return; in 1884, the number was 14,000, in 1885 13,000 and in 1886 only 12,000.

192. By the President.—Then it has gone steadily

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down 1.—Yes. In 1880 it was 23,050, in 1881 21,000, and in 1883 17,000; the main point about that is with reference to the poor holdings in Connanght.

193. These are principally from Donegal and Connanght?—Yes. As to the localities they come from—more than three-fourths of the entire number are natives of Connanght—nearly 10,000 of the number in 1886 are from Connanght; of these 7,600 come from Mayo alone, and it is from that county that the great proportion of the Midland Railway Company's tickets come; there were 14,000 harvest tickets issued this year in the stations in Mayo; the same thing occurred in 1841—10,600 were from Mayo in that year according to the consuetudina. In two counties the number appears to be sufficiently large to be noticed—in Mayo they are 38 per thousand, in Roscommon 7-6 per thousand of the population. In old times they used to earn a good deal of money—they used to get about £15 a head, but now they don't get anything like it. There were returns made for Parliament by the Local Government Board of England, and the authorities in Scotland as to why the diminution took place, and it was found to be all owing to the diminution of tillage and the increase in the use of machinery in England.

194. That is in England?—Yes, in the north of England.

195. By Mr. Nelson.—I have been told that from £9 to £10 was the average earnings of these men?—Yes, it used to be £15, and I believe it is now about £10.

196. By the President.—You have also returns regarding banking deposits?—Yes. I have only had charge of these returns for the last year and a half. In the early part of last year, I was asked to make up a return in continuation of returns made by Dr. Hancock for many years, and which had been dropped for several years. (Returns handed in.) I made the first return to June, 1883, and I worked it back for several years past, and in December I was asked to make another return, and these two (produced) were presented to Parliament in this report (produced). This year I was asked to make a return to June which is also here. Now these returns give several items; deposits and cash balances in the joint stock banks, in the two classes of savings banks, the Post Office and Trustee Banks; the investments in Government and India Stocks, and the Bank Note circulation. There is a summary at the end of the report giving the general result—there has been an immense increase in savings bank deposits. In Joint Stock Banks there is an increase of nearly 25,000,000 since 1870, comparing increase with decrease—due if you go back, on the whole you will find an increase—the difference is £4,357,000—that is the increase in the deposits in the Joint Stock Banks between 1870 and 1890, as shown by the following tables.

TABLE I.—Showing Deposits and Cash Balances in Joint Stock Banks; compiled from Returns furnished by the several Joint Stock Banks in Ireland.

DATE.	Amount.	Yearly Increase.	Yearly Decrease.
	£	£	£
1871, 30th June.	26,815,000	3,000,000	—
1872, "	27,214,000	3,147,000	—
1873, "	28,286,000	300,000	—
1874, "	28,290,000	1,800,000	—
1875, "	27,012,000	3,000,000	—
1876, "	28,115,000	3,000,000	—
1877, "	27,748,000	—	68,000
1878, "	27,316,000	—	1,361,000
1879, "	26,707,000	—	1,250,000
1880, "	27,732,000	—	341,000
1881, "	26,389,000	—	1,081,000
1882, "	27,025,000	2,710,000	—
1883, "	27,732,000	2,707,000	—
1884, "	27,073,000	—	1,659,000
1885, "	27,548,000	—	521,000
1886, "	29,709,000	—	21,000

TABLE II.—Showing Estimated Balances, at the undetermined dates, in Post Office Savings Banks in Ireland; compiled from Returns furnished by the Accountant, General Post Office, Dublin.

DATE.	Amount.	Yearly Increase.	Yearly Decrease.
	£	£	£
1871, 30th June.	145,000	65,848	—
1872, "	221,000	76,000	—
1873, "	260,000	39,000	—
1874, "	261,000	20,000	—
1875, "	245,000	67,000	—
1876, "	302,000	56,000	—
1877, "	1,025,000	112,000	—
1878, "	1,204,000	17,000	—
1879, "	1,242,000	32,000	—
1880, "	1,210,000	27,000	—
1881, "	1,405,000	197,000	—
1882, "	1,210,000	167,000	—
1883, "	1,179,000	165,000	—
1884, "	1,307,000	137,000	—
1885, "	1,261,000	109,000	—
1886, "	1,547,000	286,000	—

TABLE III.—Showing the Balances due to Trustees of Savings Banks in Ireland by the Commissioners for the reduction of the National Debt, at the undetermined dates; compiled from Returns furnished by the Controller, National Debt Office, London.

DATE.	Amount.	Yearly Increase.	Yearly Decrease.
	£	£	£
1871, 30th June.	3,141,000	95,000	—
1872, "	3,200,000	59,000	—
1873, "	3,121,000	—	117,000
1874, "	3,201,000	—	10,000
1875, "	3,260,000	59,000	—
1876, "	3,253,000	100,000	—
1877, "	3,210,000	217,000	—
1878, "	3,260,000	—	17,000
1879, "	3,116,000	—	87,000
1880, "	3,203,000	—	25,000
1881, "	3,202,000	—	32,000
1882, "	3,210,000	60,000	—
1883, "	3,204,000	30,000	—
1884, "	3,571,000	5,000	—
1885, "	3,510,000	—	32,000
1886, "	3,204,000	—	30,000

TABLE IV.—Showing the Totals of the Balances in Post Office and Trustee Savings Banks, given separately in Tables II. and III.

DATE.	Amount.	Yearly Increase.	Yearly Decrease.
	£	£	£
1871, 30th June.	3,286,000	150,000	—
1872, "	3,401,000	232,000	—
1873, "	3,382,000	—	16,000
1874, "	3,412,000	—	117,000
1875, "	3,513,000	87,000	—
1876, "	3,567,000	107,000	—
1877, "	3,477,000	238,000	—
1878, "	3,476,000	52,000	—
1879, "	3,571,000	—	43,000
1880, "	3,570,000	94,000	—
1881, "	3,490,000	214,000	—
1882, "	3,490,000	214,000	—
1883, "	3,554,000	214,000	—
1884, "	3,672,000	207,000	—
1885, "	3,717,000	217,000	—
1886, "	3,700,000	201,000	—

Witness.—The only other point was whether I could give the number of evictions for non-payment of rent.

197. By Lord Manners.—Let us understand thoroughly what eviction means?—It is ejection, not eviction.

198. Does it mean men who were dispossessed of their holdings?—No, this is a return from the sheriff of the ejectment process served.

199. Then we ought to call them ejectments and not evictions, if you use the term eviction it means as if the men had been turned out—I knew nothing of the men being turned out. This is a summary of the return of the sheriffs as to the execution of ejectments, closed so as to show the number that were for non-payment of rent. It shows an immense variation in number, for instance, in 1875, it was 1269;

in 1882, it was 5,447; and in 1885, it was 3,794.

200. By Mr. *Nelson*.—These are writs of ejectment issued for execution?—Yes.

201. That includes writs from the High Court and the County Court?—Yes.

202. These are returns furnished for the purpose of the Judicial Statistics?—Yes.

203. By the President.—The number appears considerably less in 1885 than in 1884?—Yes.

TABLE showing by Provinces the number of Ejectments for non-payment of Rent executed in each of the Years 1876-1885 (inclusive).

	EJECTMENTS FOR NON-PAYMENT OF RENT.									
	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.
IRELAND,	1,219	1,333	1,243	2,477	3,343	3,738	5,467	6,401	5,061	3,794
ENGLAND,	867	418	367	832	303	346	1,283	912	1,074	791
WALLES,	916	224	442	749	780	349	1,348	1,268	1,470	913
SCOTLAND,	424	813	487	724	813	3,472	1,867	871	1,434	5,121
CONNAUGHT,	297	224	838	469	314	488	1,369	548	1,503	844

204. By Lord *Milltown*.—This is a return of ejectment decrees over the whole of Ireland?—Yes, ejectments for non-payment of rent; of course outlying tenant cases at petty sessions are not included; it is arranged by provinces. It would be extremely difficult, if not impossible, to find out the number carried out.

205. As to the question of crops and the relative acreage of crops—of course oats and potatoes are the two great crops in Ireland, as far as tillage is concerned.

Can you give the quantity produced?—I can give the acreage, and then the yield as applied to that shows the produce; for instance the acreage under oats in 1885, was 1,323,305, and under potatoes 799,005, that is out of the total 2,940,000 acres under tillage; so that if you take those two items away there is very little of the tillage land left for anything else; wheat is only 63,000 acres.

Mr. Robert Reeves, q.c., examined.

206. The President.—Mr. Reeves, I think you are a Legal Assistant Commissioner under the Land Act of 1881?—Yes.

210. In what part of the country have you chiefly worked?—I have been for a very long time in Clare, a good deal in Limerick, part of Cork, the whole of Leitrim, a short time in Galway, twice in the county Down and once in the county Antrim.

211. And I suppose you are pretty generally acquainted with the amount of reduction that has been made by other Commissioners as well as by yourself?—Yes; generally.

212. There has been a return put into our hands showing the average reductions in the rents made by the Sub-Commissioners for each of the different years from 1882, and for the different months from the month of September in last year, and I wish to ask you whether your experience bears out what we are given to understand by this return?—It appears that, during the years from August 1882 up to September in 1885, the per centage of reduction has been 20 per cent.—the first year, 19 the second, 18 the third, 13 the fourth, and 16 the fifth, and since then, taking the months as they come during the last twelve months, there has been, on the whole, a considerable increase. In October, 1885, it was 21, in November 16, in December 22, January 22, February 27, March 29, April 27, May 27, and June 22, showing an increase in the specific quantity knocked off. Is it your experience that you ought, in the cases brought before you during the last month or two, to reduce the rent more than in the cases which come before you soon after the Act was passed?—Yes, certainly.

213. Lord *Milltown*.—Since September, 1885, to about how much percentage on the average?—It would be impossible to give your committee an accurate percentage without going through the notes of all the cases heard. The question of reduction, of course, will turn on the situation of the farm, the proximity of the markets, the nature of the soil and its productivity.

214. Well, I merely asked for the average just to

put it down roughly?—Well, I have not refreshed my mind by looking at the figures, but I think what Lord Cowper has just read represents it very well.

215. The President.—Well, can you give us any figures of your own to corroborate it?—I should think the reductions have increased from ten to fourteen per cent. fully during that period.

216. Sir James Caird.—The reductions of 1885?—Beginning in the autumn of 1885?

217. Mr. *Nelson*, q.c.—From September, 1885.

218. *Witness*.—From September, 1885. They were not quite so much in September, 1886, but from the beginning of this year I think the reductions would be from ten to fourteen per cent. more.

219. The President.—Have you any reason to believe that the rents you have lately had to adjudicate upon were higher—in the first instance were higher than those which came before you at first?—No. In some counties the rents were such as could not have been questioned in good times, whilst in others the rents were quite as high as any we had to deal with immediately after the passing of the Land Act.

220. Have you heard there has been a great decrease in the number of applications during the last year as compared with what there were at first?—Yes.

221. But there has been a sufficient number for us to be able to form a comparison by other years?—Yes, I think so.

222. I suppose a reason for your having to reduce rents more now than you did a year ago is the difference in the price of produce?—Yes, and the evidence produced by experts in Court.

223. Lord *Milltown*.—Evidence on what?—Evidence on land.

224. On the value of land, was that?—Yes, the evidence of valuers. I have made it a point in every case to ask the valuers on each side what they considered the present value of the land, and they have all made a very considerable reduction, valuing it from 15 to 30 per cent. less than they would in 1882.

225. The President.—That is owing to the depreciation of prices?—Yes.

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226. Lord Millican.—It is owing to the evidence of the depreciation in the value of land that reductions are made!—Yes.

227. Mr. Knipe.—Then you say rents fixed in 1881 would be impossible rents now?—Not exactly.

228. Do you think it would be possible, taking the reduced prices of produce into consideration, to pay the rents fixed in 1881?—I could not answer that question on the facts in place. Some of them I do not think could be paid. I have seen in the papers several cases of rents fixed by my Sub-Commission in Clare on which the landlords have given further reductions on what were considered very considerable reductions then. Fifteen per cent. I call to mind in one case.

229. The President.—And have given large reductions on these rents?

Mr. Nelson.—Fifteen per cent.

Witness.—Lord Lisnakee has given 25 I see, but my Sub-Commission did not fix any of his rents. The judicial rent is like a rent fixed by a lease, and if a tenant enters into an agreement with his landlord to pay a rent, and subsequent circumstances make the rent very difficult to pay, he is still bound, and the landlord and tenant must settle the matter between them. Of course, very much depends upon the Sub-Commissioners who fix the rent originally. Some went higher than others, and it is very possible that the rent fixed by one Sub-Commission can be paid while it is difficult with that fixed by another.

230. The President.—Well, when you fixed the rents some two or three years ago did you do so at all with the view of the possibility of there being a great diminution in the price of produce?—No. I should say not. I should say rents were fixed entirely on the agricultural experience of the past and on what an intelligent man, who thoroughly understood the working of the land, would say would be a fair rent.

231. You think most of the Commissioners went on the same principle?—I don't think they could go on any other.

232. Sir James Caird.—Did you take in any considerable period when you were considering your averages in 1881?—Yes. Say a period of twelve or fourteen years back.

233. The President.—And do you do that still?—We proceed still on the same principle, including the last two or three years as factors in fixing the rent.

234. Lord Millican.—Are you taking it for granted that this depreciation will be permanent?—No, I hope not. We go back, as I have said, and of course these two bad years are considered in fixing our average.

235. The President.—If you were to go entirely by the past two years you would have reduced much more!—A great deal more.

236. Have you no grounds for knowing what tenant right sells for now?—Well, latterly there has been a great fall, so far as I can see, in disposing of tenants' interests, but in my early times in Lisnack and Clare they would fetch very large sums.

237. But they fetch much less now than they did?—I cannot tell your lordship, because I don't hear of them at all. I could tell you of one case which I know of. There was a farmer in Wicklow, where I lately was, who was selling his farm, and I went down to the sale. It was a farm of twenty-five acres at a rent of £35, and it was sold by auction a few weeks ago for £30, while a few years ago it would have fetched between £300 and £400, as I was assured.

238. Sir James Caird.—Where was that?—In Wicklow. That would apply to other counties—

239. The President.—Do you mean to say that will apply to other counties as well as Wicklow?

Witness.—I cannot say that. I merely mention that case.

Lord Millican.—It is rather weak evidence.

240. Mr. Nelson.—Are you ever asked now, Mr. Reeves, to fix a selling value on holdings?—I was frequently asked in Lisnack and Clare, but seldom in the home counties. When a case comes on, and a selling value is not asked for, we don't fix it.

Sir James Caird.—The value of tenant right?

Mr. Nelson.—A tenant can come into court and ask to have a selling price fixed.

241. Sir James Caird (to witness).—Do not a large number come to you to fix that—and on what principle is it done?—Many modes have been suggested. The mode, I think, which has met with most favour is to take what would be the full letting value of the farm if it went into market to be let by public competition, and then taking into consideration what interest in the farm the tenant possesses in buildings, improvements, and so on, what would be a fair rent to him. Then take the difference between the competition rent and the fair rent to the tenant, and give him the value of the difference, having regard to the fact that he has a term of fifteen years renewable for ever.

242. Sir James Caird.—And is it the fifteen years you multiply by?—Not as a rule. It will vary in each case.

243. Mr. Nelson.—Do many of the commissioners multiply by fifteen years?—I do not know.

244. Lord Millican.—Do I gather rightly from you that there is a considerable difference between what is called a fair rent and the market value?—Yes, where the tenant has made improvements.

245. But if the tenant has made no improvements?—Supposing you have got a farm well fenced and drained by the landlord, with commodious outhouses and so on, then the tenant has to pay the full value, but if, on the other hand, the tenant has made these, he gets value for them.

246. The President.—I suppose, and principally in your part of the country now, one of the reasons why the tenants' interest does not sell for what it might do is that people are prevented by intimidation?—Well, I leave it to your lordship to form your own opinion about that.

247. It would not be the fall in the prices?—I do not think the absence of offers for farms are to be entirely attributed to a depreciation in the value of the land or the fall in prices.

248. Sir James Caird.—Well, if there has been a fall of 14 per cent. from the judicial rent, that would fairly indicate a fall in the value of tenant right?

Witness.—Yes.

Mr. Nelson.—But the fact here is that sales have stopped altogether.

249. The President (to witness).—Of course, you don't express an opinion as to the reason for that stoppage?—No.

250. Mr. Knipe.—You have been in the county Arraigh?—I was there once.

251. Have you any knowledge of sales there?—I have only been there for a week, and I am not competent to express any opinion on the subject.

252. The President.—But you would not say it came entirely on account of the depression?—Certainly not.

253. Sir James Caird.—That is one of the points which come before this Commission; that is to say, whether the depreciation in the value of tenant right arises from depreciation of value or from intimidation.

Witness.—Other people will be better able than I to give an opinion on this matter.

254. The President.—Have you had many appeals against your decisions?—A great many.

255. Have any of them been lowered?—Well, the Commissioners have not touched any of our rents fixed since September, 1885.

256. Lord Millican.—But previous to that, had there been any change?—Well, very slight. Our rents were in some cases reduced on appeal, the Commissioners possibly considering that times were not so good.

257. The President.—Then there have been some adjudicated upon since September, 1883?—Not in my district, I think.

258. Mr. Keipe.—It has been said that the Commissioners influenced by lower prices made additional allowance in the judicial rents. Did that come within your knowledge?—No.

259. The President.—From what time would you say that rent should be materially reduced compared with what it had been before, owing to the change in prices? What date would you fix for the time that change began?—Well, I suppose 1880.

260. The middle of 1885?

Mr. Neligan.—September, 1885.

Witness.—Somewhat earlier.

261. Mr. Neligan.—It was then you began noticing it judicially?—Yes.

262. Well, if I understand you, Mr. Reeves, correctly, your basis of judicial action is exactly the same now as it then was. You take an average of twelve years and you find that the two years just gone by have reduced that average by about ten or fourteen per cent.?

Witness.—Yes; the reduction will vary in different places. In some cases the land may be very good and the young store cattle of good quality and easily saleable, but in others store cattle are poor and are driven from fair to fair and hardly an offer made for them.

263. The President.—Perhaps you will tell me, if in your opinion, rents are being well paid in your part of the country?—Well, I cannot give much evidence on that point. I cannot say that they are very well paid.

264. Mr. Neligan.—What? Witness.—They are paid, if what the tenant considers a fair reduction is given.

265. Mr. Neligan.—You are speaking of Clare?

Witness.—Oh, no; generally. So far as I can learn after the passing of the Land Act, in 1882 and 1883, rents were extremely well paid in Ireland. I am acquainted with some agents in Cork, and I was told by them that the rents were very well paid there.

266. The President.—There was no determined attempt at opposition?—Not at that time.

267. Sir James Caird.—What about the present time?—I would rather say nothing about it.

268. Mr. Keipe.—Generally, do you think it is harder for tenants to pay their rents now than it was two or three years ago?—Yes, certainly.

269. Sir James Caird.—You say a fair reduction is given. Do we take the figures you have given as indicating that a fair reduction?—Yes; to the best of our judgment.

270. Sir James Caird.—When it is from 15 or 20 per cent. less?—I did not say 15 or 20 per cent.

Mr. Neligan.—He said 10 to 14.

271. Sir James Caird.—Ten to 14?—Yes.

272. The President.—Well, are the landlords, on the whole, showing consideration for their tenants?—So far as I have seen I think they are.

I have now finished what I have to ask you about the first part, and we agreed to leave the question of the purchase of land over at present.

273. Lord Milltown.—I should like to understand, Mr. Reeves, on what evidence it is that you lower the rents, as you say you do now, from 10 to 14 per cent. more than you did a year ago. Is it on the evidence of the valuers who give evidence as to the value of the land in Court, or on the ground of the depression in prices?—Well, it is on the comparison of a great deal of evidence. From the evidence of the valuers in Court; from the fall in prices and also from the investigation of my lay colleagues who go and look at the farms, and who also the farms with the knowledge of the existing prices in their minds.

274. But surely the value of the farm itself, con-

sidered abstractly, must be the same as ever it was unless the tenant has allowed it to deteriorate? I think not. Suppose the valuers place a certain estimate upon the farm, the investigation of my colleagues will show whether that estimate is correct, having regard to everything. They may not agree with the valuers, and do not in numbers of cases.

275. That, of course, is a general rule over since you have begun to value; but the valuation—the investigation of the land now must disclose exactly the same state of things as it would have disclosed a year ago when you did not reduce to this great extent?—Yes.

276. So it cannot be from that that you have come to the conclusion that reduction is necessary? Witness.—I don't quite understand you.

Mr. Keipe.—He says taking the extremely low prices for the past two years.

277. Lord Milltown.—I ask more. You take the evidence in Court, the reduced prices, and the investigation of the land by your colleagues. But the investigation of the land by your colleagues can only give evidence of exactly the same state of things as existed two years ago. It could not show you that the land was not capable of producing just as much as it did two years ago, unless the tenant has deteriorated it. Therefore it must be on the evidence of the valuers, and the depreciation of prices that you make the reduction?

Witness.—But you may not agree with the tenant's value, and you may think that considering even the deterioration of prices, that his reduction is too much, and then my colleagues go and see the farms to determine the matter.

278. Mr. Neligan.—You ascertain the productive power of the farm, and you apply to that the existing prices on produce?—Exactly.

279. Lord Milltown.—But what stock has fallen?—In better the fall is very great.

280. Since when?—It has been very low all this year.

281. Not lower than last year?—Yes, somewhat.

282. Well, I have not found it so. It seems to me, and I sell butter sometimes, and I have not found any great deterioration this year over last year. It is very low, but there is time for it to go up again. Besides butter, what are the other articles?—Cattle. Good store cattle are fairly saleable. The fall has not been so great in them, but where the land is poor, and the store cattle which the poor man breeds, and which he cannot keep more than a certain time, are of a corresponding quality, he has great difficulty in selling them.

283. I know that. But is that more so now than it was two years ago?—Oh, yes, certainly.

284. I suppose you are aware that at Ballinacree their prices were much the same as last year, except in sheep, which had a great rise?—Yes.

285. Well, has not the price of sheep and wool risen?—Yes; but only lately, and not to old prices.

286. And the price of straw and oats?—Not oats.

287. These are articles I mention in which there has been no fall, but rather a rise, only being considerably produced in most counties of Ireland?—As a rule, rent is paid mainly by butter and young stock. In the counties in which I have been there is little tillage except in Wexford and Louth. The tendency is rather to give up tillage and go in for rearing young stock.

288. Lord Milltown.—I am aware of that?—It is a great misfortune in my opinion.

289. Now, the price of potatoes—has that fallen?—Potatoes are used more by the producers for food than sale.

290. I am just going through these products of Ireland, for you say it is owing to the fall in the price of cattle and produce that you made these large re-

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dations! If the value of the farm goes down very much the tenant is very hardly hit; if the value of the farm goes up very much the landlord loses what he ought to get, and that would be materially the same in the ordinary agricultural line.

291. The President.—But it is protection to the tenant and no protection to the landlord. If prices are low the tenant's rent is reduced, but if they are good the rent is not increased—is it protection to the tenant?

292. Lord Millican.—But I understood you to say that in fixing these rents originally you did not look forward to such a state of things as now exist?—That is so.

293. In fact that the fall was one of which you formed no anticipation?—Yes, I think so.

294. But you are aware, of course, that prices now are higher than they were a few years ago?—No.

295. What was the number of years you took in forming your average?—Do you mean in 1881?

296. Yes?—Oh, about twelve or fourteen years.

297. Twelve or fourteen years?—Yes, on the experience of a skilled agriculturalist for that period.

298. Those twelve or fourteen years embrace a large number of extremely prosperous years for farmers?—Yes.

299. The years 1871 to 1874 were extremely prosperous?—Yes, they were.

300. Do I understand you to say that during the fourteen or fifteen years from which you struck an average price were higher than now?—Of course they were higher from 1871 to 1874.

301. But in all the years?—They varied, of course.

302. But it is hard to understand that one bad year, which was no worse than the couple of years which had preceded it, should make such a difference in the value of fair rents.

303. Take two or three of the bad years as forming part of the period, and when prices have fallen so much in these two years you are bound to give effect to what has occurred in that period.

304. Lord Millican.—Then I understand it is on the low prices of 1885 that the reduction is passed?—And on this year also.

305. You began to make reductions in September, 1885?—I think about then.

306. Well, are we to understand that because 1884 and 1885 were bad years that in striking your rent for fifteen years to give that reduction of fourteen per cent. was necessary?—Well, we acted according to our judgment.

307. Oh, I don't say you did not, but I merely wanted to get at the principle.

308. Mr. Neligan.—I take it that the average of rent for 1886 would be fixed by the average of 1874 to 1885. That is how I understand Mr. Reeves.

309. Lord Millican.—I understand that.

310. Mr. Neligan.—Secondly, if your averages be right, these averages should come down twelve or fourteen per cent.

311. Lord Millican.—But supposing next year to be prosperous, and fair rents be struck, taking that year into consideration they will go up?—Yes, and so you will have to do what is almost an impossibility—fix fair rents.

312. Mr. Neligan.—What do you attribute these exceedingly low prices to?—That is a large question.

313. The President.—I have a return here for a number of years. Have you seen it?—I have seen it. I think the prices are too high, and not a true index of country prices. They are taken from the Dublin markets.

314. Mr. Neligan.—I think they are taken from the *Farmer's Gazette*.

315. If you have *Pardon's Almanac* it tells you where they are taken from—partly from the *Farmer's Gazette* and partly from the market returns in the Dublin market.

316. The President.—Do you make use of it at all?—I have known of it always.

317. Do you make use of it in giving your decisions?—I presume my colleagues are acquainted with it.

318. Sir James Caird.—Then it would appear that it is on the principle of prices—the rent that you fix is very much guided by the current prices?—Yes.

319. Mr. Neligan.—So far as it affects the valuation?—Yes.

320. Sir James Caird.—Then these justified rents really vary considerably with the prices of the time and the rents which were fixed in the beginning—in 1882, and up to 1884—would, by your showing, be extreme rents now?—I don't say extreme.

321. Well, would be high rents?—Yes, some of them, but I think there are many that could be paid now without any diminution.

322. Mr. Neligan.—That is, many of the rents you have fixed?—Yes.

323. Sir James Caird.—Upon what principle?—Well, if you take a dairy farm, say in the county Limerick, where the farmer makes butter and sells calves, the old judicial rent would be high, but in many other cases not.

324. Would it be possible to make this fixed rent vary with these prices?—Well, I have thought of that, and it has occurred to me that in a country like Ireland, which suffers so much from variations of climate and so on, it would be better to have a shorter term than 15 years. Of course, I am not laying down any period, but I would say 5 or 6 years. Then it would be possible to have a scale of prices at the end of each 5 years to meet the prices of the rent, and that would give the landlord an opportunity of obtaining the advantage of any increase and the tenant of a decrease.

325. Then you would make the period 5 years for revising fixed rents?—Well, I would make it less than 15 years.

326. The President.—Would it be possible to have a sliding scale which would work of itself, without the necessity for a new revision?—Yes, I think such a thing could be.

327. Mr. Neligan.—That would assume that you take one year as a definite standard?—Of course, you must take one year as a satisfactory basis, and then, of course, you will be guided by the rise and fall.

328. Sir James Caird.—I understand that the capital value of the tenants' property in Ireland, I do not mean the tenant right, but of the cattle and the crops in the ground, two-thirds consist of live stock and one-third of corn crops, potatoes, and other stuff?—Yes.

329. Would it be a reasonable thing, in case some plan of this kind should be adopted, to make the rent vary according to the prices of cattle and stock?—I do not quite see my way to that. I should prefer that farms should be classified.

330. Well, I only suggested it for consideration.

331. Mr. Neligan.—There is a question I wish to ask you, Mr. Reeves, and you are to use your own judgment whether you answer it or not: Whether you find the valuations made by the lay members of your Commission are much over the evidence given?—Well, I would rather not answer that.

332. Lord Millican.—There is a Court valuer?—There used to be. I think there are now only three of them, one, Mr. Charles Gray, and two others.

333. In fixing rents in your own sub-Commission have you any official valuer?—No.

334. You are guided by the value for the landlord and the value for the tenant?—And by my two colleagues.

335. Mr. Neligan.—If the evidence requires correction what do you do?—The Act of Parliament empowers us to employ an independent valuer, and we have done so in some cases.

336. Lord Millican.—Taking the case of a large grass farm of very good pasture land, would you say

that depreciation has taken place to the extent of ten or fourteen per cent.!

335. Prime grass land has fallen less than other qualities.

336. Would you say that the value of good grass land in Ireland was not now worth as much as ever it was?

337. I should not say it was worth as much as ever it was.

338. Mr. Knipe.—Taking into consideration the number of cattle reared from America would you not say that the value of grass land was depreciating?—I am not competent to tell you whether the importation of American cattle causes depreciation in grass land.

339. Lord Milltown.—Of course you know that the importation of American cattle is falling off!—Yes. I was going to say that I have had nothing to do with the prime grass lands of Meath. We have never had them before, and very little prime grass land in any county.

340. Sir James Caird.—Did they not come to take advantage of the Act?—Many of them could not. They are not agricultural holdings within the meaning of the Act, if they are let wholly or mainly for the purpose of grazing, or are annual grazing agreements.

341. They are not subject to judicial rent!—No.

342. Lord Milltown.—But the farms which are used wholly for pasture?

343. If the land is capable of being used for any purpose whatever it is not excluded as a grazing farm unless it is set under agreement. If it is proved that the land cannot be used for anything else but pasture then it is excluded also.

344. But if it has been used from time immemorial as pasture?

345. Oh, that goes under a different heading—what is called "ancient pasture," and would be excluded.

346. The President.—Let me ask you one more question about the sliding scale to which we alluded some time ago. If such a scheme was adopted I think you said five years would be, in your opinion, sufficient to strike an average?—Well, five or seven.

347. Three would be too short?—Oh, I think so. Five or seven.

348. Lord Milltown (to witness).—Do you think it would be practicable to have a valuation of the whole of Ireland on a renting instead of on a selling basis and to have that valuation periodically taken and made the rent beyond which no landlord was entitled to go?

349. Of course it would be possible, but I don't think it would be nearly so good a principle as the sliding scale.

350. Mr. Nelson.—As I understand you the sliding scale would pre-suppose a valuation?—You must start with a well defined rent which will be satisfactory to the country, and when that is done you can apply your sliding scale.

351. Then your sliding scale will apply to that?—Of course. You cannot have a sliding scale on a rent which has not been fixed.

352. Sir James Caird.—Of the whole tenancies in Ireland I suppose those who have judicial rents are comparatively the smaller number?—Yes.

353. Then with regard to those which are not judicial rents the tenants are perfectly in the same position as they were before this bill took place?—Yes.

354. Do you know what other landlords are doing?—I think they are giving reductions. That the old rents are pressing upon the tenants is shown by the fact that a number of tenants came in since September, 1880, who never thought of coming under the Land Act at first.

355. Have applications for judicial rents been increasing of late years?—No. There are, however, actually now a larger number of cases not decided than there were this time last year.

356. Have you any facts as to the proportions of cases decided as regards the value of land?—That is to say how many paying 230 and how many under 31?—I have not. I don't think any such return is kept.

357. From your own knowledge you could not say whether the majority are from large farmers or from the smaller farmers?—I think the majority are from the smaller farmers.

358. Go down from £1 to £3. Are there many applications from that class?—In the part of Ireland in which I have been the tenancies are not generally so small as that.

359. You have no experience of these small tenancies?—I was in Galway for a time and they are very small there, and in the West of Ireland they are very small. Some of the gentlemen coming from there will be able to tell you. But in the home counties, and even in Clare, the tenancies are not as a rule so small.

360. Then if judicial rents were given it would apply only to the majority of the holdings, and the majority must be left between landlord and tenant?—Yes.

361. Lord Milltown.—Does that apply to leaseholders?—If leaseholders were in there would be an enormous influx of applications.

362. Sir James Caird.—With regard to leaseholders, do they form a very large proportion or a very small proportion of the holdings in Ireland?—There are a great many, and the larger and better farms are held by lease.

363. Have you heard many complaints from these leaseholders?—Great complaints.

364. That they were not allowed to come into court?—Yes.

365. Have you formed any opinion on the matter?—I have.

366. Will you mind telling us?—Certainly. I think they should be allowed to come into court.

367. Mr. Nelson.—Have you found cases in which landlords have waived their right as lessors and allowed a five rent?—Yes, a good many.

368. The President.—Have you any record of leaseholders who were allowed to go into court being in a worse condition than other men?—No.

369. Mr. Knipe.—You have known a number of landlords who have allowed their leasehold tenants to go into court and get their rents fixed?—Yes.

370. And you would allow all leaseholders to go into court?—Not all leaseholders. Only men who had an agricultural lease on ordinary fair value, but the limits should be defined very carefully.

371. Lord Milltown.—Would you allow a landlord to go into court to ask his rent to be raised under the lease?—Yes.

372. But I suppose you are aware that there are many in the same position as myself whose leases were fixed at the early part of the last century?—I suppose, Lord Milltown, these leases were fixed for long periods—80 or 100 years.

For ever, I am sorry to say.

Witness.—I was careful to say that the limits would have to be defined very carefully and accurately, so as to exclude such a case as Lord Milltown mentions. If a landlord gets a large fine and a small rent he can scarcely complain.

373. Mr. Knipe.—Would it not be desirable to break leases of a certain description? You would define leaseholders of twenty or thirty years and allow them to go into court, but you would not allow those having leases in perpetuity or for 100 years to go in at all?—These people are more in the nature of landlords. They have valuable interests in the land.

374. Lord Milltown.—But you would have to define the lease. Have cases come under your observation where leaseholders have had the rents of their tenants reduced to such a sum that they have had to pay a larger sum to their landlord than they got themselves?—It was once done in the sub-commission over which I presided, but we did not know at the

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time that the landlord was a middleman. We have always taken the greatest care when the landlord was a middleman that the rent should not be reduced lower than that which he paid. If, however, a part of inferior quality is sold whilst the middleman retains the best land, the acreable rent has been often reduced below the middleman rent.

375. I suppose in such a case power might be given to rescind his lease, and then we could get rid of the middleman, who is a very objectionable person.

376. The President.—I suppose the feeling is of injustice to the leaseholders, especially since the fall in prices!—In my experience at the Bazaar I knew perfectly well that many leases were granted in 1870 for the purpose of preventing people from benefiting by the Act of that year.

377. That happened to be a very good time, and rents were fixed very high!—Yes.

378. But there was an injustice, in your opinion, in excluding them from the benefits of the Act!—Yes.

379. Lord Millican.—You are speaking of leases since 1870!—I am speaking of leases since 1870.

380. Sir James Caird.—Those leases, you don't think, were issued at the request of the tenants!—Oh, in many cases they were issued at the request, or without objection on the part of the tenant, so then there was a desire to get leases, for they were good security to a bank for advancing.

381. Mr. Nelson.—The admitted tendency and object of the Act of 1881 was to encourage leases.

Lord Millican.—It is not quite true to say that they have been excluded from the benefits of the Act. The covenant of surrender at the termination of the lease has been abolished in favour of tenants.

382. The President.—Have you any experience as to whether tenants are anxious to become purchasers?—No special knowledge.

383. Sir James Caird.—I notice that Lord Cairns' committee has made some suggestions with reference to the working of the commission. They suggested that notice should be given to the landlord with re-

gard to improvements which might be made by the tenant.

When the tenancy is valued at £10 or upwards the tenant has to endorse on the back of his notice the particulars of the improvements and the date on which they were made.

384. And in fixing a fair rent the commissioners are to regard what has been done. That was one of the recommendations!

There is attached to the order fixing a fair rent a schedule setting out all the improvements of the landlord or tenant, so that they are all recorded. You then can find who made the buildings, offices, drains, &c.

385. Sir James Caird.—Well, then they say that the judge should always state the grounds of his decision. Is that done?—No, only exceptionally.

386. Is it possible!—The decision of the Commissioners is nothing more than the verdict of a jury.

387. Mr. Nelson (to witness).—Perhaps you think that a great many good judgments have been spoiled by the reasons given for them!—That has been said.

388. The President.—I think it would be rather difficult sometimes to give the exact reason.

389. Mr. Kidge.—You don't wish to go any further into this Act of 1885. You don't know so much about it as about the Land Act!—No.

390. You don't desire to extend it!—I do not know how it could be extended much more, except that the deposit of one-fifth is a great disadvantage in many ways. If the deposit system continues, I should give the court power to invest in debentures or railway stock.

391. Mr. Nelson.—In point of fact, extend the power of trustees: it would be quite easy to take up London and North Western stock or Great Southern and Western stock, four per cent. stock.

392. Lord Millican.—Will you get four per cent. Not at present prices, but more than in Government stock.

The Commission adjourned until Thursday morning at 11.30 o'clock.

SECOND DAY—THURSDAY, OCTOBER 14th, 1886.

Oct 14, 1886.

Commissioners present:—The Right Hon. Earl COWPER (President), Right Hon. the Earl of MILLTOWN, Sir JAMES CAIRD, Mr. NELIGAN, County Court Judge, and Mr. THOMAS KNIFE.

Mr. John Rice, examined.

393. The President.—You were one of the first appointed by the Land Commissioners?—Yes.

394. And you are extensively engaged in farming?—I am.

395. Whereabouts?—The county Cork at present.

396. You were a member of the Duke of Richmond's Commission on agriculture?—Yes, my lord.

397. You have also had experience in the county Mayo as well?—I spent two years in the county Mayo.

398. In the Achill and Arran Islands?—Yes.

399. There is a return which we have before us, showing the average reduction in rent during the years from 1882 up to 1885, and during each month of the year 1885—showing the average quantity by which the rents were reduced?—Yes, I can very well understand it.

400. This shows that during the last year the Commissioners have reduced rents a good deal more than they did at first?—That would only apply to the latter end of the season.

401. It is your experience to a certain extent that it is so?—Yes, that would be so; it took sometime before the then depression could force itself on me as likely to be permanent, so that I could not see my way at first to go out of the usual track, but later, I found the lowering of prices continued.

402. Lord Milltown.—Can you give us the date when you thought the lowering would be permanent?—No, and I will tell you the reason. I got notice of this commission, for in consequence of my brother's death I was away in the South, and Mr. Hodder sent the notice to the Land Commission, so that I have no books or documents with me.

403. The reason I asked the question was that you used a remarkable expression—when you thought the depression would become permanent, and I wanted to see when that was?—I could not fix the date: for the greater part of last year the shortening continued about the same.

404. The President.—You have no doubt now it is necessary to reduce rents to a greater extent than a few years ago?—I have no doubt at all from my personal experience.

405. When you began to sit in 1882 and the following year, did you fix the rents you then did fix with the view at all to possible or probable fluctuations in the price of produce?—No, I did not expect they would be worse than they were.

406. Well, then, when you reduce rents now you don't, I suppose, base your decision entirely on the price of the moment. You take an average of some years back?—Oh, say two or three years backward and forward, but I cannot see for the life and soul of me any prospect of a rise in the prices.

407. Lord Milltown.—You say you take two or three years?—Yes.

408. The President.—How many years do you usually take into consideration?—Looking at it just now I cannot look ahead, and finding two bad years in succession it makes a very serious difference on my mind—say from the year 1879. I have a great many years' experience of this depression, and I have seldom found a serious depression continue for more than a year, and then there is generally a change for the better, and I had great doubts, considering the experience I had on the Richmond Commission—

whether we should ever see the great fall of prices that was struck for us in the near future by Messrs. Pell and Reed, the Commissioners we sent to America—the conclusion they came to was that at the end of five or six years the growing of wheat in those countries would be put out of the question altogether.

409. Wheat is of comparatively little importance?—It is of very little importance in Ireland at present, but other questions might follow on it—American meat and so on.

410. I suppose the reductions you have made varied in different parts of the country?—Yes, because a great deal depends on whether it is the eastern, central, or western part of the country, for having fixed 42 an acre on land in Louth it might be that that class of land in Mayo or the mid-west would not go to 30s., or ought not.

411. I want to know whether the depreciation is not greater in one part of the country than in others?—A great deal depends on the soil and the nature of the market, if you have good soil I don't think it suffers as much as bad soil.

412. There is less difference in the reductions you make now, and the reductions you made in 1884 and 1885, in the rent of good lands than in the case of bad land?—Yes. I hold pretty strongly to the fact that those who have good land can still afford to pay a good rent, but poor lands are of little value, and are becoming less value.

413. And they cannot afford to pay a high rent?—No. That is very poor land.

414. And I suppose it depends greatly on what they grow, and what they deal in?—Yes, the poorer class—if you call my attention to any particular county, say Mayo. I could answer more definitely. The chief crops there would be oats and potatoes, and a few wretched cattle.

415. Do you find that, in your experience, rents are being pretty well paid?—Well, in my part of the country, yes—but we, as members of the Land Commission, do not like to be caught asking that question; yet, somehow, it will crop up. I think where remission has been made the rents have been fairly paid.

416. Mr. Neligan.—What part of the country are you speaking of now?—I am speaking pretty generally now; this is a general answer to a general question.

417. The President.—You think the landlords have been willing to meet the tenants and give abatements?—I know in my part of the country they have done so.

418. Mr. Neligan.—That is in Cork?—Yes.

419. East or West Riding?—This is the East Riding. On the property on which I reside the landlord has given substantial remissions to his tenants, and unless very poor men who if they had the land, for nothing could not pay; all the others are fairly paying.

420. The President.—Is there much difference in the payment of judicial and other rents—are the judicial rents better paid?—Well in some cases they are. I think in the better class of lands they are, but on the poor lands I think no money remains in the pockets of the people in the small holdings. Another matter comes to me—there are several exceptions to be sure—but there are holdings on which substantial reductions have been made through the Land Court, and the tenants appear to be short of stock; it may be free from rent or from other

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causes, but no matter what abatement you make a man that is too poor it is very hard for him to struggle on, and I am in dread there are a great many of the tenants in these circumstances at present.

421. Do you know at all or has it come across you in any way what sums have been given for tenants' interest—for the tenant-right of holdings?—Several cases have come before us in the court to fix the value on sworn evidence, and we have found that from ten down to five years rental is given, even on what I consider a fair rent.

422. Is as much given now as was given a year ago?—No, I could not say that; for the last twelve months I think there is a great falling off.

423. Lord Millicome.—In buying tenant-right?—Yes; in buying tenant-right.

424. The President.—Do you think that that comes entirely from the depressed times?—I know there is great difficulty in getting money in the banks now; they have closed their hands and many tenants appeared to pull pretty well when they could get the loan of money, but that they cannot get at present; and in connection with that I would say the farms of the country are not so extensively stocked as they were. We are increasing in pasture, but the farms are not so well stocked as they were.

425. It does not come entirely from the depreciation of property—the depreciation of the price of tenant-right might also come from the fact that the people may set themselves against the sale, and there may be some intimidation?—I don't know that intimidation comes in that way, for I don't know of any case where a tenant voluntarily offered the interest in his farm for sale, that he has found any opposition to the sale of it.

426. The man who buys with the free consent of the outgoing tenant is not considered as a land grabber?—I say not, my lord.

427. Then you think the amount of sale of tenant-right that goes on is as much as could reasonably be expected in these times of depression, and the price is as high?—I don't know whether it is the depression or scarcity of money, but the same price has not been paid this year as heretofore for tenant-right.

428. Lord Millicome.—Is that in the north?—No, I know nothing of the north.

429. Mr. Sedgwick.—You are confining yourself chiefly to the south?—Chiefly to the south.

430. Sir James Caird.—Not the west?—Well it is hard to speak of it. I saw some cases there where the people are considered very poor the prices paid for tenant-right in some cases were more than five-fold.

431. The President.—Supposing it possible to make any new arrangement about rent; has your attention been called to what they call the sliding scale?—That is according to the average prices?

432. That is according to the average price of some years previous; like the income tax?—I don't know what you are to take the average from; for I must confess honestly I take this table of average prices that I found on this table with caution. I also have an average before my mind for I know practically what I can get and the prices differ very widely indeed from that average. In 1884, I see here that the price of wheat was from 6s. 8d. to 10s. 2d. a cwt. It is a well known fact in my mind that wheat has been sold for about 21 12s. 6d. a quarter. American wheat can be landed on our sea-board for that. That would not amount to 8s. a cwt. and here the price is said to be 10s. 2d. Here again we have such a thing as adding together all the items and averaging 7s. 7d. as the price of oats; the present price of oats in the Cork market is 4s. yet you have 7s. 7d. on this table. That is my experience of the price.

433. This is for 1885?—Yes, that is for 1885, on the average for the entire.

434. Haven't there been a great fall from 1883, which is the last year referred to in this?—No, there has not been, because here is the price of wheat given as higher in 1883 than in 1884, and as far as I am concerned, I pay very little attention to that sheet.

435. You believe those would be great difficulty in finding out the prices?—I think so. So far as I am concerned and others like me might from practical experience, be able to throw more light on it, but that sheet is most misleading as far as I can see, as to any prices I get or pay I will be glad to enlighten you, but this table is of very little use.

436. That return is taken from Purdon's *Foreigner's Almanac*—you are acquainted with that?—Yes, I have got a copy of it in my pocket. It is worth very little—it deals more with city prices than with what can be got in the country. For instance, I have to send my oats to a market eight or ten miles by road, and I have thirty-six or forty by rail, it costs me by rail 8d. a cwt. to deliver it in the Cork market. I have no other market, and if you compare that with the facilities persons have living in the neighbourhood of markets such as cities the difference in the rent they can afford to pay for their land is very great. Fertility of market is a very great advantage to the people. I found it necessary to get some information on the subject on the Duke of Richmond's Commission, I tried to compare what the English producer made per acre of the produce of his land with what the Irish producer made. I have come to the conclusion that four-fifths of our beef, mutton, hares, and better which are the chief commodities are consumed in England. Consequently England is our market, and I believe I need not tell any of the gentlemen here who are acquainted with England better than I am; that in every town in England almost you have a market; at least that was my experience; in all the towns you had a market for consumption and there is a great difference between our taking cattle, corn, or anything else and selling them to the merchant here and shipping; the expense of rail, freight by steamer and commission makes a very serious difference between what the producer gets for the produce here, and what the same quality of land pays the producer in England. These matters may be a little foreign to this inquiry, but they are matters that strike me very forcibly; I know on the matter of oats which is a bulky commodity, and consequently more expensive to be shipped and reloaded—it amounts to 2s. a barrel of fourteen stones—and that is the difference between the price got in central markets here at home and in all the consuming centres in England—2s. a barrel. Then if you take the produce per acre as eight barrels that would amount to 16s. an acre. I have satisfied myself that that is pretty near the correct thing. I believe it is fairly well ascertained that out of every ten fed beasts exhibited for sale every Thursday eight go to England for consumption; consequently it is the English prices that rule our markets.

437. And you have a less price given than is given in England to that extent?—Yes, that is about it.

438. You have not had anything to do with the Land Purchase Act of 1885?—Nothing in it.

439. Have you thought at all at different times how far it is advisable to encourage tenants to purchase their holdings?—I have not turned the matter over in my mind at all, I have tried to keep my mind as distinct as possible from duties I am not called upon to perform.

440. Mr. Sedgwick.—Do you mean that the price is one-fifth as against the Irish farmer in the value of his profits as compared with the English producer?—No, but four-fifths of our produce is taken to England for consumption, and it is the prices the English consumer can afford to give, not our market here; that rules the price of the entire—what I meant to convey was that one-fifth of the produce remains here to be consumed.

441. Lord Millicome.—Do you include oats in that?—Yes.

442. Does oats go to England to that extent?—It does.

443. Hay does not?—I suppose not, and as your lordship mentioned the matter of hay, I think it is very unfortunate for the land of the country that the

meadow appears to be increasing so much; in every part of the country it is lamentable. I was through Wicklow the other day, and to be sure the land looked clean and nice after the scythe had been put over it, but it made me sad to see it.

444. But there is no way in which a tenant who wastes his land in that way can be stopped?—Whether it is waste or not, and whether we can stop it or not it applies to the poor districts.

445. Still it is hard on the man whose property it is to see it deteriorated in that way?—It is a national loss, if it could be helped. Another thing occurs to me, after my time in the western counties—in Mayo and Galway, and indeed a large portion of Longford—I have met some lands with a fair average depth of surface on limestone formation laid out in pasture, or attempts at pasture, for four or five years, and there is not a blade of grass.

446. To what do you attribute that?—I say the poverty of the soil first, and nature never intended this class of land to be turned into pasture.

447. That is permanent pasture?—I suppose that was the intention—some of the poor wretched lands.

448. The remedy of that is more cultivation of the land?—I think it is a great misfortune to the country that cultivation was let go down so much—it would pay better if the land had been tilled all round, as it was formerly.

449. Is there less cultivation now than previous to the Land Act of 1881?—As far as it applies to Mayo and such thickly-populated counties, it is the same as heretofore.

450. But in Wicklow it is otherwise?—I think it has got more into pasture. I can see signs of the ridges in the pasture land where it had been tilled.

451. I am afraid the tenants don't take much pains as a rule in laying down their land in grass?—That is one reason of complaint. We saw too much sheep feed.

452. Or no seed at all?—I have seen some of that, too.

453. Have instances of that come under your observation—most luxuriant growth of weeds?—They could hardly be luxuriant if the land is in poor condition, but I have seen some weeds, and I have tried to show them the advantage of laying down the land properly. They said seeds might do very well for one or two years, but then they will have nothing for two or three years after, and they could not see their way to buy. That applies to a good many poor districts in Mayo—that they do not buy seeds.

454. Not laying down the land properly, which is unfortunately, as we all know, too common in Ireland—where land is turned into permanent pasture—does that arise to a great extent from ignorance of the value of seeds?—I believe in these western counties the people are very primitive in their habits and manners and everything. I have met some people in the west who were never out of their country in their lives, to see what was doing elsewhere.

455. The purchase of good seeds for laying down land in permanent pasture is a very expensive operation?—Yes. I should say to lay it down properly would cost up to £10 an acre, so as to make it remunerative.

456. That is very often beyond the power of the tenant?—Entirely out of their power. Sometimes a man may have four or three acres, and his rental may be but 50s.—it is entirely out of the power of the poor class of tenants to lay down the land properly.

457. And the result is that the greater portion of the land does not produce what it might produce under proper cultivation?—No doubt of it.

458. I want to ask you a question about your first answer—that you had no doubt that reductions are more necessary now than twelve months ago—kindly tell me shortly why?—I think I mentioned to the

Lord President that in the commencement of the depression or lowness of prices last year I, like many others, did not consider that it was likely to last, but at the wind-up of last year things did not appear to mend, and at the commencement of this year some things got from bad to worse.

459. What depression are you now speaking of particularly—in what species of produce?—An all-round depression.

460. Is there any depression in the price of sheep?—Sheep have improved.

461. They have improved from 7s. to 9s.—Yes, but they have gone back in numbers—110,000; whether one compensates the other is a question, and I would be very glad, because pasture land has increased, if sheep or any other stock had increased also.

462. I want to have these facts slowly, for I don't understand it, and I want to see clearly the reason which has led you to this unhappy conclusion—unhappy for all of us—in what articles of produce does the great depression exist?—I will commence with the item of butter—that I happened to be also connected with as well as beef-muzzling. For many years ending 1884, I set my dairy cows for ten guineas a cow, and got half the cash in hands at the commencement of the season. In the beginning of 1885 I had made a change, and got another man. I advertised, and the highest price I could get was £9, that was offered—nearly half the money was paid in hands. The price of butter fell very much during the season. I asked the full-price for my dairy cattle, and the man said—The price of suckling calves has gone down very much, and the price of butter too—make some allowance, and I said I will take £1 a cow off, but he refused, and I had to strike with him for £7 10s. for what I got £10 10s. for, with the exception of 1878.

463. From when?—From 1877.

464. But before that did you get that—in 1857?—I was living in the county Waterford at that time, and kept my own dairy.

465. As a matter of fact it could not be got in 1857?—I fancy it could not be got, but we made it up in another way. I will give you the figures later on.

466. Are you aware that the average price of butter from 1820 to 1880, that is thirty years average, in Belfast market was only seven pence per pound, and is now selling in Dublin at over a shilling?—I am in dread that city markets would be very misleading. I saw a return published, and one has been published in the Cork market every year; the return published this year shows the return published to the middle of the season which is sometimes about the last of July or the beginning of June, the middle of their butter season, and the average price in Cork market was fifty-six shillings, that is sixpence a pound, and there was a foot note attached, "The lowest price paid in Cork market for thirty years."

467. It is not lower this year at any rate, it has improved very much since September this year?—Very considerably.

468. It is a rising market now?—Yes, no doubt about that at all. The worst feature I see in it is that two-thirds of the butter season had passed before the rise took place.

469. Do not you think the low price of butter is to be attributed to a certain extent to the bad way in which it is sometimes made in Ireland?—I am satisfied of the fact that as good butter as any in the world is sent into the Cork market.

470. I quite agree with you?—That is the super-fine quality; it is not as good perhaps usually as it should be, but I have seen it sold at eighty shillings, and probably it is one hundred and twenty shillings at present. I am afraid a good deal is attributable to the want of employment in England, and, consequently, want of demand.

471. And the want of good making might have something to say to it?—Yes, I have seen creameries

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got up in Cannel and Cahir, and those who patronise them say they have been benefited very much by them.

472. The price of butter is now not much lower than during the last three or four years?—Yes, but I am afraid a good deal of the butter has got into the cows' houses at this season of the year.

473. But that is so?—Yes.

474. Let us go on to the next item which caused us to take this melancholy view of our prospects, what is the other article that is so depressed?—I say beef.

475. Do you mean butcher's beef or young stock?—I mean stock with meat on them that you take to market.

476. What is the price of beef now?—I will tell you how I fared on Monday. I sent a lot of two and a half year old heifers that is with beef on, and my man wrote to say he would get two pounds a cwt. for them, and home they went. That was the note I got.

477. Was that in Cork?—Yes, at the fair of Charleville on Monday last.

478. I suppose you know that in Dublin you could get fifty-five shillings for good finished beef?—It would cost you £1 a head expenses to bring them up from there, and if these heifers were four cwt. you should take five shillings a hundred out of the price to land them in the market here.

479. I should not be wrong in saying that the average at present for beef in Dublin is from 50s. to 60s.?—I am in dread, my lord, that there is not such a good price as that profit.

480. Very often?—What occurs to me, and I ought to be a pretty fair judge, for I have great experience. You go into the market and sell to the butcher; he says I am paying you, £3 a cwt., and I don't think he is paying 65s.; he estimates the weight of my beasts at a great deal less than what the weight is—I find it that way.

481. But even supposing you don't get as much now for your finished meat as you did three or four years ago, if you buy your stores much cheaper it comes pretty much to the same thing in the end?—I thoroughly agree with you in that, for that is the position I happen to be in. I farm extensively in the dairy way and I make beef also, and I have bought cheaper stores this year than I have bought for many years and it would leave me a fair margin for profit, too; but that only applies to one branch of farming.

482. Mr. Nelson.—That is the one branch we are on?—You are quite right, but there is another class who would be heavy losers, that is the poor men who rear the young stock. He might walk some of those calves to all the fairs in the county and he would not be asked who was the owner.

483. Lord Millicom.—It is quite evident that the low price of young stock hits the breeder, and that it is much lower now than it was a few years ago. Are you aware what the prices were in 1853?—1858 was an improvement; 1857 was a little bit worse, in 1856, '55, and '54, the prices were very high at the time of the Crimean War; 1855 was a very prolific year, that is my memory of it.

484. I have nothing before me on the subject but I think you will hardly deny that the price of stock in 1858 was not higher than it is now?—Is heald say no.

485. And yet the rents were very considerably higher, for you gentlemen had not then commenced your operations, and somehow these rents were paid?—Yes, that is so, and I suppose I am at liberty to give you a little explanation of that. I told you a while ago that the year 1857 was a somewhat remarkable year in my life. I dairy farmed extensively in the County Waterford that year, and for a few years previously, and the wage I employed a dairymaid at was £4 for the season and the ordinary run of the kitchen, which meant a rather low class of diet. The help with her got ten shillings a quarter. I want to compare what we pay now—I had a dairymaid for 1861, 1862, and 1863, and the wage I paid her was £10 a year, ten twice a day, and meat for dinner every day;

to her assistants I paid £10 for the season, the season meant 10 months, and they should get ten twice a day and meat three or four times a week. The item of labour in connexion with the dairy to my mind had more than trebled. There is another point that might arise there, the dairy farmer might save a great deal of this labour through his own family, and I believe that that class of dairy farmer must have made pretty well during these years past, inasmuch as all the labour was provided by the family.

486. The President.—Has there been much improvement in machinery for dairy work during the last few years?—I am in dread that our dairying is not extensive enough for that. The great bulk of the dairy farms are not so extensive as to justify the owners in making expenditure in the way of machinery. Machinery might be of use in creameries and factories of that kind, and I believe they will become more general.

487. You believe they will become more general?—Yes, they are spreading, and their future was in consequence of the system adopted. I consider it a very serious loss that the entire of the milk should be lost to the farm. I advocated at all times the selling of new milk—the cream to be separated at once, and the skim milk sent back to rear calves. I know that that is being done now at Cahir, county Tipperary, with considerable success. If the refuse is sent back the day it is milked, its excellent feeding for calves, and they appear to thrive on it.

488. Lord Millicom.—I gather from that, that in the case where the dairy farmer can avail himself of the services of his own family, the item of the increased price of labour does not affect the case?—No, but there is another thing arises from that—the expense of supporting the family. I am well aware of the fact when I was thrown on my own hook when very young, that the members of farmer's families never at all had such a thing as a cup of tea, except on Christmas Day, and the consumption of meat was quite unknown. Now, the humblest family in the country will have tea and meat. It is a drawback in my mind instead of an advantage that they don't make their own clothing, as they did then. The wretched articles of clothing that are bought here in towns cost a great deal of money, and the home manufactures, such as flannels, shawls, and linen, have been given up to a great extent—I am sorry for it.

489. The President.—The causes that make wages higher, make the members of the family wish to live higher?—The improvement in the way of living in Mayo, for instance, is brought about by the members of the family going to England, and seeing how people live and feed there.

490. Lord Millicom.—Might it not arise from the three or four prosperous years we had when every one lived beyond their means in Ireland. I don't blame them for what they did, for they thought it would go on for ever?—I think scarcely of hands to carry on the labour would have a good deal to say to it, and it was taken advantage of by the people. I know of a strike being made against working at such a man's hire, and by this means the wage was kept up, and that enabled people to live better than they did. They got into these habits, and I am one of those who would never care to see the people put back upon potatoes again.

491. Nor would anybody.—The cost of living is a very serious item that was not taken into account thirty years ago—the cost was very small then. It is very serious now, and the item of taxation is serious. I remember when I commenced to farm in Waterford in 1854, the poor rates were 7d. in the pound, the county cess 5d. each of the two cesses. The county cess in the county Waterford at present over the entire county would average 3s. in the pound.

492. What is that to be attributed to?—I suppose the railway guarantees had something to say to it. An unfortunate railway was made through the county, and there was a great deal of bawling; there is not

a single bridge over it, all level crossings and very expensive to work. I made a slight about it myself at the time, and said they were doing it too expensively.

493. As to this year, which is just being of such a melancholy character as to make you anticipate no further good times, and to justify a decrease of ten to fourteen per cent., in the rental, fixed for fifteen years, I want to ask you a question—grazing that last year was a very bad year, do you consider this a bad one?—I do, positively.

494. In what respect?—The price of all farm produce. There is but one class of occupier—the beef and mutton maker, that cannot suffer much, inasmuch as they bought the raw material pretty reasonably, and there is a fair margin for profit. I told you I was in that boat myself.

495. I wish to be perfectly candid with you, and I want to try and get at your conclusions by your method of argument?—The way I answered this before when you referred to this matter was this—the class of fashers or beef makers was not worse off this year than the year before, but the man who reared the young stock was a great sufferer—so much so that I would offer a sort of prediction, that it will be found we have not enough young cattle reared in our country unless we are supplied from outside, and if not the price must rise.

496. When the grazer had to buy his stores dear, and sell them cheap, it is palpable to the moment comprehension that it was a disastrous year—that the man made nothing at all perhaps, but last year they bought their stores extremely cheap?—Last year?

497. Yes?—During the autumn of 1885, and the spring of 1886, you would be pretty right, but if you commence with the spring of 1885, the price I then gave left no margin in October.

498. But in the autumn of 1885, and the spring of 1886 stores were extremely cheap, and these have been sold during the months of August and September at considerable profit, so much as double the money, obtained for what was sold—is that your experience?—Yes. I would not say double, but fair remunerative prices.

499. Has it ever come to your knowledge that stores bought for six pounds in November and December were sold for twelve pounds in last September?—I believe that, and I believe too that others might be bought at six pounds, and might not make nine pounds. I bought some stores at eight pounds ten shillings—this would only apply to a few out of fifty, and I have let them go at a profit of four pounds or five pounds for a few out of the lot.

500. But has not good profit been made of these stores bought in autumn and spring?—Yes, I think they left a fair margin.

501. Therefore this year where there is a fair margin the profit must be infinitely better than last year where nothing at all was made?—Yes, for graziers.

502. They form the vast majority of the Irish farmers, I am sorry to say therefore I cannot see why you still look upon affairs with such a melancholy eye?—I mentioned before what I am afraid you have overlooked; that four-fifths of our beef, mutton, bacon, and butter are consumed in England, and my contention is that we get so many millions of money for our general produce from the other side than what would be considered the normal price, you may have an individual class of tenants, as well off in this country and even better off than last year, and another individual class worse off this year, but the general sum coming from England—the National standpoint—for the last two years is not enough to keep us fairly afloat.

503. We made a fair margin on our stores?—That applies to the grazier.

504. On sheep there has been a considerable rise?—Yes.

505. From 7s. to 8s. at last Ballinacree fair?—Yes.

506. The price of wool has considerably gone up?—I don't say it is beyond the average.

507. It was sold for 1s. at Ballinacree, and it was only 8½d. last year?—And I think 8d. some of it was sold for last year.

508. That is a very considerable rise?—Yes.

509. The price of oats continues much the same?—It probably has held its own better for the last eight or ten years than any other cereal, but oats does not pay at all, except that the stockowner will turn the straw to account to save hay.

510. Begins at the head of the thing—the oats has not gone down—you say it is rather low now in Cork market?—Yes.

511. But on the other hand you must recollect that the new oats weigh considerably more than the old, and if you only get 8s. a barrel for new oats it might mean something like 9s. for old oats?—I don't know whether you are well up to the trade—at the start of the season any merchant who had a stock of old oats on hand, bought up new oats and mixed them with the other and got the higher price, and I have come to the conclusion that those who sell in the autumn one year, or five or six years out of seven, get a better price than those who hold on to the spring by sowing the waste from vernal and soiling and that sort of thing.

512. The fall is not as considerable as in any other year?—No.

513. Straw is very high?—I don't know about the sale of straw at all—I don't recognise that.

514. But you and I can recollect straw at £1 a ton?—I never recognised the sale of straw, and I prefer not giving any evidence about it. I use it no way, but as to selling it, and making money out of it, I disapprove entirely of that, except in the neighbourhood of a city.

515. I quite agree with you, but still the straw must have its money value for the consumer?—Yes, about the others.

516. Well, then, take the price of hay—that ought not to be sold, but it is sold and it is pretty high?—In my part we can get it for £1 a ton.

517. Now?—Yes.

518. At this particular moment perhaps?—You would be astonished if you saw the flat lands in Limerick and Tipperary, and the quantity of hay still out on the fields; the water is about the ebb. Taking the normal value of the hay we must reckon the loss to be fully two millions of money, but that is more attributable to the bad season, for it was a big grass year.

519. There is no reason to apprehend the same thing next year?—No.

520. And therefore it would not be fair to fix rents now on that assumption?—I would be sorry to do that.

521. Are not pigs doing very well now?—They were sold at Charleville for 40s. a cwt. last Saturday, but I cannot see why you allow pigs in the general economy of Irish farming at all, for the main reason that pigs are so much if not more, fed by tradesmen in towns, and by dealers in towns, and by labourers, than by the farmers, and that they are not fed on the produce of our soil as a rule.

522. The President.—What are they fed upon?—Indian meal.

523. By Lord Milltown.—Indian meal is very cheap, and the farmer makes a good profit by feeding the pigs?—Yes, but any tradesman may do that, and I don't think pigs enter into the economy of farming at all. I don't fairly admit it.

524. You have given us now the reasons upon which you have come to the conclusion that reductions should now be considerably more than they were last year?—Yes.

525. You have no other reasons than these—you said two bad years in succession had such an effect on your mind that you could no longer look ahead?—

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Mr. John
Ellis.

That is an appalling expression—no doubt the outlook does look gloomy.

526. But last year did not look so bad?—To some extent it was not so bad. Last year I made no margin by the cattle at all—I sold you I let my cows for £9 and accepted £7 10s. I advertised this year and got £7, and no money in hand.

527. Dairy farming is not doing well no doubt?—It is doing well now.

528. It has gone up?—Yes; since September, but whether it is permanently up is a question.

529. Will that have any effect on your mind the next time you are sitting?—Wasn't it though.

530. You made use of a remarkable expression from which I don't at all differ, that some poor lands could not pay a fair rent unless the occupier had some other means of living, and you have such a thing as small farmers being labourers besides and in that way supplementing they made of living?—Indeed there are a great many of the holdings in this country too small to support a family at all.

531. An enormous majority of them?—That is quite so and it will apply particularly to Mayo and Galway; in fact if the potatoes fail or a wet season comes for curing turf; no matter if you give the land for nothing they have no opportunity of living.

532. Do you see any remedy for that?—Unless we was proposed one time by Professor Baldwin, by migration; I could fairly well see my way to migration being carried out, and I believe each county would find within its own limits enough of what you might call waste land for the purpose. I am of opinion you cannot reclaim waste land by a money payment and make it profitable, but I believe if a good many of those people were placed by the side of reclaimable land that their idle labour which is of no use at present would bring this land in from time to time and extend the holding, and I have before my mind at present a good deal of such land—an enormous extent on Lord Lucan's property where a great deal of congestion might be relieved, and I have no doubt he would be glad to sell the land.

533. To whom?—To an authority who would purchase it.

534. But there would be no man in selling to those poor people?—No, not the least; there might be thousands of acres taken in. This land was all reclaimed before in a sort of way and nature now is asserting itself for when the land is allowed into pasture for three or four years you have rushes and heath asserting themselves again, and also in Waterford and Galway I know where whole districts of country fell into the landlords' hands—this would be semi-waste or half reclaimed land, and a great number of people could be set down on it. It is practically valueless in the landlords' hands, for it is not naturally pasture land and if left too long in that state the old elements come back.

535. Do you know how could that be done—to what bodies could these lands be sold and how would they distribute it amongst those poor people?—I would say the Land Commission to be sure.

536. The President.—Do you know anything about the case in Galway where that experiment was tried by Mr. Parnell?—I know it very well.

537. There was a grant of £40,000 made by the Government for the purpose?—Yes, and I was agreeably surprised with the result. I went down to that place six months ago, I think my late colleague Mr. Hodder was with me—I went there satisfied that the first thing I would hear would be the people finding fault—but they approved of what had been done.

538. What condition is the land in now?—There are some large pasture fields attached to these small holdings—these were divided amongst the small occupiers who surrounded them, and there was some little irritation caused as to a large stretch, some fifty acres of pasture that was intended to be given to an outsider, but the people rebelled against it.

539. And no outsiders have been brought in?—No, and there is plenty of room for all.

540. Mr. Neligan.—Was there migration into that from a congested district?—No, the district itself was congested—the congestion surrounded it. This was a property owned by Mr. Bodkin, and he had very good land attached to his own demesne, and the people were all stretched about the bog and now with the exception of portion reserved for his brother they have it all, and as far as neat straight fences and all that is concerned, the general outlook of the farms seems like contentment.

541. The President.—But no outsiders were brought in?—No.

542. And the natives objected to their coming?—They would not be allowed into it. The tenants in possession thought there was little enough for themselves, and they would not allow anyone else in.

543. Are there any parts of Ireland where the people already settled would not object to outsiders being brought in?—Yes, I mentioned a case in the Co. Mayo—that I happen to be very well acquainted with. There is an enormous extent, probably 10,000 acres occupied, of his own property, by Lord Lucan. There are no people connected with it, at any rate for the last thirty or forty years, and if any portion of this could be purchased, you could settle any amount of people in it any place you liked, but I would not like to bring people from another county into it, for there are quite enough people in it.

544. And in most of the Counties you think there is land for the people in the congested districts without going elsewhere?—I do.

545. Lord Milltown.—When you say you could settle any amount of people on it—would they be able to pay any rent for it?—I think they would, and I don't think they would require a very great start either.

546. Mr. Neligan.—Would you fix a rent on them?—Why not.

547. Because I thought from your previous evidence that they would be such small holders that they would not be able to pay anything?—They might require some breathing time—for a year, say.

548. After the breathing time they would be able to pay?—Yes.

549. Then the small holders who have had breathing time ought to pay?—If their holdings are too small they could not. I would give larger holdings by migration.

550. What is the extent of the holding on which the tenant ought to pay?—I think £20 a year rent would be the smallest holding any man should be asked to live upon.

551. Lord Milltown.—How much land would that be under your system?—If I had your lordship on the Island of Arran I would show you: there they call it by a particular name, and it is £3 10s. a year, and it might be 50 acres or 10.

552. Mr. Neligan.—You would give each of them a rental of £20 a year?—I did not say that—that is the average.

553. That is what it would come to?—I don't think they should be asked to live on less.

554. Could you see your way to creating tenant farmers of £20 a year with nothing to start upon?—Not if they had nothing to start upon.

555. And taking these men from congested districts, how would you develop them?—The family I allude to his neighbour the congested holding.

556. The President.—In this particular district what do the tenants pay as a fair rent?—I will give you my experience, although it looks like flattery myself. We had no appeals for the two years we were there.

557. Sir James Caird.—Do you mean on Lord Lucan's property?—No, Lord Lucan gave us very little trouble.

558. The President.—I was referring to Mr. Parnell's district in Galway, where he has been trying with Government money the question of migration. Do the tenants in that district pay anything in the

shops of rent?—I think the tenants on that property pay.

559. In this property that was bought?—Yes.

560. They do pay?—Yes.

561. They make a living and pay?—Yes; I have not asked any of them the question, but asked their neighbours, for we had nothing to say to that property.

562. Mr. Neligan.—What would be about the size of the holdings there?—You will have to ask Mr. Parnell himself for that.

563. The President.—Does no one else know how it is getting on?—I know nothing of it, except that each and every holding has been doubled, or something about that.

564. Sir James Caird.—Wasn't it your statement about Mr. Parnell's experiment that the people were really in possession of the poorest land in the congested districts?—Yes.

565. And by giving them these lands which lay alongside or across them, did they become possessed of the better land?—It gave them some pasture with the bit of tillage.

566. They get some good land in addition to the bad?—Yes.

567. And wasn't it the fact of getting that good land that made the difference?—No doubt about it.

568. Mr. Knappe.—With reference to these judicial rents, has it come to your notice that there has been any reduction given since they were fixed from 1851, down to 1885?—I have heard so.

569. In several cases?—I am satisfied it has been done.

570. And the inference you draw from that is that the rents were too high?—Well, yes.

571. Lord Milnes.—Is that the inference you draw?—No. I draw no inference at all, but I consider that from the fact of our fixing rents now probably 10 or 12 per cent. lower, we consider the rents we fixed then were too high, and I will give you the experience of two very excellent men—one is at present on the Irish Land Commission, and the other I was parting with at Christmas last, Mr. Barry, who was an owner of property and extensive land agent. He said to me when parting—"There is nothing I regret more than that I will not have in my power to undo some of what I have done, inasmuch as I am satisfied I fixed some of the rents too high."

572. Mr. Neligan.—Where was that?—I should say the conversation occurred in Galway.

573. What part of the country had that reference to?—The gentleman was leaving my circuit. There was no other business for our Land Commission to do, and he said he was sorry he had not the power of undoing what he had done.

574. Mr. Knappe.—How much did you reduce the rents from 1855 to 1884—how much lower are they?—Ten to twelve per cent.; it may be more; in some cases fifteen per cent., for we are guided a good deal by the quality of the land.

575. Is it in consequence of the low price of produce you fixed the rents lower in the last two years?—Yes.

576. Do you know what the price of wheat and oats is this year?—I am after giving you the price of oats in the Cork market. Four shillings a cwt. is the average price of black oats.

577. Could you tell us as a practical farmer how many cwt. you would have to the acre?—Yes.

578. Lord Milnes.—We are sticking to the statute acre all through this inquiry?—A great deal depends on the quality of the land—about eight barrels I was giving you a while ago. Eight barrels of fourteen stone to the acre.

579. That would be about the average?—I think that would be a big average.

580. Do you think it would be rather too large an average?—I think it would be too much. I confess I find a difficulty, for I am always dealing with the Irish acre.

581. Would you say seven barrels?—I think seven would be nearer for the statute acre, or twelve on the average to the Irish acre.

582. Mr. Knappe.—And that would be a fair average?—Yes.

583. How much would that be to the acre?—Twelve cwt.

584. At 6s. 6d. a cwt. it would leave a very small margin for the farmer to pay rent out of?—On some lands it would leave a small margin.

585. Lord Milnes.—That depends entirely on what rent he pays?—Yes.

586. Mr. Knappe.—The cost of ploughing and seed would be over 2½ an acre?—Yes; I would say so.

587. What do you say as to wheat?—I will leave it out of the question, for it is not grown in my part at all.

588. With reference to hay what is the average quantity per statute acre?—I don't know that the average would be more than one ton. I have seen two tons to the acre stated, but I have seen the rental put to it, and I could not see the two tons. If you mean to draw an inference from my observation it would refer to the Dublin district, where people grow hay for profit, you will have to name the part of the country you deal with. If you take me to the county Wicklow I will show you there is not a ton to the acre, but in Limerick I will show you two tons to the acre.

589. I want to see what those crops are worth to the farmer. You gave reductions, from 1855 to 1885, in consequence of the low price given for these articles?—Yes.

590. Do you believe there is any class of farmers who have not been admitted to the benefits of the Land Act, who might be?—I suppose you mean the leaseholders?

591. Yes; I take it for granted they are the best class of farmers. Would you give the Commission the benefit of your opinion on that question?—My opinion is that they should be admitted, and I will tell you one of the reasons why. A great many leaseholders I know are getting substantial temporary reductions of rent.

592. Mr. Neligan.—From the landlord?—Yes; and I am well aware of the fact, that at each audit there is a meeting, occupying the whole day, trying to arrange the amount of reductions to be made. It is not a uniform thing, from year to year, but a fresh arrangement every half year; and this creates a great deal of trouble and annoyance; and I have taken upon myself to suggest to an extensive land agent that he should influence his principal to give the tenants permission to go in and have their rents fixed.

593. The President.—I suppose the leaseholders are the better class of tenants, and larger?—Yes, they are the better class holdings, and much larger.

594. Mr. Knappe.—And you have found them an industrious and intelligent class?—Yes.

595. Lord Milnes.—Can you tell us approximately the number of agricultural leaseholders in Ireland?—About 150,000. That was the number before some were admitted to the benefits of the Land Act. I know, on Lord Curie's property, and Lord Egmont's, and others, every leaseholder has been admitted, so that that has lessened the number a great deal. I will undertake to say you have not 100,000 at present.

596. Who are excluded?—Yes.

597. You think 50,000 have been admitted?—I know Lord Egmont and Lord Cork have admitted them all.

598. But there are 150,000, by law, excluded, although by favour of their landlord, some of them have been admitted?—Yes. On the Duke of Richmond's Commission, these were the figures presented to us.

599. The President.—There are none of them of a very low class?—No, they would be the better class men—the larger class holders. I think they are a most desirable class, and ought to be encouraged.

Oct. 14, 1885.

Mr. John
Barr.

Oct. 24, 1896.

Mr. John
Rice.

600. *The President*.—They are not so completely at the mercy of the landlord as some of the small people!—Oh, no, they are not; but I fear that some of their circumstances indeed are far from good.

601. *Mr. Keble*.—You have known several landlords who have not taken advantage of their position?—Oh, yes; I have mentioned the two names that I know, for those properties surround me.

602. And others have given substantial reductions?—Temporary remissions. Lord Egmont and Lord Cock have allowed them to take advantage of the court.

603. *Lord Millican*.—And the Duke of Leinster?—Oh, yes, my lord, the Duke of Leinster.

604. Without any pressure whatever?—Oh, none whatever. And there are several others. I merely spoke of those two properties that happened to be in my own neighbourhood.

605. *Mr. Keble*.—Speaking about the profits that graziers get this year out of their cattle, don't you think that it would have a very serious effect on the small farmers, selling those cattle at such very low prices?—One of the results, I fear, will be that they have not resorted enough to meet the demands of this year and the next year.

606. And the majority of the tenants of the country will suffer seriously in consequence of that?—Yes.

607. And there would be only a few who would benefit?—Well, indeed, the graziers wanted a turn, for they had a very bad year last year, and the year before.

608. Do you think, looking at the increase in the importation of foreign cattle, that we are getting year after year—that there is much prospect of having higher prices for cattle in the future?—Well, I think if foreign store cattle are admitted into this country, we may as well shut up altogether, but I would be inclined to say that I hope they won't. I have very strong views myself, because I am a very great advocate for even not allowing anything manufactured at all to come into the country, either wheat or oats. Let us have the corn by all means, but let us manufacture it ourselves.

609. Considering all these things, do you think that you would be justified in giving from ten to fifteen per cent. further reduction of rent?—In many instances a good deal more, and in other instances less, because we must be guided a great deal by the locality of the land, and the quality of the land, and whether families exist.

610. *The President*.—If you had to fix rents over again that you fixed three years ago, would you put them ten or fifteen per cent. lower?—If I had to fix now instead of three years ago—is that what you mean?

611. Yes!—Oh, yes; positively I would fix them lower.

612. *Lord Millican*.—All round?—Oh, well, I think it would be all round. I would, all round, but I think I would make a greater difference where the land is poor, because prime land is value for the rent still. I mean prime arable in Kilkenny, Carlow, and about Dublin here. That is very valuable still, and also pasture land, but the poorer lands in the country have become nearly valueless except to the class of men who occupy them.

613. *Mr. Neffins*.—There was one observation that dropped from you, Mr. Rice, that I would like to ask you about. You spoke of the restricted bank accommodation at present. I take it that even in the best of the years to which you have alluded the farmers depended a good deal on their bank accommodation for getting on?—I honestly believe myself that a great many farmers managed to pull along fairly well and support their families that had not one shilling of their own.

614. They were dependent on the bank?—Yes.

615. According as times deteriorated and prices fell the result of your experience is that the bank accommodation has been restricted?—Oh, yes, quite so. I have had practical experience of that.

616. And, as I understand you, this year the bank accommodation has ceased altogether?—Closed altogether.

617. Then would you take that at all into account in order to account for the present want of money in the country that you were speaking of—the total want of bank accommodation in the country under the present banking system?—That would be one of the causes—one of the causes of depression. The restriction of the circulation of money would be one of them, but there is no doubt in the wide world that the lowering of prices all round is a cause of it.

618. I am only addressing myself to the banking system. One of the disturbing causes now would be that when men wanted money they had not the least chance of getting it?—That is quite so.

619. *Lord Cooper* asked you with reference to your experience as to what might be the result of a sliding scale in the ascertainment of rent, and I think you based your answer on the difficulty of finding a standard?—Quite so.

620. Assuming the possibility of a standard, what would be your opinion as to ascertaining such rents by the system of a sliding scale—assuming that you could get satisfactory standard?—My opinion can only apply approximately in this way.—Being over twenty counties in Ireland now I cannot take the Poor Law Valuation as a standard that is to guide me in the opinion I am giving as to the fixing of rent, for this reason, I found in the county of Longford, say, the old rent lower than Griffith's Valuation, and I found it entirely too high; and in other parts of the country I found that Griffith's Valuation was fifty, and sometimes one hundred per cent. lower than the rent—that the valuation was only half the rent. For instance, on Lord Sligo's property he allowed his agent to settle with every tenant out of court that would accept a lease at fifteen per cent. over Griffith's Valuation. What I mean to convey by that is that the sliding scale there adopted, for they were supposed to have one, did not enable them to fix a relative value on the land.

621. Because they had a bad basis, as I understand you. You spoke just now of seeing a great deal of the land running into meadow land. I suppose your experience would lead you to the conclusion that wherever there is a farm from any cause wooded in the country, it becomes impossible as a rule to re-let it?—That is so.

622. And the only thing that can be done with that class of land at present is to allow it to run into meadow?—I believe that is the only thing that can be done.—There is nothing else for it.

623. And that of course would be the result of the present agitated state of public opinion, I take it?—Well, I take it for granted that in this country you will always have a land hunger, because the people have no other industry, and consequently every inch of land that becomes vacant you will always have a person to look for it unless the agitation prevents it.

624. Then that large amount of land beyond all doubt that is in this way running into meadow would under other circumstances not have done so, and would have followed the ordinary course of cultivation?—I suppose so.

625. I would assume that from your evidence. Now with reference to butter, I dare say when we go to Cork there we shall be able to get a very accurate standard of the price of butter for some years past?—Yes, and I would respectfully suggest that that question might be left an open one till you got there. You will get any amount of information on the latter question when you get there.

626. On the question of the falling off of the price of butter, is it, according to you, that the Irish butter has been driven out of the market by the superior make of foreign butter?—It has supplanted it a good deal, but not entirely.

627. Have you had any experience of where such has been taken during the past season in the making of Irish butter, and where it has fetched as good a price

as formerly I—I have given you the case of Cahir, in the county of Tipperary, where a new factory was started in the summer, and they are getting as high prices.

628. Then, in point of fact, if the article comes up to the standard, there is as good a price to be got for it as the average of foreign I—Probably we must take a little time to improve our character for bad butter.

629. You apprehend that the supply of young cattle will be short next year?—I do.

630. If it be short in the supply do you not anticipate a rise in price next year?—I do, and more than that, everywhere I went in the spring I recommended the rearing of young calves, because I think it is a bad principle for farmers as well as for everybody else to be placing all their eggs in one basket.

631. As to the young cattle to be weaned up to the farms, do you expect a better demand from the shorter supply, and better prices?—Yes, and I am inclined to be afraid too that that would account for the rise in some of the sheep prices this year. I saw sheep sold last year indeed that did not pay at all.

632. The President.—I would ask you about the sheep, why they so diminished in number in the last few years?—Because they did not pay last year, my lord, as horned cattle. I saw very excellent hunte three months old, weaned from their dams, last year, sold at from ten shillings to fifteen shillings, and that would not pay; and the price of wool last year would be about eight pence to nine pence, and that would not pay. This year things are changed, and I think nearly all the female sheep that were not fat are turned to breeding purposes. And there is one feature in sheep that is different from cattle. The sheep will reproduce themselves in twelve months, they will multiply in a year, and it will take three years to replace cattle.

633. Sir James Caird.—We are directed to ask a question with regard to whether the difficulty in the payment of rent arises in any way from combinations to prevent tenants fulfilling their legal obligations. Have you any knowledge of that?—Oh, not the slightest. It is not my business at all. I keep my eyes and ears shut to things of that kind, and try and manage to get the surrounding circumstances of the estate. But there is no doubt that you will find some tenants on properties that have the money or means, as I instance to Lord Midtown a while ago, on some farms every member of the family is working and owing the labour of these people; and if there was not an all round understanding between the tenants, or a combination as you call it, it is likely those men would pay. But from what I saw learn in my own neighbourhood this year, or see about me, I do not think any single man in my parish this year has received as much from the land as would enable him to pay the rent.

634. Mr. Neligan.—That is the assumed rent?—I know that myself—that it is a perfect failure.

635. Sir James Caird.—Now your opinion is that it is not in consequence of combination but of inability that the rental arises?—I am perfectly satisfied that the tenants are quite unable from the present prices, unless a man had money by him, for some years past; but at the present prices, I do think, except in the way of the graziers, they had a bad year last year and the year before, but a good year this year; but taking it all round, I think the tenants have not the money to pay their full rents.

636. In connection with regard to the diminution of cattle, to which you very much referred, that your statement does not seem to be borne out by the facts as reported in the statistics in them?—Except this, that we are 45,000 horned head of cattle short this year.

637. 1886?—Yes.

638. 1886 is not here, but 1885?—I have it 45,000 head short this year of last year.

639. Mr. Neligan.—Is that from the *Farmer's Gazette*?—No, it is from the police returns, from the Board of Trade. You might have got them yesterday from the Registrar-General.

640. Sir James Caird.—The total number of cattle

in 1882, as shown by these records, is 3,986,000, and in 1885, 4,322,000. And even in regard to the younger cattle there is an increase also. The year-old cattle in 1882 were 918,000, and in 1885, 981,000. Might that increase in the number of cattle be due to this? What is the last return you have there?

641. Sir James Caird.—The last I have before me is 1885. I was going to say that it would naturally arise from the diminution of agricultural crops that there should be an increase in the number of cattle?—Quite so.

642. People would have more grazing land?—Quite so.

643. You said in your evidence that you very much regretted to see the extent of meadow land in some counties. Did you mean us to infer from that that you were afraid there was a falling-off in cattle, and not sufficient head of cattle to consume the crops?—Yes. I do. That would be one of the reasons, but the effect it will have will be this, that land not naturally intended for meadow or grass is being converted to meadow and grass, and consequently will not be profitable, and it is nothing but the necessity of the case that would make any man make a meadow of it.

644. That is land in the west, I think you said?—Oh, it would be nearer Dublin.

645. Heavy land?—No, indeed. Heavy land might make a meadow, but this would be light land, hill slopes, and land of that kind—the County Wicklow, for instance; but it would apply in fact to the greater part of Ireland, and as you happen to be on the Commission perhaps it might be no harm to make inquiry into that. I spent some time in the County Meath. I have been there five or six times, and in going over some of Lord Gormanston's property, twelve months ago, the land was excellent grass land, and on four or five farms I do not think there was a four-footed beast belonging to the tenant in possession there. To show you even that this sort of thing, the depression or scarcity of money, or whatever may have caused it, that it has got into the graziers themselves as well as it has got into the poor tillage holders. These pasture lands, a great part of them in Meath, are advertised to be let, or the grass sold annually by auction, and cattle dealers and jobbers, and people of this class, hire the grass for the season, and the tenant is merely enabled to live between the margin he gets between the auction price and the rent he has to pay; and that would apply to an immense extent, I am sorry to say.

646. Mr. Neligan.—Already up to 1885 the exports of cattle have increased by nearly 100,000. These are the figures we got from Dr. Grimsbury?—I am not going to presume to say they are wrong, but I find that the great scarcity in the horned cattle this year will be amongst the young ones. I started with telling you that the people were not rearing this year, and I was sorry for it.

647. Sir James Caird.—He said that one-year-old cattle had increased to 1885. Under two years they are greater by nearly 100,000 than they were in 1882?—I do not dispute that point at all with you. I am merely stating that farmers' cattle under twelve months, cattle calved within this year, from returns taken by the police in July, that they are short by 45,000, with the exception of a few hundreds—forty-four thousand and some hundreds and odd short.

648. I do not wish to go over the same ground that the preceding Commissioners have asked questions on, and I will confine myself to a very few. With regard to the numbers of persons who have had judicial rents fixed, either by the Sub-Commissioners or the civil bill courts, it would appear to be 88,000 up to the 31st of August, 1886, and by mutual agreement, as we are informed, about the same number, 88,499; so that the total number fixed up to the 31st of August, 1886, is 176,864. Then, as I understand you there are about 150,000 householders amongst the tenants. I want to get the round numbers?—I am not, Sir James Caird, as I presume your name to be, so well made up on the exact numbers. I take it that there

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are 500,000 tenants in Ireland altogether, and if you take from that number those who got rents settled, the residue or balance would not have rents fixed. Of that number probably close on 100,000 would be leaseholders.

649. But you named 150,000 as the number of leaseholders?—But Lord Milborne reminded me of the Duke of Devonshire, and I mentioned that Lord Cock and Lord Eglinton and several other large proprietors gave permission to their tenants to go into court and have their rents fixed, or otherwise made them offers which they accepted.

650. And then the number still to be fixed would be something like 150,000, still remaining?—There would be a great many.

651. As to those who are still remaining, are they likely to be the smaller holders of land in the country?—Some of them would be in the neighbourhood of towns and had townships and land let wholly or mainly for pasture purposes. These are excepted altogether from the Act, and probably half the number that you speak of, unless they thought that they might as well remain out, they would be at liberty or would be allowed to come in; but whether they would get a reduction is another question.

652. Have you had many instances yourself in the west or south of those very small holders, under four or five acres, coming to you for judicial rents?—By the hundred. We had them by the hundred, I say, in Mayo. The great bulk of the tenants would be under 45 rent there.

653. Might I ask you on what principle you valued their holdings?—I mentioned to you before and you must only draw your own deductions, because it is not so easy to message about this, they generally hold what is called striped land. They formerly held in rundale. Their little holdings would remain you of a chainboard; but particularly on one property, Sir Roger Palmer's. Against the wish of the people, but much to their benefit, he had them all ejected and striped the land and let them in again. These men would have a bit of mountain and a bit of bog, and a bit of arable—arable indeed in very low condition, I must tell you, because they unfortunately got very much into the use of what they call their head mowers, and probably it is the only county I know of in the congested parts where they sell a great deal of their straw, and they depend on the fattening of pigs; and you really find a great difficulty about the rent there, what would be a fair standard to take and fix a rent for them; but all I can tell you is that from my questions there we had no appeals.

654. Was there a general reduction?—Well, no; on Sir Roger Palmer's, on a few farms, we made no reduction, and generally speaking, two-thirds of the new rents were fixed by consent between the landlords and the tenants.

655. Mr. Nelson.—And I believe they have been well paid?—Where is no doubt of that at all. Wherever you find a mutual arrangement, that is my experience. Where the arrangement is mutual it has a better result on the rent-paying than otherwise.

656. Sir James Caird.—Then if two-thirds were agreed rents, the other third was fixed by the Assistant Commissioners?—I do not know the exact numbers.

657. What I wanted to know was what would be the average deduction from the previous rent when a fair rent was fixed on these small holdings?—I think the average reductions in the County Mayo for the past three or four years have been about twenty or twenty and a half per cent.—twenty and some decimal.

658. That includes large and small farms?—It includes all.

659. You cannot give me an answer as to the very small ones?—I could not unless I had my books.

660. Do you know whether those rents so fixed have been satisfactorily paid?—Well, I happened to be there in the Spring of this year, and from what I could learn the rents have been fairly well paid.

661. Are the tenant farmers believed to be in better

or worse circumstances now than in 1882?—Oh, very much worse, I should say. I do not know very much worse in the County of Mayo, but they are poorer certainly throughout the southern counties.

662. We have had before us a return of adjustment processes over a number of years, and I observe that up to 1878 they were all under 2,000, and in 1879 which was an exceedingly bad year they rose to 2,657, and they have never fallen down to that since. Up to 1885 they had considerably increased. Do you suppose that we may take it that that increase of adjustments indicates greater poverty on the part of the tenants?—I am perfectly satisfied it does, and one of the reasons, I think, if you look closely into that you will find that evictions or adjustments have chiefly taken place in the poorer districts or the poorer counties.

663. Questions were put to you about tenants not getting the same accommodation as they used to do. Are not there a class of men who had money, not bankers, but I believe called "gambeen men"?—Yes, there are.

664. Now do these small tenants become very much indebted to these people?—Not latterly. These have shut their hands too, and that is no harm to the tenants or to the community either. If you put money in a farm I believe there would be a return of ten per cent. on the investment or improvement, but if you give ten or twenty per cent. to a "gambeen man" I do not know where it comes from.

665. What would be the usual rate paid to these "gambeen" men?—Well I have not been able to ascertain exactly, but I could form a very good idea.

666. I think from all that you have stated to us that the greatest difficulty arises in the poorest quality of land?—Yes.

667. You could not answer the question as to whether that would include most of the land in holdings of five acres and below it?—I could not in this way, for Mr. Nelson made a suggestion to you about the rent being fairly well paid in the very poor county of Mayo. The rent there is supplemented by labour in England. I should say half the male population of the county Mayo migrate to England every year for employment.

668. Have you any experience of the number of sales under Lord Ashbourne's Act?—None whatever, except what I have heard. I heard of some sales, but hearing that way is no evidence. I heard of Mr. Gage, the solicitor to the Post Office, selling for 17 years' purchase, and he appeared to be pleased at the amount that he got, and to consider that they were not at all bad sales.

669. In regard to the question of emigration—emigration, but emigration—from the poorer parts of Ireland, is there any alternative to this in the poorer parts of the country, for preventing an increase of people depending on their crops?—I do not know. I have turned the matter in my mind, what you could do with the Islands of Arran, for instance, for they are circumscribed by the sea there. It is the most lamentable case of human nature that, perhaps, is to be witnessed anywhere; and, notwithstanding if they get the potatoes to grow they are right enough. If the potatoes fail, there is nothing but starvation. I never knew what the life of some of these people was till I spent a fortnight there in the summer.

670. Lord Milborne.—The land question has very little to do with their miseries?—Oh, very little. The whole question that kills or cures them is the moist season to grow the potatoes.

671. Sir James Caird.—Do you know what proportion of the agricultural population that class of people would form in all Ireland?—I could hardly tell you.

672. A very small proportion?—I think there would be about 8,000 people in the islands of Arran. Arran would be considerably less, and so on. But, indeed, I could not tell you, Sir James. I could give you no accurate idea of what the extent of that class of people would be.

672. There was some offer made, was not there, by Government, through some public body in Ireland, to send emigration?—It has been carried out to some extent. I recollect being at one time at Belmullet, when his Excellency, Lord Spencer, happened to turn up there, and I saw a large number of people leave in a vessel while he was there.

673. Was that assisted emigration?—Yes, and a great many of them returned at the end of twelve months.

674. Lord Milltown.—They did?—They did.

675. The Chairman.—Where did they go to?—To Canada, I think. They were badly chosen, and the Americans will not have old or decrepit people.

676. Sir James Caird.—That applies to the United States, not to Canada?—It applies to both. In Canada they will take an entire family, but they will not take old persons by themselves.

677. Mr. Neilson.—There were a great many sent back?—Yes.

678. Sir James Caird.—Has there been any attempt to migrate them in families or villages?—No, not that I am aware of.

679. Do you think that that would be likely to answer better than sending them out?—Well, I am not a great advocate for sending them out. A suggestion was made a while ago about these semi-reclaimed lands of Lord Lucan's, Lord Sligo's, or Sir Roger Palmer's, that in all those congested or over-populated districts, there is lots of room on those cleared lands to remove the congestion.

680. I understand that you refer particularly to the lands of lower quality which are at present comparatively deserted?—Just so.

681. Do you think that poor people are likely to thrive on bad land?—I do not think that that land would be so bad if kept under the spade, and I know that this land of which I speak now paid, before the famine of 1845 and 1847, £1 to 50s. an Irish acre, and I believe myself that under the spade you could bring that land back, and that it would be of some value to the people living on it, and I know they are striving to live upon worse.

682. You are speaking of Lord Lucan's land, in Mayo?—Yes, and Lord Sligo's, and several others.

683. I happened to be on both in 1849, and I remember Lord Lucan's great farming establishments, and I remember more particularly the character of the soil. Well, the good land there is still cultivated, is it not?—Oh, yes, he farms that in his own hands, and it is kept in tillage.

684. That is, the good land?—Yes, and well managed, too.

685. And that is at present paying well?—I cannot be sure it is.

686. But the land to which you say it would be possible to migrate the people is of different quality?—It is of different quality.

687. Lower quality?—Lower quality.

688. And you think it would be a prudent thing to migrate people to that land?—Well, I think if the people got fair-sized holdings and room enough to employ a family. They would require some sort of a house to go into, but they would not require very much capital to start there.

689. Is it your evidence that the poor land of Ireland has not the least hope any other way?—Yes, and I say it is the opinion of every practical man in Ireland that the poorest land and the people on it are the greatest sufferers. But I am afraid also that every class depending on land has a less return than heretofore, and that there is not an all-round livable profit from the present prices.

690. I want to keep to the point of emigration of the people?—I will not be able to give you much information about it.

691. I should be very glad to hear any practical or likely method by which, instead of helping them out of the country, you could keep them in their own country, and put them in a better position, and my query is rather as to whether there is such land, of a sufficiently good quality, to which these people could be migrated?—I say that I know a great deal of land of a worse quality than the majority of these cleared lands where the people are living fairly well if their holdings are large enough; and I think if people were put down upon those lands with holdings of anything like a sufficient extent, and given a fair start, I have no doubt that the people could live on it. It would be well worth the experiment, and you must try it if you want to keep these poor people in this country.

692. Lord Milltown.—I want to ask you one word about the banks. Is it not your experience, Mr. Rice, that the facilities that were afforded to the people by the banks after the passing of the Land Acts of 1870 and 1881 for borrowing money were a source of great subsequent misfortune and poverty?—I cannot well enlighten your lordship upon that point, but I do not believe that it did people much good to have too great a facility of getting money.

693. Would not you go so far as to say that it did them a great deal of harm—have no cases of bankruptcy and ruin come under your notice owing to those facilities?—No, they have not, but it is quite possible the like may have happened.

Lord Milltown.—Those facilities are now withdrawn.

Mr. James Haughton examined.

694. The President.—I think you are an Assistant Land Commissioner?—Yes, I have been one since 1881.

695. And where has your principal work been done?—We were in Connaught for five months, and then we were transferred to Kerry, where we were working till about a year ago, and we have had the remainder of Munster added to us.

696. During the last year?—About this time twelve months, I think.

697. Have you had many cases lately to decide, during the last year?—Oh, yes, a great many. I could not form any opinion as to the number now. I think about a hundred a month or something like that would be the average.

698. Have you had as many lately as you had at first?—Oh, well, we have been kept as busy because fresh cases have been coming before us just as rapidly. I think, and accumulations have been very much worked out. I know we have cleared off all cases in some districts completely.

699. Then comparing the cases in which you have been adjudicating during the last month or two with those cases a year ago do you find that you made a greater reduction in the rent now than you did then?—Not as against a year ago I think.

700. But as against two years ago?—Yes.

701. Any considerable difference?—Well, I should think on high class land about ten per cent, and on inferior land perhaps a little more on acreable value.

702. More upon poor land?—Rather more upon poor land I think than upon the higher classes.

703. For what reason is this difference—why do you make a greater reduction now?—Well, we can scarcely ignore the past two or three very bad seasons which have come into the average of years in calculation.

704. How many years do you generally take into account in making your average?—Well, I should say an average of from five to seven. We do not lay down any fixed number of years. We take the average of years within our own recollection, so to speak, I mean comparatively recent recollection, probably going back six years.

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703. And it is in the recent depression affecting that average which makes the ten or twelve per cent. reduction?—Well, from ten to twelve according to the class of land.

704. And you take off ten or twelve per cent. now—you reduce to that extent now more than you did two years ago?—I think so; about that. I do not mean to say the figures are ten to twelve exactly.

707. But roughly speaking?—Roughly speaking about that I should think.

708. I suppose in some places the reduction is greater than in others on account of the commodities which are grown in that particular part of the country having depreciated in value more than in other places?—Well, on corn-growing land wheat and tiffage land the reduction, I think, generally speaking, is heavier.

709. Heavier than in the pasture land?—Heavier than in the pasture land, distinctly.

710. But the pasture land is not larger than the corn-growing in your district?—Well, in our district there is a great amount of mountain pasture as well as ordinary pasture. There is a very large amount of mountain pasture in Kerry, and it has suffered from wet seasons; the quality of the herbage is not now so bad; it has recovered, I think, the last two seasons, and I think the quality is a little better, but it has deteriorated very much in the last seven years or so.

711. What is the price of cattle down to?—It is down to roughly speaking what it was twenty-three years ago, on the average.

712. Can you tell me anything generally about your district, whether the tenants have been paying their rents—if it has come immediately under your own notice?—Well, it is only as a matter of common rumour. I know of some cases in which rents have not been paid for a considerable period, amongst people who told me of their circumstances.

713. And you think that is owing to poverty?—Well, it has been caused by a great many circumstances not altogether owing to poverty, I think.

714. This would be chiefly a matter of rumour with you?—Yes; I have no personal knowledge.

715. Then have you had to adjudicate very much with regard to the price of tenant-right lately?—Have you had to take that into consideration in giving your adjudication?—Very little at all.

716. There has not been very much sale of tenant-right then?—Well, any sale of tenant-right that has come under our notice has been on request to fix the true selling value of the farm as between landlord and tenant; but otherwise the question of tenant-right comes only casually before us. We had one very remarkable instance the other day in which a man paid £270 for the interest of a holding, I think, of twenty-two acres, subject to rather a high rent.

717. To what do you attribute that?—Well, he had made money in some way or got hold of it, and he was anxious to start his son in life.

718. On the whole has tenant-right fallen to the same degree as rent?—I cannot give a practical opinion upon that. There is a greater difficulty in selling farms than there was.

719. Mr. Jellicoe.—Was that case in Kerry?—No, Clare; it was between Ennis and Kildare.

720. The President.—I suppose you cannot give us much information with regard to the prevalence of intimidation?—No, I cannot. I prefer not speaking on surmise; but we have occasionally remarks made by farmers and others before us, but they are not very tangible.

721. Have the landlords been indulgent as far as you know—have they given remissions of rents?—In a great many cases, I think, yes. I think they have fairly, as a body, taken the depression in the times into account, but that is only a matter of public report, and I do not speak of my own knowledge except in isolated cases.

722. Does that include cases in which land is let on lease as well as everything else, and judicial rents as well as the old rents?—Well, I think the

reductions given by landlords, so far as I can learn from local information, are less in judicial rent cases, and more where the rents have not been fixed, and probably more on leases as well.

723. I suppose in the case of judicial rents the landlords feel rather that the matter having been taken out of their hands they would be inclined to leave it alone?—I won't say leave it alone, but they have discriminated, I think, in the reductions between the two.

724. Has your attention been at all directed to the idea that it might be advisable to adopt a new system in fixing rents, to adopt a sliding scale, and that the rent should vary according to the average price of certain commodities during the seven previous years?—Yes, I have seen some discussion, chiefly in the newspapers, on the subject.

725. Do you think that that would be practicable at all?—I think it would be a very just way of adjusting the rent, but whether it would suit the Irish character would be another point.

726. And would there be a difficulty in fixing the price of commodities so as to make a sort of—[I am sure that there would be some difficulty in that way, but probably not an insuperable one.]

727. Do you think that prices vary very much in the different parts of the country?—Well, for instance, as to butter, which is a very large staple article, the prices for good quality vary very much in different localities, and I think it would be very difficult to get a fair average. In those districts we take the prices of produce of one district as very much better than another, even though they might be made simultaneously. As a matter of fact the butter that we meet in our journeys through the different butter districts is bad—badly made, badly tasted, dirty and slovenly in its preparation.

728. Has it at all improved lately?—I am afraid not. The creameries have established a distinct improvement in the localities, but the very small farmer who converts his stable into a dairy in summer, and in winter keeps the cows in the bedroom, he is not improved and I am afraid would be difficult to improve without proper instruction.

729. Of course, if he could improve it would make a great difference in the price of his butter?—One of the great drawbacks in the making of butter in that it has to be made in small quantities, and it takes a good while to fill a firkin; and the first step towards improvement that has come under my notice lately is that a number of farmers have combined to fill a firkin and as rapidly as possible send it to market; but the butter is uneven in quality. For instance, a man on this farm will send one quality, and his neighbour's lump of butter won't be quite equal, or perhaps better.

730. You have been fixing rents lately, I think you said, in reference to the present prices and to the very little hope you have of an improvement in that respect?—I do not think I said that there was very little hope of improvement. My impression is that we are now at the last point of depression of farm produce, as far as one can be a judge.

731. Then you are not influenced by gloomy anticipations of the future?—By the evidence of past years, combined with a reasonable expectation that things will not always continue as they are now.

732. I do not think you have had any practical experience of the working of the Land Purchase Act of 1883?—Very little.

733. Has your attention been called to it at all?—Not very much, but a little.

734. As to the general subject?—Well, I know a good many cases in which purchases were either being made or in course of proposal, and have been consulted by more than one person as to what price they ought to take for their land if they were able to agree with their tenants.

735. Has anything occurred to you as to what ought to be done to induce tenants to avail themselves more

of its provisions than they have!—It is very hard to give a practical solution of it, so there are a great many difficulties in the way, but I think that the whole amount of money must be advanced if you want the Irish farmer to come in, because he has hopes of something better coming in his mind. I think they are holding back in the hope of getting better terms.

730. *Sir James Caird*.—The whole money is advanced under Lord Ashbourne's Act, is it not?—Well, the whole money is, but where the price is considered high there are difficulties thrown naturally enough, I think, in the way of completing the purchase.

731. *The President*.—There is one idea, that the operation of the Act might be extended and expedited by providing securities through the intervention of local bodies!—What local authority might be meant by that—is it by taxation of the county?

732. Of the county or the barony?—They are very heavily burdened as it is. I know that in Kerry the local burdens are simply enormous.

733. *Mr. Wilson*.—It is the heaviest rated county in Ireland!—Yes, owing to two causes. In the first place to the fact that it is intersected everywhere by roads on account of its formation, and in the next place the assessment for crimes is very heavy.

734. *The President*.—But any information you can give on that matter is merely like that of any other intelligent observer in this respect—it is your own views, and it has nothing to do with your business!—No, it has nothing to do with my business.

735. But you have nothing to suggest of that kind?—Well, I have not given the subject any material consideration.

736. Do you find that you have the small tenants coming forward on the whole very freely to take advantage of the Land Act of 1881?—Oh, I think they have come forward very much in the same proportion. We have large numbers of small ones and a great number of the others. They are mixed up very much. I have never made any statistical distinction between them.

737. Do you find much complaint amongst the leaseholders of not being allowed to take advantage of the Act of 1881—do you think there is much hardship in that respect?—Well, I have heard a great many complaints, and as a matter of fact, I think the leaseholders are a most prudent and respectable class of men, and men who, with a view to getting security of tenure prior to the Land Act, probably paid an enhanced price for their farms in order to get the advantage of security of tenure in the shape of a lease, but it is a question full of difficulties. There are leases made at so low rents that if the landlord brought the tenants into court, the rent might be raised, assuming that all leaseholders were brought into court. There is a question of low leases and high leases both to be considered, and it is a most complex one.

738. You would not allow a tenant to come in without allowing the landlord to come in as well?—That is just the difficulty. I know of one case—one landlord with two leases on his estate, at large rents, and a third at a very low rent, and he says that the increase he would get from the third tenant, in case that he went into court, would amply compensate for the loss on the other two.

739. *Lord Milnes*.—When did I understand you to say, Mr. Haughton, that you began to give the increased percentage reduction?—About twelve months ago.

740. I thought you said that they were lower now than two years ago?—Well, I said prior to the twelve months, so to speak. I could not tell you now to the moment—from the time that the pressure came on the farming interest.

741. From what you said about two years ago, I thought you began to reduce the rent two years ago!—Well, that is a proper conclusion to arrive at, but I only spoke in general terms.

742. *Mr. Reeves* has told us that the time when

he began to make these increased reductions was about the autumn of last year!—Well, I think that would be about the time that the pressure was greatest. In fact, the percentage reduction with us was, so to speak, a sort of gradual process. I think about the time that it began to influence us seriously was about the time that Mr. Reeves has mentioned.

743. Then you accept that, generally speaking, then I understood you to say that you strike an average of five years?—From five to six or seven years. We do not go into the question making an actual average of this, that, or the other average, but we take a sort of mental average in connexion with it.

744. During five or six or seven years?—Yes, about that.

745. In case of your operations being performed after two or three bad years the result would be that for the next fifteen there would be an extremely low rent!—Well, assuming that you took a basis of prices for the two or three bad years into account as being the ruling prices for that time—I do not know if I make myself quite clear—we never took a basis of the last two years as being likely to be the ruling prices; but they have influenced us to a considerable extent so far as the extent of ten or twelve per cent. in fixing the rent.

746. And if the next two years happened to be prosperous ones the result would be that at the conclusion of those two years you would strike a higher rent for the next fifteen?—Well, if the country had returned into a state of greater general prosperity it would naturally react on the farming interest, and the farmers would benefit by it, and naturally we should strike a higher rent.

747. Do you think it is fair to either party to take so short an average as that in fixing a rent to last for fifteen years?—Perhaps so, the average would be two or three or five fairly good years versus two or three indifferent ones. By the time you would reach the period you speak of it would increase the average over seven years to that time.

748. You say now, and I agree with you—not that there is anything in that—that you believe we have reached the lowest point of depression?—Well, I think we have, so far as I am capable of judging.

749. Under those circumstances it seems rather unfair to strike an average of two years or of years of which two years form a large component part, those two years being the lowest that we are ever likely to reach?—I did not think I had conveyed that we have taken the very low prices of the past two years as forming part of our average. I said our system was not, in assessing rents, that we should take an average of two years, but the last two or three years have been entirely exceptional.

750. But they have influenced you in lowering the rents by 10 per cent. more for the next fifteen years?—Yes, for the next fifteen years. Whether we were right or wrong, of course, we can only judge to the best of our ability.

751. In what article has this exceptional fall chiefly occurred?—Well, take the great staple of the country I am working in—that is, butter.

752. But you have just told us that the butter of which you have had experience during your visitations has been of an extremely inferior character, not only in taste but in smell and otherwise?—I spoke very much of hotel butter that we get in small country hotels.

753. I thought you said the farmers?—I have seen very nice butter in the farms in the country. My observation applies to what we get at table very much.

754. It would be somewhat hard to lower the rent of a tenant because he makes bad butter?—Certainly, if he is capable, and his means will enable him to make good butter, of course it would be his own fault if he did not do so.

755. The price of butter is better than last year?—Yes.

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762. And it is a rising market?—I think it is a rising market.

763. What is the other staple in which you think there has been so great a fall as to cause this lowering of rents?—The fall in the price of second class cattle, mountain cattle, lowland cattle, and indeed all classes, has been enormous, and not merely has there been a fall, but they have been almost unmarketable at any price, and it has been difficult to find a market for them.

764. That would affect the rents of the graziers?—Oh, yes, and a great many who make butter, they have outlying mountain graunags for store cattle as well, for instance four, five, six, or eight milch cows, and ten or fifteen or twenty head of cattle on the mountain in addition.

765. But supposing the price of store cattle to be low at the time the farmer buys them in autumn and spring and to rise at the selling time in August and September, it comes precisely to the same thing to him so far as the margin of profit goes whether he buys high and sells a little higher or buys low and sells a little higher?—No, because the high price would involve a larger capital.

766. I mean as regards the profit?—But the percentage may not be the same on the capital.

767. Suppose a farmer buys year-and-a-half old cattle for £3, and sells for £10—I will put it in the simplest way if possible—his profit would be precisely the same, would it not as if he bought for £2 and sold for £14?—Yes.

768. He would make the same amount of money?—Yes, he would make the same amount of money.

769. Last year at the buying time stock were down very low indeed?—Yes, last year they were very low.

770. Yet they have sold considering the low prices at a gain that would give a fair margin of profit to the grazier?—Well, my own impression is that profits are more evenly divided now than when the unmarketable boom or rise in the price of cattle came. The men who made all the money were the men who sold up to two-years-old, the breeders. After that there was very little margin for any one. Now he may get £3 for what formerly he got £2 for.

771. The breeder loses?—The breeder loses.

772. But on the other hand?—Well, I do not think that the breeder loses anything like £3, but he makes less money.

773. But he loses by the fall?—He loses a profit which he does not get.

774. On the other hand, it enables the farmer with less capital to stock his farm than if the price for stores were higher, and he not only stocks with little more than half his capital, but in case of a fall he loses less?—He has less percentage risk decidedly.

775. Then so far as the fall in that article is concerned I do not see a case for the lowering of ten per cent.?—Well, the loss on stock held over is likely to run to a large sum.

776. I quite agree that he loses on a specially disastrous year?—It has been a disastrous year distinctly.

777. But is it fair because of the occurrence of one or two disastrous years to lower the rents ten per cent. for fifteen years to come, many of which may be prosperous years?—Well, we have only acted to the best of our judgment in doing it. We thought it was right.

778. Except in the two articles you mentioned, there has been no fall, or any great fall at all on other articles produced by Irish farmers?—Yes, there has been a very large fall indeed, in all articles of grain.

779. Grain?—Oats and other grain.

780. What has the fall in oats been?—Oats, which were worth twelve or fourteen shillings a barrel within a comparatively recent period, are worth now seven or nine shillings.

781. You do not mean to say that twelve to fourteen shillings a barrel was the normal price in Ireland?—Yes, I could not purchase mine under that. I have not gone into the statistics of the price of oats, but I know that they are very much lower than they were.

782. Lower than for the last twenty years, as an

average?—Well, I cannot go back twenty years at this moment.

783. We have had evidence from Mr. Rice. I understood him to say that the price of oats was pretty much the same as it always has been. I do not agree with Mr. Rice in that. With regard to wheat, it is very little grown in Ireland?—Comparatively little grown now. That is not of very much account I should think.

784. With regard to sheep, there is a distinct rise?—A distinct rise over recent prices.

785. And in wool there is a large rise?—Twenty per cent, I think.

786. Potatoes very much the same?—Yes.

787. Straw and hay very much the same?—Hay is exceptionally cheap the last two years—half its ordinary price, half to two-thirds.

788. Well, I am sure to say I did not find it so when I had to buy it the last fortnight?—What part of the country?

789. In the county Wicklow?—You can get very good hay now in Clare for £1 a ton, and last year there was a large quantity sold at twenty-five shillings to thirty shillings a ton.

790. Did you take the trouble to examine the quality of the hay?—I saw excellent first-class hay in the county Wexford, and within this week I got some at thirty shillings a ton.

791. You are of opinion that the price of hay has been lower for the last two years?—Yes, very much lower. In the year before that it was exceptionally high.

792. You think that the last two years it has been low?—In the districts I am acquainted with it has been low, the price has been low. I only tell you the districts in which my experience lay, and the price I paid the other day.

793. You say that you make a greater reduction on tillage than on pasture land?—Yes; I think the poorer tillage land is subject to more disadvantages with regard to expenditure, independent of other circumstances.

794. I meant to say a greater reduction since these exceptional years have occurred?—I did not say since these exceptional years have occurred.

795. I seek your answer down to me that you made a greater percentage of reduction, since you had begun to lower the rent of land, on tillage than on pasture. Is that so?—Are you speaking of the period since we commenced a lower average?

796. Since you began to lower?—We made a greater reduction proportionately, but all through tillage land has fallen more.

797. This is quite a different thing?—That is what I wished to convey by my answer.

798. Because it seemed to me very strange if you meant to say that tillage land is less valuable now than when you commenced your operations in 1881. —Not proportionately.

799. Is it absolutely or not?—Oh, tillage land is less valuable than in 1881.

800. Why?—I do not think that the produce has been so good in price or as a result in any way.

801. In what article is the price less?—I think the articles which I mentioned just now, which are all part of a tillage farm, oats and hay, &c. You can take hay as part of a tillage farm.

802. Not necessarily?—But it does enter into consideration on every well managed tillage farm.

803. You do not consider that hay made from new grain is any lower than it was?—At what period?

804. In 1881?—I purchased first crop hay, what I would call fine, quite recently at 30s. a ton, delivered in my own place, and I could very readily buy it at that.

805. Where is that?—Down in the County Wexford. The price agreed on was 32s. 6d. a ton, and the man, who was a very honest farmer, said he would give it at whatever the price in New Ross was, and he sent his man to call some, and reported

to me that he could only get 30s. per ton, and he charged me at that rate.

804. Are the corn crops bad this year?—The corn crops are bad. As far as I can see the absence of rain has not allowed the grain to fill properly. I am only speaking of a limited district down in Wexford; the prospects were not encouraging, my side of it; barley and oats both poor.

807. Mr. Knipe.—Speaking of the rents fixed from the passing of the Land Act down to the year 1885, according to your showing they would be from 10 to 12 per cent. higher than the rents fixed from the year 1885 down to the present time?—I gave an approximate percentage. I never calculated the per centages, but my impression is we made a variation of from 12 to 10 per cent. from some time in 1885.

808. And that was in consequence of the very low prices of produce?—Well, the general distress prevailing amongst the farmers, and the low price of produce combined.

809. If you were fixing these rents now would you fix them from 10 to 12 per cent. lower?—I don't think I would make any change.

810. But understand my question—provided you were called upon to fix judicial rents now would you fix the rents from 10 to 12 per cent. lower than the rents fixed up to the year 1885?—Well, I think we would follow the same scale as now. I think 10 to 12 per cent. is about the difference.

811. You say you would admit leaseholders to the benefit of the Land Act?—I made no such assertion, but I said there would be great difficulty in doing it equitably. I said that I thought these were the most prudent, and best class of people in the community.

811a. Have you ever thought over how their position could be bettered?—No, I have not, and I think it would be outside my province to express any opinion.

812. And you think there is a very great difficulty in dealing with the subject?—A great deal of difficulty, very considerable practical difficulty.

813. Do you not think it is a great hardship upon those leaseholders to be excluded from the benefit of the Act?—I think, for the interests of all parties, that if it could be done equitably, the leaseholders should be admitted to the benefit of the Land Act.

814. Now regarding cattle, you say there has been a considerable reduction with respect to rough cattle in the last two years?—Yes, very large.

815. Don't you believe that this reduction with regard to the price of those rough young cattle has an effect upon a large number of the small tenants who rear those cattle?—Certainly, a very considerable effect.

816. And that more injury has been done by the low prices for those rough cattle, than benefit gained by good prices for fat cattle, this year?—Oh, the class of farmers I speak of never fatten beasts at all, they are outside the scope of fattening beasts.

817. But were not those farmers at a dead loss so far as the prices of these cattle were concerned for the last eighteen months?—So far as the price of cattle is concerned, they would be at a dead loss to a large extent, a very considerable loss.

818. And taking that into account, with the low prices of produce, you felt you were justified in making further reductions in the judicial rents?—I do not think I could add anything further to what I have said upon that point. I think the farmers themselves are greatly to blame for the class of cattle which they have. They consider any sire good enough, provided he is cheap enough, either for horses or cattle. I think it is a most melancholy thing to see the class of sires that are sent in parts of the country on good land, sires that ought to be shot. I have seen these wretched sires on excellent land, land capable of rearing most excellent cattle. In the neighbourhood of Castle-land, I have only seen one or two bulls fit to do duty of good quality, but there were a lot of these

poor, ill-bred animals, utterly worthless as sires. I think this state of things with regard to sires in Ireland is discreditable to the farmers.

819. Speaking of the prices of oats you say they are considerably lower than what they were a year ago?—I don't think they are lower than they were a year ago, but they may be a little lower, but I think they are greatly lower than they were five or six years ago. In the market three years ago I have myself paid 12s. for oats, and they are from 7s. to 9s. now.

820. Are they as low as you can remember them for a number of years?—I don't think I can ever remember them being as low, certainly not lower.

821. Then, according to the present price they would be a little over 4s. 6d. a cwt., about 5d. a stone?—Yes, I was a very extensive miller yesterday, and he informed me that in Waterford they are purchasing excellent Irish wheat at 15s. per twenty stone. Now that is the price paid for first class quality of Irish wheat.

822. Have you thought what would be the average weight per statute acre of oats or wheat?—Oh, that depends entirely upon the class of land.

823. I mean in an average district of country?—Well, my district embraces every class of land almost that Ireland has, and you could not possibly average the weight over it. I don't mean that you possibly could not do it, but that it would be very difficult to do it.

824. But let us take a district of the country having fair average land?—Well, I know myself, in the county of Wexford, where the land is peculiarly suited for barley, they get from twenty-one to twenty-two barrels of sixteen stone each down to sixteen barrels of sixteen stone each according to the season. That is not in the district in which I am working, it is in the district in which I live, and remember that I am always speaking of the Irish acre, we do not deal with the statute acres in this country. I consider that about fourteen barrels of fourteen stone per Irish acre would be the full produce of oats—wheat is little grown.

825. It has been said that 12 cwt. would be about a fair average of oats per acre taking a fair district of country?—I don't know, I would consider that a poor crop per acre for my land.

826. But taking an average renders the computation a little lower?—Oh, no doubt, it would be a little lower upon an average.

827. And taking it at that standard it would leave a very poor margin, having regard to the cultivation, and the prices of seed, &c., for the farmer?—If you were to take that as an arbitrary floor it would be a very low margin.

828. Lord Mulholland.—Of course that would depend on the rent?—It would depend on the rent and on the land. I would be sorry to fix that as an arbitrary figure.

829. Mr. Knipe.—But you must remember that the price is fixed?—The price is fixed but not the crop, besides a good deal depends upon the farmer's skill and upon his knowledge of crops.

830. Don't you think that the importation of foreign cattle into this country has a serious effect upon prices here?—No doubt it has a most serious effect on the prices the same as the importation of foreign corn has.

831. And would you say that it is likely to continue for a considerable time?—I have no doubt it will, but I have observed that the prices recently got for foreign cattle left the exporters at very heavy loss. Nevertheless, I suppose they will continue to send them.

832. In that case we may not expect to get any higher prices here?—Well, I don't think it is desirable to have too high a price for cattle. I think it is much preferable to have a steady price than to have abnormally high prices which fluctuate afterwards.

833. There has been a good deal said about the increase of the price of wool, but that does not affect a very large number of farmers in this country?—I think it affects the great bulk of Irish farmers in this way,

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Mr. James Haughey.

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Haughton.

that even if they held few sheep still that the value of the fleece of the small number of sheep would be the same in proportion to the smaller farmer as the larger number of fleeces would be to the more extensive man. The price of fleeces of sheep as a rule did not enter materially into the consideration as to the payment of rent—of course the difference between 8s. and 9s. and 1s. 6d. a pound is a very serious matter.

834. No doubt it would have an effect upon the farmer who has a larger number of sheep, but I am speaking of the small farmers!—Oh, well, the small farmers may keep six, four, eight or ten sheep.

835. But as a rule the farmers who have their land partly in tillage keep only a few cattle and don't stock it with sheep at all. The increase in the price of wool would not affect them very much!—No, it would not, but it would be in proportion.

836. Mr. Nelson.—Are you aware that where an ejection is brought and a man is liable to be sold out, a man still has the right, under the Land Act of 1881, to come in and sell his tenant-right, and that he may apply to the Civil Bill Court to enlarge his time for doing so. Have you had much experience of men coming in before you to avail themselves of this right?—Oh, I think that comes almost exclusively before the County Court.

837. You have had no experience of men coming forward to do that!—No, but I tell you what we have had experience of. We have had experience of men making applications to us to hasten their application for fixing fair rent after an ejection was brought, and as a rule we have always granted these applications.

838. But what I wish to know is have you any judicial knowledge of where men under ejection for non-payment of rent have availed themselves of the statutory right of selling their tenant-right?—We have had a few instances, I think, but not many.

839. And you have been sitting ever since the commencement!—Oh, yes, but that matter does not necessarily come within our view.

840. Not necessarily!—No. I think we have had a few cases, but very few.

841. Sir James Caird.—You mentioned that the quality of the butter in the districts with which you are most acquainted is generally very inferior. Has it never been thought worth while, on the part of the landlords or farmers, together or separately, to establish creameries where milk could be scientifically treated for the purpose of producing butter!—Yes, the subject is engaging a great deal of attention in the South of Ireland at the present moment, but one great difficulty to be overcome is the great distances the farmers live from each other in the wilder districts, and the difficulty of conveying milk to the creameries. This is a very serious difficulty, and one that I cannot say will be very easily overcome.

842. That would not apply to all parts of the country. It would only apply to wild, mountainous districts!—Well, taking the district about Cahirciveen, where there is a great deal of butter made, I was asked by the parish priest, Canon Brennan, to mention the difficulties the farmers have to encounter there. I don't know how that difficulty can be got over having regard to the distances the farmers live from each other, and the length of the roads. I may state that there are half a dozen creameries in the South of Ireland doing very fairly.

843. But you think in the greater the larger part of the country, where the difficulties are not so strong, and where the farmers are nearer, that there is more

produce of milk per cow!—I don't altogether infer that, but in the districts that I am in the habit of visiting much of the better which has come under my personal observation at hotels is vile.

844. We have seen in the newspapers in England that the Cork butter has fallen in public estimation in consequence of the apparently increasing deterioration in the quality, and it occurred to me that I might ask that question whether it has ever been in the mind of landlords or farmers themselves to get creameries established where the milk could be treated in a scientific manner!—I am aware that such a movement is making slow way, and I hope it will make much more way.

845. I suppose dairy farming in those parts of the country are the safest farming that could be pursued there!—It is perfectly disastrous to a dairymen if disease once gets amongst his cattle, but dairying is the farming that they most pursue there.

846. Have you any knowledge as to whether the rents are better paid in dairy districts than in other districts in that quarter!—I could not say. You see we only have the question of payment of rents usually coming under our notice. It is no part of our duty to look into that, and I can only give you hearsay evidence on the subject, which would be no value.

847. You have no experience with regard to the purchase of land!—No, except such as may happen to any member of the community.

848. Mr. Nelson.—You have unravelled a great deal through that Kerry district!—A great deal.

849. From your personal observation are you able to say whether in Clare and Kerry there is a great deal of land remaining unsold!—Oh, yes. In Clare and other places there is a very large amount.

850. Have you been able to form any opinion as to why this large quantity of land continues to remain unsold!—Because no one will take it, and because no one can let it. The very cheap price of hay in Clare and Kerry is partly attributed to the very large quantity of hay produced upon land known as "boyotted" land—land that no one will take.

851. And the only thing they can do with such land is to let the hay grow!—Yes, I have seen miles and miles in one district with farms of this class.

852. Sir James Caird.—And that is because no one dare take the land!—I did not say that, that is what is said.

853. Mr. Nelson.—But you say you saw miles and miles of these farms!—In one district we passed through there were three or four miles studded with these farms.

854. Mr. Keble.—Now, was that good land!—Well, it was land nearly in the state of nature, it was overgrown, there were large numbers of weeds on it. There was one thing that struck me very forcibly in Kerry, that is the process of letting out land without putting grass seeds in. It takes two or three years before it gets what is known as a "skin" of grass on it. They are now using the same potato seeds they were using three or four years ago, since the champion came in, and there is a great falling off in the crop.

855. You said the new seeds which were brought into that country three or four years ago, are being used now!—Yes.

856. And there is a marked deterioration in the potatoes!—Yes, there is a marked falling off in the size of the tubers. I was very much struck by the quality of the potatoes produced on very good land, which ought to have brought forth splendid potatoes.

857. Lord Altham.—The champion potato is worked out!—Well, it is practically.

Mr. J. J. O'Shaghnessy examined.

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Mr. J. J.
O'Shaghnessy

858. The President.—You are an Assistant Commissioner?—Yes.

859. How long have you been appointed?—Since 30th September, 1881.

860. And before that were you a large farmer?—Yes.

861. You farm still?—I don't, except very little.

862. In what districts have you worked?—We were first in Connought, and then in the south.

863. You have always been associated with Mr. Haughton in transacting the business of the Commissioners?—Yes, always.

864. Mr. Haughton tells us that in the last divisions which you have dealt with, the rent has been reduced more in proportion than it was two years ago. Is that the case?—Well, it is very difficult to exactly determine how much it has been reduced, but the tendency has been in that direction. I have been looking at my note books for 1882. The reductions then were about the same or fully as much as they are at present; but these cases may have been a great deal worse than ordinary cases, so that you cannot compare the matter exactly.

865. Then you did not find any very great difference in the actual amount of the percentage of the reduction?—I think it is very hard to determine what it is, but I think the tendency is that since the times have become worse than they were when we commenced, the reductions have been greater, but I could not exactly say what the precise or average increase of the reduction is, not having cases exactly similar.

866. As a rule did the worse cases come in first?—I think the very bad cases came in first, but occasionally some very bad cases come in still. I have looked at one or two cases on the same estate, cases not heard at the same time, and I find that the percentage there of a reduction was some seven or eight per cent. lower at the present than it was in the beginning.

867. Did you find that there was a much greater difference in the reductions which you had to make between the value of poor land and the value of a better class of land?—Oh, of course, land of a better class holds its value much better than land of a poor class.

868. Then you say that poor land has deteriorated more than good land within the last year in value?—Yes, in bad times poor land comes down much more than good land. As far as my experience goes, if I were farming, I would rather pay a fair price for good land, than get the fee simple of bad land.

869. I think the increased reduction in the rents has been chiefly on account of the fall in the price of butter and second class cattle, so Mr. Haughton tells us, do you confirm that?—Well, I would say that every class of cattle came down. In the last four or five years, sheep as well as cattle came down, but there has been an increase in the price of sheep lately.

870. But it is in consequence of the fall in prices that you fix the rent at the sum you mention?—Yes, and because there was no likelihood of any steady advance.

871. How long a period did you determine in your mind for making an average as to what rent should be paid, did you not consider the rent for a certain number of years back, I suppose that was the plan you went on?—Well, really the way which I arrived at the conclusion in my own mind was this; after going over the farms I would consider what I thought would be a fair price if I were taking the farms for myself, considering the times and what they were likely to be.

872. And you could not put rudely into words what passed through your mind?—No, I could not. Anyone who is skilled in any particular thing can put his knowledge into positive without reflecting on the rules by which he does it. If a man has practical experience in the value of land, he can tell his capabilities from the herbage, depth of soil, &c., without

enslaving himself as to the reasons for his conclusions.

873. Have you ever thought it would be possible to fix the rents upon a sliding scale, according as the price of produce varies from year to year?—It passed through my mind, but I don't think it would give satisfaction.

874. You mean to the tenant?—To the tenant.

875. And why would the tenant object to it?—The tenant would greatly object to it, because he would be uncertain as to what his position would be next year, and then he would imagine that if his land became more productive, and if he improved it himself, that he might be charged for these improvements by an increased rent. I think he would prefer to have a stated rent for a stated period.

876. Do you think he would like to have it fixed for fifteen years or a shorter term?—I fancy it would depend on the times. If the times grow worse he would like to have it fixed for a shorter period.

877. But if the times got better?—Then, as a matter of course, he would rather have it fixed for a longer period.

878. You have not had much to do with the sale of tenant-right?—No, not a great deal.

879. There is less sold now than there was a few years ago?—I have not had much experience of it except lately. We had five or six cases in Court the other day in which the tenants gave a fabulous amount for small farms. After hearing the evidence in Court one would imagine that no sane man could object to the rent, but notwithstanding that, when we went to examine the lands we found it extraordinarily poor land and the rent high. There was one case I know where the rent was £50 and the man gave £140 or £150. Two years ago at this very place we reduced the rent to £21. It was the dearest piece of land that I have known, it was excessively bad. But you must remember that the hunger to get a piece of land in Ireland is very great even where the rent is exorbitant. If the people can scrape the money together in any way they will try and get hold of the land no matter what the rent may be. Of course this man that I referred to knew that he had the Land Court to come to, but I believe that even if the people had no redress in that regard they would still be ready to pay very high prices for land though the land would not be worth it.

880. And that land hunger is on now the same as at any other time?—Well, if they have the money they will give it for land, but I don't think there is much money amongst them now. If they had it they would prefer land to the money. Having no other industry to go on with they must do something.

881. Can you tell me whether in the parts of the country with which you are acquainted rents are well paid?—I have no knowledge on this subject.

882. Not having the means of knowing the amount of intimidation there is there?—No, I have no means of knowing.

883. Have you ever turned your attention to the question of the Land Purchase Act of 1885?—I have thought a good deal about it.

884. Could you suggest anything which would improve its working, or does anything occur to you that might be done to induce tenants to more largely take advantage of it than they do?—If the times got settled I think they would be inclined to buy, but they are rather afraid at present. The farmers don't know whether we have reached the bottom yet, so far as the price of agricultural produce, sheep and cattle are concerned. They are afraid of two or three things. They are afraid of the taxation which might be put upon them. In the first place they are afraid of being assessed for income tax, under schedule A. They are afraid of having to pay the whole of the poor rate instead of the half. In the county Kerry the poor rates are enormously high—about four shillings in the pound, and the county cess

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is two shillings in the pound each levy. In most instances the tenants pay the whole of the county cess. Of course there are exceptions in late lettings. The farmers are afraid the poor rates will come to an enormous sum, and I think they have good reason for thinking that. In a great many instances the Labourers Cottages Act has put an enormous burden on the rates. In Trade Union we have before us a project for 150 labourers' cottages. The greater number of these cottages have been adjudicated upon, and some were adjudged for various reasons, but I understood from their engineer, that there is a scheme in preparation for increasing the number of labourers' cottages in that union to 400. Well, the erection of 400 cottages means the expenditure by the union of £40,000, at the rate of £100 for each cottage, and that falls on the rates. Half of it falls on the rates at once. Of course they cannot charge the labourer more than one shilling a week, so that the remaining £20,000 comes on the rates immediately. The landlord pays half of the poor rates.

885. Lord Milnes.—But in holdings of four pounds and under, does not he pay the whole?—Yes, the whole.

886. And there are a great many of these in Kerry?—There are, but there are also a great many over that valuation.

887. The President.—You think the dread of paying this heavy rate deters the people from purchasing?—Yes, and there is another matter that I would like to call your attention to. I don't think there would be any great disposition, either on the part of the landlords or tenants to come to a bargain about land until that condition by which one-fifth of the purchase-money is obliged to be left, as security is done away with. Landlords are obliged, in prudence, to demand, on account of the one-fifth deposit, a greater number of years' purchase than they would be contented with if the whole money was to be paid down on the nail, because they have no guarantee that they will ever receive that one-fifth, seeing that if the instalments are unpaid the Commission will draw on it, and at the end of fifteen years it may be nil, so that a person who may be willing to sell his land at twenty years' purchase calculates that he is only getting sixteen years' purchase certain.

888. The President.—He will get his one-fifth safely at the end of the time?—That is what I don't think he will; I fear he will not. If the instalments are so high that had those prevent the tenants from being able to meet them, then, of course, the Land Commission will draw on the deposit, and if they draw heavily on the deposit, of course there will be nothing for the landlord at the end of 15 years. Therefore, I think that if that condition about the deposit of one-fifth is not abolished, sales under this Act will be both unsatisfactory and few. That is my idea.

889. Do you think that there is any way in which the local authorities could be brought into the working of the Act by way of providing security?—What do you mean?

890. One of the questions referred to us is to consider how far the Act of 1885 may be expedited and extended by providing security through the intervention of local authorities?—I don't see how the local authorities would be brought into it. I don't think it would work, I don't think that people would like to burden themselves for getting estates for other men. I find that there is a feeling prevalent amongst the small farmers, and, indeed, they are not very small either, against the Labourers Act. They think it a great hardship that they should have splendid houses built for labourers, while those who have to pay the rates for building those houses have themselves to live in miserable cottages.

891. And it does not work satisfactorily then?—I am afraid it will not work satisfactorily. There is a great deal to be done yet. The houses are not finished, the great bulk of them have not been begun yet.

892. Do the guardians build houses of a better quality than the farmers consider necessary for the

labourers?—They look upon it that the houses are a great deal better than they themselves have.

893. Lord Milnes.—The houses of small tenants themselves are very bad?—Yes, especially in Kerry, some of them not fit for pig-sties. Tenants would object to pay far far superior houses for labourers than they themselves occupy.

894. The President.—Do you think there is any feeling of unfavourable about the way that houses are erected for certain men in certain places?—No, I have no experience of that. There is a great deal of expense and circumlocution about the way in which this Act is worked. A scheme is submitted to the Local Government Board, and the Local Government Board sends down an inspector, who holds an investigation, visits the sites, and, should he approve of them and report favourably, a conditional order is made fixing the sites, and then the several plans are sent to the Land Commission to determine by how much the occupiers' rent is to be abated, and how much the Board of Guardians are to pay the landlord. Add to all this engineers' expenses, solicitors' costs, &c., &c., the preliminary outlay becomes very heavy.

895. And does all that come on the rates?—Everything comes on the rates.

896. Even if some houses were built, don't you think they might be done more economically than now?—I think so, there is another feeling amongst the people to which I wish to call attention. They believe that every Act of Parliament passed puts a burden on the rates. There is the "Ballot Act" for instance, and the "Parliamentary Registration Act." Everything puts an additional burden on the rates, which I think should not be called rates for the relief of the poor at all, but for the relief of the Consolidated Fund.

897. And have you rates as high as four shillings in the pound?—Yes, in Kerry. The valuation of the great part of Kerry is small compared with a good deal of Clare, or a good deal of Limerick. Kerry being largely mountain land, suited for pasture, is not so highly valued as corn-producing land.

898. Lord Milnes.—With regard to labourers' cottages, have not the tenants the remedy in their own hands, by refusing to elect guardians which would put burdens on the rates?—Of course they have.

899. And fortunately there is a limit in the Act put in by Lord Fitzgerald, limiting the amount that can be put upon the rates, at a shilling in the pound?—I don't know how often that is to be paid. It is a very good thing to have labourers' cottages if you have labour for the men who occupy them.

900. You think there is no use in building houses for men if you have no employment for them?—Yes, and that is what I fear has been done in a great many cases.

901. With regard to the fall in the price of produce, I think that is not limited to cattle?—I think it is universal.

902. I think you mentioned that there is a considerable rise in sheep?—At present.

903. Well, I am supposing you are speaking of the present?—For the last four or five or six years, everything you could mention fall, everything that the tenants had to pay his rent was down. That was so in the district I was in.

904. But recollect it is only in the last year that judicial rents have been fixed at lower rates than before?—I would not confine it to a year.

905. I understood it was within the last year that the Commissioners made an additional reduction in the rents, and only within the last year?—I don't think so at all. I think that for the last two or three years we have been reducing the rents something more than we did for the first two years. For the first two years we did not make the reductions so much because we thought there were signs of amendment in the times, but instead of amendment taking place, there was seen a further depression.

906. And the extra lowering of the rents began the third year?—I think so.

907. That was in 1883?—About the beginning of 1884.

908. As a matter of fact there is now a considerable rise in the price of sheep?—Yes, a considerable rise in the price of sheep.

909. And in the price of wool?—Yes.

910. And the staple products remain much at the same prices they were when you commenced your operations?—Yes, corn; especially oats.

911. Everything remains about the same with the exception of cattle?—Cattle and sheep fall every year.

912. We are speaking of now. As a matter of fact, the staple products of the farm, with the exception of cattle, are not now lower than when you began your operations?—I think butter is lower.

913. A trifle lower perhaps?—Butter is now rising. I am only speaking of the country which I know myself where butter is a great staple commodity, and butter has been very low this year (indeed). The price did not rise till nearly the whole crop was sold.

914. But it is rising?—Yes.

915. And sheep and wool are considerably higher?—Yes; but sheep and wool don't affect Kerry, where there are few sheep. In the greater part of Kerry they have no sheep except some miserable little animals not worth ten shillings each.

916. But, important as the Kingdom of Kerry is, we have to consider the whole of Ireland, and I am speaking of the whole of Ireland?—Well, I am giving you my experience. I believe Galway has been benefited very much by the increase in the price of sheep. It has not benefited so much in the price of wool, I think. They sold it at the low price of nine pence in the pound. It is now one shilling, I understand.

917. Judge Nelson.—You say that the price of butter is now higher than it was, but is not the quantity of butter made much less?—Oh, yes. The quantity—the yield is very much less than it was some time since. The butter districts in Kerry are deteriorating greatly.

918. But what I want to point out your attention to is this—if the price of butter is higher than it was, less of the article is produced?—Yes; and the great bulk of the butter crop was sold before the rise came, so that the small tenant-farmers have not benefited much at all by the present rise.

919. You stated just now that what you call the land hunger prevails in Clare and Kerry, and that there is the greatest anxiety by men to buy up and get into possession of a bit of land?—Yes, where they have the money; but I don't think they have the money now—many of them.

920. Any influence which would prevent them gratifying that land hunger?—I mean any external influence—must be a very serious one?—Of course, I suppose it would be.

921. Are you aware whether there is anything in the nature of external influence which would interfere with their gratification of that hunger?—Nothing except common report, what we see in the newspapers. I know nothing about it myself.

922. Did I understand you to say, in answer to Lord Milltown, that since 1834 you have been lowering rents in the prospect of a continued fall in prices?—Taking the present prices, and the probability of their not being very much better.

923. But you did take into account the probability that they would go down?—No, nor that they would continue as bad as they were, because the rents we fixed are impossible rents at the price of produce last year. To pay the whole of the judicial rents last year on the price of produce would be a perfect impossibility.

924. Lord Milltown.—On what basis did you fix rents last year?—Last year and the year before we endeavoured to fix the rents at a sum which we considered to be fair for a medium year, not basing our rents upon what could have been paid up to December last, because if we did that we should have made them a great deal lower. We adjusted rent upon an average year in the hope that there would be some increase in the price in the future.

925. Mr. Keble.—You don't think that prices are likely to go up very soon?—I don't think the price of

corn will go up at all. It is very bad. That is in consequence of the foreign crops we are getting in. That is our reason.

926. You say the climate is much changed and the quantity of produce does not appear so great?—I examined a farm the other day, and I was surprised upon looking at the depth of the soil, and believing it to be capable of producing a very good crop of corn, to discover that there were only three or four barrels of fourteen stone to the acre. I think the man must have treated his land very badly, for, from its quality, it ought to have produced a great deal more than that. He told me he had measured it.

927. You have had experience as to the quality of a fair average crop of barley, oats, and wheat this year?—I don't know anything about wheat.

928. Well, about barley?—I don't know much about barley.

929. There is a good deal of barley in Kerry?—It is about an average crop, I think; but it is not over an average crop.

930. The prices are very low?—I don't know at what price barley is selling, but the price of oats is low. I know more about them.

931. And you don't think the prices are likely to improve?—It is hard to say. It does not seem likely, having regard to the rate to be paid for labour, &c.

932. Accordingly, if you were asked to fix judicial rents, which you have been fixing since the Act of 1834, you would reduce the rents now more than you have done?—Not with regard to corn; with regard to the earlier crops of grass farms, yes.

933. But having regard to the price of produce generally?—The price of corn was as bad then as it is now. When we came across corn land we often reduce it much below Griffith's valuation.

934. But the prices of cattle are lower than they were?—Oh, I thought you were speaking of corn lands.

935. I am speaking generally?—I say that prices are lower now. We reduced grass lands less than corn lands.

936. Did you not fix the rents ten or twelve per cent. lower last year than the previous year?—I did not say anything about ten or twelve per cent., because we had not analogous cases. I said that the tendency was to reduce. It would be hard to give a percentage unless we had exactly similar cases.

937. Mr. Keble.—But if rents are fair there can be no complaint if they are exacted?—I think myself that some of the rents that were fixed in the beginning are higher than I would like to see them now, especially of certain qualities of grass land. The Kerry lands now, for instance—the bad Kerry lands—and worse and worse they have got for the last two or three years, because there is no demand for Kerry cattle. Men were used to bring their cattle from *Uile* to fair, and if they wanted the price of their breakfast they could not get one beast off.

938. Have you thought anything about the position of leaseholders? Do you think they are labouring under any grievance?—Oh, there is no doubt but they should be admitted to the benefit of the Act. They are the crown of the tenants. They are the men who have sometimes given large extra rents for the purpose of having the security of not having their rents increased, and not being able to be evicted. I know very well that on farms held from year to year the rent has been very much reduced, while the leaseholders required the reduction as much as anybody.

939. Have you known landlords who have not taken advantage of their position?—Oh, many cases.

940. Lord Milltown.—And owners?—And owners.

941. Mr. Keble.—And you are of opinion that they should all be given the opportunity of having their rents fixed?—Yes, I think the leaseholders should be allowed to come into the courts and have their rents fixed. Some of them, of course, would not like to go into court and have their rents fixed. There is only a certain class of leaseholders who would avail

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themselves of the Act, because there are some leaseholders who have their land at 2s. 6d. or 5s. an acre, and they would be very sorry to come into court.

Mr. Neligan.—Very sorry.

942. Sir James Caird.—You said the better parts of Kerry had deteriorated greatly?—Yes; the effect of dairying cattle on the same land has the effect of deteriorating the land. When the bone producing quality is not restored to the land by phosphates. If lands are continually used for dairying, they would require a dressing of superphosphate of lime—something that will restore bone to the land.

943. That will be the case in all dairy land?—Yes, in all dairy land.

Mr. Neligan.—In all parts of Ireland?

944. Sir James Caird.—Have you knowledge of that effect in all parts of Ireland?—I have not; my knowledge is confined to Kerry. Cheshire and other counties in England all suffer very much in that way.

945. It is not the effect of the seasons being inclement, but want of phosphates?—The seasons have very much injured the land by making it ranky.

946. Then the seasons have something to say to it?—A great deal to say to it.

947. With regard to the land purchase, I don't quite understand. You said the poor rates were 4s.?—That is about—I cannot say exactly.

948. Is that paid half by the landlord and half by the tenant?—It is.

949. You say the landlords might object to the tenant getting advances?—I think I would object myself. The difficulty is that one-fifth is reserved for fifteen years. There is no guarantee that the instalments will be paid for fifteen years.

950. Well, if the instalments are paid, that fifth is paid to the landlord?—Yes, and in the mean time he gets three per cent. on his deposit.

951. Well, supposing through any unfortunate persons coming on, in which the tenant found it impossible to pay, the landlord cannot well receive his three per cent. up to the end of the fifteen years?—I suppose if the Commission draw upon the deposit for the payment of instalments the landlord can only get interest on the balance in hand.

952. Have you not the right to draw on the instalments?—The Commissioners are bound to get the instalments by hook or by crook. If they cannot get the money from the tenants they will draw on the deposit, and if they have to draw largely and frequently it may come to pass that the landlord may lose both interest and principal, hence the deposit is not a negotiable security on which the landlord can borrow much money.

953. And for that reason landlords are not anxious to sell?—I imagine that that is a factor. It is a factor that would be borne in their minds.

954. You would not suggest that the Government ought not to require that deposit for their own security?—I think it is not required at all. I think if they do not pay too much for the land, and the instalments are fair, they will be very sure of being paid, without requiring that deposit at all.

955. But would not that be surely this—that you take away the risk from the landlord and place it upon the Government?—I take it away because the Act won't work with it.

956. The landlords will not sell on these terms?—They will not, excepting that they cannot help it; at least that is my idea of it.

957. You don't know as a fact that that is the bargain?—No, I don't know that it is; but some persons when they come to inquire, and find that this is the case, their ardour for sale is very much damped.

958. It would not affect the tenant at all?—It would not affect the tenant but in this way, that the landlord requires a larger amount to guarantee him from loss. The Government guarantees the interest on the deposit.

959. Do the Land Purchase Commissioners not fix the price of purchase?—The way the Land Commissioners work, as I understand it, is that the landlord

and tenant agree as to what they will give, and they send the agreement into the Land Commissioners, who send down an inspector to see if it is a fair bargain, and sanction it if it is.

960. There is no recognised principle in twenty years purchase?—No, certainly not.

961. That seems to be contemplated by Mr. Gladstone?—There is no reason why twenty years purchase should not be a fair standard, provided the rent is fair—provided you calculate it as fair. That ought to be just as fair as fifteen or ten years purchase calculated on a rack rent.

962. Sir James Caird.—Twenty years purchase would be a great advantage to the tenant, because he would be paying one-fifth less than his present rent, and in forty-eight years become the owner of his farm;—Yes. Supposing you take the £10 judicial rent and the tenant purchases at twenty years purchase, the instalment comes to £8 instead of £10. That, when it is looked at, would seem very good, but still they object to it.

963. How much would that be?—I should say twenty per cent.

964. That is £1?—Twenty per cent. would be what he would receive nominally of advantage under the Act, but I would say half of that would go for the increased taxes. At present he would be ten per cent. better off.

965. Supposing that to be the case he still would be paying ten per cent. less on his rent for the rest of his time, and have security and confidence. That seems to be a great advantage to the tenant?—The great bulk of the tenants don't care what happens in forty years time. They care for the present and want to get present relief.

966. But they will be better off than at present?—Oh, they dread the punctuality with which the instalments must be paid.

967. That applies to smaller tenants?—I think the men who pay large rents are of the class who would appreciate the advantage to be derived from free sale. I don't think the great bulk of the small tenants care much whether it is free sale or whether it is not, if they should secure a low rent.

968. Do you know after the rent is taken the taxes are paid by the landlord or not?—That is according to the bargain you make. The tenant and the landlord may agree to take twenty years purchase of the gross judicial rent after taking in the reduced taxes. Of course if they do that it is a greater amount of purchase than if you take the first taxes. Then another thing which will militate against it is the great number of random farms.

969. What are they?—They arise from subdivision. A man may have a half acre here, another acre there, and two or three acres in another place, and the whole may be like a chess board on the townland in which no plots are together.

970. Is there no law in Ireland, as in England, by which these lots may be exchanged?—They might do it if they found it would be to their advantage, but it should be made compulsory.

Mr. Neligan.—It would be impossible.

971. Whether?—It has been done in Ireland, but there was one great objection to it. When the greater number of landlords wanted to unite property like that it always meant an increase of rent, and the tenants always hated it for that reason.

972. The President.—That was a very natural remark.—If I was a commissioner myself, and was asked to buy a property that was held in that way I would not touch it with a tonge.

973. Sir James Caird.—To re-arrange it?—Not until it was re-arranged.

974. I can speak from knowledge of England where it is a thing that is commonly done?—It is a thing which should be compulsory.

975. Mr. Neligan.—It is confined to one or two counties?—In counties which I named to you. It is very often done in Kerry and now in Clare, in poor lands especially.

976. *The President*.—How did it come about originally?—In subdivision. A man had two or three children and used to subdivide the land between them, and give a piece here and a piece there, and in order that one should not get all the black, or bog land, and another all the upland be used to divide it in plots; when there is one industrious man and he wants to sow some winter wheat he cannot do so until his neighbours take in their cattle from his ground, and until they choose to take up the land for tillage he can do nothing—it is a great drawback to industry.

977. *Sir James Caird*.—Under any circumstances do you think that the change from landlords to tenants would be rapid in Ireland under this system?—That all depends upon the ability of the times. If they think the times are likely either to mend or to remain stationary and not get worse, a good many people would like to buy; especially those having considerable farms.

978. Well that will operate both ways, and sellers thinking times are better will be anxious to get more?—I think many will be only too anxious to get out of it.

979. Then you think if times mend the farms would go rapidly?—I think they would.

980. Do you think there will be much risk of tenants

whose credit will be increased by their becoming freeholders of running into debt?—It will be a long time before they get increased credit, because it will be a long time before they get clear of the instalments.

981. But the instalments will be less than the rent you know?—Oh I know, but they will militate against their credit still.

982. I only wanted to know if there was a danger of tenants on becoming freeholders and getting increased credit would thereby obtain increased loans?—I don't know. I think their credit is very much stopped at present—it is almost all at present.

983. *Lord Millican*.—You said in a great number of cases last year that the judicial rents could not be paid out of the land?—Yes. They could not be paid last year.

984. Last year was an exceptionally bad year?—Yes, about the worst I recollect.

985. Therefore that fact will by no means prove that that rent was not a fair one in ordinary years?—No, except in a few cases.

986. No matter what might be the year each an occurrence might take place?—It might. I know persons who have made nothing out of last year and who have had to draw on their capital to pay the rent.

Mr. John F. Boodford, examined.

987. *The President*.—Mr. Boodford, how long have you been one of the Commissioners?—Since November, 1881.

988. And you are an extensive agriculturist as well?—Yes, my lord.

989. Do you still keep on your farming?—Yes. I have a little over 100 acres still.

990. You are working in Ulster?—Yes, nearly altogether in Ulster. I have been in Antrim, Down, Derry, and Tyrone until last year, and since then in the entire province. I should have said Cavan, too.

991. I ask you another question which I have asked other commissioners. In reductions of rents which you have made during the past few months have you given a greater reduction in proportion than you gave two years ago?—Yes, in the last year, and so far in this year the reduction has been greater.

992. What sort of percentage do you think?—Well, I never actually calculated the percentage, but I think the average would be about seven or seven and a half greater, but I never made any actual calculation.

993. That is on account of the fall in prices?—Yes, my lord.

994. But you did not go entirely on the prices at the present moment? You have an average for some years back?—Certainly.

995. But the fall will affect that average. What are the products in the part of Ulster in which you worked which you took chiefly into account in estimating the value?—Chiefly oats, potatoes, and flax, and in a less degree the rearing of young stock, butter, and pork. These are the chief things.

996. Well, have the prices of all these fallen?—No. I could not say that the price of flax has fallen much since the commission has been working, and I would not say that it has fallen at all within the last two years.

997. Do you know anything of the sale of tenant-right lately? Has that been much? Has the sale of tenants' interest been as great during the last year?—I know only by hearsay.

998. Only by hearsay. You have not had anything to do with it?—Yes, occasionally. In one case, recently, we had to fix a true value.

999. Did you fix it high in that case?—We fixed it very high in that case.

1000. Then it has not fallen?—I have no evidence that it has. At all sales that I have heard of it has been as high as for some time back, or very nearly so. But I cannot give reliable evidence on that matter I cannot rely on what I have heard.

1001. *Sir James Caird*.—That is solely?—Yes, solely. There was only one case lately in which we fixed a true value.

1002. *Mr. Nelson*.—In what county was that?—In Antrim. I don't know that it is exactly a case to bring forward, because we dissented on it.

1003. *The President*.—Are landlords of their own accord giving reductions on judicial rents?—Yes, I have heard so. I see that Lord Lansdown has given a reduction of twenty per cent. on his estate—so I was informed.

1004. *Lord Millican*.—Where—in Kerry?—Yes.

1005. *The President*.—Have you ever turned your attention to the Land Purchase Act of 1885? I suppose you have nothing to do with it officially?—I have nothing to do with it officially, but of course I read it over.

1006. Can you give any recommendation—any suggestion you can make which would induce tenants to come forward more rapidly?—I have been myself, when I was interested, trying to get tenants to purchase, but I always found it was hard to make them understand the Act, or that the entire amount of money was to come from Government.

1007. Do you think if they were made to understand this they would come and take advantage of it?—I suppose they would, but I have never succeeded in getting them to think of doing it.

1008. You don't think the working of the Act could be facilitated by any scheme through which the security could be provided by the intervention of the local authorities, the money being secured upon the rates, or anything of that sort?—I am afraid that scheme would create opposition to the Act more than have any other effect. But I have really not considered it.

1009. I merely asked you, it being one of the points upon which we have information to get. I think I have nothing more to ask you.

1010. *Lord Millican*.—I think I understand you to say that the products, on the fall in the prices of which you have lowered the rents were oats, potatoes, flax, young stock, to a small extent, butter and pork?—Those were the products upon which I had based my valuations from 1881.

*Official Agent,
Mr. J. J.
O'Shaughnessy*

*Mr. John F.
Boodford.*

Oct. 24, 1885.
Mr. John F.
Bentley

1011. Yes, and on the depression on them you had lowered the rents lately!—Oh, I don't say I lowered the rents lately because of the prices of flax and potatoes.

1012. Originally!—All through.

1013. But it was on these products that you gave reductions during the last year and a half!—On some of them—corn and stock.

1014. Corn is oats? Has there been a fall in oats since you began?—Not very much. According to calculations I have made about 6d. per cwt.

1015. Well, in potatoes!—In potatoes I have not calculated upon the fall at all, as I find that the prices have gone just in inverse proportion to the abundance of the yield, and I set one against the other.

1016. With regard to young stock, is the price as low or lower now than it was some twenty or thirty years ago?—Well, I have not gone so far back in my investigation.

1017. How many years do you take as the average on which you make your reductions?—Four or five years. I started very much on the prices of 1880 and 1881, and I worked upon that very much until last year.

1018. But that is only two years!—Oh, I mean the average prices. I referred back some years and I find that the prices between 1880 and 1881 were very much the same as the average for five years back. They were a little bit lower prices.

1019. But they corresponded with the previous five years!—Yes.

1020. But the introduction of two bad years into your average would have a bad effect!—Certainly, but I remembered that there were two good periods, 1878 and 1877.

1021. But you would not go back now to 1878 or 1877, and supposing you considered 1886 and 1885 it would make your average very low!—I have not taken an average since 1881.

1022. I misunderstood your answer. I thought you had lowered your rents on the ground of the lower prices in the crops you mentioned. You have not mentioned sheep!—They practically do not come into account in Ulster.

1023. Pork there has been a considerable rise in, I believe!—Yes.

1024. Mr. Knipe.—How long is it since you have been in Ulster?—Since November, 1884.

1025. Have you been there recently? How long is it since you left?—I am at present working there.

1026. Is the harvest secured there?—It is not, indeed, in some parts.

1027. It has been a very unfavorable season!—Yes, in late districts.

1028. And a good deal of the grain is sprouting in the fields!—I could not say that. I examined much grain lately and it struck me that a great part of it was not ripened.

1029. Speaking of flax, it is largely cultivated in Ulster and not much in the rest of Ireland?—Yes.

1030. What is your opinion of the crop this year?—It appears to me to be better than last year.

1031. In price!—The prices appear to be much the same.

1032. Is it lower than it was last year?—I think it is about the same.

1033. Can you give us the average calculations upon which you based your rents. You say you went back for five years!—Do you mean the rents prior to last year?

1034. Yes, prior to 1885!—Well, the average price of oats, about 7s.; flax, 32s. I have taken flax for the last two years at 42s.

1035. Flax 48s. per cwt. Wheat!—I have never taken wheat into consideration at all. I have always considered that it cannot be grown profitably in the districts I was dealing with.

1036. Potatoes!—About 3s. up to last year, and I have taken them at 2s. 9d. last year.

1037. That would only affect the rents from 1885!

—That is all. I calculated them at 3s., and for the last two years at 2s. 9d.

1038. With reference to cattle!—I have calculated that there has been a fall on the good class of dairy cattle of from £18 to £14. That is taking the good class; and of two-year-olds from £12 to about £8 10s., and in yearlings the large falling off of from £7 10s. to about £5, but they are selling higher now than the prices I have given.

1039. That accounts for the jaded rents fixed up to 1885 being considerably higher than what they have been since!—Yes.

1040. Do you know what the price of oats is now? You know there are large markets in Ulster now, in Portadown, Lurgan, and Armagh!—They are in some places very nearly 9d. a stone, that would be 6s. a cwt. But I must take prices for the whole year.

1041. We have evidence that they are only 4s. in Cork, and in Armagh they are only 4s. 9d. I want to know, comparing prices of this year with last year, will there be a better prospect of paying rents this year than last year?—Well, I think there will. There is decidedly an improvement in the sale of stock at present.

1042. But it appears there will be no advantage to the poor people who sold their stock at low prices to gentlemen!—Sales of stock appear to me to be only commencing much for the past month or six weeks, and I think there is a decided improvement during that period.

1043. But all through, taking the prices of oats, flax, cattle, and all into account, you think it will be a better year!—Except in those districts where I found the corn was late, I think there will be a decided improvement.

1044. You cannot go through Ulster without hearing a good deal about leaseholders. Will you tell his lordship if you think their position can be improved?—I know the leaseholders are most anxious to get under the Act, and they consider themselves very badly treated. I have heard them invariably expressing their opinion to that effect, and I have heard landlords saying the same.

1045. Are you acquainted with any landlord who has given them the privilege of going into the court to have their rents fixed?—I did it myself, but that was not in Ulster, and they did not take advantage of the offer.

1046. Sir James Caird.—The leaseholders!—Yes. I offered some leaseholders who considered their rents too high the privilege of going in, and I said I would not hold up the losses as barriers to them.

1047. Mr. Knipe.—And a considerable number would not take advantage of it!—I have heard of other cases in which landlords have allowed it to be done, but they were not very many.

1048. But, at all events, you think it is a grievous thing that they should not be admitted when their neighbours got the opportunity!—That appears to be the opinion.

1049. With reference to the 1885 Bill, do you think farmers, and principally in Ulster, would avail themselves of this Bill if made more extensive? Don't you think they would be anxious to buy out?—Yes, I expected it would have been made more use of in Ulster, and people are coming round to make use of it in many places.

1050. Have you thought of how it might be improved?—Well, I have thought of it. I have thought it would be no great hardship if it was made compulsory upon the application of either party. Of course with safeguards for certain sorts of holdings—demesne holdings, and such like.

1051. Certainly. And would you make it compulsory on landlords to sell and tenants to buy?—Yes. If I made it compulsory on one I should do the same with the other, and if the tenants refused to buy, the only way would be for the State to interfere in some way.

1052. It is stated this would be undue interference, but do you think it would be more interference

on the part of the State than it was in appointing you to fix fair rents as between landlord and tenant?—I don't think it would.

1053. Do you think it would work in every way if a Commission was appointed to do what is fair between landlord and tenant?—There is no doubt it would if compulsory.

1054. Is that what you mean to suggest—what you wish to arrive at?—Well, I don't mean to suggest it.

1055. You have found rents have been fairly well paid?—I think they are only beginning to receive rents at all for the present year.

1056. But up to last year?—I think so.

1057. As a rule, they are an industrious people?—As a rule, they are.

1058. Do you think if this Act was more extensive they would take advantage of it?—I do not understand—

1059. As it stands at present the tenant may wish to buy, and the landlord may not wish to sell. Do you think the tenants would be willing to buy if the sale was compulsory?—I believe they would.

1060. Mr. Neilson.—Do you think the landlords would sell, if the tenants wanted to buy?—I believe they would.

1061. Mr. Knipe.—Do you think the landlords in the North would be as willing to sell as those in the South?—I believe they would. In unencumbered estates they certainly would.

1062. Do you think their rents are better secured in the North than in the South and West?—I am sure they are.

1063. Sir James Caird.—You said the tenant was difficult to be led to understand how all the money was to be advanced by Government?—I find it difficult myself. I could scarcely get them to realise that the entire amount was to be advanced by Government. They seemed to have former Purchase Acts so thoroughly in their heads where only portion of the money was advanced and where they had to make up the rest, that I really could not get them to understand that they could purchase without having any capital.

1064. It would be a good thing for them to acquiesce in it?—It would be good for them. The tenants I

spoke to, I have little doubt, will think over it, and in time will purchase.

1065. I think you said you did not think the local authorities would be at all desirous of accepting the responsibility with regard to sale?—Well, the question came on me rather as a surprise; but I think if the local authorities were made to guarantee that rents would be struck for the purpose, the people not very much interested in the sale would raise objections. This is merely what struck me at the moment I was asked the question.

1066. You mentioned the sale of tenant right, and that the price was high. I think you said you fixed the price on evidence before you?—Yes.

1067. Was that evidence to show that the land was really much more valuable than the price indicated?—It was evidence of what really had been offered for the place.

1068. To buy the tenant right?—Yes, and of what it sold for in the district.

1069. But you thought it a very high price?—Yes. It was very nearly forty years' purchase.

1070. Forty years' purchase of the rent?—I think it was thirty-five years' purchase of the rateable value. I think it was fixed at something over thirty-five years.

1071. Was there anything in the circumstances of the estate that would lead a man to give so great a price as that for tenant right?—Not that came before us. We did not see the place—it was not inspected. A judicial rent had been fixed in Court by another Sub-Commissioner previously.

1072. Well, you knew nothing of the value of the farm; you merely took it on an offer made by somebody else?—Yes.

1073. The President.—Thirty-five years' rent?—I think it was thirty-five times the valuation.

1074. Sir James Caird.—That was more than the fee-simple of the land?—I think it was.

1075. That was an extraordinary thing. Can you give any reason for such a price as that being given for tenant right?—I can not, sir. I have seen many tenant right prices which I could not on commercial principles understand at all.

The Commission adjourned.

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—
Mr. John F. Zealand.

THIRD DAY—FRIDAY, OCTOBER 15th, 1886.

Commissioners present.—Right Hon. Earl COWPER (President), Right Hon. Earl of MILTOWN, Sir JAMES CAIRD, Mr. NEILSON, County Court Judge, and Mr. THOMAS KNIFE.

E. B. Warburton, S.M., examined.

1076. The President.—You are now occupied in Bantley?—Yes.

1077. One of our duties as Commissioners is to inquire as to what extent, if any, in that portion of our United Kingdom called Ireland, the operation of the Land Law Act, 1881, is affected either by combination to resist the enforcement of legal obligations or the accidental fall in the price of produce?; but it is chiefly with regard to the first part, the combination, I wish to ask you a few questions. In the first place, how are rents being paid in your part of the country?—In some parts they are paying very little and at very great reductions. I know on Lord Bantley's estate, which is a large estate in my district, I was asking the agent the other day and he said they were giving from 15 to 20 per cent. on the judicial rents, and up to 30 per cent. and even 30 per cent. on the others, and he said that even those from men who owed three years' rent they were willing to take half a year's rent—even to take half a year's rent from the man who owed four years' rent and to give time for the rest.

1078. With these reductions are the tenants paying?—Some few are, but not very generally indeed.

1079. And this would be the same on the other estates?—Some are being paid at these reductions but not the majority.

1080. Not the majority?—No; the smaller number.

1081. And this would be the same on other estates in that neighbourhood?—Yes.

1082. And in fact we may take it the rents are not being paid?—Not very well.

1083. What in your opinion is the cause of it; is it because they really have not got the money and cannot pay?—I think there are some tenants who have not really got the money, but the majority of them I think could pay.

1084. And those who have not got the money, is it from their improvidence?—I think it is. I think not having paid for so long—when they had the money they spent it in drink, and the women in dress, and then when they came to be pressed they had not the money at all.

1085. Probably they were in hopes that there would be something to prevent their being asked to pay rent and they never put it by?—I think so—something of that kind.

1086. With regard to combination to prevent the

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payment of rent, if a man does pay his rent, is he subject to annoyance?—Most certainly; I have known tenants' wives come at night to the agents and give money, and they would not even take a receipt for fear the receipt would be seen with them.

1067. What are they actually afraid of,—being outraged or boycotted?—Afraid of the National League hearing it—they think it undesirable.

1068. Have there been many outrages committed in your part of the country on people who have paid their rent?—There is a kind of system of boycotting kept up—my district has not been very bad; there has not been many evicted in my part of the country.

1069. Mr. Neligan.—Not many evicted?—No—a few.

1070. The President.—Those who have paid have they been subject to actual annoyance?—I could not say they have—some few may, but not generally.

1071. And there has not been very much boycotting actually in your part of the country?—Not in my district exactly.

1072. Do you expect there will be many evictions in your district in the course of the coming winter if the tenants cannot pay?—I should think there would be. I know in a great many places the landlords are unwilling to do it if they can avoid it.

1073. I think the landlords you have told us are offering very liberal reductions?—There may be some few who are not, but the majority are. There are some I could not speak of so I don't know—those that I do know are willing to give reductions.

1074. Is there anything more on the subject of intimidation you wish to say?—Nothing except as to these National League meetings—in Bantry alone they meet every week, that is indoors, and I could not tell you what they do there—they had a very large meeting the other day at Keelickill and they advised all people to avoid paying rent and head grabbing—the same as down here.

1075. Mr. Neligan.—Was that last week?—No. I suppose about a month ago.

1076. The President.—Is in local branches of the National League that hold these meetings?—Yes. There are different local National League organizations in the different parts of the district; one in Bantry, one in Castletown Beachaven, and so different places, and these people are obliged to pay something weekly to these organizations.

1077. What effect do you think would it have on the condition of the country if the tenants were induced to purchase their holdings?—I believe every man, once he became owner of his own holding would have more interest in the country, and anything that could be done to induce the tenants to come forward more and take advantage of the Act would be a benefit—a great many would if they were not prevented by the National League—if they were not afraid of the league, for they are told by the league not to do it.

1078. That is the chief reason?—I think that is a great measure to what prevents them doing it.

1079. You think they are aware of the provisions of the Act, and that they could become owners on very reasonable terms if they wished to?—I have no doubt they are.

1109. Do you think there could be any plan for the intervention of local authorities for the purpose of providing security which would tend to expedite the operation of the Act?—I do not, for the only local bodies that would do it would be the Poor Law Guardians, the road sessions, or the Grand Jury, and they are so encumbered now by the Workmen's Act, the building of houses, that I don't think they would give any security, or join in anything—in fact, I did ask some gentlemen about that, and they said none of the local bodies would undertake it.

1101. I will ask you a little about the working of the laborers' allotments clause in the Act of 1881—how has it been administered?—There are very few in my district, built—I don't think the guardians have

built any at all yet. There seems to be some mistake or something always about it. There is some of the people who were ordered by the Commissioners to build houses, and they have done so because they were summoned before us and fined very heavily if they did not.

1102. Mr. Neligan.—That is the Commissioners of the Act of 1881?—Yes.

1103. The President.—I referred to the clause in the Act of 1881?—Yes, but I don't think the power given to the guardians has been very much given either—there have been preliminaries taken, but they have not actually built houses yet.

1104. Mr. Neligan.—In an area of your great experience in these matters—coming back to the question of combination—have there been any evictions lately in your district?—There was only one, I think, that I was at myself, and I had a very large force of police there—fifty men, I think, to protect the sheriff's men.

1105. To assist the civil powers?—To protect the sheriff's men—that is in the Galan district, and since then they are obliged to have a constable and two policemen in the house.

1106. Is there any possibility of relating that land?—Oh, not the slightest.

1107. Then would I be right in coming to the conclusion that no matter how well justified an eviction might be, that is, in the case of a tenant who could pay, but would not pay; if the landlord evicts such a tenant he cannot retake the land?—No, not even for grazing purposes.

1108. So that practically, recovery of rent is impossible?—Impossible. A landlord said to me one day that he would evict; I said what is the use in evicting, you cannot take it again.

1109. Whether it resorts to ejectment for non-payment under the finest of justice circumstances, or levies by execution, the actual recovery of rent is hopeless?—Yes, the moment the police are seen coming in the direction, you hear horns blown, and the people all assemble and shoot, and in some places they dig holes across the road, and put rocks in the roadway, to prevent the police coming, and the cattle are all driven away, and the sheriff's men can get nothing.

1110. As a practical result the recovery of rent has become almost impossible?—Yes, except on very large reductions.

1111. Except voluntary payments on very large reductions?—Yes.

1112. You spoke of 15 to 20 per cent. reductions, do you think the abatements of 50 or 75 per cent. which some have gone to were needed there?—I could not answer that.

1113. In those cases where half a year's rent was taken where three years' rent was due, do I understand that in order to get the half year's rent the landlord gave up two and a half years' rent?—No, he gave time for the rent; they gave half a year's rent on account—at least that is the way I understood it from the agent I asked—it was Lord Bantley's agent I asked; I knew I might be asked the question.

1114. Mr. Keizer.—You declined to answer the president as to what reductions of rent the landlords ought to make in order to secure payment?—I told you before I could not answer that for I am not at all a judge of land.

1115. What amount of reduction have you known landlords to give?—I have known them to give up to 40 per cent.

1116. On the judicial rents?—Oh, no; at least when I say I know it—I have heard it.

1117. Have you known reductions to be given on judicial rents?—Yes, Lord Bantley's agent told me they were giving from 15 to 30 per cent. on the judicial rents.

1118. Does that secure a fair payment?—Do the tenants appreciate that and pay?—Some of them pay, and some of them even don't pay on that.

1119. They are paying a larger amount of rent

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then if they were not getting these reductions!—Of course they are, but I don't suppose they would pay anything at all if they did not get the reduction.

1110. Don't you believe that the country is more peaceable now than it was two or three years ago or has the combination increased?—I think the combination is just as much now as ever it was.

1121. Not much difference?—No, I don't see any difference.

1122. The President.—You don't think that combination is worse now than it has been for the last two or three years—when was it at its head?—I think it is very much the same.

1123. How long have you been in your present place?—I have been in Bankey, in the present station, about eight years.

1124. Which time during these eight years has the state of the country as regards combination been at its worst?—I think combination now is very nearly as bad as ever it was.

1125. Do you know in your own mind who are the principal instigators?—Yes. It is very well known everywhere who are the secretaries and treasurers and all that kind of thing in these branches. It is not kept secret in any way.

1126. Only you cannot touch them in any way?—No, Mr. Gilbody, the Member for West Cork is chairman of the Bankey branch and Mr. Cotter is secretary, I am not sure who is treasurer.

1127. You don't mind putting that in evidence?—No, I believe Mr. Gilbody makes no secret of it.

1128. Mr. Keizer.—You would not say that crime is as great now as it was two or three years ago—is not the country more peaceful as regards agrarian crime?—As far as my own part of the country goes there is not much agrarian crime at all; there are some cases such as hanging outfire occasionally and some men beaten, but I don't say it is by the combination it is done.

1129. But not to the same extent as a number of years ago?—My district was never very bad except the district beyond Goleen and Skull.

1130. This combination is principally against what they consider an unreasonable rent?—Yes, that is it.

1131. Sir James Caird.—You said it would be very good for the country if the tenants to a large extent became landlords of their holdings?—Yes.

1132. And as I understand you, the influence of the League was very unfavourable to that?—Yes.

1133. Do they exercise it in any very open manner?—I could not say that exactly, but I know the general impression every place is that only for the League, the tenants would come in and purchase. Latterly a good many have purchased and are negotiating for the purchase of their holdings.

1134. You think the tenants themselves, if they were not under compulsion, would very readily accept this proposal to become owners?—Yes, I think they would.

1135. The terms being in every way so favourable?—Yes.

1136. And you think they understand them?—Yes, I think they do.

1137. The larger tenants especially, I fancy?—Yes. The smaller tenants are in a different position—a great many of the tenants are very poor, and very ignorant, and they might not know the advantage of it, unless it is explained to them by some person.

1138. Have you any idea on what principle the League thinks it advantageous for their organization, that the tenants should be prevented from becoming owners of the land?—I could not say.

1139. There are no reasons offered by them as an argument against tenants purchasing?—I believe not, except to injure the landlords.

1140. That it would injure the landlords?—For the purpose of injuring the landlords.

1141. To prevent the renting and leaving?—Yes, and in the hopes the tenants will get better terms, or get the land for nothing.

1142. One would not suspect they would be anxious to preserve the landlords?—No, but it is against the landlords' interest they are working—they think it would be for the landlords' interest that the tenants should buy.

1143. You said you thought the local boards would not like the responsibility of interposing between the landlord and tenant in regard to the payment of the purchase money?—Indeed I don't think they would.

1144. They would refuse it in your part of the country?—Yes, in my part of the country they think they have quite responsibility enough under the "Labourers Act."

1145. If the landlord does not get any part of the rent by eviction, and if when eviction takes place he cannot really make any use of the land, he has no object in making the eviction—what advantage can he get by it?—I don't see that he can get any, except the expectation that after eviction sooner than give up they might redeem before the six months are out. A great many landlords are evicting and putting in the tenant as caretaker for the six months, in the hope that he would redeem before the six months are up.

1146. Would you explain what you mean by redeem?—If a tenant is evicted he can redeem within six months.

1147. In that case the landlord expects to get his money?—The landlord very often puts in the tenant as caretaker in the hope that within the six months he may redeem.

1148. The President.—Then I suppose also he might by making an example of one tenant, even though the farm is thrown on his hands, strike terror into the others, who might pay something sooner than be turned out?—Certainly. I know some landlords who have selected two or three men they thought could pay, as an example to the others; I know that to be the case in several places.

1149. Sir James Caird.—You stated—perhaps I misunderstood your answer—that the majority could pay?—Oh, well, I think a great many at any rate. I could not say whether the majority could or not.

1150. I want you to guard your answer in that?—I think a great many could pay.

1151. You went on to say that in good times they spent the money and had nothing left?—Some of them did.

1152. They cannot have anything to pay in that case?—Oh, I think there are a good many cannot pay.

1153. Can you give us any idea of the monetary position of the Irish tenants in your district, whether it is tolerably in good condition, or otherwise—the position of the better class, making a distinction between the two classes of tenants?—I know a great many of them were very much put out by the failure of the Mohater Bank—a good many had deposits in that, but they are getting that paid back again now by degrees.

1154. That would apply to the larger farmers?—Yes, of course. The smaller men had not much in it.

1155. Have the small men any capital at all?—I could not tell, I know nothing about banking business.

1156. But you might know something of the circumstances of the men that came before you in court?—No, I cannot say.

1157. You cannot say from any knowledge or information you have received in the country whether the small tenants, men occupying four acres and under, or paying £4 rent or under, are capable of making any economical rent out of the land?—I could not tell that at all. I have been a public officer all my life so I have not much opportunity of knowing.

1158. Do you know anything about the value of tenant right there?—No, I do not.

1159. It does not come before you at all?—No, it comes before the chairman of quarter sessions.

1160. As to householders, have you turned your

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attention at all to the question of their being excluded from the Act?—No, I have not.

1161. You said in answer to the noble lord that there was no doubt certain influence of combination as well as the fall of prices that influenced the non-payment of rent?—Oh, yes, I am sure of it.

A. Newton Brady, Barrister-at-Law, R.N., examined.

A. Newton
 Brady, R. S. & V.

1163. The President.—I think you are now employed in Connemara?—I am.

1164. For how many years have you been there?—I have been over four years.

1165. How are the rents being paid now in your district?—There is a great improvement in the payment of rents in the last few months. Since I got your summons to come here I have seen several of the leading land agents in the county and they assured me the rents are being very well paid at present.

1166. Are the landlords making abatements?—Yes.

1167. On the judicial as well as the other rents?—Yes.

1168. What sort of percentage do they generally allow?—Well I could not with accuracy give you any information about that, I would not like to mention particular sums.

1169. I gather from the rents being pretty well paid that there is not much combination against their being paid in your district?—There have been several instances within my experience, there was one recently, I was at some evictions at Carronee in the extreme west of the county Galway, the sheriff put out 100 families there and to my mind there was clearly combination not to pay rent until the joint tenant system which prevails on the property—it was Mrs. Kirwan's property—was broken up, and out of £265 gross rental on the demises there was only £38 paid, though the land agent who was present with the sheriff offered 6s. 8d. in the pound on the rent due, and to be accepted from each tenant with his proportion of the costs, or 10s. in the pound on all arrears and costs together.

1170. That is that he would take 10s. 10s.—Some of the tenants openly stated they would pay no rent until this joint tenant system was broken up.

1171. Could you tell us what the joint tenant system was?—On this property there are five or six tenants on each holding, and they are jointly and severally liable for the rent; it is with the view, as far as I could gather, of having the holding valued over £4 so that the landlord won't be responsible for the entire poor rates.

1172. How many are there joint tenants on one farm?—The average number is five, and the average number of years' rent due is six and a half on that property.

1173. Sir James Caird.—Did the tenants object to the joint tenancy or did the landlord object?—The tenants want to get the system broken up; they want separate divisions and to have their names entered on the landlords' books as separate tenants.

1174. The President.—They also wish it on account of the rates?—It is rather hard—suppose you have one of the tenants a lay fellow who gets into arrears, he knows the others will pay for him, and time after time they do pay for him sooner than he is put out, but they are getting tired of that. One man was evicted five separate times because the others would not pay and he was the strong man and recently he refused to pay any rent.

1175. That is an exceptional case, and not a specimen case of the way rents are paid in that part of the country—it is an exceptional case to be considered by itself?—I am talking of Carronee, but before my answer referred to any entire district, and I am informed that in the entire district rents are better paid than for months past.

1176. Have these Carronee district tenants fair average holdings?—About £10 worth of land split amongst five tenants. There have been a good many

1162. Can you offer any indication from your own knowledge of the proportion which these two influences bear—the combination and the fall in prices?—I think the combination has more to say to it than the fall of prices.

evictions—I have been at hundreds there within the last few years.

1177. I suppose there are hundreds of holdings?—There are.

1178. Is this in Carronee?—Yes, that is the name of the district.

1179. Is the dispute still going on in Mrs. Kirwan's case?—Yes, the tenants against whom decrees were obtained, with a few exceptions, have been evicted sooner than pay, and I may say they have all gone back again into the houses, and proceedings are pending against some of them at next court at Spiddal.

1180. For taking forcible possession?—Yes.

1181. But this district is not a fair sample of what is going on generally in your part of the country?—Not in my district—no.

1182. Have you turned your attention at all to the Land Purchase Act or to the subject generally of the purchase of land by tenants?—I only know one instance where the tenants have purchased holdings—that is on Lord Ardahan's estate, and there they purchased something like £300 a year from Lord Ardahan—a townland.

1183. Do you think the others are prevented coming forward by intimidation or duress?—No, I have not heard of or seen any disposition on the part of the tenants to purchase, I made inquiries anticipating the question.

1184. Do you think it would be a good thing if they purchased?—I think on Mrs. Kirwan's property it is the only solution of the difficulty.

1185. Could you suggest anything to facilitate the working of the Act?—No, I don't think I have any suggestion to make.

1186. You have no opinion about whether securing the intervention of the local authority would have an effect?—I think they would only complicate matters.

1187. You have no knowledge of the sale of tenant-right?—No, that doesn't come before me. I can give you some other instances of combination on the part of tenants, should you wish it.

1188. Yes?—On the Ross estate. That is the Martin estate, four miles from Oughterard, between Oughterard and Galway, there were evictions in 1881, and the farms from which the tenants were evicted have since been left derelict. No person has taken them or been allowed to take them; in fact, sometime after the evictions, notices were put up on the farms—"Let no man take this land," and nobody has come forward to take them. Last year the grazing of the demesne was let, and it was taken by the heads of the National League in the district. This year there is a new agent appointed, and he announced his intention of putting up the grazing to competition, and that is, after all, the way to get some idea of the value of the grazing. He offered it to the men who had it last year, and they said they did not want it, and would not take it. He then let it to some others, and these people have been boycotted ever since.

1189. This was grazing on the evicted farms?—No, the grazing of the demesne—the evicted farms no person has taken—the grass has grown up, and died away every year.

1190. But on the demesne even they would not take the grazing?—Not this year, those who did could not get herds, and there was a threatening notice put up the other day about a man whom they thought was going to take the herding of the grazing—"John Coyne give up herding at once

or you will be shot dead. I am the Tipperary goat." That is a copy of the notice, the man had not absolutely taken the hearing, but it was believed he had been appointed herd to look after the cattle.

1191. What is their object?—Is it to make the land no waste?—Yes.

1192. To punish the landlord?—Yes.

1193. Or to induce him to let it?—To punish the landlord for the evictions; to make landlordism in the country impossible.

1194. What part of the country is that?—It is ten miles from Galway; going north, four miles from Oughterard.

1195. Lord Milltown.—In Connemara?—Yes.

1196. You say there is no desire, as far as you know, amongst the tenants to purchase under the Land Purchase Act?—I am speaking within the limits of my district; I have not heard of any.

1197. Do you think they are acquainted with the terms of the Act?—I think they are quite acquainted.

1198. Have you made any inquiries amongst them to know whether they understood the principle of the Act?—I have had repeated conversations with their elegances, who know all these things, and they were quite aware of it; and I have spoken to some of the principal men in the district, and they were quite conversant with the Purchase Act.

1199. Do you think the small tenants are acquainted with the terms?—Yes, the same as they were with the Land Purchase Act.

1200. To what do you attribute their reluctance to buy?—I think because it has not become general through the country.

1201. They are waiting for some one to break the ice?—Yes, and possibly the idea that they were going to get the land for nothing, or for a very small number of years purchase, may have induced them to withhold offers from the landlords for the purchase of their property.

1202. Have you any reason to believe that fear of the Home Rule Bill had anything to do with their not purchasing—owing to the increased taxation it would entail?—No; I have not heard anything said of that.

1203. I suppose the unsettled state of things, and the possibility of Home Rule had a good deal to do with it?—More than anything else, I think.

1204. Did I understand you to say that the grazing of the demesne was formerly taken by the heads of the League?—Yes, by the local heads.

1205. But on the price of the grazing being raised they boycotted the grazes, so as to prevent anyone else taking it?—Yes, but it has been taken by some of the landlord's men.

1206. It is quite obvious the leaders of the League may use their power for purely personal objects?—Yes, purely personal.

1207. Is it your experience that that is the case?—No.

1208. Do you mean to say that it is the reverse?—No; I don't say anything about it.

1209. The President.—Is there anything else you wish to add?—I was present at the Woodford evictions on Lord Clarinville's property; it is not within my district. I was one of the magistrates in charge of the police there.

1210. That is in Galway?—Yes, near Woodford.

1211. Did that give you an opportunity of knowing anything about the state of that part of the country?—I can tell what came under my own immediate notice. There were four tenants to be evicted on Lord Clarinville's property, near Woodford. The first house the sheriff went to the tenant was put out after a most determined opposition on the part of men and women within the house. Then we went to the house of a man named Brodick; he owed a year and a half's rent. The sheriff was authorized by the agent, Mr. Frank Joyce, to take a year's rent, and when he came to talk to the tenant he found there was some idea on the tenant's mind that he had not been fairly treated by one of the bailiffs, to

whom he stated he had paid another half year's rent; and the sheriff with the view of avoiding the necessity for carrying out the writ, which was one from the Superior Courts said, "I will take half a year's rent from you and costs;" that would reduce the one and a half year's rent to half a year's rent. The tenant then said, "I may be able to make up half a year's rent, but I have not got the costs." I said we might be able to help you, and if you get up a sum of money we will get up another sum for you. Five or six of us talking together said we would give him £5 or £6, thinking the payment of the rent and costs might bring about a better feeling between the tenant and the agent; but the tenant said, no, I will not pay any costs; if you pay £5 or £6 get the police to do the rest, I have only a half year's rent, and I can't pay any more money. This ended the negotiations, and the sheriff proceeded to take possession. But persons within the house, amongst the bailiffs when they attempted to take possession. They threw boiling water and lime on them, and I found it necessary, in order to give the sheriff's bailiffs proper protection, to order the police to assist the bailiffs to take the house, and the very moment possession was taken by the sheriff, this tenant came up, with the local priest and some leaders of the National League present, and offered the full year and a half's rent, and costs.

1212. He had it all by him all the time?—Yes.

1213. And was the National League mixed up with that business, or was it a movement on the part of the tenant himself?—The League was certainly mixed up with it—they had, I understand, a tenants' defence fund running up to about £500 in Woodford, and their idea was to compel Lord Clarinville to give an abatement equal to the abatement given by neighbouring landlords; which many of them granted under compulsion.—Sir Henry Burke and others.

1214. The neighbouring landlords who had given these abatements had received their rents without difficulty?—Yes, after they had given these abatements.

1215. Lord Milltown.—How many acres had that tenant?—I could give you his rental, but I cannot give the number of his acres; £12 a year was his rent, I believe.

1216. Sir James Caird.—The case you gave of Carragee was not a case of combination against the payment of rent, but a demand on the part of the tenants to have separate holdings?—It was a combination to break up the joint tenant system, and the lever they used was the rent.

1217. But it was not a case of combination through the League or anybody else, but the tenants themselves?—The tenants themselves.

1218. With regard to the story of Martin's estate it is very interesting, you said that the grazing of the demesne had been let to the Land League?—No; let to members of the Land League.

1219. And then when the new agent came in he made an offer to the individual members to let it to them?—Yes, he gave the first refusal to those persons who had the grazing the year previously.

1220. And they declined it?—Yes, they said they would not take it.

1221. Lord Milltown.—It was on higher terms?—Yes.

1222. Sir James Caird.—Were higher terms asked or proposed?—Yes.

1223. Did they offer to take it on the former terms?—They did not offer to take it. They said they did not want it, and had no intention of taking it this year.

1224. Then it was not demesne land from which any tenants had been evicted?—No.

1225. Then it did not come under the rule of the League as to evicted land?—No; but it comes under it as being grass grabbing.

1226. Would they consider it now as evicted land; that those tenants who had it for the year and declined to take it for a higher rent were evicted tenants?—They consider that having it last year they have a claim on it as long as they want it

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A. NEWTON
Bridges, Esq.,
R.S.M.

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at that rent, and any one who takes it at a higher rent is simply a grass grabber, and they held a public meeting and denounced grass grabbers in reference to Roca.

1227. *The President*.—You said you were four years in your present district, and you say on the whole there is not much emigration and rents are being paid—do you think the state of your district better now than four years ago?—Very much better in every way.

1228. *Sir James Colvill*.—These statements about Carraro and the Martin estate and some others are really exceptions to the very general good payment of rent?—The present good payment of rent.

1229. To the present good payments of rent they are exceptions?—Yes.

1230. *Lord Melbourne*.—About when did the improvement begin?—In the payment of rent.

1231. No in the general state of the district?—It has been gradual.

1232. Could you fix any time at which it set in?—I always understood the convictions had a good deal to do with it.

1233. Under the Crimes Act?—Yes, and under the ordinary law; convictions for murder; it was in my district the Maamtrasna convictions took place.

1234. That was not under the ordinary law—they were convicted by special juries under the Crimes Act.

1235. Have there been any convictions in your district under the ordinary law—that is by common juries?—No, except in minor offences.

1236. The convictions were all by special juries?—Yes, by special juries.

1237. *Sir James Colvill*.—Can you from your knowledge of that part of the country give any idea of the monetary position of the tenants generally, separating the large tenants from the small tenants?—There is a deal of poverty amongst the tenants, especially on the sea coast.

1238. Are they small tenants?—Very small tenants, very poor as a class.

1239. They are very poor?—Yes.

1240. Has that poverty increased of recent years?—I think it is normal; I don't think they vary very much in the state of poverty, or that the fall in the market price has much to say to it.

1241. Are they small holdings?—A lot of them are grouped together, and the rent of the holding may be £10, so that the rent of each tenant may be £1 10s. or £2.

1242. Is that a common principle on that coast?—Yes, I am talking of the Carraro district which extends along the coast to Rossmuck and the Islands.

1243. You also know a good deal about other small tenancies on the west coast of Ireland, in the County Galway, besides the Carraro district, in their position a reasonably good one?—No, I cannot say it is, they are a poor class all over that country.

1244. You say good or bad seasons don't make much difference to them?—I should say hardly any.

1245. Or the good or bad prices obtained?—They might have some effect, but it is very slight.

1246. They consume their own produce?—Yes, or sell it in the local fairs or markets.

1247. What they have over?—Yes, what they have over.

1248. Is there emigration going on from that quarter, or is there any desire on the part of the people to better their position by emigration?—Not at present, but there is every year very extensive emigration.

1249. Is it assisted or by voluntary effort?—It has been assisted. Mr. Tuke assisted a lot of them, and there is a great deal of voluntary emigration.

1250. Do you know whether it has been successful?—We have a great number of returned emigrants in the country.

1251. Have the majority returned?—No, the majority stay.

1252. Do you know the class who returned—were they indigent or were they unable to get employment?—I have heard a great many stories, everyone has a different story to tell why they came back; the country did not suit them, or they got into bad health.

1253. Where did they go generally?—Boston is the principal district to which they went from Connemara, I understand.

1254. Do you know what is their object in going there—is it to get service or to get land and cultivate it?—I don't think they look for land.

1255. It is for the purpose of going into employment?—Yes, in any instances I have known people to go out it is always to go into employment.

1256. Then failure has not arisen through want of success in the cultivation of the land, but from want of success in obtaining employment?—I don't know that it is altogether on that account, for I have known several instances where they and the country did not suit them, and that they did not get their health there, and the working hours were too long and too different from this, and others thought they would come home and see the people here again.

1257. Had they in many cases made several years trial?—Sometimes I have known instances where emigrants went out and stayed only three months, and then came back again.

1258. *Mr. Knipe*.—You say the rents have been much better paid for the last four months?—For the last five months.

1259. What do you attribute that to—could you assign any reason?—No, unless it is possible that the people are more let alone and are willing to pay.

1260. Have the landlords been giving reductions?—Yes.

1261. On the judicial rents?—Yes, as well as on the ordinary rents; I am not speaking universally.

1262. Do you believe the tenants would buy if they were assisted by the State?—I could not tell you, they are positively assisted now, they can get money and they can reduce the rent if they purchase, but there appears to be no disposition on their part so far as I can learn to purchase.

1263. You have not known of any cases in that district of persons having availed themselves of the Act?—No, only some tenants on Lord Ardara's estate.

1264. With reference to those occurrences on Lord Clonard's property, had the tenants demanded a further reduction of rents?—They had demanded a reduction.

1265. And his lordship had refused?—His lordship had refused.

1266. Had the tenants got judicial rents fixed?—That was a point I wrote to the agent about, and I have not received an answer yet—I heard they had but I don't like to say they had.

1267. And if his lordship had agreed to give a reduction similar to the reductions made by adjoining landlords the tenants would have endeavored to pay?—I have no doubt they would, because the men offered him the moment possession was taken from him, and I take it he would have done that if he had got the reduction in the first instance.

1268. And this is an exceptionally bad year for making rents?—I would not say that at all for they had a very good harvest.

1269. Is it better than last year?—Last year and this year I think have been considered fair years in Connemara.

1270. Stock is doing very badly?—It is better this year than last year, but the people are not so much affected by stock in Connemara for they have not got stock, except a few men that you would count on your fingers.

1271. It is a rough class of cattle they have?—And hardly any cattle.

1272. And the price is greatly reduced this year?—Yes.

1273. The President.—What do they grow chiefly?—They grow potatoes always, just as much as they can use during the twelve months for their families, and some oats or barley.

1274. And they sell portion of the oats?—Much of it is converted into illicit spirits in that part of the country, for they find that the best way to use the oats—is to pay better.

Oct. 15, 1885.

A. Newton
Presby, &c.,
M.M.

Francis Blackburne Hens, M.M., examined.

1275. The President.—I think you are now at Ballinac in the county Mayo?—Yes.

1276. You are a resident magistrate?—Yes.

1277. How long have you been there?—Since the 1st June, 1885.

1278. How are rents being paid in that part of the country now?—I should say satisfactorily.

1279. Are the landlords making reductions?—Well, in individual cases and in some instances generally, but not as a rule—there are no general reductions as a rule.

1280. They are getting their rents without reductions?—Yes, I think so; fairly well.

1281. That looks as if there was not much combination in that part of the country?—I consider that no combination exists at present against the payment of rent in the whole of my district.

1282. Mr. Feligan.—No combination?—Absolutely no combination.

1283. The President.—The state of the district has very much improved since you went there?—Very much improved, indeed, but it is impossible to say at what moment combination may arise.

1284. Has your attention been turned to the proposal that the tenants should be induced to purchase their holdings, and to the question of the working of the Act of 1885?—Yes, I have paid a good deal of attention to that. I think in the present state of things where there is no famine, or where the people believe there is no famine in the Irish land legislation, people won't turn their attention very much to purchasing, and until you can satisfy the tenant that there is to be famine somewhere they will wait.

1285. They have not been buying in any cases?—No, I don't know of any instance in our country where they have been buying.

1286. Is there anything you could suggest, beyond restoring confidence to the country, or inducing the tenants to believe there will be no more concessions to them, to facilitate the working of the Act?—How far something might not be done as regards the lodging of one-fifth instalment by the landlord—I think a great many landlords might be deterred from purchasing by the fact that that amount of their purchase money would be lying out and liable to answer any faults on the part of the vendees hereafter.

1287. Do you think the landlords are willing to sell of the tenants are willing to buy?—That depends on the number of years' purchase.

1288. Lord Melbourne.—But on a reasonable number?—I know in some instances the landlords would sell, for they told me so.

1289. Sir James Caird.—At what number of years' purchase?—From 18 to 20 years' purchase I think they would accept.

1290. Mr. Feligan.—On the rental?—On the judicial rent.

1291. The President.—Do you think the operation of the Act could be extended through the intervention of local authorities in the loans advanced from public funds for the purchase of land?—I don't know, so far as detail goes, how far that could be done, but I think it is desirable to give every facility you could.

1292. Do you think the local authority would be inclined to come forward and guarantee the money?—It is difficult to say that—what do you mean by local authority?

1293. I don't know what it may be in future, it is now the Board of Guardians?—I don't know whether that would work.

1294. I don't know what it may be in a year's time, but now it would be the Board of Guardians?—I don't know how that would work.

1295. Your district seems to be in such a satisfactory state, I don't think I have anything more to ask you?—Very satisfactory, I am glad to say; they have had a most abundant harvest, and I think they are inclined to meet their landlords, and the landlords to meet them, and I think if let alone they would be able to agree very well together.

1296. Mr. Feligan.—When you say left alone, by whom do you mean?—Agitation.

1297. Lord Melbourne.—When did the improvement set in in your district?—It has been in a satisfactory state for some time. There was one isolated combination against the payment of rent last Christmas on one property and that broke down utterly.

1298. But I conclude from your answer that at some recent period it was not so satisfactory?—When I came there first, in 1883, it was very unsatisfactory.

1299. But since 1882 it was on the mend?—Yes, in 1883, 1884, 1885, and 1886, it has been mending.

1300. To what do you attribute that?—I think the disposition of the people naturally is good; the agitation first of all began in Mayo, and more or less burned itself out before it spread elsewhere.

1301. I quite agree with you that the natural inclination of the people is good—then the evil influence must either be withdrawn, or is losing its power?—I think it is losing influence, and being withdrawn more or less.

1302. They are more left to themselves now?—Yes.

1303. And the result of that is satisfactory?—Ever since the case that was called the North Mayo Conspiracy case, in my part of Mayo everything has been very quiet.

1304. You might tell us what that North Mayo Conspiracy case was?—The Government indicted a number of persons for being accessory to a conspiracy to murder, and a great number of the leaders of this particular agitation were at that time convicted, and since that time the county has been very quiet.

1305. Is that the Crossmolina case, of which we have heard in Parliament more than once?—Yes.

1306. Sir James Caird.—They were convicted?—Yes.

1307. And what punishment was awarded?—Some got 10 years and some 5 years penal servitude, others less; they were tried before Mr. Justice Lawson in Cork.

1308. Lord Melbourne.—Who was the unfortunate victim of the murder?—There was no actual murder; they were indicted for conspiracy to murder—there were various charges—a great many attempts charged—one on Mr. James Scott, who is dead now.

1309. Mr. Feligan.—These were the ones alleged to prove the conspiracy?—Yes.

1310. Sir James Caird.—But no actual murder was committed?—No. There was one man badly wounded named Hogan, of Crossmolina.

1311. Lord Melbourne.—A man badly wounded, as alleged, by one of the men convicted?—Wounded in pursuance of the conspiracy.

1312. And since the punishment of these offenders there is a marked improvement in the district?—Yes, I think the district is very quiet. I don't know that it is actually dated from that—everything in my district is very satisfactory, indeed, now.

1313. Do you know that before the Land League,

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Francis
Blackburne
Esq., a. n.

good relations existed between landlords and tenants!—That would be going back to a time that I didn't know the district.

1314. Have judicial rents been fixed over your district?—Almost universally; a great deal of the work was done by Mr. Richards, the County Court Judge—probably more than by any other County Court in Ireland, whether by agreement or in court.

1315. And these rents which have been so satisfactorily paid are the judicial rents?—I don't say they are paid; they are in the course of payment—I would say they are principally judicial rents. If a man paying the November rent of last year or the May rent of last year—probably there are very few properties on which the May rent of 1885 is paid now—that is what I mean.

1316. Mr. Nelson.—You spoke just now of the one-fifth standing in the way of dealings under the Act of 1880—is that that the landlords object to the retention of one-fifth by the Government?—I think so.

1317. And it would facilitate matters if they got rid of that?—Yes, and let them be done with it.

1318. And let the vendor get the full amount of his purchase-money?—Yes.

1319. Sir James Caird.—Is Lord Lonsa's or Lord Sligo's estate within your district?—Not Lord Lonsa's; some of Lord Sligo's may run into it, but very little of it.

1320. Are we to understand that in most cases judicial rents have been adopted in your district?—I should say yes, very largely, either fixed by the Chairman of Quarter Sessions, by agreement, or by the Land Commission.

1321. Are reductions being now made on these judicial rents, in consequence of any fall that may since have taken place in the price of produce?—In one instance I know reductions of as much as 3s. in the pound have been given—a general reduction of 3s. in the pound. I am speaking now of both Sligo and Mayo—for a large portion of my district is in Sligo.

1322. The landlords and tenants there are on good terms?—Yes, fairly satisfactory terms; and I think the people are inclined to meet their engagements as far as they can.

1323. You said that if left alone from agitation they could get on very well together?—Yes, I think so.

1324. And at present there is no agitation interfering with them?—I don't believe at present there is.

1325. With regard to tenants purchasing, you say that whilst there is no facility in legislation in land, the tenants don't turn their attention to the question?—I don't think they turn their attention to it.

1326. Do they understand the terms that are offered?—I don't think they understand them as widely as they would probably understand if it was the interest of all parties that they should understand them.

1327. It is in their own power to acquire that knowledge?—It is in their own power, but it is extremely difficult for a number of persons, many of them illiterate and having no special means of knowledge if it is not put before them by some one.

1328. You think they would be willing if they were satisfied that land legislation was coming to some finality?—I think you must satisfy a man that he has to pay rent to somebody, and that he won't gain by holding out against the payment of rent.

1329. I am speaking of the question of land purchase?—Yes, if a man thinks he can purchase for five years' rent by waiting, he won't give ten now.

1330. They have some idea of that in their mind?—I think certainly the mind of the tenant-farmer is unsettled at present; it could not be otherwise.

1331. You said the landlords had some hesitation because of this one-fifth reserve?—That is one thing.

1332. Have you any knowledge on the subject whether they would be satisfied with twenty years' purchase?—I cannot say I have any general knowledge. I dare say some men would be satisfied with considerably less, and other men, from the circumstances of their property, would not accept it.

1333. It would depend on the circumstances of the property?—I should say so.

1334. Do you know of any case of tenants purchasing under this Act?—Not in my district.

1335. Mr. Knipe.—Are we to understand from you that there has been 3s. in the pound reduction given generally by the landlords?—No; only on one particular estate.

1336. You only know of the one?—I only know of that general reduction on one particular estate.

1337. But there may have been other landlords who did the same?—Yes; there may have been.

1338. Have you any idea of what reductions they did give?—No; I could not say.

1339. I mean on the judicial rents?—I could not say.

Hughman F. Connelley, M.P., examined.

Hughman F.
Connelley,
M.P.,

1340. The President.—I think you are now quartered in Kerry?—Yes.

1341. How long have you been there?—Rather more than four years.

1342. How much of Kerry have you got in your district?—I have got the police division of Tralee, Castlebar, and Dingle; quite lately the Dingle position has been temporarily taken away, but during nearly the whole four years that has been in my district, too.

1343. Not Killarney?—No.

1344. Is this, on the whole, the worst of the Kerry country?—Do you mean as regards land?

1345. No; I mean as regards disorder?—Well, it is as bad as any.

1346. I will begin as to rents—how are they being paid?—Rather badly.

1347. Have the landlords been offering reductions?—Yes.

1348. But without effect?—Well, in some cases they have been paid; in others they have not.

1349. But, on the whole, the rents have been paid badly?—Yes.

1350. What do you attribute that to—to intimidation or inability to pay?—I think there is a combination of both.

1351. Then, with regard to the inability, do you think that that comes from their not having made the rent out of the land, or that they made it and spent it in other ways?—I think it arises from several causes.

I should be disposed to think, in the first instance, that it is due to the depreciation of prices. I should think also that bad farming and inferior quality of cattle have tended to aggravate that; and I think it is due, in the third instance, to successive bad years—and I think that, in the last place, it is due to the effect of the land agitation, which has unsettled the people's minds to a very great extent, and to the National League teaching, that tells the tenant that merely the residue—what remains after simply supporting himself and his family—that that alone is the landlord's portion. I think all these causes combined render the payment of rent in Kerry as bad as it is at present.

1352. You say the landlords have been offering reductions?—Yes, considerable reductions.

1353. Enough, in your opinion, to meet the losses occasioned by the fall in prices?—Yes, I am disposed to think so in the majority of cases; as much as fairly can be asked.

1354. Then with regard to combination—that is very serious I suppose—is any tenant who pays subject to annoyance?—I don't know that he is subject to outrage at the present moment, but he is looked upon with disfavour by his fellow tenants; that is if he pays at a reduction which they consider unfair.

1355. Insufficient?—Yes.

1356. He is subject to be boycotted?—I would

hardly any boycotted; he is looked upon with disfavor.

1367. Is there much land in your district unoccupied on account of evictions for non-payment of rent?—Yes, a good deal.

1368. And nobody dare take them?—Nobody dare take them.

1369. Is this idle?—Some of it does not. There is a good deal taken up by the landlords themselves, and worked. A good deal of the land Mr. Hussey has under his control has been worked by him—portion of Lord Hindley's, and Mr. Herbert's, of Muskross. Captain Fagan has worked portion of his land too; but they are doing so with difficulty.

1370. Have there been a great many outrages in your part of the country?—Yes, a great many indeed.

1371. Moonlighting?—Yes, moonlighting to a very large extent.

1372. Is that chiefly directed towards people who have taken evicted farms?—No, I don't think it is confined to those who take evicted farms. They visit any houses where they think they can get arms, whether the man is popular or otherwise.

1373. The outrages are chiefly in raids for arms, and not connected with land?—Indirectly they are; but no person does, as a matter of fact, take an evicted farm, and therefore there is no necessity for things of the kind.

1374. They have established such complete control that no one dares go against them?—That is so. I know of only one case in which an evicted farm was taken by an individual—a man called Culloty, in the Castlebliss district. He has six policemen to protect him, and I am perfectly certain his life would not be safe but for the protection.

1375. Therefore, as no one has taken evicted farms, the landlords have ceased to evict?—They have not ceased to evict, but eviction is practically useless to them.

1376. And for that reason rents are badly paid, even when reductions are offered?—Yes.

1377. Is there any statement about this question of intimidation which you wish to put before us?—No; as a rule, at the present moment, intimidation is not very active, because the League and the whole system down there is so well organized that no one offends against it, and so there is no necessity for active intimidation.

1378. Then as to the Purchase Act, have you interested yourself in that at all, or in the general question—how far it is desirable that tenants should become proprietors by buying the land from the landlord?—As far as my own opinion goes, I very strongly, indeed, hold that it would be an advantage to have the tenants proprietors of the land they till.

1379. Have they come forward in your district thus far?—There has been some land bought, but not very extensively; still there has been a fair amount bought, and there would have been more if the sales had been confirmed: in some cases the sales were not confirmed.

1380. Do the league act themselves against the tenants buying?—No; they act themselves against the tenants buying except as what they consider a fair rate of purchase, which is not, as a rule, in accordance with the landlord's idea on the subject.

1381. Then the operations of the league in your district tend to prevent tenants buying?—Yes, they tend to prevent freedom of contract on the part of the tenant. I think if it was not for the manner in which they have cried down the Act, we would in all probability have had a larger amount of sales than we have had.

1382. Would there be any chance of the Board of Guardians, or any other local authority, intervening with any advantages by giving security for the money advanced by the State to enable the tenants to purchase?—You mean that the Board of Guardians should pledge the rates, as it were, for the money?—I don't think so. I don't think that would be received with favour.

1383. You don't think the intervention of the local

authority would be of the smallest advantage?—I don't think it would, as I understand the question. Suppose a man bought a holding, and failed to pay his instalments to the State, the State would come down upon the Board of Guardians, and make them levy the rest of that by instalments on the district.

1384. Yes, I fancy that would be it?—I don't think that would be well received by the people.

1385. You don't know anything of the sale of tenant-right in your district?—No, I don't know of one. I have heard of some. I heard of an extraordinary case the other day in which a tenant took advantage of the Arrears Act. I saw the documents; he returned the value of his tenant's interest as nil, and within thirteen months afterwards he sold his tenant's interest for £430.

1386. Mr. Nalgon.—Having got the benefit of the Arrears Act?—Yes; I saw the actual papers in that case, and I saw the notice he served on the landlord of the sale of his right.

1387. Sir James Caird.—In what way did the Arrears Act affect it?—He got the benefit of the Act, and got his arrears wiped out?—The proceeding was that the man made a certain application to have the arrears wiped out. He had to make an affidavit of what he possessed, and amongst other things he had to return what was the saleable value of his interest in his holding, if any, and he returned it as nil. He got the benefit of the Act, got the arrears wiped out, and at the expiration of thirteen months he sold his interest in his farm for £430, having previously returned it as nil.

1388. How were the arrears wiped out?—The exact procedure I don't know; but upon the tenant paying a certain proportion, and the landlord wiping out a certain proportion, the State paid a certain proportion.

1389. Then it was so far at the cost of the State that that was done?—Yes, so far.

1390. Have there been any prosecutions for perjury under that Act?—Not to my knowledge. In this particular case the agent had to make an affidavit too, and he swore that he believed what was stated in the tenant's affidavit was true, except paragraph seven, and that was the one in which the tenant returned the saleable interest of his holding as nil.

1391. Lord Millican.—The agent deposed to that?—Yes.

1392. Mr. Nalgon.—He did not verify that paragraph of the affidavit?—No; and, as appeared from the subsequent proceedings, with a great deal of justice. That case did not take place in my own district.

1393. The President.—There has not been many sales of tenant-right in your district?—No. The League set their face rather against it.

1394. The man who buys with the consent of the outgoing tenant is looked upon as a land grabber?—To a certain extent, yes; but I don't know that as a rule the outgoing tenant is prepared to sell his interest. He has an idea that by holding on he will get the land for his own valuation.

1395. Lord Millican.—He never does like to go?—Not if he can help it.

1396. You say you attribute the bad payment of rents in your district in some measure to bad cattle?—Yes.

1397. Has it come under your notice that the farming there is very bad?—I think it is very common. I will give you an example that I have known myself. Suppose a person sows a crop of corn the usual custom, at all events in Ireland, is to sow a crop of ryegrass and clover with it, so as to have it for the following year; but in many cases I have known them never to take the trouble of putting anything with the corn, with the result that they let the grass come up as it will.

1398. How does it ever come up?—There is always a natural growth of grass.

1399. The chief grass will be scratch?—I am not sufficient of a farmer to say.

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1390. But as a matter of fact they never lay down their land with grass properly after taking the corn from it—I would not say as a rule, but in very many cases they don't.

1391. As to cattle?—Of course in those of depression the more inferior the article you have the greater the fall. In a great part of Kerry the cattle are inferior and the price has fallen more than elsewhere.

1392. Would you say they are still deteriorating?—No.

1393. They are not worse than they were?—No; they are improving. Mr. Talbot Cranke has got very good short horns there, and that is improving the breed very much.

1394. With better farming and better stock there would be greater facility for paying rent?—Yes, a good deal greater, I think.

1395. You say that one of the diets of the Land League is that the landlord is only entitled to the residue when the tenant has defrayed all his other expenses and fixtures?—Yes.

1396. Is that inculcated largely by the League?—Yes, very largely.

1397. Is it acted on by the tenants?—I think so.

1398. They have come to the conclusion that that is really what they ought to pay?—You mean morally?

1399. Well, they are told it is morally?—Yes.

1400. Are they told that by their clergy?—I don't know that they are taught it by their clergy; that is quite possible too, but I don't know of any case of its being done.

1401. But they act upon it?—Yes.

1402. Is what they consider a fair rent what is left after all these reductions?—Yes, it is taught by the League, and admitted by the clergy too, that the tiller is the man who has the right to the first-fruits, and they being the tillers are entitled simply to support themselves before they do anything else, and when that has been done the residue, if any, goes to the landlord—that is not confined to Kerry, it is the teaching all over Ireland.

1403. You say that those who pay without reductions—or rather pay rent which their neighbours think is more than they ought to pay—more than the residue—that they are looked upon with disfavour?—Yes.

1404. You don't go further than that?—No.

1405. Tell me what that entails?—Very often it entails outrage. It depends on the particular case. Suppose the League condemns an individual's action, the action of an individual who sets himself apart from the rest of the tenants and pays, and that involves censure on the part of the League, that man union provocation is taken to guard him will be the victim of outrage on his person or property.

1406. Then it would be at considerable risk to himself and his prospects that he should pay a rent higher than they chose to dictate to him?—Yes, that he should separate himself from the body of the tenantry.

1407. Then you say that the League interferes with the tenant's purchasing by crying down the Act considerably?—Yes.

1408. That is so?—Yes.

1409. In what way do they cry it down?—They point out to the tenant that purchasing at eighteen or nineteen years' purchase on the present judicial rent is purchasing in face of a falling market, so far as one can tell the influx of corn and cattle from America and elsewhere may influence the prices so much that what now appears a fair rent will be harassing and exorbitant, and they should look forward and buy as low as they can so as to anticipate that fall.

1410. No one could say that the advice to buy as low as they can is not very sensible advice, and so far there is nothing objectionable in that, but do they dissuade tenants from buying under the present circumstances?—No; I don't know any case where they said "Don't buy."

1411. But don't give more than we tell you?—Don't give more than what we assert will enable you to meet the depreciation which is apprehending. I have known no case in which they ever said "Don't buy," but this advice, whether it be good or bad, has the practical effect of interfering with purchases.

1412. They have set their face against tenant-right being bought?—Yes.

1413. Kindly explain that a little more—do you mean that supposing a tenant wishes to leave they would object to his selling his tenant-right, or do you mean to say that the tenant is difficult with his landlord is not to sell?—That is more what I mean.

1414. That he is not allowed to get out of it by selling his tenant-right and paying his rent and making away with it?—No, they object to that.

1415. One of the principal objects in giving the tenant power to sell his holding under the Act of 1881 was that the landlord might be secured in his rent?—Yes.

1416. And by this process the League have effectually prevented that coming into operation?—Yes, they are destroying that security.

1417. I want to ask you one question more about moonlighting—is it your experience there is any sympathy amongst the people with their brigands?—Yes.

1418. Considerable?—Yes, I think a very widespread sympathy of an undefined character.

1419. Chiefly because their acts are lawless?—No. I think they have it in their mind that moonlighting helps them to withstand the landlord.

1420. How do they come to that conclusion?—It is a kind of undefined idea.

1421. I understand that the moonlighting is simply robbery of arms?—That is at the present moment, but some time ago moonlighting was altogether directed against tenants who paid rent. I am talking of the present moment, but in 1881, 1882, and part of 1883, moonlighting was directed almost entirely against those who paid rents.

1422. That was the object, and now it has degenerated into a means of getting weapons, by which people offending can be more effectually punished?—I don't know with certainty what their idea is in getting arms.

1423. Have you formed any idea of their object?—I think they have a vague idea that, at some future time there will be taxation to use these arms for the vindication of their national aspirations—but it is purely an opinion.

1424. The President—Moonlighting always existed, to a certain extent, in some counties?—I never knew it prior to this, but there was what were called whiteboys.

1425. The word "moonlighting" is an old expression?—I never heard of it until this agitation.

1426. Lord Milnes.—They represent, to a certain extent, the whiteboys who existed in the days of the Irish Parliament?—Yes, or even later.

1427. From what class are they drawn?—Farmers' sons and servant boys.

1428. Do the farmers themselves take part?—No, I don't think so.

1429. It is generally by idle young men?—Yes.

1430. Is it your experience that the farmers' sons in that district devote themselves much to the improvements of the farm, or to useful work of any kind?—Well, they do work on their farm to some extent, but I think they are glad to get an opportunity of going to amuse themselves, and the farm suffers.

1431. Are they less devoted to work than they used to be, and more inclined to be idle?—I can only speak of it by hearsay. I have heard people say it is so; but during the four years I have been there, I did not notice any change one way or the other.

1432. Do you know anything about the outrage on the Curtins?—I do.

1433. In that case Mr. Curtin was a popular man in the neighbourhood?—Yes.

1434. He was even a member of the Land League?—Yes.

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1455. There was no antecedent animosity to him?—None, that I am aware of.

1456. But the result of the outrage is to create ill-feeling—the greatest possible ill-feeling—against that most unfortunate family?—Yes; and they cannot move about now without being insulted.

1457. They are unable to attend to the duties of their religion in consequence?—No, not now.

1458. They had to do so with privacy?—They had to go into the sacristy attached to the church, because their pew was not allowed to be in the church.

1459. Mr. Neligan.—Their pew in the church was broken?—Yes; immediately after the conviction in Cork, the Curtins returned, and they attended mass, and were treated with the greatest possible disrespect, and threatened with violence; so much so, that on the following Sunday it was found necessary to send 80 police, for the purpose of protecting them; they were again assaulted, not only with abuse of the grossest character, but also with stones, and missiles of various kinds; and the police had to charge the people, and disperse them, for the protection of the Curtins. Thereupon the bishop shut up Florio church, and would not allow service there, as a punishment for the people; and on the resumption of the service, I think there was rather a cessation of these manifestations, and the Curtins attended as usual. However, their pew had been broken, and a new pew was brought, but the man who brought it was attacked, and the pew was broken to pieces; since then no attempt was made to place a pew in the church.

1460. To what do you attribute the ill-feeling raised against this unfortunate family?—Because, in the first place, Curtin defended his house, and shot this man Sullivan, and because his family had the courage to come forward, and give evidence against those concerned.

1461. I suppose the latter part was the stronger part—that they dared to give evidence as Crown witnesses?—I don't know which is the greater—shooting a man is a great offence.

1462. Even where the other man would have shot him if he could?—Yes.

1463. That need to be considered quite fair?—We have lost that civility.

1464. Sir James Caird.—Did Curtin shoot the man before he was himself shot?—Yes.

1465. Is that the ground on which the animosity of the people rests?—Yes, that is one thing, and his family gave evidence against the parties who attacked him because—there can be no question about the cause, for the Curtins were most popular before that.

1466. Lord Midleton.—Then I suppose on the whole you would be of opinion that the prevalence of these moonlighting bands adds greatly to the power and authority of the league in your district?—Yes.

1467. Mr. Fellyn.—In point of that side sanction to their orders?—Yes. I should not wish to be taken as saying that the league itself engages in the outrages, but this outer association takes upon themselves to vindicate or carry out—

1468. Lord Midleton.—The unwritten law?—Yes.

1469. The President.—I suppose it would be the game of the league at present to put down outrages?—Yes, I think they would desire to do so.

1470. Only those have got out of their hands?—Yes. In my judgment, for the last twelve months or more, the central league have been doing their utmost to stop these outrages, but I think it has gone outside their power to do so.

1471. Mr. Neligan.—Are outrages still continuing in your district?—Yes.

1472. Up to recently?—Yes, quite lately we had a case of moonlighting within less than a mile of Trillick—on last Monday morning.

1473. It was not long ago since you had a case of moonlighting in the town itself, close to the barracks?—Yes.

1474. With seventy men in it?—Yes.

1475. Do you find it difficult to obtain evidence

in these cases?—Quite impossible; we cannot get evidence.

1476. Is that from the nature of the case, or the disinclination of the people to give information?—There is a disinclination on the part of the people to give information of any kind.

1477. There was an occurrence in daylight—an attack on a house in your district in the open day, and the police gave chase across the river?—That was in the Killybegs district. I think I know the case you refer to: it was on the 11th August.

1478. Is your experience of Kerry long enough to enable you to form an opinion as to the character of the inhabitants there—of their being a remarkably quiet and peaceful people?—I can only speak of that from hearsay—they were never quiet since I went there. I only went there in the middle of the bad work, but I have always understood that prior to the bad agitation the people were as quiet as could be.

1479. An exceptionally quiet people?—Yes. I remember having a conversation with Mr. Justice Lawson on that very subject; he said Kerry was the quietest county in Ireland.

1480. That would be at the beginning of the present bad agitation?—Yes.

1481. You are aware of the facility given by the Act of 1881, which enables the tenant under eviction within six months from his eviction to sell his interest?—Yes.

1482. Have you known any instance in which a tenant has come forward and sold?—No.

1483. So that that has practically fallen a dead letter?—Yes.

1484. You said something about sales under the Act of 1885, and that some of them had not been confirmed. You mean not confirmed by the Commissioners up here?—Yes.

1485. Has there been any complaint of the working of the Act up here under the Commission?—I have heard landlords complaining.

1486. That after they had come to an agreement with their tenants that the matter then fell through the Commission?—Yes. Without mentioning names, I have heard of cases of two tenants who bought their holdings from their landlord; they held adjoining farms—in one case the man sanctioned was £350. In the adjoining farm, where the valuation was only £1 less than the one the tenant agreed to purchase from the landlord at £350, the price was £320—that is £30 under the other—not the Land Commission refused to sanction more than £250 being advanced, although the valuation was only £1 less; and the land valuer who went down to value for the Commission only valued the tenants' interest, that is the purchase, at 1½ years, on the judicial rent, and the landlord complained very loudly about it.

1487. Sir James Caird.—The sale was at an end?—Yes, unless the landlord accepted 14½ years' purchase.

1488. Mr. Neligan.—The landlord would be selling one farm and have the adjoining farm still on his hands?—Yes, and I believe the two farms formed the whole townland. He sold one at £350, the other was £1 valuation less and they would only advance £250 on it, although the tenant agreed to give £320.

1489. The President.—On the ground that they did not think the security sufficient?—They would only sanction fourteen and a half years on the rental.

1490. Lord Midleton.—On the rental they themselves had fixed?—Which the Sub-Commission had fixed.

1491. Mr. Neligan.—Your experience as to the recovery of rent would tally with that of other witnesses—that no matter how fair the rent is; whether the landlord proceeds by eviction or by ejectment he is practically remediless?—Yes, so far as the tenant is concerned. I can give you a case on the property of Mr. Staughton. His rents, prior to the bad agitation, must have been pretty fair, for the Commission only reduced them by about 5 per cent, save on some few exceptional farms. The

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tenants paid very fairly until the beginning of 1885, then there was some difference about the March rent, he agreed to give them 50 per cent. reduction on the judicial rent on the March rent, 1885, and gave them a similar reduction on the September, 1885, and the March, 1886 rent—that is a reduction of 50 per cent. on the judicial rent—and I am informed by the agent that the tenants have paid practically none of the March rent, 1886; only about half of the September rent, 1885; and not more than three-fourths of the March rent of 1885.

1472. Would that be on good land?—That land is in North Kerry, which is looked upon as the most fertile portion of Kerry—very fair land, I should think.

1473. Sir James O'Shield.—I understood you to say that land from which a tenant had been evicted as other tenant could with safety take?—No, none.

1474. Can the landlord safely take it and farm it himself?—No, he cannot farm it with advantage; there would be every difficulty thrown in his way. In the first place he will get no one to care for him unless he pays very large wages and obtains police protection. Then there are difficulties in the way of purchasing and selling cattle. I can give you the case of a landlord—I don't care to mention names—the rent was £70 a year; he has worked the farm for two years; he has lost not only £70 a year rent, but he has lost in addition £160 in the working of his farm; there were no less than seven policemen engaged practically in protecting the caretaker, and you may put down the cost of these police to the county at nearly £160 a year each, that is £700, so that this £70 farm has cost the county quite £1,600 and the landlord about £300 in the course of two years, and that altogether owing to the difficulties and obstacles thrown in the way of working the farm.

1475. Then it would appear the landlord has no help at all for he cannot at all occupy his own land with any advantage if there is eviction?—Most assuredly he cannot.

1476. You speak of the desirability of having better farming and better stock?—Yes.

1477. Are the tenants as a rule men who have the means of buying better stock and carrying on better farming?—I don't think they are; as a rule they are poor people.

1478. As a rule they have not the means of being better farmers or having better stock?—I don't say better farmers, for they could work harder than they do—but I don't think they have sufficient capital to do justice to their farms.

1479. Another question arises on the small holdings where it was seemed to be intended that the residue should go to the landlord—would there be a residue on the small holdings?—None.

1480. Is there any objection to a tenant selling his interest in that country?—Yes, if he sells his interest to get over a difficulty with his landlord. In anything that involves relations between landlords and tenants there would be an objection to his selling his interest.

1481. Then the tenant himself would suffer very much on that account?—Well, I think practically he would.

1482. Really he would?—I think he himself entertains the idea that it is to his advantage; that at some future period undefined he will get the land for nothing—the longer he can maintain his claims on it the better in equity, according to his view, the better it will be for him.

1483. It is not the custom of the country to sell the interest and leave the farm?—Long ago it was, but not now.

1484. That is because of the fact that there is no purchaser?—Yes. Take the case of a man who is in no difficulty with his landlord; if he wishes to leave the country, with the view of bettering himself, he can sell his interest. But suppose there is a man who owes a year and a half or two years rent, for any reason you will, he needs to sell his interest, being forced thereby by the landlord, he cannot sell it.

1485. The President.—I will ask you one question about this boycotting of evicted land. I think you said it depends for its success on the possibility of outrage?—Yes.

1486. And if there was no outrage in the background these lands would be possibly taken?—Yes, but it would take some time to establish that feeling of security now.

1487. And that is the point to which people's attention should be directed—the putting down of outrages?—I don't say it would take a long time to put down outrages, but for the good feeling to be restored sufficiently to induce people to take evicted land.

1488. We had some evidence from Bellina that disorder had burst itself out?—No, I have heard.

1489. Have you any hopes that in a few years the same thing will take place in Kerry, and that the disorder will burn itself out, and the country become quiet again?—I hope so, but I cannot say I have any very strong hopes on the subject. I hope it will. I believe there is amongst the respectable portion of the farmers a great wish to have this system of intimidation and terrorism put down.

1490. But at present it looks as bad as possible?—It is very bad indeed. I wish to say before going that I hope I am quite clear on this point, that there does exist amongst the people a certain inability to pay the full rent, and I believe, as far as I have been able to judge, that the Kerry proprietors are anxious to meet their tenants as well as they can. At present they are anxious to meet their tenants in as fair a way as they can.

1491. Mr. Knipe.—And you say that that inability is caused by the low price of produce?—That is one of the reasons. I believe it to be caused by bad farming, and a succession of bad years has contributed by eating up the tenant's capital, and I should say also the effect of the National League teaching and the land agitation.

1492. And the increased quantity of produce we are getting from America is calculated to keep up the depression?—That is for an economist; I cannot undertake to say that.

1493. As to the agriculture of this part of the country—are they cultivating the land worse than they did a few years ago—are they neglecting it more and not paying so much attention to it as they did five or six years ago?—I am disposed to think so from what I have heard, but my own experience is so short I could not say.

1494. I suppose they were never very good farmers?—I should think not.

1495. Have the landlords as a rule offered fair reductions on the judicial rents?—Yes.

1496. And numbers of the tenants have availed themselves of the offer?—No, that is the difficulty—I find a great many landlords offering these reductions and very few tenants taking advantage of them. The tenants themselves allege they are not able to pay.

1497. And it is very poor land?—Yes, it is poor in very many cases.

1498. And you believe they are not able to pay in consequence?—I don't believe they are able to pay the full rent, but they are able to pay more than they are paying at the present moment.

1499. Lord Milnes.—Is it your experience that there is considerable drunkenness in your district?—In parts there is, in the Castleland district there was, but there is not so much now, as there was a mission there and it has stepped it.

1500. I am afraid, I am sorry to say, the effects of missions are not very permanent?—No, I am afraid not.

1501. Considerable drunkenness would account for a great deal of the poverty amongst the people?—I don't think the drunkenness exists to that extent. I don't think the people squander their means in drink.

1502. It must interfere a good deal with their attending to their business?—Of course, if a person is given to drinking he cannot attend to his business, besides it runs away with his money; but I don't

think they drink to that extent. At a fair a man may drink two or three pints of porter, and being badly fed that has more effect on him than in otherwise would.

1503. You say the League now are desirous of putting down outrages?—I think they would sooner see them stop.

1504. Are they desirous of putting down boycotting?—No, they advocate boycotting.

David Cunningham examined.

1505. The President.—I believe you are a tenant farmer?—Yes.

1506. Where is your tenancy?—In the Queen's County.

1507. You offered to purchase your holding, and the other tenants' also?—Yes.

1508. Will you give us the particulars of the estate?—An tenant on a small estate named Tirbhogan, consisting of 338 acres, and valuation £247 10s. on which there are ten tenants, I wish to offer myself to give evidence on the working of Lord Ashbourne's Act not being availed of by the tenants. The facts of the case are: This estate was purchased by George Jewell in May, 1840, for £4,000. It was offered for sale in the Land Estates Court by the trustees of John Jewell on 18th May, 1855, for which one bid of £4,050 was offered.

1509. Lord Milnes.—It was purchased for £4,000 in 1840?—Yes. This bid was given on the condition that the rental was true, the rental at the sale was £109 less than the published rental.

1510. It had been permanently reduced?—Yes.

1511. From what was it reduced?—The rent was £355, and it was reduced to £260.

1512. Was that a judicial rent?—No, that was under lease. This sale was on the 15th May, 1855, before the passing of Lord Ashbourne's Act. As soon as Lord Ashbourne's Act had passed, the trustees of the estate solicited the tenants to purchase their holdings under the Act, and they, the trustees, would carry the sale through the Land Commission Court, and it would facilitate the sale very much to the tenants if Mr. Warburton, the head landlord, and Mr. Smyth, a middle landlord, would consent to have their interest sold. On these conditions all the tenants agreed to purchase, and made a final offer on the 17th May, 1856. The offer was twenty years' purchase on the valuation of £247 10s., subject to the deduction of landlords' share of taxes, &c. This offer was to cover all interests, as head rent, tithes, &c. The amount of the offer was £4,950. We also made an alternative offer, in case that was not accepted, of twenty years' purchase on a rental to be fixed by the Land Commission Court.

1513. Twenty years' purchase on a rental to be fixed by the Land Commission Court, on the gross rental?—Yes, that was also to cover head rents, it was to free the estate completely.

1514. That was more than the other offer?—That would depend on the valuation put upon it.

1515. The President.—You never had a judicial rent fixed?—No.

1516. You had great confidence in the Commission?—We were quite well aware the judicial rent would never be more than Griffith's valuation, we were quite sure of that. The head landlord accepted the tenants' offer, as did also the middle landlord.

1517. Lord Milnes.—How many years' purchase did you offer?—We offered to give him two years' extra purchase on the head rent.

1518. Was he satisfied with that?—He was.

1519. Was it a large head rent?—£69 head rent.

1520. Sir James Caird.—Was the £247 part of the £69?—That was supposed to cover all the head rent. These parties having accepted our offer, I then wrote to the trustees, and from that date until the present I have never heard a single thing about our offer. Since

1505. You mean any overt act, such as murdering, and cutting, and wounding?—Yes, outrages such as personal outrages.

1506. Do they show any disposition to do away with boycotting?—No, it is one of their strongest measures.

1507. Or any desire to relax the enforcement of any portion of the unwritten law?—No, if they did that their power would be gone.

the commencement of these proceedings the estate has been put into Chancery, and a receiver has been appointed.

1521. Mr. Nelson.—Which interest, is it the head landlord's or the middleman's interest that is in Chancery?—It is the trustees of the estate.

1522. Of which estate, the head landlord's or the middleman's?—It is a peculiarly complicated estate altogether. The estate was Mr. Jewell's. He is dead, and the trustees wish to get rid of their liabilities by selling the estate. Then the estate could be sold more freely if the tenants had got the consent of the head landlord or middle landlord. A receiver was appointed, and we also had the matter before the receiver, but no satisfactory answer was given to the tenants. These proceedings have been going on for over twelve months. The head landlord and the middle landlord gave us an answer in a few days. We gave our solicitor instructions to write that we would withdraw our offer if we did not hear from them in ten days. We have since received a letter from them, and it is not a very satisfactory answer—that the £4,950 we have offered would only cover the head landlords' interest and leave them nothing.

1523. As I understand it, the estate is in the Court of Chancery?—Yes.

1524. And you are particularly fortunate in having Lord Ashbourne as head of it—to carry out the working of his own Act?—I think so, there will not be much difficulty about that.

1525. The President.—Then the Ulster Bank stepped in in some way?—We have been put to great expense from the delay of the trustees answering the tenants' proposal. The tenants have become tired and notified. The trustees of the estate acted as agents for the estate for several years after the death of the late owner. The estate appears to be heavily encumbered, the principal mortgage being held by the Ulster Bank. The letter which blocks the way states that the offer of the tenants is not sufficient to cover that mortgage.

1526. It has never yet been before the Commissioners?—No.

1527. You never got so far?—No; we wish to get the consent of all the parties before going before the Commissioners.

1528. Mortgagees and all?—Yes.

1529. Mr. Nelson.—It is a peculiar case—being under the control of the Court of Chancery, as an encumbered estate, you cannot sell without the leave and unless it goes into the Encumbered Estates Court, I don't see what anyone can do for you?—The only thing I would suggest is that where an estate is heavily encumbered, it should be sold through the court compulsorily.

1530. Lord Milnes.—Would you make it compulsory on both parties?—I think where the tenants have agreed to purchase, the sale should be made compulsory as regards the mortgagees where the estate is encumbered.

1531. Mr. Nelson.—The persons to be considered are the mortgagees—the Ulster Bank—practically speaking, they are the owners of the estate, and if they could see their way to a sale, they could go before Mr. Justice Monroe, and he would sell the estate?—Yes.

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1835. Lord Melbourne.—Suppose the mortgagee had a greater interest in the land than the owner, do you think it would be quite fair for the tenants to make an agreement with the owner who has no interest in the land, for a trifling sum to purchase their holdings, and to compel the mortgagee to sell, although the sum might be ridiculously inadequate—wouldn't that be making hush on the mortgagee?—But if the mortgagee has given more for the estate than it is worth, I don't see why the tenant is to suffer on that account.

1836. Is it possible the mortgagee might know

someone who is ready to give a higher price?—There is no one to purchase an estate in the country except the tenants.

1837. Do you mean that the mortgagee, if he is in possession, is not at liberty to sell to anyone if he gets a sufficient offer?—He is quite at liberty, but the question is, will he get a purchaser. There is one point more; Lord Ashbourne's Act does not cover the case of the middle landlord—that is: the interest of the middle landlord cannot be purchased under the Act.

The Hon. Mr. Justice O'Hagan examined.

The Hon.
Mr. Justice
O'Hagan.

1838. The President.—Judge O'Hagan, we have examined a great many of the Sub-Commissioners, chiefly on the question of the fall in the rent and the earnings of last year, and the evidence we got from them, pretty generally is that in the decisions that they gave quite lately they have reduced the rents about, some say 15 per cent., or 12 per cent., or 10 per cent., or something to that amount less than they would have done two or three years ago. I believe some of their decisions have come up to you on appeal, and we should be glad to know from you whether you think they were justified in doing this, and if the fall in prices has been such as to cause this fall in valuation?—Well, I don't think, my lord, that many of their decisions given during the last seven or eight months have come before us for revision. We had to deal chiefly with rents that were fixed from two to three years ago, and in these—in fixing these rents which were chiefly in cases of tenants' appeals we found that we had to make reductions which we would not have made two or three years ago. I think the figures of the change which we made, instead of averaging on the whole about 1 per cent. above the decisions of the Sub-Commissioners came to 2 or 3 per cent. below them. The reductions made in individual cases were often much larger, but I speak of an average which takes in the cases in which the decision of the court below was simply confirmed, and the cases in which there was one course or another the rent was increased as well as those in which it was reduced. We have not yet had many of the large reductions which the Commissioners made during the last four or five months before us.

1839. Any information that you can give us bearing on this point of rents having been fixed lower than they would have been when you began your work we will be happy to get?—I know nothing whatever excepting from the evidence in the cases before us. It certainly has appeared from that evidence that there has been a considerable fall in the price of produce. But we found great diversity of opinion, as might naturally be expected, as to the causes of that fall. It was attributed to various things. Chiefly, it was attributed to the importation from America both of corn and live cattle.

1840. Of course it would not be fair to fix values entirely on prices of one year. You would, of course, take an average of some years back?—We never dreamt of fixing the values merely on the prices of one year. It would be very unjust to do so, but if there have been one or two years of great fall in the prices those years of lower prices come into the average.

1841. And you take into account the value's idea as to the future?—With respect to the future very divergent opinions have been given. Several valuers have told us that in their opinion the fall was permanent, whilst others say they hope it will be got over, but on that we have been unable to form a definite opinion.

1842. But in fixing these values they looked either with hope or without hope, and that has influenced their decisions?—Certainly, more or less.

1843. I see from looking over the evidence you gave some time ago before Lord Cairns that you have always taken a great interest in purchase by tenants?—Yes, my lord.

1844. And you are very much in favour of tenants purchasing?—Yes; I have always been in favour of a very large extension of peasant proprietary in Ireland, though not of exclusive peasant proprietary.

1845. But enabling those who wished to become proprietors?—Yes.

1846. Did you consider at all the Land Purchase Act of 1835?—It has not come often before me. It has come once or twice on appeal, but I have sometimes conversed with my brother Commissioners, Mr. MacCarthy and Mr. Lynch, on the question, and it appears to be working very well so far.

1847. Have you anything to suggest to us which would be an improvement on the Act?—Mr. Lynch and Mr. MacCarthy could give you more satisfactory evidence on that point than I can; but so far as I know, I believe the locking up of one fifth is more or less of an impediment to those wanting to sell.

1848. Mr. Nelson.—Is that the opinion of Mr. MacCarthy and Mr. Lynch?—I think so. Of course you will hear more precisely from themselves.

1849. The President.—The point on which our Commission is directed to obtain evidence is whether the operation of the Act of 1835 may be expedited and extended especially in the congested districts by providing security through the intervention of the local authorities for loans advanced from public funds for the purchase of land. Has it ever struck you that anything might be done in this direction, or if the local authorities might be induced to intervene in this matter?—I have never met with anything that has satisfied me either as to the justice or expediency of such a course. A voluntary guarantee would not be given, and if it were sought to make the guarantee compulsory it would work badly. Again, with respect to the intervention of any association between the State and the buyer and seller, in the way of companies or land banks, I don't believe in it. I think the State ought itself to deal with the matter practically, but there would be very little hope of obtaining success by such intermediate machinery.

1850. I think you know what we are to inquire into chiefly and what the object of our Commission is. Is there any information, or any of the points or any suggestions you can make to us, or any statement you would like to make?—I don't think I have quite accurately before me the limits of the scope of the Commission. Does it extend to any amendment of the Act of 1831?

Mr. Nelson.—The Commission itself will tell you better. Give the judge the Commission itself (Commission handed to witness.)

1851. Lord Melbourne.—See the last paragraph?—I am entirely in favour of allowing leaseholders to come in. The details undoubtedly present some difficulties, but I think they are difficulties which may be got over; and I think there is a very strong feeling that the leaseholders have been hardly dealt with. There was a provision in the Act of 1831, purporting to give relief to a certain class of leaseholders, bound by leases which had been forced upon them after the Act of 1870, and which contained clauses unreasonable and unfair, having regard to that Act. Practically that provision has been worthless.

To ascertain not what is unfair in itself but what is unfair, having regard to the Act of 1870, is difficult in the extreme, and that has rendered the clause virtually worthless. I do think that some general relief should be given to the leaseholders, with respect to the amount of rent. I don't think the leases should be wholly broken, but power should be given to introduce such a change in the rent as the Commission or the county court judge may think the case requires. I may add that I think the question with respect to the extinction of lands not to be used wholly or mainly for pasture might be reconsidered. The decision of the Court of Appeal has held it down that apart from contract altogether, if the purpose of the letting was that the lands should be used as pasture, they were excluded from the Act. If this decision be extended to dairy farms it will work, in my opinion, great injustice indeed. The case of townparks, I think, may be also considered; but this is a question of considerable difficulty, because, undoubtedly, the giving of perpetuity in lands near towns may operate in restricting building and the extension of the town; and if townparks be admitted, there should be some power of resumption given on proper terms for purposes of building.

1552. On the question of townparks, Judge, I believe the decision is that unless the tenant lives in the town he cannot come under the exclusion?—That is clear on the Act of Parliament, and it has been lately decided by the Court of Appeal, that if at the time of the passing of the Act (24th of August, 1881), the tenant was living in the town, though he might be afterwards living on the farm, he is precluded.

1553. It seems to me somewhat unreasonable that one portion of land should be included, and another excluded, simply because the tenant happens to live inside or outside the town?—I think if a change were to be made in the law, that change might be made very much on the ground which your lordship points to; namely, not to exclude the land near the town although they will, of course, be rated at a higher value.

1554. Is there any size fixed by the Act which creates a town and a townpark?—There is no actual size fixed. It must be a town and not a village; but we are left to determine. I think something between 500 and 600 inhabitants has been the minimum, but then we take other features into consideration, for instance, if it be a market town, a town having fairs, if it has a police barracks, a hospital, or other marks which a superior town has. All these we take into consideration. It is a thing on which there is no hard and fast rule.

1555. But a place of 500 or 600 inhabitants has been determined to be a town?—I think so.

1556. Any particular area?—No, there is no hard and fast rule.

1557. At what distance from the town must the park be?—There is no hard and fast rule. The Act of Parliament says "adjoining or near the town," and then we consider whether the proximity to the town is such as to bring it within the clause. Every case of that kind must be decided more or less by common sense.

1558. Then you think this is a desirable arrangement rather than to have a fixed rule?—Oh, certainly.

1559. Well, with regard to the demand on pasture lands I don't understand why you say that enclosure would work great injustice?—Because, take for example dairy lands, a vast quantity of land in the South and West is farmed as dairy farms, and these appear to be no reason that I can understand that they should be excluded.

1560. What was the reason given at the time?—The passage was copied simply from the Act of 1870. The Act of 1870 dealt with compensation for improvements and for disturbance, and the Legislature did not think there was the same hardship with respect to disturbance in the case of pasture lands, and with regard to improvements that pasture lands were rarely improved.

1561. You may almost say the profits were enough?

—Then that provision was inserted in the Act of 1881 without, as I remember, much controversy in Parliament.

1562. These dairy farmers and graziers are a class for whom there is not much sympathy?—I don't think there is so much sympathy with the large graziers, but with the dairy farmers there is a considerable amount of sympathy.

1563. Kindly define these dairy farms?—Farms where butter is produced.

1564. One of the causes given for the difficulty in paying rents has been the increased price of labour. That would not hit the grazier?—No. The difference between a dairy farm and one of those store farms is as great as between a store farm and a tillage farm.

1565. I suppose you would hardly hold that good grazing land is less valuable now than over it was?—I have not much personal experience. I can only know what comes before me as a Judge.

1566. When vast fortunes were made in these grazing districts prices were as low as they are now?—I have heard that said. The prices of stock were as low, but there have been changes in the habits of the people. One change which I believe everyone will rejoice in is that the people live better. Also the price of labour has increased.

1567. That does not affect the grazier?—I am only speaking of the grazier?—I am very glad that the farmer should live better if he does not do it at other people's expense. With regard to the admission of leaseholders to the benefit of the Act it is generally admitted that one thing they have derived from it is a considerable benefit. They have got rid of the covenant of surrender at the termination of the demise—a very important thing. However, should you give the opinion that both parties, landlord and tenant, should have access to the Act?—I spoke of the difficulties, that difficulty with respect to reciprocity is a very great difficulty, and if that principle be adopted, it might be well to take some period, not to go back, say, beyond 1845 or 1846. There were a few onerous leases before that, but the most onerous leases were made after the passing of the Act of 1870. If you took such a period you would find few leases which the landlord would have an interest in breaking.

1568. But during the Peninsular war there were leases given at enormously high rents which the tenant cannot pay, and it is the custom on these estates for the landlord to give remission as a matter of course, but the tenant is absolutely at his mercy?—That might be the case as to leases made at the time of the war, but I don't think many of them now exist. I have not given attention to the subject in the exact way of legislating upon it, but I always saw that the great difficulty would be the demand for reciprocity.

1569. Should you confine the benefit to the occupier?—Oh, yes, certainly.

1570. What would you do with the middleman?—The middleman has been made the sufferer, and I don't think that much can be done for him.

1571. What if he has to pay a larger rent than he gets himself?—That is a very hard case, and we have always felt it to be so.

1572. It seems difficult, however, to understand how you can save the middleman and do justice to the tenant?—It is very difficult.

1573. It is rather hard if the tenant is entitled to a reduction that he is not to get it because his landlord is a middleman. Do you think you could meet the case by giving power to the middleman to surrender his lease?—I think so. The limit of the injustice would be the wiping out of his profits. You would not leave him under the injunction of paying more than he was getting himself. I may add that, as every lawyer knows, if the middleman be an assignee of his lease and not the original lessee, he can get rid of his liability by assigning over.

1574. And you would also have this advantage that you would get rid of the middleman, which is a very desirable thing, principally with a view to land pur-

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chase?—Certainly, because the middle rents are a great obstacle to the power of purchase.

1575. Mr. Neligan.—That would have been met by the power of surrender?—That would follow as a matter of course. If you wipe out the middleman's profits, he will give up the property if the power is given to the Commissioners to state that he was not to be subject to rent.

1576. Lord Milltown.—You state one of the difficulties in the way of the Purchase Act working was the topping off of the fifth part by way of security?—So I have been told.

1577. Mr. Neligan.—Can you suggest any other way by which the State would obtain anything like adequate security for the advances?—No, I can not. I can only say that the State would have to face the chance of loss. However, the landlord getting the entire of his purchase money, and not having it locked up, might be disposed to sell upon cheaper terms.

1578. The President.—I am afraid that anything which lessens the security in the smallest degree would make it much more difficult to pass the Act?—It would, of course, but I certainly never read or saw anything that would induce me to believe in the efficacy of a local guarantee for the purchase.

1579. Mr. Neligan.—It might make some people pay for another man's estate?—Of course.

1580. Lord Milltown.—And I believe, judge, it would be almost impossible for you to get them to consent to it?—Impossible.

1581. With regard to these reductions which have recently been made in the judicial rents, so far as your tribunal is concerned, the reductions have been about three per cent. more than they used to be?—Instead of increasing by one, you have reduced by two?—Something like that upon the average of the entire, as I have explained.

1582. May I ask how you arrived at that conclusion?—We are guided by the evidence, and we had before us valuers who gave us their opinion with respect to the value of the farm, and whether they value these lands less than they would have done two years ago?—They were asked, "Do you give the depreciation of these years as the standard of a fair rent for fifteen years to come?" some of the valuers said they did, others said "No." But if you take an average of years the present depression affects the averages.

1583. Did you form your judgment entirely on those facts without any looking forward into the future at all?—We might try to look into the future, but we have got so little light that any present forecast might be misleading. Some people tell us we have no hope of things getting better; others say if trade improves, if there comes a sudden resuscitation of industry in England and America, prices in Ireland will rise to what they were before. It is a matter of opinion, but how can any human judgment form a confident opinion.

1584. But should those who anticipate a brighter future be right, your rents will not be fair, and if they should be wrong, then your rents will be fair?—No. If the old high prices come back rents now fixed may be too low, but if the present fall continues they may, on the other hand, be too high.

1585. The President.—You say these decisions which you are now revising are about two years old?—Mainly so, and I think they are mostly on tenants' appeals. The landlords during the last year or so have very largely withdrawn their appeals, but wherever there were appeals, either from tenants alone or from both landlords and tenants, the tenants have allowed their appeals to remain to be tried, so that in many cases in which rents have been reduced the tenant was the appellant. In the beginning, the persons who chiefly complained of the decisions were the landlords; now the tenants have become the persons who largely appeal.

1586. It is your principle to reduce it by three or four per cent. You seemed to imply that the change

from what it was two or three years ago to what it is now would amount but to no more than three or four per cent. less?—By no means, my lord. It is not matter of principle; it is a result of averages. The change would be very much more than that if we merely decided on the present depression and did not take averages. Supposing, for instance, an average was taken for fifteen years back, and that the average did not include those years of depression, then the rent on that average would be something higher than it would be on the same number of years, including the years of depression.

1587. Because the Sub-Commissioners told us they made decisions of about ten per cent. reduction?—Of course, they may be perfectly right. It is to be remembered that I speak of reductions made by us on appeal on the rent fixed by the Sub-Commission, not of reductions from the old rent. In many cases we have reduced the judicial rent by ten per cent. or more. The three per cent. I spoke of is on the average of the mass of cases.

1588. Mr. Neligan.—I understood you to say that you were strongly in favour of peasant proprietary, but not of exclusive peasant proprietary?—No, not exclusive.

1589. You would regret the expropriation of the resident educated gentry as a loss to the country?—I should think it a matter of regret if all that class, without exception, were lost to the country.

1590. Have you ever considered the period of fifteen years—whether it would be better to lengthen or shorten it?—It would only be in case of great fluctuation of prices that I would shorten it. Fifteen years is short enough, generally speaking. I should be sorry to alter the time at present.

1591. Mr. Keizer.—You say you would be in favour of admitting a certain class of leaseholders to the benefit of the Act?—Yes, I would be, and I think, if I do not mistake, that the Commissioners as a body represented to the Government not very long after the commencement of the operations of the Act, the limited scope and difficulties of the 21st section, dealing with leaseholders.

1592. How many years do you propose to go back?—That is really a matter of detail. What I suggested was going back to the year 1865 or so. Lord Milltown mentioned what is certain—that there are some very serious losses made during the time of the Parnellian war which might be included.

1593. Would that affect Trinity College leases that are in existence? Are you aware of the number of Trinity College leases there are?—I don't know about Trinity College leases. They are in perpetuity, and are governed by different principles. I think they ought to be legislated for by distinct legislation.

1594. And also those perpetuity leases that were changed into *fee simple* leases at the time of the passing of the Church Act?—No doubt. But those were venerable leaseholds that were conferred long before that. But undoubtedly the *fee simple* church leases were changed into perpetuity.

1595. But at any period you would fix it would not affect them in the least?—No; they would have to be considered separately.

1596. Mr. Neligan.—They might be dealt with as a distinct class?—As a distinct class. You are aware that they have been dealt with as regards payment by the Act of 1885, and the payment has been spread over a larger number of years. But I think those cases should be dealt with separately.

1597. Sir James O'Donnell.—You said, judge, that you were in favour of a large extension of the number of proprietors, but not exclusively of tenants?—What I meant was a large extension of the number of peasant proprietors, but not to make Ireland a country of peasant proprietors exclusively.

1598. Under the Act are outsiders permitted to make a purchase—men who are not tenants?—No, not under the Act of 1885.

1600. So that you cannot introduce them?—No, except in this way, that if the Land Commission purchases land in order to sell it to the tenants, and if there be a residuum that they cannot sell to tenants, then they are empowered to sell to the general public.

1601. But as the Act stands, the land can only be sold by the landlord to the existing tenant?—Yes.

1602. Do you think the local authorities would be disposed or not to become responsible for the payment of the instalments?—I don't think they would.

1603. Lord *Millsom*.—Not the solvent ones, certainly.

1604. Sir *James Caird*.—Speaking of dairy farms, it is necessary that the farm should be part arable in order to come under the benefit of the Act?—The Act excludes "Holdings let to be used wholly or mainly for the purposes of pasture, and which are valued at over £50 a year according to tenant valuation," and even those valued at £50 or under are excluded, unless the tenant resides on the farm, or uses the farm in conjunction with that farm on which he does actually reside.

1605. But then a dairy farm must have some arable land?—The Act says "wholly or mainly."

1606. But if there is no arable land, will they be included?—If it is mainly of pasture, then a small amount of arable land will not entitle them to be included.

1607. Then, practically, a dairy farm which has a sufficient amount of arable land to provide food for the stock would be excluded?—Well, we hold that it is not excluded, but the question is before the Court of Appeal, and whether our decision will be upheld or not, we don't know.

1608. It is quite different from townships?—Quite different.

1609. Dairy farming is a recognised occupation?—Yes, it is.

1610. And you think it should be included in the Act?—Certainly I do.

1611. The *President*.—Can you tell us what proportion of the land throughout Ireland are these pasture lands and dairy farms?—Indeed, my lord, I do not remember, but it is a matter of statistics easily found out.

1612. Sir *James Caird*.—With regard to the one-fifth reserved in the purchase of land from the landlord, is not the security strengthened so far as the Government is concerned by the value of the tenant's interest, which will be added to the landlord's interest for sale?—Certainly, and I think it ought to be taken into account, and we to some degree took it into account in working the purchase provisions of the Act of 1881. We considered that the Act of 1872 amending the purchase clauses of the Act of 1870 enabled us in some cases to do so.

1613. The tenant's interest is usually held by lenders of money and such?—In some cases.

1614. So that if it was a valuable interest, the general public would suffer very little?—I think so.

1615. It is quite clear from what you have said, and the evidence that has been given to us, that the recent fixtures of rent are considerably lower than they were in 1880 and the first three years. Now what is to be done with those tenants whose rents are fixed at the higher terms?—I would rather you would not ask me that question. It is a matter for the State.

1616. You see the difficulty?—I do, indeed.

1617. They must be left, I suppose, like any other tenants who have not judicial rents, at the mercy of

the landlord?—Their case is one for consideration, but as to legislation I would not like to give any opinion.

1618. With regard to the emigration clause, do you administer that?—We have no business whatever with emigration.

1619. Have you the power?—No; we have nothing to do with it at all, except under one section, which has been wholly inoperative.

1620. May I ask if it would be desirable that you should have the power?—I think there is a clause in the Act of 1881 giving the Land Commission, in case any body or corporation applied to it, power to make advances, not to individuals, but to make advances to some body or corporation for purposes of emigration, but it is a dead letter.

1621. Was that in your court?—It was, and it was a perfect dead letter.

1622. Why was it a dead letter?—There was a strong public opinion against emigration. This is the clause, the 32nd section of the Act of 1881. —

"The Land Commission may from time to time with the concurrence of the Treasury, and on being satisfied that a sufficient number of people in any district desire to emigrate, enter into agreements with any person or persons having authority to contract on behalf of any state or colony, or public body or public company, with whose constitution and security the Land Commission may be satisfied, for the advance by the Commission by way of loan, out of the moneys in their hands, of such sums as the Commission may think it desirable to expend in assisting emigration, especially of families and from the poorer and more thickly populated districts of Ireland. Such agreements shall contain such provisions relative to the mode of the application of the loans and the securing and repayment thereof to the Commission, and for securing the satisfactory shipment, transport and reception of the emigrants, and for other purposes as the Commission with the concurrence of the Treasury approve." Then we framed the rule. However, there were no applications made to the Commission under section 32. Rule 100 says:—

"Where any application for the purposes of assisting emigration is made to the Commission, under section 32 of the Act, full particulars shall be given, as to the security proposed for repayment of such advances, and in case of the application being made on behalf of any public body or public company, the constitution of such public body or public company shall be clearly stated, and copies of the Act of Parliament, charter, memorandum of association, and articles of association regulating the same shall accompany the application." Nothing ever came of it.

1623. But it is not your duty in court to initiate the thing? There must be an application to you?—We cannot move without an application, and that application must come from a duly constituted authority.

1624. And nothing of that kind has arisen?—Nothing.

1625. How long has that been in existence?—About five years.

1626. Would it not be applicable to some of the congested districts in the West?—A gentleman had some interviews with us with regard to that matter, but it fell through. There was no sufficient public body with which to enter into an agreement.

1627. It is open still?—Yes; it is open still.

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Mr. Charles G. Grey examined.

Mr. Charles
G. Grey.

1627. The President.—I think, Mr. Grey, you are chief valuer to the Commission appointed in 1881?—Yes.

1628. And you can give us some information with regard to the reduction which there fairly ought to be made in rent now compared with what it was two or three years ago?—I was appointed valuer to the Land Commission for the purpose of inspecting and reporting upon farms in which there were appeals against the Sub-Commissioners' decisions, and that came to be so very extensive a work that a number of colleagues were appointed with me, who were under my direction and supervision, and worked with me until I had ten witnesses at one time, and my business was then not only going out and inspecting the farms and reporting on them myself, but to have all these men working with me, and as far as possible, working with unanimity. I have had to lay out the work and examine the reports which they put into my hands, and by constant intercourse with these, myself and my colleagues got into the way of valuing pretty uniformly. Then as work fell off they were discharged, or their services disposed with, until there is only left myself. There is no inspection now in cases of appeals unless there happens to be a case of an appeal in which the Commissioners are not satisfied with the evidence in court, such as whether it is a mountain farm or a horse farm, or such evidence. They sometimes send me down to make a special report. Then again there are rents fixed by arbitration, when two valuers are sent, without going to the Sub-Commissioners at all, and then these valuers fix a rent which is final so far as it goes. Now when there is only myself left when these cases occur, the Commissioners call in one of my old colleagues to go with me on that special service. Then there is the purchase which is going on. The Purchase Commissioners have a number of inspectors in different districts, but they frequently send me to special cases in different parts of Ireland. That is the chief work which remains for me.

1629. Then you have had to fix the value of farms up to quite lately?—Up to quite lately, yes.

1630. And you think now when you go down to value a farm you would put it at a less rent than before?—I think I should, my lord. When we knew the times and circumstances, we put a less value on some kinds of land than probably we would have done two or three years ago. The present valuation is a matter, I think, if you go strictly into the figures, on which different men would bring out very different results, and the principle on which we acted was (and we were all practical farmers who had been for many years at work, and some of us very young men, comparatively speaking) we considered the rents which we fixed upon certain qualities of land were such as men who knew something about farming and could live by it should pay. With that knowledge, for the last year or two we have put less per acre on land than we would have done some years ago.

1631. When you valued two or three years ago you had, no doubt, expectation of some depression?—I certainly had not. For my part, however, I thought we had seen the worst, and I looked forward to a revival. My idea was more from a revival in trade than from legislative measures. With such a revival all the imperious cattle that come into this country would be merely a usefulness in the north of England, if all the people were at work, and I think if the ship works at Glasgow and the fisheries in the north of England were in full working order the effect would not be to make the raising of meat in this country unprofitable. With this view I always looked forward to a growth of prosperity in this country, and I did not anticipate a fall such as now.

1632. Do you think farms have fallen more in the

part of Ireland than another?—Do you mean within the past two years?

1633. Yes?—Well, I can hardly say one part of Ireland more than another, but I can give districts. In many places the men are reduced to this pitch that they will merely grow what the land will grow without help. We all know that if you don't make head grow greater quantities than it will in a state of nature you could not live at all. I could not pay my rent at all if I did not make the land grow more than it would under ordinary circumstances.

1634. What would be the difference between the value of land now and what it was two or three years ago?—That is a question I would have some difficulty in answering. I have been on farms in the South and West, where I could not see any way of making the rent at all, and if you take this year the fall on such farms would be 100 per cent. Then store stock is going down in price, there is a better margin for prices of buying store stock to feed, and in their case you would not take so much off as for those that go in the other direction.

1635. You hope it will not be permanent?—I hope not, but I don't see my way through it. Some farmers cannot make good better either.

1636. Lord Midleton.—Do you mean can't or won't?—Many of them have not the necessary appliances. You may say a man won't if he does not take the opportunity of obtaining the knowledge necessary, but in the present state of knowledge and the appliances on a farm then I should say can't.

1637. The President.—Do you think it would be possible, if found necessary to change the law, to establish a sliding scale of rent according to the prices of produce?—I have not seen anything which would satisfy me of a thorough sliding scale which would apply to all farms. One district may depend on the price of corn, another on the price of beef, another on the price of butter and young stock, they don't depend on the price of beef or mutton. I think it would be a very difficult thing to fix a scale to apply universally by Act of Parliament.

1638. I suppose in fixing prices soon after the Land Act was in operation you had in view the probability of there being a considerable fluctuation during the next fifteen years?—Naturally we had, but we did not anticipate things being very much worse. I recollect having sold stock at lower prices than now, but not for a long time—wool so low, sheep so low. I have known better to be almost as low as it is this year. At present I don't see any way to make profit besides paying the rent.

1639. Can you tell me whether the value of tenant-right has fallen much?—I can only judge by going about on appeals and hearing people talk, and I am inclined to think that tenant-right—what we used to call “good-will” in the South, for that is practically what it is (it is just what a man will give for a land, taking the improvements which may have been made by the tenant or landlord, as it is), would not sell for what it did; I don't think anything like the price would be given now as I remember was given twenty years ago.

1640. Lord Midleton.—Is that in the North?—(Not answered.)

1641. The President.—Or even three or four years ago?—Or even three or four years ago. I was not intimately acquainted with the system of tenant-right in the North until 1881, when I took this matter up, and I took great pains to inquire into what tenant-right really means. Well, from the Northern witnesses—experts in tenant-right—I have heard they have a good many different ways of calculating it. I certainly have never seen through them, and in many cases I have asked farmers “Why do you give so much for this land? it is not worth half of it, you add so much to your rent?” But there was always a reason for it, and in many

cases it was simply an anxiety to get land in competition, and I believe the price was naturally fixed by the ability of the man to pay or borrow, or the rashness with which he bid for the land. That is the conclusion I have come to, but at present there are many cases where land would not sell for anything like what it would a few years ago.

1642. *Mr. James Cahill*.—Tenant right!—Yes, tenant right. That is simply the information I have got. I don't know anything about sales.

1643. *Lord Milnes*.—You are speaking of tenant right in the North?—Yes, actual tenant right.

1644. *The President*.—How, down there in the South—do they give as much as they used to?—In a few cases, of course, if men have money some will give anything for it.

1645. Have you turned your attention to the purchase by tenants of their holdings?—Yes, my lord. I know of cases where tenants are anxious to purchase under the present Act.

1646. They are anxious?—I know of many cases in which they are very anxious.

1647. Do you know of any obstacles in their way—any facilities which might be given them?—In the cases to which I allude I don't know of any obstacles, but in some cases there is the difficulty of finding the deposit.

1648. *Mr. Nelson*.—You speak of the guarantee deposit?—Yes.

1649. *The President*.—On the part of the landlord?—When the landlord has to give the fifth. I have known of cases where the tenants have laid down the fifth themselves, but such cases are few—few men could do it.

1650. Do you think that fifth could be done away with and yet leave security to the Government?—I think where the instalments would be low enough the security would be sufficient, but you will always find tenants who are improvident or poor, and whose holdings would not be a very good security for the sum advanced. In other cases I believe a large farm would be security in itself without any dependences upon others, and it has occurred to me where the tenants on a townland, taking it as united, if they were anxious to purchase, and supposing a small minority of them were in such a position that the Land Commissioners did not think their farms were security, then the Commissioners might take the security from a body of tenants on the townland, in fact, sell the farm to the occupying tenant, subject to the reversion of it, we may say, to the club of other men if he did not pay. Because the difficulty is this. If one farmer does not pay up his instalments the Commissioners are brought into conflict with that man by selling out his estate, and this is a very difficult position in which to put the Commissioners.

1651. That leads us to a point which has been referred to, amongst others, very strongly, namely, whether the operation of the Land Act of 1885 may be expanded or extended especially in the congested districts, by providing security through the intervention of the local authorities, for loans advanced from public funds for land?—I should have great hesitation myself, I confess, in bringing the local authorities in. I should much rather have the voluntary combination of the tenants of a district or townland to make themselves responsible.

1652. By the security of one another?—Yes. I cannot see if the landlord makes a bargain with his tenants, and they choose to buy at a higher rate than they otherwise do, to get an immediate reduction, that the people of the district should have any responsibility at all; let if the tenants in any townland, or any area which you choose to fix, when they are anxious to purchase and the Commissioners think that one or two of them don't give sufficient security, and the tenants say—"Well, we will all be responsible for this,"—if these men fall and the places have to be sold, then the others will fall on the neighbours who go security. Then the Commissioners will not have to do the very dis-

agreeable dirty of compelling the sale of one particular holding. I don't see any way of bringing in the local authorities.

1653. You don't see any way of doing it?—No. You see the local authorities are brought in under the Labourers' Cottages measure, and I don't see why people should be further burdened in the main.

1654. *Lord Milnes*.—What were the prices at the time you commenced, do you know?—Well, I did not come prepared with any statistics. There was a great import at the time of American meat.

1655. You said just now that you thought three years ago that you had reached the worst?—Well, I did. We had had a succession of bad seasons just then, and I looked to see a revival of trade after a period.

1656. But don't you look to that now?—Well, I do. I hope for it.

1657. Do you think we have not reached the worst now?—I hope we have.

1658. In this year worse than last year?—Oh, it is. I have taken the opportunity of talking to farmers, and they state that this was the worst year they have had. Yet there is no doubt the corn crops are abundant, but in many places they are badly sowed.

1659. But there is plenty of time to save them?—Oh, no.

1660. The chief crop in Ireland is oats. Are you prepared to say that they are not good?—The crops on good well-farmed lands are good and large.

1661. Are they not better than last year?—There is not so much straw.

1662. Is there a better oat crop than last year?—I am not prepared to say that. I have been through districts where the oat crop is a miserable one, and here and there you will see places where the oat crop is a splendid one. Of course it is something the same every year, that on the very same land you will get a good farmer who has good crops, and bad farmers who have miserable crops.

1663. In what other respects is this a worse year?—Store stock is lower.

1664. Is that your experience?—Yes, it is.

1665. But where farmers bought cheap early this year they got much the same profit as formerly?—Oh, yes; but this year they bought in a falling market. The question is whether they did make a profit. I only speak from my own knowledge. I know a man who bought a lot of bullocks at £14 10s. last May, and took them over to Northumberland lately and sold them for £18. I also saw the case of a bullock for which a man was offered £15, but refused it, and sold it the next year for £16.

1666. But, supposing they bought stores at £6 last winter or spring and sold them out in August or September at £10 or £11 would he not think that a fair profit?—I don't think many did that.

1667. You are aware that this was a good year for grass?—It was a good year for grass. In that respect it is not a worse year than last year.

1668. That is rather an important point?—Yes.

1669. And stores being low is not a disadvantage to the grazer if he wanted to buy them in?—If he wants to buy them it is not. But graziers, I don't think, get more than 50s. a cow for good beef.

1670. But does not that pay them if they bought their stores for £6 or £7?—Yes, if they bought them in the spring, but take another view of the case. Many people sell off before they are fat, as well forward stores, and these are selling worse now than they did.

1671. As a matter of fact the prices averaged at the last Ballinacree fair were quite as good as at the fair of last year?—That I don't know. I only know from newspaper reports.

1672. And the prices of sheep are considerably more?—The prices of sheep are more, certainly.

1673. The price of wool is better?—Certainly.

1674. Do you consider these things of no importance in Irish farming?—I do not, certainly.

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1675. And how do you reconcile these facts, the statement that this year is worse than last year?—Well, people are able to get a higher price for sheep when they are scarce, but what if a man goes from fair to fair and cannot sell at all, as I saw last autumn—the autumn of last year in Cork.

1676. I am speaking of this year. I know last year was a disastrous one. What other articles of produce do you say are so depreciated in value this year?—Better.

1677. Is not the price of butter better than last year?—It was not in summer.

1678. I say now!—I don't care about now.

1679. What is the price of butter now?—I don't know.

1680. Now, speaking from the point of the valuation of land, why do you say you don't care about the price of butter now?—Because nearly all the butter is made in the summer here, and directly the autumn comes on and the weather becomes cold the produce of butter falls off, so that the increase of price is of no assistance to the farmer who has been making his butter in summer.

1681. Is it the custom for farmers to sell their butter so soon as it is made, or to keep it until November or so?—It is the custom with needy farmers to sell at once.

1682. I thought it is the custom of farmers to keep their butter until October or November, and sell it then?—Some large farmers do so, but in my experience only a few of the large farmers.

1683. I am told it is not the experience of many. Well, passing from that; you acknowledge that butter is not lower, by-the-by?—Oh, I don't say it is not lower.

1684. Stock is much the same, but there is this difference, that whereas last year they bought in a dear market and sold in a cheaper one, this year they buy in a cheaper market?—That is to the advantage of the farmer. It is always better for a farmer to be buying in a slightly rising market than in a falling one. The cause of much of the misfortune of late years was that we were buying in a falling market.

1685. Well, with regard to the other products of the Irish farm—straw, hay, pigs?—Pigs are lower, I think.

1686. Not higher? I was told they were?—Oh, I will not argue on this point if you have the statistics. I was told the other day that pigs were lower this year than last, and lower than they had been for many years.

1687. I believe you are valuing land at lower prices now than you did last year?—Yes; but if a farmer can make no profit this year, I cannot take upon myself to recommend the Commissioners to let a farm for nothing—I cannot say "better let it at no rent at all, because I think the tenant will make no profit this year."

1688. Oh, certainly not. I did not say you should. You asked me if I was valuing land according to present prices.

1689. No. I asked if you valued land according to the prices of this year and last year. I asked you did you form your opinion from the fact that pigs were less now than last year, and that butter was also falling off?—I have taken no such thing. I took in barley and oats.

1690. Do you believe oats have fallen?—I am informed so.

1691. And you know that oats are a good crop?—Yes.

1692. Have you any idea of what oats are selling for?—They are selling, I believe, at 8s. a barrel.

1693. That would make about 9s. in a market town?—I don't know that it would make so much. Barley is not going. I sent some barley into Ennis-cordly town lately to a man who buys pretty largely and he said he had not given more than 8s. a barrel during the year, but he gave me 10s. for mine because it was much superior.

1694. But as a matter of fact the oat crop is a good one you say. It is selling in your neighbourhood at 8s. a barrel, and that would represent about 9s. in three months time. Are you under the impression that that is a lower price than last year?—I think it is.

1695. Are there any other products you can mention in which you think there has been a fall, are there any sheep in your neighbourhood?—Oh, yes, and they are going up. I have paid more for lambs this year than I did last.

1696. Are you aware that at Smithfield market yesterday beef was selling at 55s. to 63s. a cwt.?—I am not, and I think that is not at all a bad price.

1697. You don't consider that a bad price?—No.

1698. Rather better than last year?—I am quite sure that last Easter I got 70s.

1700. I suppose you agree with me that if there is a revival of trade prices will go up?—I am perfectly certain they will.

1701. And you don't attach very much importance to the importation of American beef?—No, not if all the English articles were in full work. I don't believe it would bring prices down so low as not to pay for feeding beef.

1702. So that a revival of trade in England will upset all the calculations upon which you thought it necessary to lower the value of land here?—I think so.

1703. You say the price of tenant-right has gone down in the North?—I have only given you my opinion as formed from conversation with farmers and others. I have no data to go upon.

1704. It might be a surprise to hear that alone to me in the County Wicklow, £400 was given for a little holding, the letting value of which was £24 a year?—Nothing would surprise me. I don't think that is a criterion. I have seen the most preposterous prices given for land which was run out. I have seen enormous prices given, simply to get hold of the land, by some men who had money. I don't take any occurrence like that as a criterion at all.

1705. If that is nothing very extraordinary in that district, should you not consider it as an indication that tenant-right was very valuable?—No, I should require to know the circumstances. It might be that a man's father had the place, and that he had been in America and got money. I have got used to such prices, and I place no reliance upon prices given for tenant-right unless I know the circumstances.

1706. I don't wish you to, but I understand you to say that there has been a reduction in the price of tenant-right?—I have heard it.

1707. Has it come under your personal observation?—Only in this way; as to what would be given for land, judging from the conversation of neighbours. That is the only way you can get an idea, unless the land is put up for auction.

1708. Mr. Nelson?—I don't gather from you, Mr. Grey, how much you would fix now below the value you would have fixed, say, in September, 1885?—I have not reduced it to anything accurate.

1709. Have you compared the rents you fixed this year with those you fixed last year?—Yes.

1710. And on an average how much have you fixed rents at this year as against those of last year?—Is the difference appreciable?—Oh, yes; it is quite appreciable. I know a case where I should think it was valuing again I would put it probably 15 per cent. below what I valued it at two years ago.

1711. Fifteen per cent.? And I suppose you fix your rents upon an average of previous years?—I have done so. As I said already, I have not valued much this year, but in valuing, on this year's value, I have merely taken this year as an element—as a disturbing influence.

1712. But to go and buy this way you must know a number of years?—You must take a number of years.

1713. How many years have you been at it?—Oh, I should not like to go more than five years.

1714. Taking the results by quinquennial periods, you think the value of land has been brought down by 15 per cent.—I think so.

1715. Sir James Caird.—Fifteen per cent. on previous reductions?

1716. Mr. Knipe.—Can you say to the President and the Commission what it is proposed should be done with the tenants who were unfortunate enough to get their rents fixed during the early part of the working of the Act?—No. I hardly want to take upon myself the responsibility of legislating in that respect.

1717. Their rents must be exceedingly difficult to pay, taking into consideration the great fall?—I know many cases in which they are very difficult to pay—men who have no capital to fall back upon and who are working from hand to mouth, and they find it very difficult to meet the rent. In fact, there are many cases in which they cannot make the rent nor anything like it.

1718. And on some farms, according to your evidence, the rents would be fixed about 15 per cent. less now?—I may state that, generally, I am only taking this year, as Mr. Nelson says, as a disturbing influence upon the average.

1719. That would be on all rents fixed from 1881 to 1885?—I suppose so. There was a small fall in prices in 1885, but we did not take it in all at once, thinking it might be only temporary; but the Land Commissioners began in 1885 reducing to a greater extent than they did before. But, of course, you have the statistics more accurately than I can state them.

1720. Yes. It has been said in September, 1885, you commenced to make the increased reductions?—Yes.

1721. Well, that was caused—the pressure was entirely caused by the reduced prices of produce?

Lord Milltown.—What was caused?

Mr. Knipe.—The reduction—

1722. Witness.—The reduction made by the Land Commissioners? I imagine it was.

1723. Mr. Knipe.—On the fall in produce?—Well, it would be sufficient for them to know that there was a fall in prices, but I don't know whether the cause of that fall was an element in their calculations.

1724. You are a farmer yourself?—I have farmed occasionally for the past thirty years or so.

1725. You are pretty conversant with the prices of cattle?—I cannot say exactly that I am. I don't go so much to fairs, but I inquire the price.

1726. Lord Milltown appears to be under the impression that this is a much better year than last. Is that your opinion?—I certainly do not agree with him.

Neither do I.

Lord Milltown.—He says it is a worse one.

1727. Mr. Knipe.—I perfectly agree with him. (To witness.) Are oats lower than last year?—I cannot say. I am not a great dealer in oats. I use a great deal and I sell the remainder that I grow.

1728. Looking over the newspapers, is it not a fact that they are lower than they were last year?—That was my impression.

1729. And, so far as butter is concerned, is it not a great drawback to the farmer to have so low a price given for his butter?—Yes, certainly, it is, and he is losing a great deal, because the Irish farmer makes his butter in the spring and summer, and except some large farmers who make large quantities and where it is his to sell right off. The butter made by the ordinary farmer is not more than third quality and I know, as a matter of fact, that it has been selling at 6d. per pound all through the summer.

1730. During summer? And the only visible rise is during the past six weeks?—Yes, but I don't mind that. They have not the butter to sell. The men

who are looking for their rents are the men who have sold their butter.

1731. It makes very little difference to the farmer now whether it rises or falls?—Very little, indeed. Of course the men who are able to store butter can speculate.

1732. Have you any idea about the price of wheat now?—No, I don't know much about it.

1733. It is not much cultivated in your district?—No, very little.

1734. Do you know anything about the price of potatoes?—No, I cannot say I do. I have not seen potatoes selling, but I know where I have been in the South and West, the crops are very poor. In Clare for instance, with between oats and potatoes there is not much more than will keep the families during the winter.

1735. Will you be kind enough to give us your idea of what would be the average produce of oats per statute acre?—Take a good farm in the county Wexford and you may get twenty barrels; on a bad farm you may only get six or so. I know down in Clare where I was I considered the crops of oats very bad. Here and there there was a splendid crop. Down by Coolatin, at Lord Fitzwilliam's place, you will see grand crops, and very bad ones close by.

1736. Would about 12 cwt. the acre be a good average?—Well, that would want calculation.

1737. Do you know anything about flax in your district?—No; nothing except what I have been asking farmers.

1738. Do you know anything about the price of hay?—I believe it would be very low, but that is in part because it is abundant, and partly because it is so very bad.

1739. And so far as you know, pork is low?—Oh, the people who sell pigs say so.

1740. And will you be in a position to give Lord Milltown proof that tenant-right is going down very much in the North?—Well, that is a thing for you to get proof of from agents and others.

1741. With reference to these leaseholders, will you tell the President and Commission what you think ought to be done with those leaseholders whom you say have a grievance?—That is a hard question to answer. If you want to help them you must break a contract deliberately entered into. I don't know what is to become of many leaseholders if you don't do something for them. I know some cases in which landlords have voluntarily allowed their leaseholders to go into court, but where the landlords hold the tenant to his lease, their case is very hard indeed.

1742. And they are all hardworking and industrious men?—They are in the North. I would like to say the same of the South, but it is my experience that it is the men with long leases and low rents who are the worst farmers.

1743. Sir James Caird.—By long leases what do you mean?—Well, thirty-one years or so.

1744. Do you call that a long lease?—It is longer than leases are in Scotland or England.

1745. Mr. Knipe.—Can you devise any means for relieving them?—Only by breaking their leases by Act of Parliament, and then in some cases the landlords may increase the rents.

1746. The President.—Do you think it would be an advantage to break the leases?—In some cases it might be good.

1747. Sir James Caird.—I understand you have knowledge of Lord George Hill's estates in Donegal?—I have been through them.

1748. Where, I believe, there are a large number of tenants for a small rental?—Yes.

1749. Something like 1,200 tenants for £1,500 rents?—I have the figures close by, but it would be something like that. I should not at all wonder if that was about correct.

1750. Well, what state, of prosperity or otherwise, did you find these tenants in?—These tenants are

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man who go over to Scotland, and some to England, to earn money, and they hold these cottages and patches of land just as a labourer in Scotland holds his—just as a place to live in.

1751. There is no economical rent out of it?—It is impossible that there could be. How could a farmer live on a farm paying only £1 a year rent?

1752. Is there any fishing?—Very little. There are no harbours, and even if there were there is no place to bring the fish to.

1753. In what condition did you find these men and their families?—I saw them in May, I forget the year now, but it was just after the Duchess of Marlborough's famine fund.

1754. Mr. Nelson.—Could it have been in 1882?—Well, it was in May, 1883 or 1884 I was there, and I saw the people gathered at meetings every evening, and I was astonished to see how well dressed they were in home-made frieze and flannel. These people had been receiving relief from the fund. There was no great sign of poverty. On the question of rent there are cases where the rent was 14s. a year for a long strip of land the length of this square, and it was reduced by the Commissioners to 12s. or 12s. 6d.; but that was not much of an improvement, you know.

1755. Sir James Caird.—Then is their position such that in very unfavourable seasons they are most likely to be in danger of great want?—Certainly, if they have no other resources—money earned by labour; but it appears to me if all the rents were swept away altogether, there would be periodical famines amongst them.

1756. Were their houses built by the landlord?—Oh no, all by themselves.

1757. There is no lesson to be had from it in favour of such a system?—Well, the lesson would be not to extend such a system, I should say.

1758. From your experience and knowledge of Ireland would you say that the resources of the Irish farmers within the past five years have been increasing or diminishing?—My impression is, that they must have been diminishing. I judge by the stocking of the land and the condition of the land. There is a question I may mention that has puzzled me very much. I see in the returns of the Registrar-General that the agricultural produce which he estimates seems to have increased somewhat. My experience and that

of my colleagues is that the condition of the land has fallen off, and that the land is in a worse condition for producing crops than it was ten or fifteen years ago, and that the cultivation of the land is worse, just what it will grow being taken from it.

1759. Then your opinion would be that that has arisen from the diminished power on the part of the tenant to spend money?—That is the only apparent reason.

1760. You think that the quality of the land is deteriorating?—I am very strongly of that opinion, and that opinion is borne out by my colleagues.

1761. Would that apply to all crops?—To all crops, but not to all farms, because many farms are kept up in very high condition.

1762. Will that apply to all crops?—Oh, to all crops.

1763. Including green?—Absolutely including green. Grass deteriorates most quickly, especially if you keep young stock on it. It is the same in dairy-farms, you must renovate it as in Cheshire, for instance, I have noticed myself after this period of years already certain pastures which grew all fine grass have now more of the coarse grass, which was only swarded. Land I have seen which used to grow good grass has begun to grow rushes.

1764. Then have you had on the whole rather an excess of wet, bad seasons for the last few years?—We had a few years about 1819.

1765. 1819 was the worst year of the century?—Yes. We had a very bad season then, and I know the land deteriorated enormously, not only in Ireland but in the north of England. In the north of England some land would not feed anything like the number of store cattle that it would five years ago, nor would it put the few into condition. That I attribute to that period.

1766. Is the condition of the smaller class of farmers even less prosperous than that of the larger, notwithstanding that they principally hold inferior land and inferior stock?—I think it is generally. Their condition has, in some respects, improved. They spend more money on themselves and on their own comforts than they did fifteen or twenty years ago.

1767. That is the poorer class of tenants?—Yes, excepting those who are too poor almost to feed them selves.

The Commission adjourned.

Oct. 16, 1886

FOURTH DAY, SATURDAY, OCTOBER 16TH, 1886.

Commissioners present:—Earl COWPER (President), Earl of MILLTOWN, Sir JAMES CAIRD, Mr. NELSON, and Mr. KNIPR.

Mr. Stanislaus Lynch examined.

Mr. Stanislaus
Lynch.

1768. The President.—You were one of the Commissioners of the Land Act?—Yes.

1769. And you had the carrying out of the Purchase Act of 1880?—Yes; Mr. McCarthy and I were appointed specially for that purpose.

1770. Lord Milltown.—Were you originally a Sub-Commissioner?—No; I was Registrar of the Landed Estates Court.

1771. This is your first appointment as Commissioner?—Yes; I was appointed under Lord Ashbourne's Act.

1772. You can give us information as to the working of that Act by you now?—Yes.

1773. Has there been much desire on the part of tenants to avail themselves of the benefits of that Act?—I think so, decidedly.

1774. Can you tell us how matters stand now—how much money has been advanced?—Yes; I can up to the present date—to the 12th October—£3,681 tenants applied for £1,835,220. Of those we have provisionally sanctioned 3,005 applications.

1775. What does provisionally mean?—That is, that having investigated the security and had the farms inspected, if necessary, we have sanctioned the advance, subject to proof of title and execution of deeds.

1776. Subject to title?—Subject to title.

1777. Mr. Nelson.—And, I suppose, value?—No; provisionally means we have ascertained the value. The 3,005 represent £1,835,220. We have absolutely issued, that is, closed loans to the number of 1,479, representing £296,102. The other cases, that is, the difference between 3,000 and 1,400, are in course of being completed, the titles are being investigated. Our annual returns are made up to the 21st August in every year, and I have here a table made up to the 21st August, which shows the applications in counties and provinces, the number in each county and province, the amount applied for and the rent. These are the figures which will appear in our annual report which will go in later on to Parliament.

1778. Sir James Caird.—Can you give us a summary of it?—Yes; up to the 21st August we had 3,621 applications, the purchase-money being £1,513,769; of these 3,621 applications, 1,782 were in Ulster.

1779. The President.—More than half?—Yes, re-

presenting £547,356. In Leitster 485 applications for £400,745; in Connaught we had 185 applications for £105,393; in Munster, 329 applications for £40,869. This is the return. (Return given in evidence.)

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Mr. Stansfeld
Lynch.

TABLE showing, according to PROVINCES AND COUNTIES the Number of Loans applied for, the Number of Estates and the Total Acreage, Poor Law Valuation, and Net Rental of the Holdings embraced in the Applications; also the Total Purchase Money agreed upon, and the Amount of Loans applied for, during Year ended 21st August, 1886.

PROVINCE AND COUNTY	No. of Loans.	No. of Estates embraced in Applications.	Acreage in Estate Measures.	Townland Valuation.	Net Rent.	Purchase Money agreed upon.	Amount of Loans applied for.
			£ s. d.	£ s. d.	£ s. d.	£	£
ULSTER:							
Armagh,	126	89	8,517 0 1	8,003 10 0	3,123 17 2	55,813	37,647
Down,	82	7	418 8 0	836 10 0	300 8 8	8,783	8,591
Donegal,	46	20	1,258 0 50	1,896 7 0	1,000 0 0	26,055	13,197
Longford,	74	31	1,599 1 85	794 8 0	774 8 8	18,131	16,730
Monaghan,	60	16	1,170 1 2	1,573 10 0	1,851 1 8	14,259	24,769
Westmeath,	10	7	584 2 0	838 2 0	420 0 0	16,034	8,300
Wicklow,	1,290	20	82,220 0 7	16,794 10 0	53,775 17 1	236,280	234,182
Tyrone,	38	4	818 8 85	912 10 0	594 14 11	8,370	8,300
Total,	1,782	129	85,100 1 88	36,218 10 0	20,320 8 7	615,220	548,176
LEINSTER:							
Carlow,	8	8	324 0 20	587 0 0	189 10 11	4,875	8,729
Dublin,	80	12	908 3 16	818 10 0	5,549 8 7	25,710	28,730
Kildare,	107	8	9,009 0 20	8,170 8 0	8,378 17 8	125,613	125,519
Kilkenny,	93	9	9,528 1 87	3,899 8 0	2,809 3 7	27,568	25,566
Kings,	34	13	1,290 3 1	555 2 0	1,804 8 7	18,495	16,866
Louth,	19	9	794 1 10	870 10 0	339 0 0	8,392	4,744
Longford,	10	7	800 0 20	890 10 0	1,043 7 0	12,340	12,338
Meath,	126	10	6,090 0 86	5,718 10 0	8,323 3 2	56,330	57,600
Queen's,	10	12	1,888 8 7	1,452 10 0	1,581 1 8	46,544	48,625
Wexford,	8	9	1,981 0 29	148 10 0	1,869 8 2	21,597	18,829
Yorke,	50	5	2,321 0 1	512 8 0	1,633 7 7	30,699	26,361
Wicklow,	15	7	1,462 1 16	378 8 0	329 12 12	18,819	16,329
Total,	612	80	25,195 5 20	25,467 2 0	21,200 15 8	438,745	476,209
CONNAUGHT:							
Galway,	49	12	8,741 9 11	1,390 0 0	5,679 7 8	26,470	25,810
Louth,	42	6	1,971 8 12	946 10 0	615 8 10	30,870	30,736
Mayo,	20	8	1,895 1 9	924 10 0	1,014 10 1	25,130	24,702
Sligo,	61	6	1,573 8 18	473 17 0	805 8 8	9,602	9,602
Sligo,	30	8	2,804 0 20	1,847 8 0	1,349 14 11	22,991	22,992
Total,	202	64	15,905 9 31	4,580 2 0	9,357 8 8	105,063	105,540
MUNSTER:							
Charlton,	14	8	1,390 9 34	583 10 0	618 12 8	24,470	21,210
Cork,	182	34	10,822 3 18	9,122 0 0	8,817 8 10	127,510	126,130
Kerry,	278	50	18,017 2 11	9,208 4 0	10,299 11 8	185,512	184,512
Limerick,	30	13	1,182 0 22	1,000 10 0	1,395 10 8	55,290	57,214
Tipperary,	70	17	8,202 0 28	5,712 8 0	5,823 0 8	85,174	85,214
Waterford,	39	14	3,770 0 5	1,339 10 0	3,198 6 0	60,248	57,210
Total,	533	126	43,380 0 2	27,407 8 0	29,137 31 0	470,180	466,820
SUMMARY:							
ULSTER,	1,782	129	85,100 1 88	36,218 10 0	20,320 8 7	615,220	548,176
LEINSTER,	612	80	25,195 5 20	25,467 2 0	21,200 15 8	438,745	476,209
CONNAUGHT,	202	64	15,905 9 31	4,580 2 0	9,357 8 8	105,063	105,540
MUNSTER,	533	126	43,380 0 2	27,407 8 0	29,137 31 0	470,180	466,820
TOTAL,	3,831	399	189,580 1 28	93,673 10 0	70,015 27 1	1,639,208	1,596,755

40 The net rent is the rent of the holding at the date of the agreement for sale less any outgoings such as head rent, quit rent, distress charges, or drainage charge subject to which the holding is to be sold.

41 The number of estates is the same as the number of loans.

42 Applications to Land Commission to purchase estates for sale to the tenants thereof are not included in this Table.

43 In a few cases the townland valuation is not given, the holdings not being separately valued.

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1780. Sir James Caird.—Could you give us the number of years' purchase in each case?—No. It ranges from 25 down to 12. I should say the average would be over 18 years' purchase over Ireland.

1781. Lord Millican.—In what province is the average largest?—I have not got the figures here.

1782. Is that purchase of the valuation or rent?—Rent.

1783. Of the gross rent?—"Of the net rent," the rent of the holding, less any head rent, quit rent, or other charges, subject to which we sell it, but not less any taxes.

1784. The gross rent paid?—The gross rent paid by the tenant, assuming it is a fee-simple estate, and that he buys, not subject to any head rent or quit rent. This is the gross rent; but the number of years' purchase is very misleading in tables of averages, because holdings may be held under lease at a very high rent, or a very low rent, and the purchase money will be proportionately higher or lower in such cases, and thus disturb the average.

1785. Have you got what proportion of these rents were judicial rents fixed?—No; I have no return of that. A large portion of them are judicial, but not all.

1786. Sir James Caird.—Then we are not to take it that they are judicial rents?—No, certainly not.

1787. You said something about the head rent—that the rent upon which the number of years' purchase is calculated may be subject, in some cases, to a superior head rent, which would be deducted from it, and therefore it would be the net sum put down in that case?—Suppose you buy £30, subject to £4 head rent, the purchase will be so many years' purchase on £16.

1788. Then the head rent remains a charge on the estate?—Yes.

1789. The President.—Do you often have to refuse applications on account of the number of years' purchase being too great?—We have sometimes refused—I cannot tell you exactly the amount of money we have refused—I should think, speaking roughly, about £100,000.

1790. Out of the whole lot?—Certainly not £120,000, and some of these might arise, not from their not being security, but, very possibly, our finding it was not a case coming within the meaning of the Act—the man was not a bona fide tenant—but I should think, speaking roughly, £100,000 would represent what we had declined.

1791. Lord Millican.—You mean by bona fide tenant, an occupier?—A bona fide tenant in occupation, within the meaning of the Act.

1792. Sir James Caird.—The sale must be to an occupying tenant?—Yes, he must be an occupying tenant.

1793. Lord Millican.—Did you mention how many applications have been refused?—I cannot tell you exactly.

1794. They represent a certain money value?—Yes; about £200,000.

1795. The President.—That is, that you refused them for reasons; but not necessarily, because there was no security?—Yes. With reference to the anxiety of the tenants to buy under the Church Act, between the years 1869 and 1881, that is a period of 11 years, the tenants under that Act had the right of preemption, at a price fixed by the Commission, and during these 11 years, 8,370 occupying tenants availed themselves of the right.

1796. Representing a value of how much?—About £1,274,841.

1797. In how many years?—Eleven years. The terms under that Act were—either they might pay cash for the whole or they might pay one-fourth, or a large sum giving a simple mortgage at four per cent. for the balance, or they might pay a fourth in cash,

and the balance in sixty-four half-yearly instalments, interest calculated at four per cent.

1798. Lord Millican.—In any number not exceeding sixty-four?—Yes; that was under the Act of 1869.

1799. Not necessarily sixty-four?—Not necessarily sixty-four.

1800. It was fixed by the applicant?—Yes; they might make it any time. Under the Act of 1870 down to the 2nd March, 1878—I don't go lower than that, for I have not got the figures—that is seven years.

1801. Sir James Caird.—These are not Church estates?—No; these are under Bright's clauses of the Act of 1870; 793 tenants only purchased, the purchase money being £704,145. The terms under that Act were an advance not exceeding two-thirds for thirty-five years at five per cent.

1802. An advance by whom?—By the Board of Works.

1803. By Government?—Yes; by Government. The security was five per cent.

1804. That paid off principal and interest?—Yes; but I might mention with reference to the Act of 1870 that the terms were prohibitory to any large working of the Act because there were conditions as to alienation as to not being allowed to encumber their holdings, which really made that Act unworkable. As to the Act of 1881—

1805. Lord Millican.—The terms were much less liberal than under the Church Act?—They were less liberal, and there were conditions attached which were done away with under the Act of 1881.

1806. Is that, in your judgment, the reason why the Bright clauses, part of that Act, worked so badly?—Yes; and the terms of repayment being high.

1807. Sir James Caird.—One-third had to be paid in cash?—Yes; one-third had to be paid in cash. Under the Act of 1881, which was five years working, 731 tenants obtained loans to the amount of £340,554.

1808. Do you mean for the purchase of land?—Yes, under the Act of 1881. I would add one-fourth to that to ascertain their purchase-money. I have not the exact figure of the purchase-money.

1809. Mr. Seligson.—That represented three-fourths as a rule of their purchase-money?—Yes.

1810. The President.—They had to find how much?—One-fourth; the Act of 1881 increased it from two-thirds to three-fourths.

1811. And the same number of years?—And the same rate. I think these figures compare favourably with 3,621 tenants applying for £1,500,000. I merely state that as evidence of the desire of the tenants to purchase under the Act of 1881. The terms under our Act are 49 years at four per cent. and we can advance the whole purchase money if we are otherwise satisfied with the security, and if the landlord or any one else provides a guarantee deposit not exceeding one-fifth.

1812. And you can for the first time secure an immediate reduction of rent which the others could not—which is a great thing?—Yes.

1813. The tenant has neither to find a third nor a fourth, and he got cheaper terms?—Yes.

1814. He got the money cheaper?—Yes.

1815. Lord Millican.—These are not the only terms?—We can advance, as under the Act of 1881, three-fourths under the Act of 1885.

1816. In the Act of 1885, confined to cases where the whole purchase-money is advanced?—The Act of 1885 amends the Act of 1881, by enabling us to advance for forty-nine years at 4 per cent., whether there is three-fourths or one-fourth or half, and in addition it enables us to advance the whole purchase money if we get the guarantee deposit.

1817. Have there been any applications under the Act of 1855, other than those for the advancement of the whole purchase-money?—Yes.

1818. There have been?—Yes, in thirty-three cases. I am speaking now to the 21st August, only—in thirty-three cases we advanced three-fourths or less. The purchase-money in these cases was £47,893, and in sixteen cases the tenants paid the guarantee deposit and the purchase-money in their cases was £23,372.

1819. In the cases where the three-fourths only were applied for who paid the advance?—The tenant.

1820. Mr. Neligan.—In the sixteen cases of tenants who paid the guarantee deposit what was the amount of their deposit money?—£32,372.

1821. Lord Millican.—There is power of purchasing a fixed rent under the Act?—We have had no applications under that.

1822. Sir James Caird.—Is there any advantage given to the man who advances one-fourth instead of taking it all from the Government?—No, no special advantage and I think it is rather a misfortune that some premium is not offered to tenants who pay some portion of the purchase money.

1823. They volunteer to do it?—Yes, they volunteer.

1824. And you are empowered to accept it?—Yes, certainly, but there may be many cases where the landlord says, "I cannot sell unless you find one-fourth."

1825. Mr. Neligan.—Or one-fifth?—Yes, or one-fifth, as the case may be, and I think it is to be regretted there is not greater encouragement given there to apply their savings in that way.

1826. Lord Millican.—Supposing they have any?—Yes, that of course is always assumed.

1827. Mr. Neligan.—In all those cases they paid a fourth or a third?—Yes, I have no doubt, I am a number of cases where I am satisfied the tenants could pay a fifth or a fourth.

1828. The President.—And they prefer keeping it in their pocket?—Probably there are a good many cases where a man prefers using it for the purpose of his business—it may be that.

1829. Sir James Caird.—In considering the security, do you take into account not only the value of the land itself, but the value of the tenant's good-will—the tenant right?—We have regard to the salable interest of the tenant in measuring the security that we are getting.

1830. That is in addition to the fee-simple value of the land?—In addition to the fee-simple value of the land.

1831. The President.—In most cases would the fee-simple of the land and the tenant right not be sufficient security without one-fifth of the purchase-money?—I have always held that in a very large number of cases the combined interest of the value of the fee and the tenant's interest is a security sufficient for the advance of the entire purchase-money; but I think there are many cases where it is desirable to have a guarantee deposit.

1832. To retain one-fifth?—To retain the one-fifth, I think it is an advantage, and could not well be dispensed with, but where there are very large facilities given for the creation of peasant proprietors, I think you would facilitate that creation. If you were to give us the power to advance the entire purchase-money in certain cases without the guarantee deposit.

1833. Sir James Caird.—You have not that power now?—No, we cannot advance the whole purchase-money.

1834. The President.—I am talking of the one-fifth you retain. We have heard from some of the witnesses that that interferes a good deal with the landlords coming forward in order to sell, and that if that could be done away with more landlords would be willing to sell?—It may be an impediment; I am not prepared to say it is not.

1835. But you don't think it would be advisable to do away with that retention of the one-fifth?—I would not.

1836. Lord Millican.—Is your suggestion that there should be a discretionary power in the Commission?—Yes.

1837. Under certain circumstances to hold that the guarantee was not necessary?—Yes, I think that would be right.

1838. Sir James Caird.—That discretion should be given to you in case you considered the security in addition to the fee-simple to be adequate?—Yes, in any case where we considered the holding ample value for the money; but where there is doubt where the landlord leaves twenty per cent. of the purchase-money with us, it strengthens the security to the State.

1839. Then you prefer not having the discretion?—I prefer having the fifth, but I think there are a good many cases where we could dispense with it.

1840. But then we want a definite answer from you, if you will allow us to have it. You think it would be well to have a discretion, and yet it would be unsafe to use that discretion, or to have power to do it?—No, I should not hesitate to use it in some cases.

1841. But if there are to be circumstances at all in which you will use the discretion, there must be the discretion given you?—I should not shrink from that discretion at all. I think it is a valuable provision, but it is a provision that in certain cases we might possibly dispense with. I don't think it has practically impeded the working of the Act. I am very clear about that.

1842. Lord Millican.—Would you go so far as to say there are many cases in which it might be dispensed with?—There are many cases.

1843. Of course, you can only speak of those coming under your own observation?—There are many cases where we have advanced the whole purchase-money, and where the purchaser could very easily have found his fourth or his fifth.

1844. Sir James Caird.—Are we to understand that you recommend that discretion should be given to the Commissioners on this point?—I think it would be desirable, but I don't think the existing Act is impeded very much by the guarantee deposit.

1845. The President.—It is more, I suppose, that you would not object to have the discretion?—No, I would not object, if you are extending our powers—if you are supplying us with more money it will help in working the Act, no doubt.

1846. Mr. Neligan.—In many of the cases which have come before you you would have dispensed with the deposit?—Yes.

1847. Sir James Caird.—Can you give us any return of the comparative size of the farms that have been sold—whether they are above or below a certain rental?—We could furnish these figures if it were deemed desirable, but I have not got them with me now.

1848. What I wished to ascertain was whether the larger farmers were those who most make use of this Act, or whether the smaller holders did so also?—In the North, where you will see by the return that the number of our applications was very large, you may take it for granted they are smaller holdings than in the other provinces.

1849. Lord Millican.—It is obvious they must be about one-fourth of the size, for four times as many tenants as in any of the other provinces only make up something more than one-fourth part of the money advanced?—Yes.

1850. If you look at the number of applications and the amount of money, you will find that in the North and in Connaught the holdings proposed to be bought are, as a rule, smaller than in the other provinces?—In Connaught the applications have been very few. We have some very large holdings in Munster.

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1851. Sir James Caird.—But, as a rule, the biggest holdings would be in Leicester?—Clearly. Any holdings we have dealt with in Cornwall were of fair size.

1852. The very smallest don't come before you?—Yes, we have had some very small ones up to the 24th February. I have the figures, and we then had 203 cases where the holdings were 10 acres and under, with rent of £10 and under.

1853. Sir James Caird.—That is in Ulster?—No, all through Ireland, but chiefly in Ulster. We had 258 holdings of over 10 acres, and not exceeding 16. That is merely an approximate figure.

1854. The President.—Have you got the figures under 30 acres?—No, I have not got any other figures.

1855. I suppose you really consider that it is objectionable for a person to buy a farm of this size because it only perpetuates holdings that are too small to support a family?—Clearly not. I desire to draw a very large distinction there. Small holdings are not evidence of poverty, or congestion, because though there are certain districts which we have great difficulty in dealing with, there is a very large portion of Ireland where you find small holdings, and where I consider there is neither congestion nor distress.

1856. Do you consider that a farm of ten acres will support a family?—I find that in the North of Ireland there are very comfortable tenants holding ten Irish acres of land, and paying their rents very punctually.

1857. Lord Milnes.—Without any other means of subsistence?—Some of the younger members of the family may go as labourers to England or Scotland, or they may go into the manufacturing towns.

1858. Do you know any one, for instance, where a farmer lives comfortably with his family on a holding of ten acres?—Yes.

1859. Without any other means of support?—Yes, if he has fair land, and that his family are not too large, and if the younger people don't insist, when they come to maturity, on marrying on the holding, and if they go out to earn their bread. Mind I don't recommend small farms like that. I would be very sorry to divide Ireland into ten-acre holdings. I would like to see every size of holdings, but if you were to ask me to select land where the tenants were to live comfortably, I should not like to put them on farms less than between fifteen acres and thirty acres.

1860. But you still think that the man on ten acres of land having a moderate family can live well?—Yes, if he has good land.

1861. Sir James Caird.—Good land is the whole key to the proposition?—Of course it is the whole key.

1862. The President.—I suppose you think that so family ought to live on land worth less than £20 a year?—I think so.

1863. Lord Milnes.—I believe in the Land Purchase Act there is a prohibition against subdivision during the time the money is being paid off?—Yes.

1864. And it is the only control you have over the purchasers?—The only control, and it is a control which it would be very difficult to exercise. I must say that my experience has been that it is the most difficult thing in the world even for the resident agents to detect subdivision in small cases. The house is internally divided, the holding in externally one holding, but in reality there are two families living on it.

1865. Sir James Caird.—Is it a condition of the Act that there should be no subdivision during the forty-nine years?—Clearly, and a very proper condition.

1866. The President.—But you say it is very difficult to enforce it?—I mean to a large extent it

is difficult but it is a very useful prohibition, but there would be some difficulty in finding it out. We may find another member of the family make an objection and say that a man is breaking this condition by giving half the place to his brother, and in that way possibly the circumstances of the subdivision may come to light.

1867. Yet I suppose there is very little use in a provision which you cannot carry out?—It is a very wholesome provision. I think it will be a dangerous thing to do away with it, and it is a provision that the tenants are afraid of, and should be enforced.

1868. Lord Milnes.—What could you do to the tenants if they subdivided?—We could sell the holding.

1869. Sir James Caird.—But would the tenant get nothing for his interest, supposing you had sold after ten years, say?—We could sell the holding subject to the remaining portion of the annuity.

1870. But would the man get any portion of it?—He would get the balance of the purchase money, after we had been paid.

1871. Mr. Nelson.—In fact, such a tenant would be better off than a tenant who incurred forfeiture of his estate by breach of covenant, for he would get something?—Yes.

1872. He would be much better off?—Quite so. My great difficulty has been with, what I might call, the congested districts. I don't think that estates in congested districts are estates which, as a rule, we can with safety operate on.

1873. Lord Milnes.—Give us a definition of what you mean by the expression "congested districts"?—Districts, say, like portions of Donegal, portions of Mayo, the lakes of Arann, where an excessive population is gathered together in very small holdings, and where the families are mainly subsisting upon their earnings in England and in Scotland.

1874. The President.—I suppose the earnings in England and Scotland can be relied upon, and are always sure to be made?—I am merely defining the districts.

1875. Lord Milnes.—You say where the families are mainly subsisting upon their earnings?—Yes, and where they are gathered together on very poor land on small holdings.

1876. And where they mainly subsist on earnings elsewhere than at home?—Yes.

1877. The President.—Where the population is too great for the means of subsistence?—Yes.

1878. Sir James Caird.—Have you any experience of these districts yourself?—Oh, yes, I have personal knowledge of some of them. I have here a map of Ireland (produced), divided into main and coloured, showing the unions where, having regard to the holdings under £4, you are likely to find estates with congested populations. Do not understand me to say that all these, coloured, represent congested districts, but these colours show the unions where you will find specimens of what I consider congested districts.

1879. Mr. Nelson.—Do I understand you rightly? Do you say that these congested districts are the districts exactly that the Act of 1855 will not reach?—Yes, they are cases that will be presented to us very often, cases of undesirable estates, frequently mortgaged, and we will be asked to deal with them, and I am bound to say I don't think the security very good.

1880. Sir James Caird.—You don't think the security would be any good?—I don't think the security would be adequate. I don't think that it is a question at all that the rents of these holdings are excessive, but I consider that the security is not adequate for our advance. We could not realize it possibly if we came to sell.

1881. The President.—But do you think tenants are likely to come forward to make purchases?—They are coming forward every day.

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1882. Sir James Caird.—And landlords are willing to sell?—Yes, we have both landlords and tenants coming forward.

If you consider these districts least likely to be benefited by this plan, may I ask have you considered what other means of benefiting such districts are capable of being used?—My idea would be this. I think by local inquiry your Committee could very easily ascertain what are congested districts and where estates so circumstanced lie, and I consider that these estates should be scheduled.

1883. The estates which are not capable of affording the adequate security?—Well, I think I would go further than that. I think there are many of these estates where it is undesirable as they are at present divided and sub-divided, to perpetuate pauperism in its existing state. I think they might be improved.

1884. The President.—Would the ascertaining of these congested districts and their scheduling be done by you?—That is another question. I apprehend that it would be quite possible for us to do it.

1885. Mr. Nelson.—And having scheduled them what would you do with them?—If any landlord had an estate in these scheduled districts with that class of tenantry, and that he wishes to sell it and that we did not consider it was desirable to sell it in its present condition to the tenants, such estates should be bought up, either by local companies formed under the Tramways' Act, or by local corporations acting under a central Board in Dublin.

1886. Lord Milnes.—Do you mean to make it compulsory upon companies to buy such estates, for I cannot imagine that anybody could be got to buy them of their own accord?—If these estates are to be sold, and if you appoint local bodies to deal with such congested districts, I think you must compel them to buy such estates.

1887. You would compel the local bodies to buy the scheduled estates?—Yes.

1888. The President.—Do you mean the Board of Guardians?—No, I did not suggest the Board of Guardians, but you must have some local authority.

1889. Out of what fund would the money come for the purpose of purchasing such estates?—Advances by the State. The Government must advance the money for that.

1890. Do you mean that your Commission would advance it?—I did not say that we would advance it, but that the Government would advance it.

1891. Upon the security of the estate?—Upon the security of the estate.

1892. Lord Milnes.—It should be money advanced by the Treasury?—Yes. There is at the present moment a provision existing in the Tramways (Ireland) Act for the creation of companies for this purpose.

1893. Sir James Caird.—Do you think that these public bodies would be likely to make any profitable use of land which is incapable of being profitably cultivated now?—These estates, even at the present moment, are of some value. There are attached to all these townlands valuable bogs—valuable turbary. There are mountain ranges. I think that these bogs should be vested in some local authority, which would protect them and sell the turbary, working it as a well-managed estate is worked, and this would give employment to the people in the district.

1894. The President.—Doing what a good landlord ought to do?—Yes, but besides there should be strong powers given to deal with estates of this character, and I think that in these congested districts power should be given to break up holdings, and either by emigration or migration improve the condition of the people.

1895. Sir James Caird.—Then you would take some means of removing the people?—Removing families, thinning them out.

1896. But would you propose to do this by emigration or migration?—By both.

1897. Lord Milnes.—Where would you migrate them to?—I think there is a large proportion of land in these very districts inferior land. I am not speaking now of waste land, but land now in the hands of landlords who would be very glad to sell it. I am alluding to inferior lands capable of being cultivated with profit, which might be very easily made into holdings.

1898. Sir James Caird.—I suppose on this kind of property would fall the greatest risk for adequate security?—Yes.

1899. And do you think that the local authorities of the neighbourhood would be ready to become responsible for them?—If they don't do it, who is?

1900. I suppose it should be left to the landlord?—Then you would leave the estate as it is. The estate must be sold, and there is nobody to buy these estates now except the tenants.

1901. Mr. Nelson.—Doesn't it all resolve itself into a purchase by the State?—Yes.

1902. Sir James Caird.—Then you would have the State to buy what is a bad bargain for anybody else?—I don't say it would be a bad bargain. But you must have regard to the state of these districts, which are reservoirs of agitation, as long as you have them, so long will you have Ireland disturbed. It is from these reservoirs that the stream of discontent is carried into the more favoured districts in Ireland, and you must apply some remedy to this state of things.

1903. Are these very poor districts really then centres of agitation?—Well, I don't say they are all centres of agitation, but the population is extensive. The people live chiefly on the potato crop, and if there is a failure in the potato crop, or distress, there is discontent and appeals for extraneous aid.

1904. Nature seems to have almost forbidden the possibility of a large population thriving there?—Well, they appear to me to have increased in numbers, and they live there.

1905. But you could not call them thriving?—Well, no. I don't think it is desirable that this state of things should continue. I have here the map (handed in) of an estate for sale in the Landed Estates Court. The land is in the county Galway. It was originally striped, but it has since become sub-divided. It illustrates the condition of the holdings.

1906. Lord Milnes.—There is no doubt that the poor people increase in these districts, but surely you would not say they thrive?—No, but they increase and multiply.

1907. And with that increase the difficulty of the problem increases?—Yes, the difficulty of the problem increases. These are cases coming before us where we are asked for advances of money to enable the tenants to buy, or that we should buy. Under the 6th section of the Act, the Commissioners are enabled to buy.

1908. Mr. Nelson.—Then if you only constitute yourselves a local authority, you have the jurisdiction to buy, and these estates could be managed by the Commission?—There is jurisdiction, but you could not ask a Commission sitting here, working for other purposes, to undertake the duty of re-organization of a local estate down the country, or to lift the people out of it, possibly to advance money to shift people from one place to another, or to lay out roads, &c.

1909. It comes to this, that the statutory power is there if you had the machinery to work it satisfactorily?—Our power is this, that we can buy an estate if we are satisfied that the re-sale of it to the occupying tenants can be effected without loss to the country.

1910. The President.—But you can only, when a large number of the tenants are willing to purchase, four-fifths, I believe?—Yes, four-fifths; but we have no power to re-arrange an estate or expend money on it.

1911. Sir James Caird.—There is a power to do that, which, according to your previous answers, would be most desirable. That power is now really in existence?—There is a power to facilitate converging. There is a power for the Land Commission to buy

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estates on Mac, and to re-sell these estates to the existing tenants. There is no power in the Land Commission to rearrange these estates, so as to bring them into a condition to make them saleable to the tenants.

1912. Then the power really is an ineffective power?—Yes.

1913. And, therefore, it is unworkable?—It is unworkable in estates of the kind I have described, where the land would have to be re-arranged so as to be saleable to the tenants. We are able to give great facilities for sales. We can purchase and re-convey to tenants themselves, that is very easily done, but the other is the difficulty.

1914. The President.—The power was only given to you to enable you to deal with cases where the great bulk of the tenants wish to buy and the landlords to sell?—Yes, and in which we were satisfied that the sale to the tenants could be effected without loss to the State.

1915. Lord Millican.—May I ask are you of opinion that the local authority should be called upon to exercise the odious and difficult duty of evicting a considerable number of the present tenants in order to repossess these estates?—I don't think it would necessarily mean eviction.

1916. Well, "a case by any other name would smell as sweet," and I presume the converse is true also. If you are to remove a man forcibly from his holding, how are you to get rid of him without evicting him?—The Acts of 1870 and 1881 have stereotyped this class of holdings.

1917. Have tended to stereotype them no doubt?—Yes. Before the Act of 1870 the landlord could re-arrange an estate of that kind, business anyone of the tenants possessing any little patch of land can sell it for the best price it will fetch in the market.

1918. But having regard to the state of the facts which these two Acts have created in Ireland in respect to such holdings, don't you think it would be undoubtedly an odious and somewhat difficult duty which would be cast on the new proprietor if he was called upon to diminish the number of tenants, and place them somewhere else?—It might not be a very easy task to perform.

1919. How could he do it under the existing law if the tenants refused to go?—He could not deal with such cases under the existing law.

1920. Then you anticipate further legislation, and further powers on the subject?—Yes; one of the points of your inquiry is how the working of the Act can be expedited by means of local guarantees.

1921. One of the points of our inquiry is how the working of the Act can be aided by local bodies?—I think we do not require the intervention of local bodies except in congested districts.

1922. The President.—You would give the power to such local bodies to buy up these estates in these congested districts with money advanced by the State?—Yes.

1923. And you would give to these local bodies certain powers?—Yes, absolute powers.

1924. What powers?—Power to acquire other land.

1925. Lord Millican.—By purchase?—By purchase to improve the existing holdings.

1926. Not compulsory purchase, I suppose?—Not, perhaps, compulsory purchase. I think, however, under the Crofters' Act there is some power of compulsory purchase. I am not in favour of compulsion.

1927. The President.—You would give them power to acquire other lands for what?—For the purpose of migration.

1928. What are the powers you would give them?—The most absolute powers which are to be found in the Sanitary Acts, the Labourers' Acts, the Artisans' Dwellings Acts, and any Acts for the improvement of the condition of the people, or of the

estate acquired by them, including the management of the bogs. If a landlord's estate is sold at the present moment and that there are, perhaps, a hundred acres of bog upon it, on which the tenants have a right of cutting turf. Now, our bogs are our fuelhouses. They are being exhausted every day and we will lose them altogether if they are not managed by some public body. They are now managed by the landlord, but once the landlord is gone they must be managed by somebody, and they will be a source of revenue to the local body.

1929. Lord Millican.—And the source of continual dispute, are they not?—Yes.

1930. The President.—Have you any other power to suggest that you would give these local bodies?—Then when the corporation have re-arranged the estate, the tenants would be the tenants of that body, tenants of saleable holdings probably. I would then allow these tenants to purchase the fee from that local body coming to us in the ordinary way for their advance, and the local body as landlord giving us their guarantee.

1931. The tenants getting into a better position would be allowed to buy?—The tenants having been put in a position to buy. You know there are different districts on the sea-board where there are fishing industries for instance, the position would be far better in one district than another.

1932. Have you anything further to suggest as to the powers that ought to be acquired?—I think that these local bodies should have very great powers to deal with the drainage. There has been an immense amount of money laid out by the Board of Works on the drainage of these estates, and if there is no local body to secure the maintenance of these works and the farm roads which are not now under the county, everything that has been done by the landlords through the aid of the Board of Works would be so much money lost.

1933. Sir James Caird.—Has there then been any change in the management of the roads, you say they are no longer under the control of the public authority?—I am referring to farm roads on the estates. Heretofore they have been looked after by the agent and the landlord, who made the tenants maintain their share and made them keep their drains open so as not to flood their neighbours, and now if these people be converted into proprietors there is nobody to control them.

1934. Except their own interest?—Well, for their own interest, they won't do it; you must have some parental tyranny.

1935. Lord Millican.—That observation applies not alone to the congested districts, but to the whole of Ireland?—But according as you stand in the social scale of farming, you find a greater desire to carry out improvements.

1936. Sir James Caird.—And also where the improvements are likely to be remunerative?—I think so.

1937. The President.—Do you think these local boards would be ready to undertake these duties?—You would have to constitute them. There is power for the creation of companies, given under the Tramways Act.

1938. I believe there was a sum of £40,000 given by you, to Mr. Parnell's company, to make an experiment in a congested district. Do you know anything of that?—I knew a good deal about that estate; but I don't think that that experiment of Mr. Parnell's company has been a successful one.

1939. Can you tell us something about what happened in that case?—The Company bought an estate in the Landed Estates Court for £45,000.

1940. Which was advanced by the Government?—I think £40,000 was advanced by Government, and £5,000 was paid in by the Company.

1941. Lord Milltown.—How many years' purchase of the estate?—About twenty.

1942. Was that on the rent?

1943. The President.—How many years?—The net annual rent or value (where the land was let) was £2,175. The price £43,350.

1944. The President.—That was by way of trying an experiment of migration, was it not?—Yes, but they have not tried it; they have not tried it in reality. They are attempting at the present moment with us now to enlarge some holdings, or rather, if there is a man with five acres living on one townland, they are giving him an addition of ten on another.

1945. They have not brought any new man in?—Nor have they lifted a tenant out of a small holding, and put him on a larger one. They have not done that. They have in fact enlarged or added to the holdings, given additional holdings.

1946. By reclaiming waste ground?—No, but by taking lands which were in the hands of large tenants on short lettings, or of the owners.

1947. Mr. Nelson.—How did they get rid of them?—They were terminable with the sale-lands in hands and lands let for a year for grazing.

1948. Were they originally demesne lands?—No, I would not say that. They were grazing lands. They never attempted migration.

1949. The President.—Not migration, but they have merely cut up the large holdings—what do you call them?—Grass farms.

1950. They cut up the grass farms, and added them to the small holdings?—Not added, but gave them in addition to other holdings, because they are not contentious.

1951. Lord Milltown.—Have they done that?—They are trying to carry it out.

1952. To divide it amongst the existing small tenants?—Yes, they are trying it. It has not gone very far yet.

1953. The President.—As far as making these small tenants more comfortable, I suppose it has been a success?—Well, the results would tell that. I would assume that it would be; the sales are not yet completed.

1954. But there has not been anything in the way of experiment so far as migration?—No, there has been no attempt at migration.

1955. I dare say that the existing tenants very much objected to the importation of strangers, and that that is why they stopped the idea of migration?—I do not know that.

1956. Sir James Caird.—Then the grazing tenants had to give up the lands they held in order that those should be added to the relieving tenants?—Quite so. I do not think there was any case of compulsory eviction of the grazing tenants. I think that some of the lands were in the hands of the owner, and some of them on temporary lettings, pending the sale.

1957. Lord Milltown.—It would not have been easy to take it from them if they objected?—Clearly not, if they were ordinary yearly tenants.

1958. It could not be done?—No.

1959. Sir James Caird.—Was that £40,000 lent through your office?—It was lent by the Land Commissioners under the Act of 1851. It was lent before I was appointed.

1960. The President.—I suppose they were not bound to try migration or anything else. It was lent to them unconditionally?—It was lent to them with the obligation to carry out the objects of their company. There is a sum of £50,000 now available for purposes of migration which has never been applied for yet.

1961. Sir James Caird.—For migration, not emi-

gration?—For migration. Under the Tramways Act there was a sum of £100,000 proposed to be devoted by Parliament for the purpose of emigration, and when it was passing through the House they applied £50,000 of it for migration and £50,000 for emigration.

1962. The President.—Then this was advanced to them distinctly for migration?—No. This £40,000 was advanced as a loan under the Tramways Act for purchase. If there was a company established tomorrow to carry out a system of emigration that sum of £40,000 would be available as a free grant.

1963. Lord Milltown.—And with regard to the £50,000 what has been done?—Nothing as yet.

1964. The President.—That £50,000 for emigration has not been applied for yet?—No.

1965. And the only experiment in the way of migration that has been talked about is this one of Mr. Parrell's, which, as far as you know, is one that has never been tried?—Yes.

1966. Sir James Caird.—On what terms was that £40,000 borrowed?—It was advanced at £3 10s. per cent.

1967. Without any repayment of principal?—The advance is repayable in forty years by half-yearly instalments at the rate of £3 10s. per cent, reducible to £3 3s. per cent. at the end of ten years if punctually paid. While referring to these congested districts, I should like to mention incidentally that I think it would be a very desirable thing, and would facilitate the transfer of land in Ireland generally, if we had the same scale of survey in Ireland that you have in England. You have in England a twenty-five inch scale.

1968. The President.—It would be very useful. We have in Ireland, unfortunately, except in the county of Dublin, only a six-inch scale. It is perfectly impossible to carry out conveying on that scale in the cases of small holdings.

1969. Sir James Caird.—And then you advocate a twenty-five inch scale?—Certainly.

1970. We have received a letter from Sir Charles Wilson, who is at the head of the Ordnance Survey, very strongly recommending, in fact stating that, in view of the land transfer now going on, it is almost necessary that there should be a twenty-five inch scale?—Yes; we cannot convey on the six-inch scale small holdings.

1971. You agree with this opinion of Sir Charles Wilson—"I am most anxious to bring under your notice the necessity of making a twenty-five inch survey of Ireland. Ireland is the only country in Europe with a six-inch survey though marking all holdings, and the new departure in land legislation rendering a large scale necessary, I feel quite sure that unless such a survey is made before more extensive sales are made there will be endless trouble and much litigation in the future?"—I am quite satisfied of that. If we come to deal with these small holdings under our Act you are laying the foundation for any amount of litigation without it.

1972. Mr. Nelson.—In point of fact the sales under the Church Act which have been made with reference to that small survey are giving rise to interminable litigation?—At the present moment, so strongly do we feel the disadvantage of the scale, that on our conveyances we put what purports to be a copy of the Ordnance map, but we do not convey by that. We simply state, "This purports to be a copy of the holding as shown on the Ordnance map," and we do not bind ourselves to it.

1973. Do the Landed Estates Court survey now by reference to the Ordnance Survey?—The Landed Estates Court make a special survey at the expense of the landlord, and they convey—

1974. By the map?—Well, they convey, using the words "and described," not "as described."

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1875. That is on special surveys?—That is on special surveys.

1876. Lord Millicom.—But they are practically identical?—Oh, practically.

1877. Unless some alteration has been made subsequently?—It is identical. In the Landed Estates Court we referred the matter to the Ordnance Department to make a new survey of the estate.

Mr. Neligan.—The maps put on the Landed Estates Court conveyances were in fact put upon them by the Government department in the Park.

1878. Sir James Caird.—But they are on the small scale of surveys?—They are on the small scale except when Sir Charles Wilson supplies an enlargement. Those are Landed Estates Court maps supplied by the Ordnance Department in sales now pending (produced). They have to make a field survey. Those are cases now before the Landed Estates Court.

1879. So that there may be innumerable occasions for making special surveys which would be entirely done away with if there was a map for the whole country on a large scale?—Yes.

1880. Mr. Neligan.—Practically now for the purpose of transfer of land the Ordnance Department are enlarging the old survey?—Yes; and Judge Neligan has mentioned small buildings and inaccurate maps are a source of litigation. Now here is an enlarged map (produced), and the blue holdings there represent one of the tenancies. Now let us assume that we are dealing with that. The line represents one of the tenancies in detached fields. The tenant will have twice as many detached fields as there are letters in the alphabet.

1881. Sir James Caird.—I put a question to one of the previous witnesses that I should like to repeat to you—Have you someone in this country by which you can exchange intermixed lands?—No, not conspicuously. There is a clause in the Purchase Act of 1835 which provides that where landlords and tenants agree to a sale the Land Commissioners may on the application of either party or in their discretion direct a partition or exchange.

1882. The Chairman.—When you say either party you mean the parties whose lands intermingle, not the landlord and tenant?—I mean on the application of either landlord or tenant on the occasion of a sale.

Mr. Neligan.—I think it is confined to partition.

1883. Sir James Caird.—Of course an exchange of that kind must be by the landlords—the landlord in each case? The tenants will not have the authority to do it, unless they become purchasing tenants. If the tenants were purchasing they might. This is in the section:—“Where land to be sold under this Act is held by tenants in common or jointly, or in mixed plots, it shall be lawful for the Land Commissioners, on the application either of landlord or tenant, or if it shall seem expedient to the said Land Commissioners, to make an order for the partition, exchange, or division of such land.” That is the power which exists now.

1884. Then it can now be done?—It is given here in the Act of 1835.

1885. And it can be done?—Only in the case of agreement for sale between landlord and tenant—in case they come to carry out the sale. The process would be similar to the stripping or rearrangement of estates which was carried out by landlords prior to the Act of 1835.

1886. The President.—I would just ask you once more a general question about your scheme for selling land in the congested districts to the local boards—is it one that you have had in your mind for a long time?—Yes, at least I have always held that on these very badly circumstanced estates it was not desirable to convert the tenants, under existing conditions, into owners.

1887. And you really think that something in that

direction may be practicable?—I do, but I am quite satisfied that the State must intervene, and I think the only way the State can intervene is by the constitution of some local authority for that purpose.

1888. And that a local authority might be found which, if it was obliged to carry out those powers, would carry them out efficiently?—Yes, I think so.

1889. Lord Millicom.—You have referred to head-rents, Mr. Lynch?—Yes.

1890. Do they form a difficulty in dealing with the land under the Purchase Act?—They do.

1891. May I ask you how you do deal with them?—Well, so far as we have gone as yet, we have dealt with them in this way; if the landlord sells a portion of an estate which is subject to head-rent, he sells to his tenants subject to the rent, but indemnified from it by the land which he is not selling.

1892. But how as to the owner of the head-rent?—He is not indemnified by that.

1893. Suppose the land retained is sufficient. But who is to judge of that?—That does not affect the interests at all of the owner of the head-rent.

1894. But suppose the head-rent not to be paid?—The head-rent not being paid the owner of the head-rent can go against any portion of the land he likes, whether it is being sold, or whether it is not being sold, and then the tenants have their right over under their indemnity deed.

1895. Against whom?—Against the land which indemnified them.

Mr. Neligan.—As in the Landed Estates Court.

1896. Lord Millicom.—But might it not result in this that the owner of the head-rent instead of having a solvent tenant with a large interest to look to for the payment of his head-rent might have to get it as best he might amongst a large number of small proprietors?—No, his security is not injured in the slightest degree.

1897. Well, but surely if I have a property of 100 acres subject to a head-rent of say half-a-crown an acre, if I sell that small property to the ten tenants who are upon it, I make the owner of the head-rent collect his small head-rent of half-a-crown an acre from the ten tenants instead of from me?—That is to say you send him to collect it.

1898. As best he can?—Of the tenants who have purchased. Supposing you did not pay that half-crown an acre to the head landlord he would have to go to the ten tenants to recover it.

1899. No, pardon me, he would have the power of effecting a forfeiture?—Very well, but the forfeiture would still be effected.

Mr. Neligan.—But surely the result is this that the man who is to receive the half-a-crown an acre is left in the same position. The one man who used to pay is still liable under the covenants.

2000. Lord Millicom.—But he might have disappeared from the face of the country, and probably will when he disposes of his property, at least from the property, and he will probably have to find him as best he can, whereas his remedy hitherto has been against the land and the danger of a forfeiture which would involve a loss on the part of the tenant of a valuable property, and therefore the head-rents have always been considered as particularly valuable property?—But surely the danger is not magnified in any way. I do not care for the personal covenant of the man to pay his head-rent. I look to the security of the land.

2001. How is he to collect his head-rent—is he to go to each of the ten tenants?—Certainly not.

2002. Well, how is he to get it?—If that land is sold one tenant is on the sale bound to indemnification of the others to pay the ten half-crowns. He pays the ten half-crowns to the head landlord just as you did before the sale.

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2003. Yes, but do you always bind one to pay for the others?—Yes.

2004. That is always done?—Yes, or two, perhaps.

2005. Or three perhaps, because the greater the number the man has to look for his rent from, the greater the difficulty?—But they gather it in together and pay it as one sum. He does not collect it in small sums. I know that quite irrespective of our Act all together the head-rents in the North of Ireland are very much subdivided amongst the tenants, but not to the prejudice of the head landlord.

Then the head landlord would have to bring in that case, as I understand it, an action of ejectment against every one of the ten tenants?

Mr. Neligan.—No.

Lord Milnes.—Well, against one—if he found one particularly solvent man, no doubt that would be sufficient.

Mr. Neligan.—He would still bring his ejectment, naming as defendants the men upon whom he would have to serve it. He is just in the same position as if a middle interest were sold in the Landed Estates Court. Suppose they sold a middle interest amongst several tenants, which they have done in several cases. They convey to a purchaser, subject to all the head-rents, but indemnified by some other party. Then all rights are left as they were.

2006. Lord Milnes.—But, however, it would convey a much clearer and more simple title to the purchasing tenant if you could convey the property free of head-rent?—You mean if there were compulsory powers of redeeming the head-rent. That would be indeed a very desirable provision.

2007. Don't you think that in a case where a property, subject to head-rent, is sold to the various tenants, it would be a fair thing to give the owner of the head-rent power to demand that the State should purchase it altogether, at a fair number of years purchase?—Not the State, but that the owner of the land or the owner of the rent might in such cases claim to have the head rent redeemed out of the purchase money upon fair terms.

2008. Twenty-five years' purchase was the term fixed upon by the Commissioners, under the Church Act, in selling the Church head-rents?—Yes, and twenty-five years is the price which you pay for quit rents.

2009. And less, some of them?—Not for quit rents.

2010. Supposing the security to be very ample?—I confess to you, that when various circumstances have reduced the price of land, out of which head-rents are payable, I doubt very much whether you can maintain that the same high average should attach to the head-rent as would attach if you had not reduced the value of the land. Is not it a very hard case that a man, selling his estate for eighteen years' purchase, should be obliged to pay the head rent at twenty-five?

2011. Well, I cannot see that. Supposing—I am always putting the case where the margin is ample; say where the head rent is not above one-half or one-third of Griffith's valuation, as it frequently is not—in such a case as that the security would still remain to all intents and purposes as great as ever it was?—Yes.

2012. And therefore the value of the security is wholly unimpaired by the fact that the tenant does not receive quite so large an income as he did?—I am in favour of giving the head landlord a right, where land has been sold, to apply to have his head-rent redeemed, if it can be redeemed upon fair terms to the man who is paying the head-rent. But I think it would be a very hard thing on the owner of the land, subject to the head-rent, to oblige him to pay in all cases a fixed statutory price, where the price which he is getting for his land may be very much smaller.

2013. Has it occurred to you that the State might purchase the head-rent?—In the 1881 that was brought in last year, there was a clause that the State or the State authority—I think that was the word—should take the burden of the head-rents and pay those head-rents, that they should convey the fee.

2014. Yes, that was the suggestion that I was hinting at?—Yes, there was that. I am aware of that.

2015. Because formerly, as you know, the security of head-rent was better than that of the funds?—Quite so.

2016. You could not be paid off?—Yes, but we have a power which we are very slow to exercise, at least I have been very slow to exercise, that is of apportioning the head-rent against the head-renter—apportioning it.

2017. You have it under the Purchase Act?—Yes, we have it under the Purchase Act.

2018. I thought that was struck out?—We have it under the Purchase Act, but we are bound to have regard to the interests of the owner of the head-rent.

2019. I was told it was bad equity?—I should be slow to exercise it.

2020. There was not such a large power as that given to the Land Commissioners?—It was in the Landed Estates Act, and we very seldom exercised it in the Landed Estates Court; because you must have regard to the owner of the fee, and you cannot say that his interest is improved by subdividing his rent.

2021. That is what strikes me. To pass from that subject, I understand you to say that the action of the purchase clauses of the Acts of 1870 and 1881 has been considerably impeded by the operation of somewhat too stringent rules which accompanied them—that is the action of the purchase clauses of 1870—I mean the Bright clauses?—The Bright clauses.

2022. And the purchase clauses in the Act of 1881?—Well, I do not say the Act of 1881. The Act of 1881 remedied many of the evils of the Act of 1870.

2023. But the Act of 1881 has not worked with anything like the celerity or smoothness of the Act of 1881?—No.

2024. Is it your suggestion that that should be in any way altered, or does the Act of 1885 remove any difficulties that previously existed in those other Acts?—I think there are some amendments, legal amendments, amendments as to procedure, which might be introduced in another Act. I did not think they would be the subject of inquiry by this Commission at all; I mean amendments to facilitate the working of the Act, which could be introduced in any Act and which would not in any way provoke controversy.

2025. What I meant was, is it necessary to alter those rules in order to make those purchase clauses act or does the Act of 1885 take away the obstacles?—I think the Act of 1885, with some trifling alterations, is sufficient for all purposes, except the matters that I have referred to.

2026. The President.—Nobody, I suppose, ever applies for a sale or purchase under the Act of 1881?—No, except so far as the terms of advance of the three-fourths.

2027. Lord Milnes.—You have already stated in answer to one of my questions that you have had a certain number of applications?—Quite so.

2028. Two hundred and three I think you said?—You will understand me that the Purchase Act of 1885 is incorporated with the Act of 1881, and amends the Act of 1881.

2029. And that is exactly the point to which I was coming. Does it sufficiently amend the Act of 1881 to get over those difficulties which formerly existed and which marred the effect of the Bright clauses?—Yes, certainly, but there are certain amendments which I should be prepared to suggest to facilitate the working of the Act. For instance, the tenant is

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Lord in every case to enclose a deed, securing to the State the advance made by us. I think that is unnecessary. I think our order should be sufficient.

2030. There is a prohibition against the tenant borrowing money under his tenancy until the whole is paid off?—No, there is no such provision.

2031. Is the Act of 1870?—In the Act of 1870 but not in this.

2032. That is all got rid of?—That is all got rid of.

There was a clause inserted in the House of Lords which prohibited a tenant from obtaining an advance on his holding until the whole of the instalments had been paid off.

The President.—That is repealed.

2033. Lord Millican.—(To witness).—In that respect it differed from the Church Act?—Yes.

2034. And I believe that is one of the reasons why the Church Act worked much better than the Act of 1870?—Yes, the tenant could not give security.

2035. And you think it would be very advisable that the tenant should be encouraged to make some effort out of his own pocket to purchase his holding?—Yes, I do. I should like to tap bank deposits in aid of purchase.

2036. In view of the enormous sums of money which are at present in the banks?—There is a table (produced) of the deposits in Ireland increasing from 1846 down to 1881, and I should like to get at some of those if I could, for the purposes of purchase.

2037. It would be advantageous partly with that object and partly with others which are obvious to give some encouragement to the tenant who was prepared to pay out of his own pocket a 50th part, say?—Yes.

2038. Should you be prepared in this case to advise that the payment off, for instance, if he so desired it, should be further protracted by making the instalments smaller?—I do not know whether I clearly convey myself?—Yes, quite so. I do not think it is an advantage to extend the period.

2039. You think it is long enough?—I think it is long enough, if we could offer a premium.

2040. In what other way would you suggest, because I think it would be very desirable that the tenant should himself be encouraged to come forward?—You see I find it very hard to recommend that you should advance money at a lower rate than three and an eighth. I could not recommend that, and you cannot advance money at a lower rate than three and an eighth without extending the period. You would have to extend the period. The question is whether you might not put in some provision that the tenant's purchase-money should in certain cases not be repayable entirely by annuity but repayable as an ordinary loan at 3 per cent. and paid off in five years or ten years by instalments.

2041. Sir James Caird.—Can he not do that now?—No, he can redeem his annuity, or any part of it.

Lord Millican.—Whenever he has scraped money enough together?—He can redeem the annuity.

Sir James Caird.—He can do that now.

2042. The President.—Then how would you give him a premium?—Unless you increased his time.

2043. Lord Millican.—I cannot see any other way?—I do not see any other way myself, but if there were another way I should prefer it.

2044. Mr. Neilson.—Coming back to what you were asked about just now, the number of years' purchase of head-rent, when you are estimating net rent in dealing with the Land Act, how many years' purchase do you take of tithe-rentcharge and quit-rent?—If he is redeeming?

2045. No, but you told us that your average period was eighteen years' purchase of net rental after

deducting the value of tithe-rentcharge and quit-rent?—Not after deducting the value, but after deducting the quit-rent and tithe-rentcharge, if any.

2046. You sell subject to both?—Subject to both.

2047. Then redemption of either is not part of your business?—That is a matter of contract.

2048. When you come to deal with middle interests, can you sell from the head landlord to the occupier?—No, you must begin at the bottom and go up.

2049. There is just one matter about the practice of your court as to which some complaints have been made, and I should like to ask you a question. When a landlord and tenant have agreed, and send up an agreement for purchase and sale, you send down your inspector to value?—If we think it is a case for inspection.

2050. And you act upon his report?—We consider his report. His report is not at all binding upon us in any way, and we do not always adopt it.

2051. Does the tenant get an opportunity of knowing what his report is?—No, nor the landlord.

2052. Nor the landlord?—Nor the landlord.

2053. And then if on that report you decline to carry out the sale, do they know why the thing is declined?—We state we are not satisfied with the security.

2054. Do you tell to what extent you would be satisfied?—If after we have declined to make the advance, we are asked what sum would we advance, we then tell them that we would consider an application for a certain sum, but we are very desirous, at least I am very desirous, to avoid, as far as possible, indirectly fixing a price.

2055. But supposing where the landlord and tenant have fixed a price, and you from the information before you decline to carry out their agreement, you do not tell them why, you merely say "we decline"?—We say we are not satisfied with the security.

2056. What is the objection to telling them "we do not approve of this sale, but we could approve of a sale at so much less"?—We will give them that opinion if they ask us.

2057. That is if they know enough to ask you; but do you not think it would facilitate the transactions under the Act if you at once said to them "we cannot sanction this proposal at £1,500, but we will sanction a proposal at £1,000," or £1,200 as the case may be—it would give them an opportunity of coming to you again perhaps, and would you see any objection to that?—I think in the majority of cases there is no objection to it.

2058. Because it strikes me that if you merely say "we decline," and then if they want to enter into a new arrangement they have to commence de novo so as to come to you again?—But where we are asked that is not so.

2059. But what objection would there be to telling the men at once "we will deal with you on such terms," and not putting them to the necessity of either entering into a new agreement or if they were unaware of your practice of entering into a new agreement recommencing a tedious process—don't you think it would facilitate purchase and sale if you in all cases acquainted the parties with what you would deal with them at—because I know that there are a great many complaints about the practice?—I am very anxious that the parties should fix their own price and not to encourage tentative agreements.

2060. Now, as the intending buyer and seller are left in ignorance as to the grounds on which you reject—whether it is that you are dissatisfied with the price, or whether you think that there are other

circumstances?—We tell them that we are not satisfied with the security, or any other objection.

2061. In cases where the deficiency of title operates on your mind, do you communicate that to them?—We will communicate with the landlord if it is a question of title, or we notify to the landlord that we are not satisfied with the security. It is he who lodges the application.

2062. In that case if there are 100 tenants, and five of them are rejected, except on the principle of security the landlord does not know why you reject the other five?—He knows we reject because of the security.

2063. He knows that you reject, and he has no means of taking action, with the view of getting over the objection?—Yes, if he asks us. It is a matter in our discretion, and if we are to enter into a discussion with the landlord and tenant in every case as to the grounds of our decision, we may be opening up matters which it may be undesirable to go into.

Lord Millicoun.—Mr. Lynch like a great many other judges is reluctant to give his reasons.

2064. Mr. Neligan.—I am sure that we shall hear a great deal on that subject, and I am anxious to give the Purchase Commissioners an opportunity now that they are here of inferring us?—We have not heard any complaints.

2065. I have heard a great deal of complaint of your practice, that when you have refused loans, you don't tell the parties to what extent you approve of a loan, so that a man is put to the necessity of commencing de novo, and taking his chance of coming at the price which would be sanctioned?—No landlord has ever asked us recently what would we be prepared to advance that we do not tell him; we will tell him if he asks, but we do not like, as it were, to fix a price which should be a matter, in the first instance, of mutual agreement between the landlord and tenant.

2066. Sir James Caird.—And what is the course that is taken in such cases where you intimate a refusal?—Sometimes the landlord writes to us and says "What would you advance?" and we say we will entertain an application for so much.

2067. Mr. Neligan.—Such cases have occurred?—Oh, yes.

2068. Sir James Caird.—And do courts?—Yes, occur constantly.

2069. So that you do not refuse?—We do not refuse at all. We do not volunteer information in reference to a transaction which we think they had better discuss themselves.

2070. Mr. Neligan.—I suppose that practically there is no appeal from the report that your man sends you as to value?—No; I think it would be a most undesirable thing that the inspections which are made by our officials, or our investigations should be the subject of discussion.

2071. There is no appeal from them?—Certainly not. These are confidential.

2072. And it is final—it determines whether a transaction is to go on or not?—No, the report of the Inspector is not final. I have sent two Inspectors.

2073. No matter how many Inspectors, does their report not determine the application?—We exercise our own discretion upon the evidence before us, which, besides the Inspector's report, includes the antecedent history of the estate.

2074. Lord Millicoun.—Mr. Oray, that we saw yesterday is one of them, is he not?—We employ him sometimes.

2075. And you set upon his report?—We do not set upon his report.

2076. You do not set upon it?—You misunderstand me. We are not mere machines to record the decisions of our Inspectors. We exercise our discretion. For

instance, an Inspector may report to us that he does not think the thing is value for more than so much. Very well, instead of rejecting that loan, we say to the landlord, we would like you to increase your guarantee deposit beyond the fifth—we can do that, leaving the price the same.

2077. Mr. Neligan.—That is, the more undesirable the transaction, the larger the amount of his money that is to remain at hazard?—Well, don't you think that is a fair thing. We give the landlord every information as to what we would do after we reject a loan; but we do not consider that the investigations which we make should be the subject matter of appeal or discussion—at least I do not, and I am speaking for myself.

2078. Lord Millicoun.—I am afraid you cannot help them being subjects of discussion?—Oh, that is another thing, but of appeal.

2079. Mr. Knipe.—Speaking of the tenants who would find a fourth or a fifth of the purchase money, you say that you think they ought to be encouraged. What encouragement do you propose should be given?—That was exactly the question. It appears that there was some difficulty in encouraging them, except by extending the period of repayment. That is the only way you can encourage them it appears to me. If there was any way otherwise of doing it, I should prefer to see it done.

2080. Do you think that if a number of such tenants could be found, it would encourage a large number of landlords to sell?—I do, of course.

2081. In consequence of the security?—Of course. Of course it may be an objection in some cases to have a large sum locked up at three per cent. as a guarantee deposit.

2082. Lord Millicoun.—Which might disappear altogether—at least so we have heard?—About this disappointing, the Land Commissioners are bound to exercise the right of sale, the power of sale, before they can touch the guarantee deposit.

Mr. Neligan.—I am glad you stated that, because I was not clear as to your powers of enforcing payments.

Lord Millicoun.—Oh, there is no doubt about that. Under the Act they are bound to try the power of sale; but if you cannot get a purchaser?

2083. Mr. Neligan.—Then you must try to sell?—Yes.

2084. Sir James Caird.—And you can charge it also?—Yes, you can charge it on the tenant's interest also.

2085. So that you may get it back again?—Yes. Were we to exercise the power, supposing there is default, we should sell the tenant's interest; and if the holding was not sold or did not realise the amount due—

2086. Then you should have the deposit money?—Yes.

2087. The claim for the fifth?—Yes, we can sell subject to the interest and to the arrears of the annuity. We can sell to a purchaser subject to the future sales, and if it does not realise what is sufficient, then we fall back upon the guarantee deposit, and then the guarantor may, if he chooses, buy the holding himself. He has that power.

2088. Lord Millicoun.—You must first declare it to be an irrecoverable debt by an order?—Yes.

2089. And then you shall not make such an order unless the Land Commission, having exercised any power of sale of the holding which they may legally exercise, have failed to realise by means of such sale the sum due still on the holding, or unless it appears on the order of the Land Commission that they have attempted to exercise the power of sale and have been unable to do so?—Yes, quite so; we are bound to exercise the power of sale. If the sale is an

Oct. 18, 1894.
Mr. Stanislaus
Lynch

ON 16, 1862.
Mr. Sturges
Lynch

abortive one, then we confiscate the guarantee deposit.

2000. *Sir James Caird*.—That power of sale is for the protection of the landlord's deposit!—It is for the protection of the landlord's deposit.

2001. *Lord Milnes*.—There is a point which I forgot to ask upon that very subject which I think material. Tenants, as I happen personally to know, have sometimes not purchased from a fear that the instalments might be demanded from them by the Government with an undeviating punctuality, which is not the case with their present rents. Have you any power, or should be likely to exercise it if you had, of giving them time for the payment of those instalments?—We could give them time, no doubt, but I think it would be a very undesirable proceeding. I hold that it would be to the detriment of the interest of the tenant as well as the State that we should exercise that indulgence to any great extent. I think that the success of our Act depends upon the punctual payment of those instalments.

2002. And then if the tenant does not pay up to time you sell him up!—We sell him up, of course. The case has not arisen yet.

2003. *The President*.—And you have no power of showing indulgence?—What we put in our mortgage is the ordinary covenant for payment within forty days. I think forty days' grace sufficient. The great thing is to have punctuality.

2004. Sometimes doing what you cannot help yourselves—you cannot show indulgence, even if you wish it?—I think in our interests we should not do it.

2005. *Lord Milnes*.—You have a discretion?—Yes; I dare say there are arrears under the Act of 1861. But I think it is not desirable to be too indulgent.

2006. *The President*.—How long can you give if you wanted it?—There is no limit.

2007. *Sir James Caird*.—Do you charge interest upon the unpaid instalments?—Yes; 28 2s. 6d. per cent.

2008. *Lord Milnes*.—You have no power of demanding a penal interest?—No.

2009. *The President*.—We only wished to ascertain how the facts stood about the power?—I do not think we have the power. There is no limit under the statute to the time.

2100. *Sir James Caird*.—But you would be using the public money at a disadvantage if you were to allow it to run on without paying interest?—Quite so. In our deed we provide for interest.

2101. *Mr. Nelson*.—Then, they would be liable under their covenant?—Yes.

2102. *Mr. Knipe*.—Referring to the sales that have taken place under this Act, what difference is there as a rule between sales that have taken place in the South and West of Ireland and the North of Ireland in the number of years' purchase?—I could hardly answer that, because the price varies on every estate. There is no hard-and-fast rule. Some estates sell higher than others.

2103. But as a rule, I presume the prices are much higher in the North of Ireland?—I think not.

Mr. Nelson.—Leinster should be higher.

2104. *The President*.—I suppose prices are higher in the quiet districts than in the disturbed districts?—Oh, yes, of course.

2105. *Sir James Caird*.—The price, I suppose, also depends on the quality of the land, whether it is good or bad?—Of course it does.

2106. *Lord Milnes*.—Seventeen to eighteen years' purchase is the average, I think you said!—That is speaking roughly, the average in Ireland is over eighteen.

2107. *Mr. Knipe*.—That is taking the average of all that have taken place?—Yes, taking the average; but there are those disturbing elements always, for instance, if I sell some land subject to a heavy bond-rent it might make the price less, and therefore disturb the average.

2108. Do you apprehend that the landlords of the North of Ireland would be equally willing to sell with the landlords of the South and West of Ireland?—I think from the applications for farms and for instructions there is evidence in the North of considerable sales as well as in other parts of Ireland. The public companies are working there, the Fishmongers, the Drapers. The Salters have completed their sales nicely; the Drapers are working.

2109. But throwing those companies overboard, there would not be very many applications?—Oh, yes, I think so. We have some.

2110. Now, speaking of this local security which you think the State must have and that is necessary, what sort of security can you suggest would be most acceptable?—Local corporations which could give to the State in addition to the security of the land they buy, the security of the rates or some special rate, if necessary.

2111. *Mr. Nelson*.—That would make the poor ratepayers liable for other men's debts?—The ratepayers in the distressed unions are liable for the poverty of the people at the present moment.

Mr. Nelson.—But they do not enable any man to buy an estate.

2112. *Lord Milnes*.—Those whose rents are £4 and under, who constitute a considerable proportion, those ratepayers rated at £4 and under would have no such liability?—No. But this is a work for the benefit of the district, not of an individual.

2113. Though they form so inconsiderable proportion?—No.

2114. *Mr. Knipe*.—You would not propose to take the security of the existing local bodies?—I am not particularly in love with any of the existing local bodies.

2115. *Lord Milnes*.—You would have, if possible a better one?—I would have, if possible, a better one. I am not in love with the idea of the Board of Guardians or the Grand Jury. What I say is you must have a local board or authority of some kind.

2116. *Mr. Knipe*.—But you are not just prepared to say what that should be?—Not further.

2117. *Sir James Caird*.—With regard to the question of extending the time for the repayment of the money advanced by the Government I think we have had in evidence that unless the time was long enough not to make the annual charge higher than the present rent, the work would not go on with facility?—No.

2118. Now would you go beyond that, that a man paying his present rent or somewhat under his present rent, should still get a long time in order to pay both rent and principal?—I think that men won't be inclined to purchase unless the result is that they will pay something less than their annual rent.

2119. *Sir James Caird*.—But don't you think that that is a sufficient thing, that that being the case in most cases now, it does not seem desirable that that should be made more extensive—you yourself see a disadvantage in lengthening the time, the period over which the payment should run?—I do, but I am not prepared at the present moment—I have not considered the thing very closely—to suggest any other way of offering a premium to a man to pay money on account. If I could see any other way of offering a premium to him to pay at once a portion of his purchase money I would do so.

2120. But not by extending the number of years in which the payment is to be made?—That is the only alternative now apparently before us.

2121. Lord Althorpe.—You would sooner extend the number of years than not give him any premium at all?—Certainly I would, because the more the tenant pays the greater the security the State has; and therefore they could afford to extend the term.

2122. Sir James Caird.—You mean if they paid down a preliminary sum?—Oh, yes, you will understand me, Sir James Caird, that where we advance the entire purchase money with a guaranteed deposit I am not in favour of extending the term of forty-nine years or of reducing the rate of interest, but where I could induce a tenant to pay a portion of the purchase money himself in cash, I would then offer him a premium by extending the term of his payments.

2123. Beyond forty-nine years?—Beyond forty-nine years.

2124. If you had a security of payment?—Yes.

2125. Mr. Neligan.—Speaking of the title-rent-charge and quit rent which may go over a large estate, one or two portions of which are sold, would you sell that subject to the entire and indemnified against the other, or how would you manage, because it might come to this that, according as the estate was sold, you would leave it all on the last lot sold?—Yes, we have a great deal of difficulty in dealing with that, and that is the reason we try as far as we can to get the title-rent-charge redeemed, but where we cannot get it redeemed we ask the landlord to give us a deed of indemnity, charging some other portion of his land with the payment.

2126. Where you do redeem the title-rent-charge, at what rate do you redeem it?—Twenty-two and a-half years.

2127. Do you make any difference there where the title-payer has encumbered himself?—Oh, yes, there is another scheme for that.

2128. But in all cases you charge twenty-two and a-half years' purchase?—All ordinary title-rent-charge.

2129. Though he may be only getting seventeen or eighteen years' purchase for his property?—Yes, the quit-rent office charges twenty-five.

2130. So that although he is selling for only seventeen or eighteen years' purchase he has to pay twenty-five for quit-rent, and twenty-two and a-half for title-rent-charge?—Yes. I am of opinion—my own personal opinion is—that twenty-two and a-half is a high rate.

Mr. John George MacCarthy examined.

2142. The President.—I think, Mr. MacCarthy, you are one of the two Commissioners who work the Land Act of 1881?—Yes, my lord.

2143. I think we have got most of the figures before us here, the number of tenants who have applied, and the amount of money that has been given, and everything else of that kind, and therefore I do not think that there are any figures that we can ask you for that probably have not already been given to us?—My colleague, I suppose, gave you most of the figures. If there be any further information that I can give I shall be glad to do so.

2144. When may I ask you some questions as to the Land Act of 1881?—Yes.

2145. Perhaps you could tell me—I will ask you some questions as to the fall in the value of land since some of the decisions were given and the judicial rents were fixed?—Yes.

2151. Sir James Caird.—Is a high price?—Is a high price for title-rent-charge, and I do not think that in the old Incumbered Estates Court, in measuring compensation where we sold free from title-rent-charge and it turned out to be subject, I am not prepared to say that we ever gave so high a price as twenty-two years' purchase as compensation. I think we gave a much lower number.

2152. Mr. Neligan.—Because it was believed by the purchaser that the title was at an end with the purchase?—Yes, exactly. I think myself that twenty-two and a-half years is an excessive price, as I do not think that lay titles put on the market to-morrow would sell at twenty-two and a-half.

2153. Is not the title a proterface charge?—Yes.

2154. Mr. Neligan.—Now it is fixed, and it is liable to deduction?—You deduct the whole of the poor rate from it.

2155. Sir James Caird.—The whole of the poor rate applicable to the title?—Applicable to the title. With reference to those congested districts, I think you will find that there is an immense amount of information collected on that subject by Major Robertson, Mr. Toke, Lord Dufferin, and on the previous Commissions, and anything I have suggested is not new here.

2156. Mr. Neligan.—I suppose we may take it that although there is all this information along with other information, nothing has really been done?—Nothing has been really done, and I do not think that in those very bad districts the Act can work; and I think it is the duty of the State to do something to mitigate that evil.

2157. You think it a great evil?—I do.

2158. A growing evil?—A growing evil.

2159. The President.—The whole of the business of this Act is carried on by you and Mr. MacCarthy?—Yes, we are charged with the working of this Act, and the other Commissioners have nothing to say to it except the Judicial Commissioner who is empowered to sit with us for the determination of legal questions. Referring to a previous question as to the amendment of the Act, I considered that the amendments I would suggest were outside the scope of your inquiry.

2160. Mr. Neligan.—Matters very much of detail, not for this Commission?—Matters very much of detail, suggestions to the law officers of the day.

2161. Will you be so good as to put in writing any matters of that kind?—Yes.

2146. Can you give me any evidence about the fall in prices of produce?—Not being a practical farmer, and not being a statistician, I cannot give you evidence as to the fact of the depreciation, or as to the extent of it. What I can say is that, assuming, and I believe there is a sort of consensus of opinion in favour of the assumption, that there has been a permanent depreciation in the prices of agricultural produce—

2148. Then you cannot speak from personal experience?—No; but I say that assuming such permanent depreciation to have taken place, then in many cases the rents that I assisted in fixing, as chairman of the sub-commissions of Mayo, of Kerry, and of Clare, have been too high.

2149. Lord Althorpe.—You mean, of course, assuming that to be a permanent depreciation?—Yes.

Oct. 18, 1890.
Mr. Sturges
Lyons.

Mr. John
George
MacCarthy.

Oct. 28, 1886.
Mr. John
George
McCarthy.

2150. That observation would not apply to one or two years' depreciation!—Of course not.

2151. The President.—Then you are prepared to give some evidence with regard to the combination to resist applications—is this from your personal experience?—In my administrative or judicial capacity, I have not found any evidence of illegal combination affecting the operation of the Act of 1881, or the Act of 1885. As regards the Act of 1881, when first we went to Mayo, in October, 1881, it was at a very excited period. There was a combination of tenants, and there was also a combination of landlords. By both we were looked on very hostilely; but in process of time as both came to perceive that we acted impartially, the opposition ceased, and both parties co-operated fairly to assist the administration of the law; so much so that within a few months ten thousand applications for fixing fair rents were served in the county of Mayo.

2152. In 1885?—In 1881, my lord, you were good enough to appoint me one of the four legal sub-commissioners, and I went immediately to Mayo.

2153. Has your experience in the last year as Commissioner for the Purchase Act caused you to look at all into the state of the country in the different districts from which applications are made for purchase?—Yes.

2154. You take into account in deciding whether you will allow a purchase whether the country is quiet or not?—Yes.

2155. Then is your experience lately that the country is on the whole under the influence of a powerful combination?—The operation of the Purchase Act has not so far as came to my knowledge been unreasonably opposed by any section of the population.

2156. It has not—there has been no influence brought to bear to prevent tenants taking advantage of it?—I have read something in the papers about it, but I have no official knowledge of the least improper combination against the Act either on the part of tenants or of landlords.

2157. Do you consider that the Act of 1885 has had a fair trial at present?—No. The Act of 1870 got a trial of eleven years. The Act of 1881 got a trial of four years. The Act of 1885 ought to get a trial of ten years.

2158. I think we have the figures of the number of applications?—The Act of 1885 has in twelve months accomplished twice as much in the way of land purchase as the Acts of 1870 and 1881 effected in fifteen years.

2159. Mr. Neligan.—More, according to Mr. Lynch?—The number of cases sanctioned in 3,661, as against 1,631 under the two preceding Acts. The amount sanctioned in £1,335,365, as against £367,366 under the two preceding Acts, during fifteen years.

2160. The President.—Do you think that tenants will come forward in increased quantities, even more than they have now?—Yes. Every day they are coming in in larger numbers. My apprehension is that they will come in in too great numbers.

2161. Lord Milborne.—You mean with regard to the amount of money available?—No, but with regard to the due operation of the Act. I object to a rush. The administration of the Act is a matter involving the utmost responsibility and requiring the utmost care, and I think it would be unfortunate if there were such a rush that business would have either to be delayed or to be done indiscriminately and hastily.

2162. The President.—Do you have to refuse many applications?—We appear to have refused approximately 500 applications, amounting to £200,000. Those are approximate figures.

2163. 500 refused as against a little over 3,000 granted?—Yes.

2164. You do not give any reason, I think, for your refusal?—We say that we are not satisfied with the security or with the title, as the case may be. If the difficulty be as to the security, it is open to the parties to apply for a lesser sum. If the difficulty be as to the title, it is open to the parties to endeavour to rectify it.

2165. And you inform them why?—If the security be insufficient it is our present practice to inform them, if they apply to us, how much we should be prepared to advance.

2166. Mr. Neligan.—Your present practice?—Yes. At first we did not do so.

2167. The President.—What number of years' rental is generally calculated upon?—We do not decide by average. We decide each case scrupulously on its own merits.

2168. Do you take in the first instance so many years' rental as a fair sum?—No; we consider all the circumstances of each case. We do not act on any rule of average. But if your lordship wishes to know what, on the whole, has been the result—what has been the average rate on the whole—I can give you the figures.

2169. Lord Milborne.—Eighteen years' purchase?—Eighteen years' purchase on the basis that have been sanctioned.

2170. Sir James Caird.—That is, the Act of 1885?—Yes.

2171. The President.—I did not mean that you dealt on a rule of average, but, taking the average, that would be the number of years' purchase?—Eighteen years' purchase.

2172. Sir James Caird.—Has that been the judicial rent as a rule, or how is the rent ascertained?—Ordinarily when a judicial rent has been fixed this weighs with us as a fact, but our general rule is to get the lands inspected, and if we think it desirable, we get an estimate from the Inspector as to what a fair rent should be, and we do not lead a larger sum than the fair rent would in the average of years suffice to pay the instalments of. We try to keep well within the limit of extreme prices, and to lead only such an amount that the purchaser is likely in the average of years to be able to pay.

2173. The President.—Can you suggest any improvement in the Act, or anything that could be done to make it work even more successfully than it does now?

—On the whole the Act is succeeding. It will succeed if it gets a fair chance. At present we have to wait for the higgling of the market to be over. Parties are unreasonable with each other, tenants expecting to get land too cheaply, and landlords often willing to get too high a price. But when that higgling of the market is over, the chances are in favour of a very large extension of the working of the Act. I strongly object to perpetual chopping and changing of legislation as regards land. The Legislature would destroy the chances of any Act if as soon as it was a few months in operation something else was proposed. Therefore any suggestions of mine would be on the lines of the Act that I administer, and merely to facilitate its working. One suggestion of mine that I would respectfully submit to your lordship and the Commission is as regards head rents. We find that they are a constantly recurring obstacle.

2174. The comment of the man who has the head rent is necessary?—It is, my lord.

2175. Lord Milborne.—Not quite so. Do you mean to say that the purchase cannot be effected without the consent of the head landlord?—I mean that the existence of considerable head rents often makes it imprudent to lend, and that the head rent cannot be bought without the owner's consent.

2176. Has the head landlord a veto?—Yes. He can say—"I won't sell."

2177. But he cannot prevent the middleman selling?—He can refuse to sell his head rent, and thus render advances to tenants unsafe.

2178. Sir James Caird.—The consent applies only to his own head rent, his own interest?—Yes.

2179. He cannot interfere with the other?—Presumably it prohibits transactions in a vast number of cases. Obviously it would be imprudent for those having the administration of State funds to lend subject to heavy head rents. Therefore in a great number of cases we have to decline the advance because we think the security subject to the head rent is insufficient. Anything that would remove this obstacle would facilitate the administration of the Act. It has been stated that there are substantial head rents existing over one-third of Ireland. If this be so the operation of the Land Purchase Act must be seriously hindered, and in a great number of cases absolutely excluded.

2180. Sir James Caird.—Have you any idea of what proportion that one-third bears to the whole agricultural rental of Ireland?—No.

2181. The President.—Then how would you propose to meet this difficulty?—My suggestion would be that the analogy of tithe-rentcharges should be followed, and that it should be rendered compulsory on the landlord to sell at any twenty-two and a half years' purchase.

2182. Lord Millicom.—The head rent?—The head rent.

2183. The President.—I suppose the head rent is looked upon as a very good investment, and that it has always been very safe?—So have tithe-rentcharges. According to the legislation affecting tithe-rentcharges, which were just as good as head rents, the price is fixed at that rate.

2184. Twenty-two and a half years?—Twenty-two and a half years' purchase. Another means of facilitating the operation of the Act would require more consideration. There is more to be said for and against it. A very large proportion of Ireland is heavily mortgaged. The present owners, that is, the mortgagees, are living on very slender margins. If they arrange for a sale of their estates, say at eighteen years' purchase, that margin vanishes in a great many cases. Thus they naturally object to the sale of their estates.

2185. Their consent is always required?—Yes, our Act is based on the consent of the parties.

2186. And the mortgagee cannot stop, I suppose, the sale except the proceeds went over his own mortgage?—He cannot stop it absolutely?—In cases which are worked by conveyance, he may object to join in the conveyance. The question is whether in that state of facts a very large proportion of Ireland is to be forever excluded from the operation of the Land Purchase Act, and whether the system of dual ownership is to subsist continuously on that very large proportion. It is a very grave question, but my view would be that in such a case it might be rendered optional with either party, either the landlord or the tenant, to apply to have a fair price fixed by the Commission.

2187. Mr. Neligan.—At which to buy out the mortgage?—At which to buy out the land, and vest it in the tenants.

2188. That would in effect be buying out the mortgage?—It would clear the land.

2189. Lord Millicom.—In case of land under mortgage this suggestion is?—Yes.

2190. Mr. Neligan.—To fix a fair value for the mortgage?—To fix a fair price for the land, and sell it discharged of the mortgage.

2191. Not value, but price?—To fix a fair price for the land.

2192. The President.—That is to say if the landlord and tenant are both willing?—Our present system is based on mutual agreement as to price. But in a vast number of cases the parties cannot agree. My

suggestion to meet this difficulty is, that if either party desires to purchase or sell, he should be at liberty to apply to the Commission to fix a fair price, and that the other party should be bound to sell or buy, as the case may be, at the price so fixed.

2193. Mr. Neligan.—Who do you call the landlord in that case?—The mortgagee. He is technically the landlord. In other words, if the landlord desires to sell and the tenant refuse, I would suggest that the commission should have power to try the case and fix a fair price. If the tenant be willing to purchase and the landlord from one cause or another refuse, I would suggest that the commission should have power to fix a fair price.

2194. Lord Millicom.—Let us understand that. To what land do you wish this to apply?—To all land.

2195. No matter how small or how large?—No matter how small or how large, provided the holding be agricultural or pastoral.

2196. Any land, subject to any mortgage?—The chief object of the suggestion is to meet the difficulty about mortgages.

2197. I want you to meet my difficulty?—Certainly, my lord, if you will be good enough to state your difficulty. What is your difficulty?

2198. I want to know to what land you wish this compulsory power to apply?—I would apply it to any land.

2199. To any land?—To any land.

2200. Mortgaged or not?—Mortgaged or not.

2201. Sir James Caird.—That is to say you would compel the landlord to sell?—Yes, at a fair price to be fixed by an impartial tribunal.

2202. Lord Millicom.—Or the tenant to buy?—Yes, at a fair price so fixed.

2203. The President.—Either party?—Either party. Another alteration appears to be worthy of the attention of the Commissioners. It is a small matter, but it would facilitate the working of the Act if we were not obliged to require the tenant in each case to execute a mortgage deed.

2204. Lord Millicom.—Yes, that was suggested by Mr. Lynch?—I think it would be better if our order would have the effect of charging the lands in the same way as the order of the Board of Works under the Act of 1870.

2205. The President.—To buy the land subject to the mortgage?—I suggest that our order should charge the land with the amount of the advance repayable by instalments.

2206. Mr. Neligan.—How would that be a gain?—It would save expense and facilitate working.

2207. Mr. Neligan.—Do you stamp—do you register?—Our mortgages must be stamped and registered.

2208. And at present your mortgage is a very simple one?—A very simple one. We generally content it with the conveyance in one deed.

2209. The President.—Is there any other hindrance that you can state?—The operation of the Act has been hindered by an unwise attempt on the part of some land agents to coerce tenants into buying and as to the terms of buying.

2210. Then according to your plan the landlord could force sales at any moment—the landlord or agent could force them to buy at any moment?—At a fair price to be fixed by an impartial tribunal.

2211. Then what you say is they attempt to coerce them to buy at an unfair price?—To buy at their own price, which may or may not be fair.

2212. Lord Millicom.—What the tenant considers an unfair price, to put it milder?—And sometimes what we also consider an unfair price.

2213. The agent tries to compel the tenant to pay above at what the tenant considers an unfair price?—I do not think any man ought to be able to compel another to buy at his own price. A contract is worthless unless it is free. Neither party should dictate terms to the other.

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2214. *The President*.—How does he exercise the pressure?—By telling the tenant he must either sign a contract for sale or go out. I have seen letters of this class. I have a letter in my possession from an extensive land agent telling the tenant that the sheriff could not be put off beyond to-morrow, but that if he handed the sheriff the contracts for purchase duly executed he would not take possession. Surely a contract signed under such circumstances cannot be free.

2215. Then the tenant can apply for a judicial lease can't he?—Not if eviction is hanging over his head; he must go out.

2216. *Mr. Nelson*.—But he has six months to sell?—Yes, he has an equity of redemption.

2217. He could get a judicial term which is practically tenure for ever, renewable every fifteen years, and offer to sell?—But he may be put out altogether if he cannot pay up the arrears of rent.

2218. If there is a judicial rent?—But if there are heavy arrears, and in this case there were heavy arrears.

2219. *Mr. Keape*.—And what was the effect of this letter of the extensive agent?—The tenant agreed to sign the contract.

2220. The letter was telling him that he must do it?—Giving her the option of either signing the contract for sale or being put out by the sheriff.

2221. *The President*.—And this was a case in which the tenant had become completely at the mercy of the landlord owing to the large arrears of rent?—Owing to her owing large arrears of rent.

2222. *Lord Millicown*.—So that it is really a question of whether a landlord should enforce his judicial rights or sell the property. He had a decree against the tenant, and he said "I will hold my land, and not exercise this decree if you buy the estate." Is not that what it came to?—The words of the letter are pretty much what I have told your lordship. It was of course open to the landlord to exercise his judicial rights.

2223. Yes, but it must come to that, because he could not turn him out otherwise?—No doubt.

2224. *Mr. Nelson*.—He had a judicial right?—He had a judicial right, but one of the elements by which we judge of the sufficiency of the security is the fact that the parties at both sides being independent of each other, have agreed upon the price. That element, at all events, vanishes if one party can coerce the other to agree to any price he likes.

2225. If one is a large debtor, and the other a large creditor, which unfortunately is the state of things that exists?—Yes, unfortunately it is very often so.

2226. *Sir James Caird*.—Do you know what was the number of years' purchase that he mentioned?—I do not remember. We have a great many complaints, some, I presume, not well founded, some, I am afraid, well founded, of such attempts at coercing tenants into buying, and as to terms of purchase, and we have set our faces against that system as being wholly foreign to the spirit of the Act.

2227. *Mr. Nelson*.—Is it the tenant that signs the agreement that makes the complaint?—Yes, he virtually says, "I have signed under duress."

2228. *The President*.—And you have no procedure as to whether undue pressure was put upon the tenant to make him sign?—Prima facie of course the contract ought to hold good, and we throw upon whoever objects the burden of proving by evidence or otherwise, that objection.

2229. *Mr. Nelson*.—Then do you go into the whole question, and hear them both on it?—Yes, if necessary.

2230. *Sir James Caird*.—Then if no objection is made?—The sale goes on.

2231. Then the tenant might be really coerced into a purchase that was disadvantageous to him?—He might.

2232. And you have no means of knowing that?—We have this check upon it that in most cases we send down an inspector to ascertain and report to us what really the land is security for, and we form our own judgment, as to whether, taking all things into account, the security is sufficient for the advance proposed.

2233. And unless the price seems to you from the report you receive to be a fair price you will not allow it to go on?—We are bound not to lend unless we are satisfied with the security.

2234. *The President*.—And in protecting yourself you also protect the tenant?—Yes; that was the point that I wanted to bring out in reply to Sir James Caird.

2235. *Mr. Nelson*.—So that really he has that protection—he has the protection of getting the case tried before you if he alleges duress, and he has the further protection that you do not deal with it till you have had a report from your own inspector?—Yes. (*The President*.) I may also observe, my lord, that looking at it as a matter of policy, it appears to me most injudicious for landlords or land agents to adopt this course. Obviously tenants won't be lulled into buying. If you want them to buy you must not try to bully them into it.

Lord Millicown.—You make them at once think it is to their disadvantage?—You must let them free to judge for themselves.

2236. *The President*.—Have you found that the deduction of one-fifth of the price from the landlord has had any effect in preventing the landlord agreeing to sell?—The retaining the guarantee deposit is a very considerable difficulty in many cases; but it is a difficulty that I do not see any means of obviating. The first requirement of the transaction is that security for the money of the State should be got,—that we should get in one way or another a pound's worth of value for every pound we advance.

2237. I suppose in some cases there is security enough without that one-fifth?—We try in every case to obtain security sufficient for the advance without the one-fifth; but then comes the question of fluctuation of seasons, further fluctuation of prices, further depression of property; and in face of these risks it appears to me that the Imperial taxpayer ought to be protected by the guarantee deposit. We have selected with the greatest care, just as we would for ourselves, every security that we have lent a shilling upon, and the average being, only eighteen years' purchase and the further security of the guarantee deposit being taken into account, the money we have advanced is as safe as if it were in the Bank of England.

2238. It has been suggested to us that you might have power to dispense with the one-fifth deposit in certain cases?—How is that?

2239. *Mr. Nelson*.—That you might have a discretionary power?—Yes, that might be worth consideration.

2240. *Lord Millicown*.—Considering the combined value of the landlord's and tenant's interest, that might form a sufficient security in many cases?—It might, but I am in favour of absolute security for the advances to be made by the State.

2241. And therefore it might be advisable for your commission to have a discretion as to insisting on retaining the one-fifth?—I think so; but as a general rule I should be in favour of the guarantee deposit.

2242. *The President*.—Of retaining the guarantee?—Yes. The cardinal point is to have the security good. We cannot expect the Imperial Treasury to continue to advance money unless the security is really abundant. On the present plan it appears to me to be abundant, that is, provided each case is carefully looked into without hurry, and no pound lent without sufficient security for its independency of the guarantee deposit altogether.

2243. I would ask a question with respect to how far the Act could be expedited by providing secu-

vities through the intervention of local authorities?—My personal opinion is not in favour of that plan. It would interest the local taxpayers in the repayments, and in the preservation of order; but it would make the practical honest and industrious men pay for the thriftless. This is questionable policy.

2244. I suppose the local authority would in most cases be very unwilling to mix themselves up with it?—I should say so. Something of that sort was proposed by Mr. Trevelyan in Parliament, and it appeared to me extremely unlikely that any number of men would guarantee other people's debts.

2245. There was also an idea that the tenants of a township in a congested district, where there would be difficulty in finding security for any of them individually, might join together and guarantee one another. Did this appear to you feasible in any way?—I do not see any way to that, my lord. I may add that as regards congested districts my real opinion is that our Act ought not to operate on congested districts, strictly speaking. The Act declares that we can only make advances in case we are reasonably satisfied with the security. I confess that I am not reasonably satisfied with the security of congested districts for almost any advance however small.

2246. Have you refused in certain congested districts?—We have refused a very large estate lately; and we have refused some others also. The difficulties are immense.

2247. Mr. Neligan.—I believe Mr. Lynch brought on the map—I believe it was in Galway?—Galway and Mayo. I do not think that men administering State funds could say that they are reasonably satisfied that loans of that sort would be repaid. It might happen that the market for Irish migratory labour in England would diminish or would cease altogether.

2248. The President.—Do you think it would be possible for a local authority or for a company to buy land throughout a district, and to mortgage it, improving the condition of the tenants, and then eventually to sell to them as they became better off?—Something of that kind, my lord, was in my mind, namely, that another Commission should have the power to buy estates in congested districts, and should do whatever the case required in order to solve what after all is the most difficult crux in the Irish land question; and then, having cleared the way, so to speak, they might apply to us in their capacity of landlords to make advances, and so have repaid the advances they had already made, or a substantial portion of them.

2249. Sir James Caird.—Your Commission has that power now?—Our Commission has the power of making advances on any land in Ireland.

2250. Including the congested districts?—Including the congested districts.

2251. The President.—But only to the tenants?—Only to the tenants, and provided that we are satisfied that the repayments are reasonably well secured.

2252. Sir James Caird.—Is not that a very necessary condition of the part of the Government?—Most necessary, reasonable, and desirable.

2253. The President.—But you would have to get further powers to advance money to an intermediate party between you and the tenants?—If the idea in my mind were worked out, the new Commission would become the landlords of the congested district, and they would squeeze the farms, and then they as landlords and the tenants as tenants could apply to us.

2254. Lord Millican.—But where are they to get the purchase-money?—Imperial funds.

2255. Then the main difficulty arises exactly—the same difficulty would arise in their case as in yours, there is no security?—No, because such a Commission would possess powers of dealing with the estates that we do not possess.

2256. I can quite understand your wishing to shift it to another Commission?—They would have the power that we have not of squeezing the farms, making lettings and managing the estates.

2257. They should have the power of overriding the Land Act of 1881, otherwise they could not do anything. You would have to repeal that celebrated measure as far as those districts were concerned?—More extended powers would be necessary.

2258. Mr. Neligan.—And the Acts of 1870 and 1881 have rendered it more difficult?—They have.

2259. Sir James Caird.—Have you had any experience of projects of that kind being carried out in Ireland?—No; I remember visiting a place in the south of Ireland, called Kingwillinstown.

2260. Sir James Caird.—Probably you could tell us something of the history of that, as an example of the Government endeavouring to reclaim land as a profitable investment?—I have only a vague recollection.

2261. Mr. Neligan.—That was a failure, Sir James. Witness.—My recollection is that it was a failure.

2262. Sir James Caird.—Then you have no other instance in Ireland where the Government have been successful in a work such as you hint at?—I did not hint at any such work as that of Kingwillinstown, I was answering as to congested districts.

2263. The only instance that you do recollect was a failure?—I think it was a failure, but I do not see the relevancy of the case.

2264. The President.—I suppose there have been many good landlords in Ireland who have tried to improve the congested districts?—Yes, there have been some landlords also who, I think, have brought about the evil by allowing subdivisions and encouraging subdivision in order to get increased rents.

2265. Is there any other remark that you would like to make?—If the fact be that there has been a permanent depreciation in prices I see no reason why judicial rents which were fixed on another basis might not be properly and equitably adjusted on the new basis. If it was just for a court to fix a rent on one state of facts, it would be just for the court to fix a rent on another state of facts. Adam Smith says that any fixed rent must in time become an unfair rent.

2266. Lord Millican.—To one party or the other?—To one party or the other.

2267. Mr. Neligan.—Had not Adam Smith, when he wrote, the recipient in his mind as well as the payer?—I cannot say what was in Adam Smith's mind. I think it right to state also, though it is an ungracious thing to say, that in the administration of the Land Act of 1881, I found rents were excessive, in Mayo, in Kerry, and in Clare.

2268. Sir James Caird.—What is that?—I wish to say, sir, that in my judicial experience, looking at the matter as a judge administering the Land Act, in Mayo, in Kerry, and in Clare, I found rack-renting to prevail to an extent that I confess was simply shocking.

2269. The President.—And I suppose you knocked off a good deal of that?—Certainly whenever I got the chance of remedying injustice I remedied it.

2270. Lord Millican.—Is it a fair inference from that remark that elsewhere you did not find that the case?—It is; in the county of Limerick I did not find it so.

2271. You know the two Commissions, the Beasborough Commission and the Richmond Commission, both reported that the land in Ireland was not excessively let?—I can only judge from my experience. I think it was excessively let in the counties I have named.

2272. The President.—And most of the Commissioners took your view because on the average they reduced rents by 20 to 25 per cent.?—Yes, my lord. My apprehension, however, is that the subsequent fall in prices have made even these reduced rents too high.

Lord Millican.—The Beasborough Commission reported that the land in Ireland was not excessively rented.

The President.—But against that there is the reduction of these Commissioners.

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2273. Mr. *Nelson*.—Have the reductions in those counties been larger than in the rest of Ireland?—Yes.

2274. By how much?—I could not say.

2275. The President.—I suppose we have not had anything like experience enough yet as to how long the depression is likely to last, to warrant a refixing of rents for another fifteen years on any lower scale than those that have been fixed now?—I endeavored to guard myself against the assumption that I considered rents ought to be fixed on the basis of exceptional years.

2276. Mr. *Nelson*.—If the exception becomes the rule then you would?—Just so.

2277. The President.—Then as to the re-adjustment of rents, I would ask a word or two about the sliding scale—have you thought of that?—I think it is founded on justice, and it is somewhat analogous to a provision in the old Roman law. There was an analogous provision in the code of Justinian.

2278. Mr. *Nelson*.—If we went to that we should find many precedents that we should be very sorry to adopt.

2279. The President.—There would be a difficulty in forming a basis for the purpose of starting it?—There would. Then the meter system, which is based on the partnership principle, brings about the same result.

2280. Lord *Milltown*.—Are you not afraid that it would lead to excessive litigation?—It would have that drawback.

2281. Unless it was absolutely self-acting?—If a basis of prices were once fixed it might be made to a large extent self-acting.

2282. Do you think that the farmers as a rule would prefer a sliding scale of that character to a fixed rent—do you think that they would rather run their chance of a fixed rent than have the possibility of a rise?—Unless the fixed rent was perhaps unfairly low, I think they would rather have the rent adjusted from year to year in accordance with the actual facts of the case.

2283. You think they would?—I think they would. On the whole the people love justice and this is just.

2284. The President.—Do you think that if a sliding scale could be established the difficulties in the way of forming a basis are not insuperable?—I think not. It is a matter of collection and verification of agricultural returns.

2285. Lord *Milltown*.—I should just like to ask you one or two more questions?—Very well, my lord. May I say this? Some people appear to think that we are bound to lend money to whoever asks it, and there have been some complaints made, which no doubt you will hear, that we have refused applicants. Our tendency is in favour of loans. Our duty is to facilitate and not to obstruct, but we are bound not to lend unless we are satisfied with the security. You were going to ask me something, my lord.

2286. Yes. You said in one of your earlier answers that you had occasionally refused applications on the ground of the title being bad?—Yes.

2287. Were there many instances of that?—No; very few.

2288. I believe the Act provides for some simple proof of title, does it not?—I cannot say that it does. There are many technical difficulties get over by conferring upon the powers that Land Judges have.

2289. The power of giving an indefeasible title?—Yes, but the exercise of this power involves so many precautions that it is rarely used.

2290. Is there any suggestion that you can make, Mr. MacCarthy, because it is an important point, to lessen that difficulty of proving title?—No, my lord, I am afraid that the title must be proved somehow or other.

We cannot lend on bad titles, and the proof that titles are good is necessarily slow under the existing system of law.

2291. Then in those cases where you refused you were satisfied that the title was not a good one?—Yes.

2292. It was not from any difficulty?—Simply that the title was bad.

2293. With regard to the head-rents I should think I should not be very far wrong if I said that previous to the Land Act of 1881 head-rents were the very best security in Ireland—they were then sold not infrequently at thirty years' purchase?—I have had no experience of such a high price as that. I have known them sold at twenty-five.

2294. Were they ever sold at less than twenty-five before 1881?—Yes.

2295. Before 1881?—Yes. I have had professional experience of their being sold at much less than twenty-five. That would not apply to head-rents in towns, for instance, but to agricultural head-rents.

2296. I mean head-rents, which means as a rule in Ireland rent that was fixed 150 or 200 years ago, and which now does not represent perhaps a fourth or fifth part of Griffith's valuation. Do you mean to say that in your experience such a rent as that was sold previous to 1881 at less than twenty-five years' purchase?—Yes.

2297. Really?—Most certainly.

2298. It must have been in very exceptional circumstances?—I do not think so. Hancock's return shows that the average is less.

2299. You are aware that the Land Commissioners, when fixing the price of the Church head-rents, fixed the minimum at twenty-five years?—Hence very few of them were bought.

2300. I bought unfortunately some. Very few were bought, and the high price rendered these provisions unsuccessful.

2301. That was the very least they consented to take. It made the Act inoperative in that respect. They fixed too high a price in my opinion and so rendered that portion of the Act inoperative.

2302. But surely the security is ample and there are many head-rents better secured even than those of the Church?—At least as well secured.

2303. And does it not seem to you to be a rather harsh proposal to compel the owners of these head-rents which are perfectly secured to sell them for twenty-two and a half years' purchase whether they like it or not, and thereby deprive them of a very large portion of a certain income?—It does appear to me that in carrying out a great social change everyone must be prepared to sacrifice something, to give and take a little, and I think the man who gets twenty-two and a half years' purchase in consols for his head-rents is not an object of compassion.

2304. How do you calculate how much he sacrifices?—There is a sacrifice.

2305. Have you calculated how much of his income he would immediately lose?—He would lose in money, but he would gain in security of investment, and in punctuality of payment.

2306. Would he not lose at least thirty per cent?—I do not think so.

2307. It is a rule of three sum?—There are other investments open which would affect the proportion.

2308. Are there investments open where you could safely get more than three and a half per cent?—I think I could point out some to your lordship.

Lord *Milltown*.—I wish you would.

2309. The President.—Do you know what head-rents are selling for in the market?—No, my lord. My professional experience ceased some years ago. Since your lordship was good enough to appoint me to office I have had no professional experience.

2310. Lord *Milltown*.—But recollect this that the head-rents originated in landlords letting their lands on leases renewable for ever at a fixed rent, sometimes

below the then average rent of the land, and that the one advantage which they secured for themselves and their descendants was that this small rent would be paid with certainty, and in the meantime the persons to whom they had let that land on those terms under those leases obtained large incomes, and estates, and property. Well, don't you think it a rather harsh thing now to go to those persons and say you shall sell this small but hitherto perfectly secured income which you had reserved to yourself out of your property at the arbitrary price of twenty-two and a half years' purchase?—It would be asking them to make some sacrifice.

2311. Why should they be called upon to make a sacrifice?—For the good of the whole community.

2312. Mr. Nelson.—Why should not the community join in the sacrifice?—It does join by advancing the cash.

2313. Lord Milltown.—Would it not be fair if you compel the owners of land to take two-thirds of the value of their estate for the good of the community, that you and I should help to bear the owners' loss?—No, there is always a great difference between loaded estate and other estate. Besides you over-state the sacrifice.

2314. Surely there is a great difference in the case of the head landlord who only receives a fixed income from his land which does not represent a fourth part of its letting value, in many instances not a hundredth part, and yet you would deprive him of that whether he likes it or not for the good of the general community?—I think that everyone connected with land ought to be prepared to make some sacrifice, and the sacrifice of a man who gets twenty-two and a half years' purchase is not a sacrifice that draws any tears from my eyes.

2315. But an ordinary estate would sell for that?—We find not.

2316. Your average so far has been, eighteen years but there have been many instances of an estate selling at twenty-two and a half years' purchase?—Very few at the present time.

2317. At present do I understand you to say that although the Act is voluntary so far as the ordinary holder of the estate goes you would make it compulsory on the head landlord?—Yes.

2318. So that he is to be the only party compelled?—In order as I have said, to carry out a great national work, and to remove the impediments that the existence of head rents over one-third of Ireland presents, it would be desirable to compel the head landlord to sell.

2319. Oh, that is another proposition. I am not prepared at present to contest that, but I am objecting to the price that you are arbitrarily fixing. Take it for granted that it is right to get rid of a third ownership, and supposing that it is necessary and desirable to give the tenant a clear title, query is it fair to fix an arbitrary price considerably below that which the owner of property has a fair right to expect?—I think that it is, as I have said, reasonable that owners of head-rents should so far facilitate a great national and imperial work, and it appears to me that the difference between twenty-two and a half years' and twenty-five years' purchase is not so great a sacrifice that I would have very much sympathy for.

2320. The man who has to make it would probably feel the sacrifice more?—Yes, that is true; but I have to look at it judicially.

2321. Sir James Caird.—Is it necessary that the head rent should disappear—does it really form any great obstacle to the transaction of the business?—It very often does, Sir James. We who are bound to be satisfied with the security feel very great difficulty in lending in the case of lands which are subject to heavy head rents.

2322. The charge is one that does not continue, and you can estimate this charge very clearly?—But in such a case we would be only leading on a margin, and

I know in my professional experience that margins which the most skilful experts reported on as secure have proved to be utterly valueless in recent years.

2323. That would be of course an element in your consideration of the validity of the mortgage. You will say, "There is £10 head-rent, and that must be left aside," but after that you have abundant security, and then if that is the case where is the necessity for buying up the head rent?—Small head-rents do not affect the security very much. But suppose it was £200 or £300, or £500.

2324. That would be in proportion to the whole rent, no doubt?—No, because we cannot in any one transaction without the consent of the Treasury, lend more than £3,000, and that purchase money will represent only a small area, and if that area were subject along with other areas to a heavy head-rent, it appears to me that the transaction is not one that we who have the control of State funds ought to sanction, unless fully satisfied as to the sufficiency of the indemnities.

2325. Would it be at all common now that there should be a head-rent of £300 on an estate that was worth only £3,000?—No; what I meant to convey was that we purchase a section for £3,000, but that section in common with the other sections of the estate is liable to a head-rent, which is often of large amount, leaving only a slender margin.

2326. And is there no means of apportioning that head-rent?—We have the power of apportioning it.

2327. But then the objection seems to vanish?—I do not think so, because it appears to me not equitable in most cases to apportion the head-rent. I do not say that I am not prepared to apportion rent in some cases, and I wish to preclude myself from any expression of opinion about it, as I may have to decide the matter judicially; but speaking in general terms, I do not think it is fair to a landlord to cut up his rent into fragments, and make him go to a number of people for rent.

2328. The President.—It is not fair to the owner of the head rent—he is the only one to suffer?—Yes.

2329. And it is in order to relieve the head landlord that you would compel him to sell at twenty-two and a half years' purchase?—Yes, if I were the owner of the head rent I would prefer consols to a rent thus cut up into precarious fragments.

2330. And if he is the only man who suffers it might be sufficient to give him the option, and not to compel him?—No, because the operation of the Act is prevented over vast areas by the existence of these head rents.

2331. Lord Milltown.—You think there are a good many men who would prefer to have £70 a year to £100—philosophers, I suppose?

Mr. Fellen.—Or philanthropists.

Fitness.—I think you overstate the money difference, and undervalue what has been called the "sweet simplicity of three per cents."

2332. Lord Milltown.—But surely that is the exact difference between twenty-two and a-half years and twenty-five?—No, because there are other investments that the owner might make.

2333. He won't have so much money to invest?—I did not quite apprehend your lordship's observation. I do not think that twenty-five years' purchase could now be had for head rent.

2334. You think that the disastrous effect of the Land Act of 1881 on property has been so great that it has depreciated the value of head rent from twenty-five to twenty-two and a-half years' purchase?—I did not say so, and I do not think so.

2335. But surely there is evidence that it was at that rate before?—A great many things have happened since, besides the Land Act of 1881.

2336. Nothing else has happened to head rents?—Yes.

2337. What else?—The depreciation of landed property.

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MacCurdy.

—that is, some
—
Mr. John
Gaughey
MacCarthy

2338. How does that affect head rents?—More or less it affects all landed property. May I say, my lord, however, that as to the difference between twenty-two and a half and twenty-five years that is not a matter that I would press very much. Some head rents may be worth twenty-five years' purchase. Some are not worth twenty years' purchase. Dr. Henneck's average is lower than the rate I suggest.

2339. It is a matter that I would press very much if I were going to sell. But I was going to say to you—Did you think it would be quite fair that the State having induced me and other persons to purchase head rents at twenty-five years should now step in and tell us we must sell them now, whether we like it or not, at twenty-two and a half years' purchase—does that strike you as an equitable proceeding?—I have already answered, that I have no very great sympathy with people who get twenty-two and a half years' purchase for their rents or for their lands. May I also say that the interest of the middle landlord—the middleman—has to be considered. He would very likely only get fifteen years purchase, and it would be very hard to pay twenty-five out of that.

Lord Millican.—But the State might give the 25 to get a clear title.

2340. Mr. Nelson.—Judge O'Hagan gave his opinion on that matter?—Any opinion of Judge O'Hagan I should receive with great deference, and if any plan can be suggested by which, without injury to the middleman—

2341. Lord Millican.—But it does not matter how much injury to the head landlord?—I was going to say before your lordship interrupted that if any plan could be proposed by which, without injury to the State or to the middleman, the head landlord can get his 25 years' purchase, I should be very glad, indeed.

2342. You do not think that he ought to get it if it implied injury to the middleman?—I think that the middleman's interest should be considered as well as the interest of the head landlord.

2343. Why should the middleman be more sacred in your eyes than the head landlord, Mr. MacCarthy? I do not quite see, but I do not want to press you any more upon that point. To go to another matter, you think it would be very wise to encourage tenants to advance money as part of the purchase money, say one-fifth part, and to give them some independence and self-reliance?—I think it most desirable.

2344. Can you suggest any method by which that could be done?—The Act, I think, does provide for that very largely. The tenant purchaser can pay any amount, large or small, from time to time, for the purpose of redeeming his instalments.

2345. But suppose that a man pays out of his pocket the fifth part of which we have been speaking, instead of allowing it to remain as a deposit, don't you think it would be advisable, if it could be done, that the terms of purchase should be made easier for him than for the tenant who does not?—I think it would be desirable.

2346. You cannot give us any suggestion for making this Act work in the congested districts?—As I have stated, I think these should be dealt with by a separate Commission.

2347. Mr. Nelson.—Have you at all turned in your mind whether the fifteen years' term of rent, the judicial term of fifteen years, should be reduced?—Yes, I should be in favour of reducing it.

2348. What term would you fix instead of it?—My personal opinion is in favour of a sliding scale, such as Earl Cowper spoke of.

2349. But independent of that?—I would fix it from year to year.

2350. But you would not suggest any other term of years in place of the fifteen?—No; I should be in favour of fixing it from year to year.

2351. Now it has been stated that some of the

applications you have refused on the ground of bad title, and others on account of insufficient security?—Yes.

2352. I suppose the title has been laid before you — the abstract?—Yes, we have two specimens of title, very eminent counsel.

2353. Quite so. When a man's title is being refused as being insufficient, as having a blot on it, do you afford him any opportunity to have that removed?—Yes, he has the simplest opportunity, and the right to have the question decided by the Judicial Commissioner sitting with us.

2354. He hears of a defect or a blot, and he has an opportunity of removing it?—Yes. On one occasion, when there were questions of title involved they were argued before Judge O'Hagan sitting with us. We were able to be satisfied that the title was good, and we lent the money.

2355. Then with respect to something else that has been stated, in cases where you decline the transaction on the ground that the security is insufficient, you say your practice is to inform the parties to what extent you would consider the security sufficient?—Yes.

2356. I want to know how long has that been your practice?—I should say for the last two months. At first it was not so frequently done, but finding some complaints about it we thought it reasonable.

2357. That is what I want to know. There were complaints?—Yes.

2358. And in order to obviate those complaints you made that change?—Yes.

2359. Mr. Nelson.—Now, with reference to this Act of 1885, you say that you do not think there is any combination of any extent to interfere with its working?—I do not think so. I certainly have had no judicial experience of anything of the kind. The only bit of experience that would lead in that direction was one in which the National League intervened on the ground that the tenants were coerced, and I immediately replied to the secretary of the National League in the district to say that if the facts were so, and were proved to us, it was our practice to refuse applications in respect to which such coercion existed.

2360. But generally speaking you do not apprehend that there is any serious combination?—Quite the contrary. So far as I can gather, the operations of the Act have been fairly facilitated by organizations at both sides.

2361. And it would only be to prevent tenants from giving more than what they believe the land is really worth, in reference to the working of that?—There may be improper interference, but it has not come under my notice. Any interference that occurred appears to me to be reasonable and proper.

2362. In some cases you say the landlords demanded too much, and in other cases the tenant refused to give what would be fair, and I think you intimated that you believed that it would be of advantage to make it compulsory to compel the landlords to sell and the tenants to buy?—I think it would be a fair alternative to the system of agreement when the parties cannot agree.

2363. And in that case you would refer the price that the landlord should get and the tenant should give to the Land Commission?—Yes.

2364. And you do not apprehend that that would be a greater grievance on the landlord than the fixing of the judicial rent was?—We should fix a fair price.

2365. Yes, taking everything into account?—Yes, we should honestly try to fix a fair price, just as we honestly tried to fix a fair rent.

2366. And you actually think that this Bill will not be extensively used except there is some compelling power?—I think it will be extensively used even on its present basis, and in fact it is extensively used.

2367. Mr. Nelson.—Till there is some finality in legislation?—Complete success cannot be expected while this constant chopping and changing continues.

2368. Mr. Knipe.—Might there not be causes existing that cause it to be a greater success in some countries in Ireland than in others?—I do not quite follow the observation.

2369. Do you think it might not be more extensively used by some parties more wishful to obtain the benefit of this bill in some parts than others?—Yes, certainly.

2370. And that is one of the reasons you would make it compulsory?—Yes.

2371. You made a reference to coercion, to compelling tenants to buy, some agents that insisted on their tenants buying. You did not approve of that?—No, I thought that would be most injudicious. It is opposed to the spirit of the Act that any coercion should be put by either party on the other.

2372. Mr. Nelson.—Those agents adopted the compulsory principle, and you advocate the compulsory system?—But there was this difference, that their compulsion was to induce the opposite party to adopt their own price. The compulsion which I suggest—

Lord Milnes.—That is exactly what you want to do with the head landlord.

Witness.—The compulsion which I suggest would be to accept a fair price judicially ascertained.

Lord Milnes.—I do not say I object to that.

2373. Sir James Caird.—Would it not be compulsion to say that either tenant or landlord should be forced to submit to a sale?—It would be compulsion to law, not the compulsion of one party by the other party.

2374. And you deprecate compulsion?—I deprecate compulsion in respect of an Act which is based on the free agreement of the parties. But when the parties cannot agree both should submit to impartial and legal arbitration. Law is necessary compulsion.

2375. Still it would be compulsion if the landlord found that he could make more of his income by not selling, it would be compulsion to force him to sell?—It would, but there would be this difference that he would get a fair price.

2376. Do you think it a fair price to get twenty years' purchase when he is getting a return equal to thirty?—That would not be a fair price.

2377. Then you say you are in favour of compulsion?—I am in favour of carrying out a system of making the tenants of Ireland peasant proprietors, and I think this would be facilitated by the introduction of some compulsory system in cases where the parties cannot agree as to price.

The Commission adjourned until Monday morning at 11.30 o'clock.

Oct. 18, 1886.

Mr. John
George
MacCarthy.

FIFTH DAY.—MONDAY, OCTOBER 18TH, 1886.

Oct. 18, 1886.

Commissioners present:—Earl COWPER (President); Earl of MILTOWN; Sir JAMES CAIRD; Mr. NELSON, and Mr. KNIFE.

George A. G. Adamson examined.

George A. G.
Adamson.

2378. The President.—You are one of the valuers under the Purchase Act, 1881?—Yes, I am at present. I was a Sub-Commissioner before that.

2379. You are also a land owner?—Yes, I rent land as well.

2380. You have large experience of land?—Yes.

2381. I don't think we shall ask you much about the Act of 1881. We have had a good deal of evidence from different Commissioners about that, but if there is anything you wish to state about your experience of the Act of 1881 we shall be glad to hear it?—I think there is nothing I would be very anxious to bring forward, except you wish something about it. There is nothing very pressing about it, for I look upon that Act as very nearly passed away.

2382. You mean the purchase clauses?—I am speaking now of the Land Act of 1881.

2383. You mean the purchase clauses have passed away?—No, but the Act itself; because I think everyone's eye is fixed now on the Purchase Act.

2384. But I suppose they are still having applications to fix judicial rents?—I think it is with the view of having a rent fixed on which to base a purchase.

2385. Your impression is that there won't be many more applications after the Purchase Act comes into full play?—Except for the purpose of having rents fixed on which to base purchases. I think the tenants are all looking forward now towards purchasing.

2386. You have not been valuing lately under the Act of 1881 for the purpose of fixing judicial rents?—Not since last year.

2387. With regard to the Act of 1885, I suppose when the price is to be fixed you are sent down to report upon the value?—Whether I consider there is sufficient security for the advance to be made by the Government.

2388. You merely answer whether the security is sufficient—you don't fix the value and send it up?—Yes, I fix the value as well, for there are a certain

number of queries, and one is, "Do you consider it fair security for the proposed advance? then, if not, what sum would you consider a fair amount to advance?"

2389. The President.—This is entirely a confidential report made to the Commissioners and not made known to the parties interested?—It is not made known to them, and I have instructions not to indicate on the land to any party what my valuation of the land is.

2390. Do you investigate the title as well as the value of the estate, or do you merely do the valuing?—There is also a query, "Do you know anything in the future or in the antecedent history of the property or of the farm that would interfere in any way with the security?" That is, obtained by questioning the tenants about it. If not tedious, I will give you an example. I was on a series of farms the other day, and there was a large grazing farm that was striped up and given to the tenants. It struck me as curious how this grazing farm got into the hands of the headlords, and I commenced to ask about it, and I found the tenant had never given up proper possession of this farm, the other tenants mobbed him out of it, and the possession was not legally in the hands of the landlord.

2391. Sir James Caird.—What is the meaning of striping it?—By just running fences in stripes through the grazing farms.

2392. And subdividing them amongst the tenants?—Yes.

2393. The President.—Was this for the purpose of selling to the tenants?—Yes; I think that was one of the intentions of it. I found they had not got actual possession. The tenants did everything they could to get the man who had the grazing farm out in order to have it divided. He got into arrears of rent, and I think some notice had been served, but no ejectment or anything of that kind had been served, and the small tenants drove the cattle off these lands and then it was divided up amongst them, and I consider there

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was no legal possession taken from the man who had the land as grazing, and I was also informed he was going to law to recover possession of the land. It is only under circumstances of that kind that I interfere in any way in the investigation of the title. In fact I gather what evidence I can for the Commissioners.

2394. Do you take into consideration whether much intimidation is going on in the country and whether it is a safe investment?—No, I do not. When I first got my instructions that was a question I put to the Commissioners, and I to take the state of the country and the difficulty of enforcing the law into account in fixing the price of the land, and they told me you must suppose that the law will be enforced.

2395. Then after you have made your report to the two main Commissioners you have nothing more to do with it?—No, unless they may write more queries.

2396. And it is in their discretion whether they will make any recommendation to either of the parties or not?—It is in their discretion I am aware that sometimes the question is put to the Commissioners afterwards, "How much will you advance?"

2397. And do they generally state it?—I know some cases where, practically they have done so. There was one peculiar case where there was collusion, I think, between the landlord and tenant, who were relatives, and the price of the land—I cannot exactly state the figures from memory closely—but I think the price was £1,500. I did not consider the farm worth more than £400, and the Commissioners refused the proposal. Then the parties applied to the Commissioners to know what amount they would advance, and they said £900, and the landlord said he would take the £900.

2398. Then on the average, as far as you can judge, how many years' purchase do you consider a fair price?—I think with well circumstanced property, with thriving tenants twenty years, purchase is a fair price.

2399. On the net income or the gross rental?—On the gross rental.

2400. Is there a judicial rent on that?—It may be judicial; if it is not judicial then on my own valuation, which I suppose would be about the judicial rent. If it is a well circumstanced property I look upon it as a fair price, and if it is a badly circumstanced property I value some as low as fourteen years' purchase.

2401. Badly circumstanced in what way?—In the way of rent being too high?—No; that is not what I describe as badly circumstanced. I will describe some holdings I was on not long ago that came within my ideas of that class. All the tenants were paying on an average about £5 or £6 a year each. They had probably about ten or twelve acres each, and they had not a single lot of two acres adjoining another.

2402. Sir James Caird.—This is in the undrastically circumstanced class?—Yes; and a great many of their lots did not amount to a quarter of an acre, and they were all scattered over two townlands, and there were pieces of bog here and a little bit of garden there, and sometimes another would have a few ridges of potatoes in one end of a field and a few at the other, with other tenants intervening between them. I came to consider as a matter of security to the Government how to deal with those, and I thought in case of the tenant failing to pay his instalments there would be great difficulty in the Government recovering money by the sale of those lots. In the first place, it would be very difficult to identify these lots. You would get no information from the adjoining tenants, and if any man came in to buy the holding—suppose the landlord for his own defence, and to save the deposit being come down upon—it would be worth little or nothing to him.

2403. You have power, at the request of either party in a case like that, to re-arrange the holdings, and make them coextensive?—I think it must be done with the consent of the parties, but it is nearly impossible to get the tenants to do so. I did under-

take a case of the kind, and I succeeded to a certain extent, but the difficulty I found was to get land of the same quality, and it was really a most difficult task, for the tenants were most clamorous about it, and I had to tell them that unless those recommendations were carried out or to consolidation the Commissioners would refuse to carry out the loan. Some of them had their land better tillied than others where the land was of the same quality; and I then came to this arrangement—to take any crop they liked out of the land for that year, and next year they were to consolidate, and I got them to sign a consent to consolidate these pieces of land. But in many other cases they would not listen to the proposal; they could not agree about it. They admitted the desirability of it, but they said it could not be carried out.

2404. Have you been sent much into the congested districts to value?—Some of them. I call that a rather congested district where the holdings were divided into small lots. The population was not too great to rebel on the land. It was not congested in that sense, for they were able to live on it. But I think they supplemented it by getting labour.

2405. Where was that?—Lethin.

2406. The President.—I suppose in some of the congested districts it is not advisable for the Government to invest their money merely on account of its being in that state?—That case I have referred to is one I have felt the greatest difficulty in making up my mind about, for there is not the slightest doubt, that a great many cases of that kind should come before the Commission, because it was the kind of property a landlord would like to get rid of, and though I only put fourteen years' purchase on some of it, I considered that to an outside purchaser the land was worth more. I think if a landlord purchased it, he was in this position, that he would get a very high percentage for his money, and could afford to lose, even on a considerable number of those tenants, whereas, with the Government advance, every case stands on its own merit, and one cannot be made to repay the other.

2407. Lord Millican.—Why would he get a large interest on his purchase money?—If he bought at fourteen years' purchase he could afford to lose a considerable sum on some of the tenants, and he would still have very good interest on his money, but the Government loan is in a totally different position.

2408. The President.—Do you think it advisable that the Act should not be allowed to work in congested districts. Ought congested districts to be exempted from the working of the Act?—I made a suggestion upon that point, namely—to get the deposit increased, and I have heard since that in a case the landlord has voluntarily offered to increase the deposit.

2409. Lord Millican.—By how much?—I cannot say, because it has not come officially before me.

2410. Does the Act provide for the landlord in exceptional cases, giving an increased deposit?—I don't think there is anything definite—the discretion of lending is with the Commissioners, and I suppose they can exercise their discretion if they think it quite safe.

2411. To have larger portions of the purchase money retained?—Yes.

2412. Does the Act give them power to retain more than a fifth?—I think that is a legal question. I fancy their jurisdiction is to find if they have security.

2413. The President.—You have no strong opinion yourself that the Act would not apply to congested districts?—I think it would be very useful to give those people a reduction in their annual payments, but at the same time I don't think there would be the same security for the loans, and if there were other securities, such as an increased deposit, it would be of advantage.

2414. Suppose they were induced to buy, it might be the first step towards consolidation?—Yes, I think very likely it would.

2414. And it might tend to remove the congestion if they sell?—Yes, but the people in those congested districts are a totally different class of people, they don't live by their little piece of land—they live by labour. They migrate to a great many other places for labour. A great many to England and Scotland, and they come up towards Dublin where labour is scarce. They stay away the whole summer, and their wives work these little pieces of ground to a great extent, and they come back to find their crops saved, and they have a very easy time of it during the winter.

2415. And very often they are not so badly off really?—They are not really so badly off. It is an utterly erroneous idea to suppose they are living on these little patches of land.

2416. Sir James Caird.—Then there is really no security from the land for the advance?—Yes, these holdings sell better than any other.

2417. Where is the security?—It is not from the land but from the wages they get elsewhere?—They live by the wages they get elsewhere.

2418. Therefore what security is there in the land when they live by wages they earn elsewhere. The security for the advance would not include anything they earn by wages?—The advance on the land would only be to the extent of the value of the land.

2419. Is there any surplus after paying the expenses of cultivating that land, so much as it is cultivated either by themselves or whatever mode they have; is there any surplus over for rent at all out of the land?—They must make the rent or they won't keep it. I cannot identify whether it comes out of the land or wages, but there is no doubt it can be made out of the land. The produce is used very much for their own consumption. They are very much in the same position as labourers would be in England, with three acres and a cow, only they are not working beside their farms. They have three acres and a cow in Ireland.

2420. Lord Midleton.—Have they the cow in Ireland?—Very often they have.

2421. And do they find the three acres sufficient?—Three acres of bad land won't support a cow of course, but many of them have cows.

2422. Sir James Caird.—Don't you think that in certain cases there might be not only great difficulty, but impossibility, in Government recovering advances they made?—I don't, because I think the instalments will be exceedingly small. I suppose the whole purchase money, in many cases, would not be £20, and four per cent. on £20 is such a very small instalment, I think if they did not pay it, an ordinary Civil Bill process would make them pay it at once. But my impression of the small holdings is that they will pay well, except some dire calamity occurred to them. I think as a rule they are not bad tenants for paying. A few days labour will earn as much as will pay the instalment.

2423. You put them at fourteen years purchase?—The scattered holdings where they have little bog gardens.

2424. Lord Midleton.—Does that fourteen years' value not apply to these small holdings, or is it simply when the holdings with small gardens attached are scattered here and there?—That is the most objectionable part. There are small holdings—houses and good gardens—that I would put twenty years' purchase on, because I think the instalments in some cases could be better paid than in others. A few days' work will earn enough to pay the instalments. But please remember I am speaking of security for a loan not of value.

2425. Mr. Nelson.—Is the property which Lord Kinnaird is now selling such a one as you are alluding to?—I don't know the property, I have not been on it.

2426. Do you know who has gone down as valuer on it?—I think if any one goes down it is very probable I shall. I have been in that district.

2427. The President.—As far as I can see there is

power on the application of either landlord or tenant to rearrange intermixed lots?—Yes that is quite the case.

2428. You add it required joint consent?—Well, either party can withdraw his proposal—theoretically it cannot be done, but practically it is the other way. I have known cases withdrawn where there was a dispute about turbary the tenants had, and the tenants just withdrew. They withdrew because there was nothing said about turbary in the proposal.

2429. And they can withdraw up to the last moment?—Yes; I believe so.

2430. Do you find much intimidation or much pressure put on tenants in some parts of the country to prevent their selling?—Well, there is pressure, but whether it amounts to intimidation or not—I cannot say. I heard of a man being fired at for buying, when the other tenants did not consent to buy with him, but I only know that by hearsay.

2431. He was fired at because he bought?—Yes; because he insisted on purchasing without the other tenants purchasing.

2432. Lord Midleton.—With regard to the power of the Land Commissioners to effect partition of such lands as are held in common, I see the Land Commission has power to do it on its own motion, without either landlord or tenant applying?—Yes, but then they have their remedy, and I have carried out cases of that kind, but if they object they can withdraw.

2433. The President.—If they can withdraw all you can say is—you must not buy it in an intermixed state, you must have it rearranged, or you shall not have it at all?—All the Commissioners have power to do so to refuse to sanction the loan.

2434. You wish to give some evidence about cases being withdrawn?—There were complaints made that the tenants first of all agreed to a purchase and the landlord gave them a provisional acquittance for rent up to the time which I believe is necessary under the Act; and the tenants in about six months afterwards, and before their cases had time to be settled by the Commissioners, withdrew. The landlord having given them a provisional acquittance for rent and another gale having occurred by that time, instead of owing half a year's rent they owed a year, and the landlord complained that it was difficult to get half a year's rent without being thrown back to recover two gales. The consequence was that the gale would be thrown back on arrears and remain on as arrears, and he said I won't be able to get more than half a year's rent from them at a time.

2435. And he had no redress?—He had no redress; of course in theory he had, but practically he had not. If I might make a suggestion it would be that after a proposal is sent in, neither party should be at liberty to withdraw without the consent of the Commissioners.

2436. After they have once sent in their proposal?—Yes; and that consent only to be given on reasonable grounds.

2437. Is there anything else you wish to suggest as to the working of the Act, and any improvements you think desirable?—My idea of the working of the Act is that it is nearly as impossible Act.

2438. Lord Midleton.—Which one?—The Act of 1853. There are so few properties that come within all the provisions of it, I really believe the great drawback to the Act working is that the landlords cannot sell—they are not in a position to sell their properties.

2439. The President.—They are so tied up?—Yes; they are so tied up. The Act professes to meet some of these drawbacks; but practically it will not work.

2440. Mr. Nelson.—Can you instance any of these cases?—Yes; where a landlord pays a high head-rent, or pays a considerable sum in annuities. Suppose the landlord has £200 a year, and that he pays £100 a year head-rent or annuities.

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2441. That would be a very large head-rent!—I only give it as an illustration—it might be greater or less. I know plenty of properties that pay heavy head-rents and annuities as well; take it as £100—be sold at twenty years purchase, which is £4,000. The Land Commissioners are then in this position—they must retain money enough in their hands to pay £100 a year. Well, to pay £200 it would take £3,500.

2442. They cannot allow the annuitant to make his own arrangement with the tenant!—There may be several tenants under a middleman.

2443. The Commissioners cannot transfer the middleman's responsibilities to the tenants, and then wash their hands of the whole thing!—Theoretically they can advance subject to the head-rent; but practically they cannot. If a case came before me I could not advise the Commissioners to advance, because if the head-rent falls into arrears possibly the tenants and the Commissioners might all be ejected out of it; the interest might cease because the head landlord's claim is superior to that of the Commissioners. The Commissioners must provide for the £100 a year to the head landlord, and the only safe way they can do so is by retaining £3,500 in three per cents; that leaves for the middleman £700. The Commissioners are also in this position—they must retain one-fifth of the purchase-money as security for the payment of the instalments. They would not have quite enough in the £700; but suppose they could do with the £700, they could only pay the middleman three per cent. for it—that is £21 a year instead of £100 a year. Therefore no man, under these circumstances, would think of selling his property to the tenant; so practically that shuts out an enormous number of cases.

2444. Therefore where incumbrances amount to half the rent it is impossible to sell!—Yes; it is impossible, or when the head-rent or annuity is considerable.

2445. Are they obliged to retain money to pay the head-rent or annuities when making the sale, or can they oblige the tenants to take the middleman's incumbrances upon themselves, and divide them amongst them!—There would be great difficulty about that, because if the incumbrances were not paid—

2446. They can do it by the Act!—Yes, they can; but then their claim must, some in inferior to the £100 a year, and I don't think that I, as inspector of the land, would recommend the Commissioners to advance money if their claim were in under the £100. The tenant would have to pay £100 a year, and that should be paid before they got anything, and I think it would be very bad security to advance money on. The other £100 a year would not be sufficient security—I don't think I would give ten years purchase on it as a loan.

2447. Sir James Caird.—Is this at all a common occurrence, this illustration, this example!—No cases of that kind come before the Commissioners; the cases know themselves what the result would be.

2448. The President.—Would this apply to mortgages!—Not in this way, because the Commissioners, if they would be able to pay off the mortgages out of the purchase-money.

2449. Then can you suggest any remedy!—Two remedies occur to me. One would not be as efficacious as the other. I think the true remedy would be to compel the head landlord to take an equitable share of the purchase money.

2450. And what would you consider equitable!—I think that is a very wide point. My idea would be to leave it to the decision of a competent tribunal, the Land Commissioners, or whatever other tribunal is might be; and oblige the owner of the head-rent to sell his interest at a fair value. The head landlord, as a rule, won't sell if he thinks sufficient money is to be retained by the Land Commission to pay his head-rent, or the annuitant won't. I know a case where an annuitant has refused, and for this reason: he had originally headed security; at one jump his money is transferred into Government

security, and he is being paid a similar interest; so the head landlord's interest is very considerably increased if the middleman sells to his tenants, and if the Commissioners advance the money, and retain enough to provide for the rent.

2451. Mr. Neligan.—Just like console!—Quite so.

2452. Lord Millicown.—You say the head landlord's interest is increased!—Yes. Take the sum of £1,000 of value at twenty years' purchase; taking it at 5 per cent. on the basis of twenty years' purchase, this £1,000 is at once changed in worth to £1,600. I am taking it as five is to three.

2453. Lord Millicown.—Where does the five per cent. come from!—If you take the value of the head landlord's interest at any special sum; in this way £3,000 invested in land—or we will take any special sum arising out of land—at say £100 a year. Well, £100 a year out of Government funds would be very different from £100 a year arising out of land.

2454. Lord Millicown.—The head-rents, I consider, would be quite as good as consols, and a better security, they could not be brought off!—Yes, my lord, but there are head-rents, and head-rents.

2455. I can understand a sum of money being worth so much per cent., but I don't understand rents being worth so much per cent.—I mean their value.

2456. Oh, if you capitalise them!—Yes.

2457. The President.—You think first the sum of money is transferred to Government security, and then the head landlord's interest is increased!—I think the property increases in value by getting Government security.

2458. Then the landlord of the head-rent would be in a better position after the sale than before!—Yes, his security would be increased. I think his security would be increased as three is to five.

2459. And though you are bound to give him better security, you might force him to sell!—I think that under the present condition of the landed interest and all things connected with it—

2460. You might oblige him to sell at a fair value!—Yes. If increasing his security, you are increasing his property.

2461. Lord Millicown.—Selling the same interest with better security!—The same interest, with better security. That is what it would be if the middleman was to sell on the conditions I have described.

2462. And if the same amount of purchase money is retained or invested to pay him his rent!—Yes.

2463. Mr. Neligan.—That is the present system!—That is the only safe present system.

2464. Lord Millicown.—But is land sold subject to head-rent not increased in value!—Not if the occupying tenants are not able to pay the head-rent.

2465. Rather diminished!—Rather diminished, and the Commissioners are very loath to advance on those terms.

2466. Mr. Neligan.—The practice is at present to sell lots subject to be indemnified by others!—Yes.

2467. Lord Millicown.—I never heard of investing before!—There are rare cases; and I imagine if the head-rents are high—up to half or perhaps one-third—they are very doubtful cases to advance money on. Then you cannot make peasant proprietors.

2468. Sir James Caird.—Does the head-rent not remain a charge on the property after the sale!—Yes, that is so where the head-rent is small, and one tenant.

Mr. Neligan.—The judges have told us that is what they do.

2469. Sir James Caird.—Then, the difficulties you mentioned would not arise!—But I think that is a very unsafe position for the Government to be in. In advancing money they run the risk of the head landlords ejecting the tenants, and ejecting them along with them. And the tenants on estates that pay high head-rents can never get the benefit of the Act, and it is not practicable to apportion the head-rent over a lot of small holdings.

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2470. Then, do the Commissioners in Ireland at the same time allow the head-rent to be a charge, and insist upon its being invested in this way?—If the head-rent is a small one they allow it to remain on, and they allow the tenant to pay it, but if the head-rent is a large one they would not I am sure.

2471. The President.—You said you had a second remedy?—Your lordship asked me about the rates that the landlords ought to pay—about the number of years' purchase, and I replied that I thought that the most suitable way would be to leave it to the discretion of a competent tribunal.

2472. It should be settled in each case on its own merits?—On its own merits.

2473. Then, how would you settle the amount?—I think the Land Commission ought to settle it. From their settlement of the rent I think it would naturally come within their province.

2474. Sir James Caird.—That is your first remedy, that you would compel the head landlord or tenant to take an equitable share of the purchase money, which should be settled by the Land Commission?—Yes. It has been suggested to make limits as to the number of years' purchase the landlords should get, and I heard arbitrary rules mentioned; but I think it would be better not to have them. In the Land Act proposed by the late Government—Mr Gladstone's Government—it was limited to twenty-two or twenty-two and a half years, but I did not think that that would be a sufficient margin.

2475. Lord Millican.—Did it?—I did not think that.

2476. The President.—Do you mean the last Act?—The proposed Act.

2477. Lord Millican.—The bill?—The bill.

2478. The President.—That was to be only on the net rental?—There was no margin left for giving a higher number of years' purchase for the head-rent.

2479. Sir James Caird.—Twenty-two years was the limit mentioned in Mr. Gladstone's Act, and that included the head-rent you say?—I think it was. It did not specify, but it did not give power to go beyond that I think.

2480. The President.—It would vary in different cases, the value of the head-rent?—I think it would vary in different cases very much. People talk of twenty and twenty-five years—and I think a great many head-rents probably would be worth about twenty-five years' purchase because they are paid punctually. Many are very anxious to sell at twenty-five years' purchase. An arbitrary limit would not do, as some middlemen's interests are terminable, and on the termination of these old leases the whole interest would drop into the head landlord, and if there was compulsory sale, and they were obliged to sell at twenty-five years' purchase, that would be very wrong. Take the case of a middleman whose interest has not five years to run, and the head landlord's interest might be quadrupled in value at the end of that time.

2481. Mr. Neligan.—He would have the value quadrupled?—He would have the value quadrupled, and I think it would be very wrong to force him to sell at an arbitrary price of twenty-two or twenty-five years' purchase.

2482. The President.—You would leave it to the discretion of the Land Commission?—Yes, or other tribunal, because the interest of the middleman, if there were only a few years unexpired, would be very small. The head landlord would be entitled to a considerable number of years' purchase on the head-rent the middleman was paying to him.

2483. Lord Millican.—Then all the middlemen would be in a position to sell would be four years of the rental?—Oh, no, he should sell for all if there was compulsory sale.

2484. The President.—Even, if he was only a leaseholder?—Yes, if there was compulsory sale by the head landlord.

2485. Lord Millican.—Is your proposition this—that a leaseholder whose lease has only four or five years to run should be empowered to sell to his tenant the fee-simple of the land?—Well, every middleman holds by lease. Some of them are permanent leases, and some of them terminable. There might, of course, be an exception made in the case of leases that had not long to run. I am using that as an illustration of the injustice there would be in fixing a head and fast line for the number of years' purchase that a head landlord and a middleman was allowed.

2486. Lord Millican.—In fact there are cases, such as you suggest, in which it would be impossible to fix the amount of a compulsory purchase?—Yes, by an arbitrary price.

2487. The President.—And you would leave it to be settled by the Land Commission?—Yes.

2488. Lord Millican.—That leaves the difficulty untouched of allowing a man with a very limited interest to sell the fee.

2489. Don't you think in such a case the tenant ought to agree with the head landlord and not with the middleman?—Probably, but he should wait for the lease to drop.

2490. The President.—What you have been saying applies to compulsory sales?—Yes; compelling the head landlord to sell.

2491. Mr. Neligan.—Would you allow the landlord to compel the tenant to buy?—I think that is very desirable.

2492. You would not have compulsion but by working on one side?—It was so under the proposed bill.

Lord Millican.—But that bill was refused acceptance.

2493. Sir James Caird.—You mean Mr. Gladstone's bill. It never mentioned anything about that. The tenant never was asked, and the purchase could not be compulsory without the tenant being asked?—I think it was compulsory at the discretion of the immediate landlord.

2494. The President.—Would you have compulsory sales from middlemen, or that every landlord might be compelled to sell?—I would only make it compulsory on the head landlord to take an equitable share of the purchase money. He has nothing to do with the working of the estate, and is little more than an absentee.

2495. Mr. Neligan.—And then, of course, the equitable share would depend upon the discretion of the particular man fixing it, and who happened for the time being to have the discretion. Then you get into the other difficulty you were trying to avoid of having a hard-and-fast line?—I don't think so.

2496. The President.—We have it in incidence that one-third of Ireland is subject to head rent?—I don't know the statistics about it, but there must be taken along with that those properties that are subject to permanent annuities and jointures. My idea is that more than half cannot be sold, and of the other half a large number will not sell.

2497. Mr. Neligan.—Annuities are capable of an actuarial value?—They are easily dealt with.

Lord Millican.—There is no difficulty about that.

2498. The President.—Your present suggestion is that when an application is made, the holders of annuities and head rents should be compelled to sell at prices fixed by the Land Commission?—Yes.

2499. Have you any other suggestions to make?—The game, mines, and minerals, might be left to the head landlord; the tenant would not care for the first, and would not have capital or enterprizes to look to the latter. I would not ask the head landlord, in the

case of compulsory sale, to make any guarantee deposit. The middleman should do that.

2499. *Sir James Caird*.—The middleman is the actual owner of the property?—He is the immediate landlord.

2500. *Lord Milltown*.—He is not the owner of the fee. The head landlord has been spoken of as an incumbrancer over the property. In fact he is the owner in fee of the property, and it is his property, and not that of the middleman who is proposing to deal with. In most cases the royalties, the mines, and minerals, are under the control of the head landlord. The lands were originally set up to their full value, at what is now termed the head-rent, but owing to the depreciation in the value of money, and other causes, an estate has been created under the head-rent, which is that now filled by the middleman?—I don't quite agree in that, because a great many of these estates have been created by middlemen, by reclamation of land, and things of that kind. I know one particular case of my own, where the original lease was given for twenty acres of arable land, and a hundred acres of bog. Now, there are eighty acres of arable land, and I have that let to tenants, and it is described in the original lease as only twenty acres of arable land; so that in fact my interest is much greater than that of the head landlord, and east more.

2501. That is, you have created for yourself an important tenant-right, but it cannot be more than that. Then, I suppose that, without the reclamations and head-rents, would represent a very small portion of the value of the estate?—I hold in fee-farm. The head-rent is £3 per acre for the arable land. The lease is more than 100 years in existence.

2502. *The President*.—Very often they pay a lump sum down for the lease?—Yes.

Lord Milltown.—Then they have to pay fines; but in the case of many head-rents under the old leases the head-rent was the real letting value of the land at the time. My ancestors were precluded, I know, from taking less. It would come to about one-fourth part of Griffith's valuation.

The President.—Something like those Trinity College rents?

Lord Milltown.—Something like that. But the Trinity College rents never were at the value of the land.

Mr. Nelson.—They stand upon a peculiar footing of their own.

2503. *Lord Milltown*.—All the middleman can do is to sell his interest?—At present that is all he can do, but only theoretically.

2504. And you want to give him power to sell somebody else's interest?—I want to give him power to make the tenants peasant proprietors.

2505. *The President*.—Have you anything more to say about the head landlord, or shall we go to the next point?—These things, my lord, are what came within my own observation, so being practically impediments to the working of the Act.

2506. Are there any other impediments?—There are impediments in this way, that landlords who have very small margins for their estates, who are practically bankrupt, and have some very small—

2507. *Mr. Nelson*.—Incumbered estates?—Incumbered estates; and who are just making a little sustenance, partly by the incumbrances not insisting upon their whole demand, taking less interest in some cases; these estates won't be sold so long as these men can get something out of them.

2508. Why?—Because if they were sold at the price property is being sold at at present, they would not be left a shilling.

2509. Surely it would be the same if they were sold in the Landed Estates Court?—They would be swept away.

2509A. Haven't we instances of that of every day

commence?—Yes, but these men won't voluntarily be swept away.

2510. They won't fill the happy despatch?—They won't sell so long as some income comes in; but as a matter of fact they won't sell, and that is another class of property that is not selling to the tenants.

2511. Incumbered estates with very small margins, is that what you mean?—Yes.

2512. Would you compel them to sell?—I don't say that. Incumbrances should be paid at a rate to be calculated on the interest that those incumbrances received over, we will say, ten years.

2513. And the first incumbrances, as a rule, would be paid altogether, and leave nothing for the others. Then your proposal is that they should be paid off?—Yes.

2514. On a rateable abatement?—On a rateable abatement on the interest they received for the last ten years.

2515. And how would you make this rateable abatement?—I am not competent to suggest that—some equitable proposal. When the Land Commission would be paying off the incumbrances they should not pay the full incumbrances when, practically speaking, they had very little interest. I would not pay them as I would the first mortgage.

2516. And you would not reduce the first mortgage at all?—I would not. I would make him the unit.

2517. *Sir James Caird*.—Has he any better claim than the owner of the head-rent?—I suppose he has not.

2518. Why then should you treat him on a different principle?—I would not treat him on a different principle, because I would pay the owner of the head-rent off without loss.

2519. Wouldn't a similar rule be applicable to the mortgage?—That is what I want to propose. The head landlord's receipts have been all in full. The head-rents have been paid very well.

2520. *Lord Milltown*.—They have been absolutely paid—no reductions?—I believe the owners of small head-rents, in comparison to property, have been paid.

2521. But are you aware of any head-rents that have not been paid?—Do you know of them being in arrears?

2522. They may be in arrears, but there is no fear of them being lost I suppose?—No.

2523. *Mr. Nelson*.—I am afraid you would have to invest a Court for dealing with all these equitable interests?—I suggest these arrangements because it might have something for nominal owners of estates, and they might consent to sell to tenants if they thought they would have something at the end out of it.

2524. *Lord Milltown*.—After all you should possibly be compelling the mortgages to take less interest than he was legally entitled to?—I think where a sale would occur it would be very difficult to do that, because the Land Commission would be very slow to advance money on property with a mortgage charge on it in priority.

2525. *Sir James Caird*.—Would it do it at all?—I don't think it would.

2526. *The President*.—Would you pay them a less sum than they had advanced originally?—I would pay full mortgages less.

2527. *Lord Milltown*.—That seems a hardship?—Yes, but the security has been lessened.

2528. *Mr. Nelson*.—Would it not facilitate the whole arrangement to allow the tenants to go into the Landed Estates Court, the best court to deal with the matter as it has been dealing with it hitherto on well ascertained principles. If you allowed the tenants to go in there on their own petition would it not be a much simpler plan than you are suggesting, there the thing would be argued in public and before a judge?

—I think it might be very good machinery for doing it; but then the chief argument against it is the hardship that would accrue. You throw all the hardship on the owner of the property, because you sweep him out altogether; when the value of land has been lessened, and partly by legislation, it is hard that the loss should all fall on one interest.

2529. I cannot imagine how you are to constitute a court that would be ready to take upon itself a task that is beyond human ability, I think—to sell the estate for the purpose of paying the fee in the tenants, and to take on itself then to distribute the purchase money upon what you call equitable principles, between the owner in fee, the immediate interests and incumbrancers, and annuitants, and all these people!—I think that there would not be anything unfair about it. Juries have often a more difficult task.

2530. The President.—Does that go on every day—the selling of incumbered estates?

Mr. Neligan.—It is stopped pretty well now, because the land is not so marketable; but as machinery I am putting it.

Witness.—It would come to something if the Landed Estates Court had power to deal in an equitable way with charges.

2531. Mr. Neligan.—I don't see the equity. If I advance my money as a first charge on land, and get a mortgage with reliefs before me, and several more come afterwards and take mortgages subsequent to mine; because they do so with full notice of my prior incumbrance upon a sale I am to be cut down and to lose some of my money in order to divide it amongst them?—I would pay the first man in full, and, if possible, the sixth man in full!

2532. The President.—Have you anything more to recommend?—About the costs of the proceedings in the Court—I think that is rather an important point.

Mr. Neligan.—Quite so.

Witness.—A landlord cannot sell a single holding to any single tenant in a townland unless it is something very considerable, as the cost of showing title to one holding would be very nearly as much as the cost of showing title to the whole estate; so that all the tenants on the property must agree to buy, and if there is any legal bar to any one single tenant in that townland purchasing, or if he is unwilling, is practically shuts out all.

2533. Lord Milnes.—No, perdon me. A majority of three-fourths can bind the others?—Not in this case.

2534. Yes?—But a landlord won't sell if any one tenant is thrown on his hands.

2535. The President.—Then this clause about the three-fourths would obviate that case. The Commission are bound to take it?—It never came within my knowledge that they have ever taken up any in that way. That refers to another part of the Act.

2536. Lord Milnes.—Have they ever refused to your knowledge, because the power certainly exists?—I don't think they have ever refused, at least it never came under my knowledge that they have refused.

Mr. Neligan.—What do you suggest about the costs, Mr. Adams?

2537. The President.—Then there is a remedy for that in the Act—would you suggest any other?—I am told now there are sufficient powers in the Act to meet that, but I don't think there are.

2538. Mr. Neligan.—You are speaking now of where a single tenant, because of the costs, would bar a landlord from selling?—Yes.

2539. What suggestion would you make?—I would suggest that it would obviate this to a certain extent, and would help sales in a great many cases where the property is vested in trustees; those costs should be chargeable out of the purchase money.

2540. Lord Milnes.—Are they not chargeable upon the purchase money now?—No.

2541. Mr. Neligan.—I think that the Act settles that. Where you are selling a settled estate that matter has already been met.

Witness.—My impression is it is the other way.

2542. Mr. Neligan.—At all events, Mr. Adams's is a very good suggestion, that where a limited owner is selling, the costs should not be thrown on him but should be thrown on the estate. I will look into the Act!

2543. Where a settled estate is being sold?—Yes.

Lord Milnes.—I see the provision made in the Act is not three-fourths, as was the impression on my own mind. It is clause 5 of the Land Purchase. It says:—

"The Irish Land Commission, if they have reasonably satisfied themselves that a re-sale can be effected without loss, may purchase any estate for the purpose of re-selling to the tenants of the lands comprised in such estate their respective holdings, and may purchase any holding for the purpose of re-selling to the tenant thereof. Provided that such purchase of an estate shall only be made if the Land Commission are reasonably satisfied that holdings to the extent of not less than four-fifths in value and number of the estate will be purchased by the tenants thereof. This condition may be relaxed on special grounds with the consent of the Treasury, &c."

Mr. Neligan.—That's the provision.

2544. Witness.—Then any of the tenants may be debared from coming in under the Purchase Act—that provision only applies in case the estate can be sold to the tenants without loss, and it does not compel the remaining one-fifth to purchase.

2545. Mr. Neligan.—Then it is your suggestion that in the case of the sale of a settled estate all the charges should not be saddled on the owner but on the estate?—Yes, if there was any way by which the Government should pay the expenses it would be better still—it would be further encouragement, if it could be managed to pay it out of the sinking fund.

2546. Sir James Caird.—What sinking fund?—The 4 per cent interest that the tenant pays to the Government represents, of course, interest and sinking fund.

2547. That's the capital?—The instalments paid by the tenants represent interest and the sinking fund which is the capital value.

Mr. Neligan.—It is.

2548. The President.—Have you any other recommendations?—Another suggestion for lessening the landlords' dread of costs would be, where the property is sold to the tenant, and where the landlord does not choose to go to the expense of showing title to the estate, that the Commissioners might retain all the purchase-money in their hands at 3 per cent. Where estates are settled the trustees nearly always require the trust money realized by a sale to be left on Government security at 3 per cent, so that there would be no loss to the owner of the money should it be retained under the control of the Land Commission at 3 per cent.

2549. Mr. Neligan.—Suppose it turned out that there was no title, what would you do then?—The person who had the real title could claim the fund at any time. It is perfectly safe under the control of the Commissioners.

2550. The President.—If the real owner turned up do you mean?—Yes; if the original man who represented himself as the real owner wanted the money, he could go to the expense of showing his title.

2551. Mr. Neligan.—Take the instance of a man living abroad, and he comes home and finds that somebody has sold his estate.

The President.—He would get the purchase money.

Witness.—Yes, and I think that probably he would prefer it to the estate.

Mr. Neligan.—And probably he would not. It would be compulsory on him. To have compulsion we must go a long way.

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George A. G.
Admiral

2592. *The President*.—Do you think a great many men would consent to leave their estates under the control of the Land Commission?—I do, to save costs.

2593. *Mr. Nelson*.—And the worse his title the more anxious he would be to do it?—Yes.

2594. *The President*.—Have you known many sales stopped for want of a good title?—The expenses I am speaking of; I only make the suggestion to lessen expenses.

2595. You have known it to operate as a very serious obstacle?—I have not the slightest doubt that it has operated as a very serious obstacle. For instance, I myself wanted to purchase from my landlord, and his sole objection was the difficulty of showing title to one lot.

2596. *Mr. Nelson*.—Have you ever turned your attention to recent legislation about the recording of titles?—No.

2597. There has been recent legislation which simplifies titles very much. Where titles are recorded you can sell an estate as easily as you can sell a horse. There is a very large amount of legislation on that subject already?—Is there indeed. I am not acquainted with legal matters, but the cost might be as great in the first instance.

2598. *Lord Milnes*.—But you have been making a great many suggestions dealing very closely with legal points?—Then another objection is, the tenants won't purchase from a middleman. They say they would have two landlords to pay; they would have the Government and they would have the head landlord, and to use their own expression, one was bad enough.

2599. *The President*.—The middleman you mean in this case?—The man who pays the head rent.

2600. Exactly. Then you propose to buy out the head man?—That is one of the reasons for doing so.

2601. The residences on the holding, don't you think that it should be compulsory?—It is not quite compulsory in the Act, because the Commissioners have a discretion about it. I would not require residence.

2602. *Mr. Nelson*.—That is discretionary at present?—It is; but I think the Commissioners are slow to exercise the discretion.

2603. *The President*.—Have you any other suggestions to make?—I also think it might lead to more cases coming within the bounds of the Act if the definition of "tenant" was altered. The present definition in the Land Act is "anyone occupying land under a contract of tenancy."

2604. *Mr. Nelson*.—What would you suggest in place of it?—"Anyone renting land under a contract of tenancy."

2605. That is the same thing?—No. If the head landlord is willing to sell the middleman cannot get the money from the Government; but if the definition of a tenant was altered he would be able to purchase from the head landlord, and he would then be in a position to sell the fee.

2606. And then he might step there?—Yes. But I think he might be put under conditions that he was not to charge the tenant a higher amount than he gave.

2607. *Lord Milnes*.—Don't you think it is likely he would?—That he was not to make a profit on the transaction, and that he was to sell it if he was required to do so.

2608. *The President*.—Then your definition of a tenant would be?

Witness.—"Anyone renting land under a contract of tenancy."

Sir James Colquhoun.—Wouldn't that interfere with the intention of the Act which is to make the occupying tenant the owner by buying from the head landlord with the intention of selling to the tenant?

2609. *Mr. Nelson*.—Suppose the tenants were not

willing to buy under it?—They would be willing to buy under it.

2610. But suppose they were not?—I think he would make terms with the tenants first.

2611. *The President*.—Instead of buying with his own money as now he would be allowed to borrow from the Government?—Instead of buying with his own money as now he would be allowed to borrow from the Government. Of course I would restrict him under rules that he would be obliged to sell. I think it is another means of clearing away the difficulty of compulsion was not resorted to.

2612. I have all your suggestions down. Are there any more?—If there is one tenant on a property who sublet his tenancy there is a great difficulty about it, because the landlord won't sell a townland except he can sell the whole of it. So far as my knowledge goes, I think the Commissioners, where there was subletting, would not have power to advance to him. He is not a tenant under the definition of the Act.

2613. They could not sell to him or the man in actual occupation?—I don't think they could sell to either.

2614. *Mr. Nelson*.—Why not?—Because there would be a man between the occupier and landlord.

2615. The Act of 1890 would, in some cases, make that sub-letting a nullity?—Then the under-tenant is not in connexion at all with the man who would be selling the property.

2616. *The President*.—That would be remedied by what you have suggested?—I think it would. The tenant who has sublet his land does not come under the definition of a tenant. I know as a Sub-Commissioner we had to dismiss cases where the tenant had sublet, because he was not a tenant within the Act.

2617. *Mr. Nelson*.—Your alteration of the definition would meet all that?—I think so.

2618. You are aware that a great class of tenants now cannot sublet. That act of subletting is a nullity in law?—Yes. They break their judicial title.

2619. You are aware of the provision of the Act of 1890 which renders so many of these cases an actual nullity?—Yes, but then he would have to eject these people to get rid of them, and come within the definition of being a tenant.

Witness.—There are some farms whose value to a great extent depend on arterial drainage being kept open by the landlord, and some to a very considerable extent are embanked lands. I saw a case the other day in point—if the embankment is allowed to break, and if the river is allowed to choke up, it will lessen the security very much for an advance. There are cases of embankments where the whole farm would be ruined by the embankment being allowed to go to the bad, and these embankments often cover several farms; and the cases of arterial drainage also affect several farms and it would be usually impossible to get the tenants to unite to execute these works. I know they would be neglected altogether, when the value depends upon an embankment which had hitherto been kept up at the cost of the landlord.

2620. What would you propose, then?—What I propose would be: First, I would give the tenants a chance of doing it themselves, and if they neglected to avail themselves of it, I would allow the Commissioners to serve notice on the tenants to put these things in repair.

2621. *The President*.—Before the sale?—Oh, no; after the sale. After serving notice on the tenants, calling on them to execute these works, and their failing to do it, I would empower the Land Commission to call on the Board of Works to have these works executed and to levy the charge on the tenants who had been benefited by it.

2622. And you would have a periodical inspection of it?—Yes.

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2583. Mr. Neligan.—The fact of these works is one of the arguments against a peasant proprietorship—that these great works were included.—Yes, they would be included; and I found it very seriously interfered with my value of farms.

2584. Quite so. Do I understand you that in valuing farms improved by drainage you lessened the value of the estate in consequence of the contingency that the tenants will not keep up the improvements?—Yes.

2585. So that in point of fact by making these embankments and scouring the rivers it lessens the value of the property?—Quite the contrary. It increases the value of it, but it cannot be regarded as permanent, unless the works are kept in repair.

2586. Yes, but unless with such a clause as you would insert you would lessen the purchase-money?—I could not recommend the Government to advance the same amount of purchase-money if there was no machinery for keeping up these works, as if there were.

Mr. Neligan.—That is exactly what I say.

2587. The President.—In cases where the value of the farms wholly depends upon the value of the drainage being kept up?—Yes.

2588. Mr. Neligan.—But if you were in a position to compel the tenants to keep them up?—Yes, I would certainly put a greater value upon their farms.

2589. In the absence of that this really deteriorates their value?—Yes.

2590. The President.—Is there any more?—That is all I think.

Mr. Neligan.—That last is a very valuable suggestion.

2591. Lord Milltown.—I just wish to ask one or two questions. I understood you to say in your opening evidence that the Act of 1881 had virtually passed away, because the tenants now are entirely thinking of purchasing?—Yes.

2592. Is that your experience? If so, how have you arrived at that conclusion?—Everyone is talking of it.

2593. In what locality?—I go all through Ireland and everywhere I meet tenants who all inquire about the Purchase Act; and about my own place the tenants are constantly asking about it.

2594. Where is that?—Wexmouth. They ask me how they are to set about purchasing their land. The price seems their difficulty, as they do not yet understand what so many years' purchase means.

2595. And you think that that state of things applies to the whole of Ireland?—This is really growing every day more and more, and I think if there would be an end to the Purchase Act it would throw a great gloom over the tenants of Ireland. I think their whole hope is centred in the Purchase Act.

2596a. You go so far as to say that?—Yes; that is my deliberate opinion.

2597. With regard to those not well-situated estates where you put the value at fourteen years' purchase, supposing that upon those estates the tenants were more favourably placed—I mean so far as their position goes—would the value of the estates then rise to the same value as the others?—I don't know whether I make myself quite understood, but you have stated that on well-situated estates you placed the value at twenty years' purchase, and on those not so favourably situated you put it at fourteen years' purchase, and you defined those not so favourably situated as holdings where portions of the holdings were placed here and there and everywhere. What I want to know is, supposing these estates should be rearranged, the same number of tenants remaining, would the value then go up to twenty years' purchase?—The value of the estate would, I think, go up, but I wish to impress this on you, that I may value that land to be so much, but then it is a different thing as security to the Government.

2597. I mean would the security to the Government be as great?—I think the security would be improved greatly.

2598. Can you tell me this—I meant to have asked this yesterday but I forgot—have the purchases under the Land Act increased recently?—My impression may be a false one, but they appear to go up and down by what occurs in Parliament.

2599. Very likely, but have they gone up in consequence of what occurred in last June?—I don't know, but if my theory is right Mr. Parnell's Bill kept some of them from coming in. After the Home Rule Bill was rejected they came in very fast. Whether I am right or wrong this falling off which has taken place now is to be attributed, I think, to the Bill that was proposed by Mr. Parnell.

2600. By the idea that there might be a further encroachment on the value of land?—Quite so. I think the want of some indication of finality is a very great drawback to a settlement. That is not a mere matter of opinion. That is a matter of certainty. The tenants themselves say:—"Oh, we will have a better settlement."

2601. Sir James Caird.—Only one word about the head rent. In the case you have taken where the middleman's property has a rental of £200 a year, and where he pays £100 a year head rent, you have pointed out that should there be a sale at twenty years' purchase there would be nothing left to him?

Witness.—Exception—fifth part; it would not amount to one-fifth.

2602. But how do you get over that difficulty by giving the equitable value of the head-rent—you have told us that the head-rent is as good a security as consols?—Some of them, I think, are.

2603. But even in that case it would be a very good security indeed?—Yes.

2604. Well, wouldn't the equitable value of that be something like £3,000. In the case of a head-rent of £100 a year, could it be equally well secured for any sum less than £3,000?—Well, the probability is, it could not, but its marketable value would not be so much.

2605. Exactly so. Then that would compulsorily make the head landlord accept what would really be an equitable equivalent to his income, but that would not diminish your difficulty; it could only be done by compelling him to take something less than the value?—No; in that case the middleman would get £1,700, and the head landlord would get a fair price also.

2606. Mr. Neligan.—Do you happen to know that there was any difficulty in dealing with tithes in connection with the Act of 1855?—Only that it was not expressed in the agreement between the landlord and tenants.

2607. You would suggest that the agreement should be more specific with regard to tithes where tithes exist?—Yes; that is, in the preliminary agreement.

Mr. Neligan.—I quite agree with you that there should be a more specific reference to it in the preliminary agreement.

2608. Mr. Keble.—As I understand you, you would compel the head landlord to sell?—Yes.

2609. Do you think it would simplify the difficulty in any way to compel all concerned to sell—the tenants to buy and the landlords to sell?—On principle it might, but I think there would be difficulties in the way of it.

2610. But there seem to be a great many difficulties in your way?—I think the great difficulty would be asking the country to contribute the enormous amount of money required, because if you have compulsory sale that would involve the whole of Ireland. But on the other hand, if you adopted the other way it might be more gradual, and it might be easier to get the money.

2611. But wouldn't there be a certain class of landlords who find no difficulty in getting their rents, and who will not sell?—I know plenty of landlords who, I am sure, never would sell.

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George A. G.
Adams.

2613. And the tenants of these landlords probably would be willing to buy it—They would.

2614. Well, would you think that it would be a pleasant solution, so far as it was practicable, and for the good of the country?—I would not be at all sorry to see compulsory sale in every case. It would tend to quiet, and peace, and settlement, if it could be carried out.

2615. If you were satisfied that it would have that effect, you would recommend it?—If I was satisfied that the money could be got, and that there was no other drawback, my impression is that it would lead to the settlement and peace of the country.

2616. You say that the people stand off under the impression that there is something about to be done in Ireland?—Yes; yearly something is proposed by one party or another: there is always something looming in the distance. This Commission has indicated something looming. The tenants are always looking forward. Every year they have waited they have got something better.

2617. Sir James Caird.—Then you think, as I understood you to say just now, if the money could be got, and other things arranged favourably, in all cases it should be compulsory on the landlords to sell?—Generally speaking, I think it would be advantageous.

2618. And you think the result probably would be that the landlords at present would disappear?—Well, my idea about Ireland is that if I had nothing to do with tenants it would be the pleasantest country in the world to live in; and I think we would have more people living in Ireland in a high position, if they had nothing whatever to do with tenants.

2619. But the landlords retaining their own domains and residences?—Retaining their own domains and home farms.

2620. And you think in that way that class would be equally valuable, as they are now, in regard to the general social position of the country?—I think that if they were men qualified by intelligence, education, and by the estimate that was held of them in the country to occupy this position, they would be selected in preference to men in a humbler position; but I think that in many cases men are selected for positions merely for owning property, and that many of them are not otherwise suitable.

2621. But if there were men of good position and intelligence throughout the country?—I think wealth and intelligence will always come to the front.

2622. You mentioned in an early part of your ex-

amination that the Commissioners had instructed you that it would not be proper to reckon as an element of value any combination existing in the particular district in which you were valuing?—Yes.

2623. In that case if you were estimating the value of property, say in Kerry, you would put as high a value on it as in Ulster?—If I saw the land with struggling tenants in Kerry I would not put as high a value on it as if I found the best tenants on the best land. Ulster has factories.

2624. That probably arises less from the land as from the tenants?—Yes; but even in Kerry I don't think we should despise of the state of things there. I was a Sub-Commissioner in Kerry. I visited it lately under the Land Purchase Act, and I think I see a great improvement in the position of the tenants.

2625. Mr. Nelson.—That is in spite of everything?—Yes, I think their position is improving. I don't at all take any gloomy view of the prospect of things there. I think the tenants are more cheerful than they were. Of course I visited them last time under different circumstances.

2626. The President.—I suppose even if you don't take the disturbed state of the country into account the landlords are willing to take a loss now?—Yes; that is very much the case.

2627. Sir James Caird.—There is one point to which attention has not been called. It is this—we are to inquire whether the Act might be expedited and extended by providing security through the intervention of local authorities; what is your opinion of bringing in local authorities into the matter of joint security?—I think it would not work at all. I think it would be utterly hopeless to attempt anything of the kind. I have turned that over in my mind a good deal, and I cannot see any hope for anything of the kind.

2628. You think the local authorities would be very loth to undertake such a burden?—They would not do it at all.

2629. They would decline it?—They would decline it.

2630. You don't think that in the least degree it would expedite the working of the Act?—I am perfectly certain it would not.

2631. The President.—If they declined, it would be very difficult to compel them?—It would be very difficult, I think, to compel them. I think they would repudiate it in every way.

Mr. Charles Unwin Foreman examined.

Mr. Charles
Unwin
Foreman

2632. The President.—You are a Land Agent, and as such, have a considerable amount of money passing through your hands?—Yes.

2633. And you have experience in different parts of the country?—Yes.

2634. From the North to the South?—Yes.

2635. But you have not much experience of the congested districts?—No, I have not.

2636. First I will ask you a few questions about the working of the Act of 1861—have many of the tenants with whom you have to do, had judicial rents fixed?—Yes, there was a large number—about 600, I suppose.

2637. Do you find that the rents are paid pretty regularly now?—Judicial rents are not paid better than other rents.

2638. But rents altogether—have they been fairly paid?—Yes, on the whole they are pretty fairly paid—with difficulty. Large abatements have been demanded upon the judicial and other rents; but, indeed, rents with few exceptions, are fairly paid. As a rule I have not given abatements on judicial rents.

2639. You have not granted abatements?—Not on judicial rents.

2640. But the rents are fairly paid?—Yes, except in some districts.

2641. But you have not given any abatement on the judicial rents?—No.

2642. Do you think there has been a sufficient fall in the price of production, and a sufficient depreciation of agricultural interests to make it more difficult for people to pay their rents now than it was some years ago?—Yes, it is more difficult for the tenants to pay now than some years ago.

2643. Lord Sullivan.—What period do you allude to?—I allude to the time the judicial rents were fixed; but the question then remains whether the rents fixed at that time were what is known under the Act as fair rents. The contention of the owners of the land is that the reductions were excessive beyond what was at that time warranted, and of course a great deal hinges on the justice of that view. When the cases were tried before the Sub-Commissioners, naturally every element that could be taken into consideration was pressed on behalf of the tenant—American competition—badness of the seasons—that the land did not yield in the same way as it did previously—and various other matters were taken into consideration.

2644. The President.—Then taking the rent not judicially fixed—have you made any abatements in that during the last two years?—Yes.

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Mr. Charles
Caldwell
Tombert.

2645. What sort of percentage did you allow?—We drew no line between householders and yearly tenants. They all got an abatement; but the difficulty that has pressed on landowners has been the pressure brought to bear upon them to give equal reductions to all the tenants whether their rents were high or low—that is from twenty to twenty-five or thirty or forty per cent.—whatever might be demanded. The pressure was to make an all-round abatement, as it is called.

2646. And you tried to deal with each case according to its own merits?—Our anxiety was to deal with them in the most liberal manner according to the circumstances of each case.

2647. And I suppose the tenants on poor land got greater reduction than those on good lands?—Yes.

2648. Can you tell us what sort of reductions you made?—The reductions varied from ten to twenty-five per cent. on non-judicial rents.

2649. And you would give the same reduction on the judicial rents, I suppose, if you thought they were fair at the time they were fixed, but that in consequence of the depreciation of produce and the fall in prices, they were too high now. I suppose the reason you give now for refusing a reduction on the judicial rents is that you think they were fixed too low?—Well, as a rule, we conceived they were lower than they ought to be, and our feeling very much was that an Act of Parliament had passed that was supposed to fix the rents for fifteen years, and that while in individual cases there might be some grievance that we would be anxious to remedy, yet it was unreasonable to press generally for a reduction on the judicial rents that had been fixed. I am not one of those who believe that the landed interest presses unduly upon the tenants, as a rule, more in this than in any other country.

2650. You say as a rule?—I say as a rule, because of course there are exceptions as there are exceptions in other countries as well.

2651. Do you think that rents that were not judicially fixed, the old rents, were on the whole, how much higher than the judicial rents—ten to twenty per cent.?—The worst cases are supposed to have gone in first. There was a rush into the courts when the Act passed, and it was universally thought that it was the most extreme cases that went in first; so that it is hard to compare those cases with the rents that have not been judicially altered, but I believe that the rents where tenants did go in were higher than the unaltered rents.

2652. Do you find that in the case of the judicial rents that have been settled quite lately a greater reduction has been made by the Commissioners than in those which were settled in 1831?—Up to the end of 1867 the reductions were no greater, but commencing about last March the reductions have been much larger indeed. I have a few cases myself in which rents that I know have been paid regularly for thirty years, and I am aware from the books that the rents have been unaltered for a quarter of a century before that, those rents have been lowered on pasture land, thirty-three per cent., and in tillage land to seventeen per cent. below Griffith's valuation.

2653. Is that in the recent decisions?—The recent decisions since March.

2654. And do you think they were justified in reducing them so very much?—No.

2655. Lord Milnes.—Pasture land—kindly give me three figures again?—Pasture land in Kilkenny was reduced thirty-three per cent.

2656. Below Griffith's?—No below the old rent.

2657. And tillage?—Tillage land in the same county was reduced to seventeen per cent. below Griffith's valuation.

2658. The President.—Seventeen per cent. below Griffith's, not below what they used to be?—About thirty per cent. below what they used to be, and seventeen per cent. below Griffith's valuation.

2659. And do you think that these reductions were too great?—Excessive.

2660. Lord Milnes.—In Kilkenny this was?—

Yes. I may mention that the Poor Law valuation is a great deal lower in the South than it is in the North.

2661. The President.—Which?—Griffith's valuation, the tithes valuation.

2662. Sir James Colclough.—Those old rents as you call them, had they been punctually paid up to the time of the change in the rent?—Yes.

2663. The full rents had been?—Yes.

2664. The President.—Do you think that the Commissioners were too much influenced by the exact position of affairs at this moment, in estimating the rents, and did not look upon it sufficiently as an exceptional period?—That is my belief. The fixing rents by the Commission under the Act of 1861, was undertaken at an unfortunate time, when the country was in the throes of revolution, and when the passions of men were let loose all over the land. It was difficult for the Commissioners to act as they possibly would have done some years before.

2665. But they have not changed their line of conduct since the country has got quieter?—No, but there may be other reasons that perhaps influence them at this time.

2666. Then in fact I may take it that you think that there is nothing in the present state of things to prevent a tenant paying any judicial rents that has been fixed?—Broadly speaking. Broadly speaking I should say they ought to be able to pay the judicial rents.

2667. Now as to the subject of intimidation. You say you have been getting your rents fairly well paid altogether?—Yes, some districts pay much better than others. In the North of Ireland the tenants make every effort to pay, but in some of the midland counties the position is the reverse.

2668. Which is the worst part that you have to do with?—Well, I think parts of Tipperary.

2669. And does intimidation prevail there to a great extent?—Yes, largely.

2670. And that is the reason why you have not got the rents?—Well I think the people in some of those midland counties are unprovoked.

2671. That they might have paid, but that they spent the money in other ways. You cannot give us any strong cases of people being intimidated and prevented from paying their rents?—Well I have had a great many cases heretofore.

2672. Of outrage?—Not of outrage—not strong cases of that kind—but they have a quieter way of carrying out these things. For instance in the county of Wexford. Wexford is slow to move, and always was; but when once they move they are very determined, and while there is no outrage according to the public in Wexford, still the Land League in supreme meetings are held there regularly, and there are newspapers published in the district that report the resolutions of these Land League meetings. These papers are circulated in the district. I have been a subscriber myself to them, and from time to time I have taken cuttings from them, and there are cuttings in which various subjects are dealt with, for instance with the purchaser under Lord Ashbourne's Act, boycotting of landlords' grass—

2673. We are coming to that by-and-by. We will keep now to the question of intimidation and preventing the payment of rent. I will ask you a good deal about the Purchase Act by-and-by. We mean to keep the two separate?—Well, as to intimidation as regards the paying of rents, up to 1862 outrage was made use of, but from that date forward the quieter methods of Land League resolutions are adopted, and duly published, and men are named, and then the naming means boycotting, and the Commission know what boycotting means.

2674. Boycotting is now as strong as it ever was?—Boycotting is stronger in places than it ever was. In other places it is lessening in its intensity.

2675. Lord Milnes.—Men are named now in resolutions that have paid their rents you mean?—Yes, and men are named that are backsliders and supposed to have paid, they are named and called to

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Mr. Charles
Duncker
Trentford.

appear. There is no actual summons, but in these papers so and so is directed to appear at the next meeting.

2676. That is before the Land League branch?—The Land League branch, yes, and if he does not attend he is boycotted.

2677. The President.—And is boycotting kept up by any outrage or threat of outrage in the background?—I will give you an idea of what has been done at the present time. —It is recovery over a small property in the county of Wexford. He was appointed not long since. There was some land in the owner's hands, some of it was in pasture, some of it required to be sowed. The instant measures were taken to deal with that land, either to take in grazing cattle upon the pasture land, or to till the land that required tillage, immediately these concerned were named in these papers, and the people warned not to have anything to say to the lands. And notwithstanding that some people worked. A widow sent a horse to work, but following that within twenty-four hours —

2678. This was not land from which anybody had been evicted?—No; eviction had nothing to say to it.

2679. Why did they object to it?—The conspiracy, my lord, is complete. Since the date of Mr. Parnell's speech in Cincinnati, when he stated that the landed interest was the corner stone of the connection with England and that the corner stone was to be plucked out, broken up, and destroyed, from that hour out the conspiracy has been complete.

2680. That was some years ago?—That was some years ago. That was during the time your lordship was in Ireland. Since that day in every shape and form the landed interest has been attacked. It commenced in an attack upon unfair rent. Now, the attack is upon rents of all kinds, high or low. It is upon landlords' game, that is if a landlord has a demesne on his lands, a landlord resident amongst his tenants, who has not evicted any of them, his pastures are boycotted, if a tenant on his estate sends in some grazing cattle upon his land that tenant is boycotted.

2681. Do they wish the land to remain in an uncultivated state?—Yes, they wish the landlord to derive no benefit; they want to break down the corner stone. They want to ruin him.

2682. Lord Melbourne.—What county are you speaking of?—Wexford is present to my mind at the present moment, where I have these cuttings from local papers, but it is more or less general in the South of Ireland. I do not refer only to Wexford.

2683. The President.—I have rather interrupted your story; they made use of your name to identify this land and forbid anybody to take it?—Yes, a widow sent her horse to help to draw. *Specifical* she was boycotted. Some of her farm offices were burned the next night.

2684. Was this quite recently?—Within the last three weeks. Some of her farm offices were burned within the last three weeks.

2685. What were burned?—Her farm offices. Another person gave some assistance. His corn was scattered to the winds. There is boycotting of the most detailed description being carried out in every relation of life. This case that I mentioned just now, of where a woman sent some horses to graze upon the landlord's game, she was boycotted for sending them; the labourers that worked with her were boycotted because they remained working with her. So the system grows. I have hundreds of acres of land on lands that I could let, but for boycotting. There would be practically speaking, no land vacant in Ireland, but for the resistance of the League to the letting of the lands. It is part of the conspiracy.

2686. And perhaps the reason that there are not so many outrages, is that they have established it so completely that they are not necessary—is that the case?—Yes. In illustration of that, I may mention that shortly after Mr. Boyd was murdered near New Ross, Mr. Parnell went down and said there was a

better way, and that when the country was properly organized there would be no occasion for such proceedings. That system of organization has been carried out since. There is no occasion now to murder. They can quietly ruin a man. Perhaps I might read a letter illustrating the way in which pressure was originally put on, to make men that were unwilling to join the League join it. This was a letter that I received in 1885. It is an old story now, but it illustrates the working of the system, and this was sent to the then Lord Chancellor of England with some other letters, but this is so remarkable that I thought I would venture to bring it out and to read it, if the Commission permitted me. I shall omit names, "I write to you about a tenant of Mr. —, named —, and at his earnest request. Pressure has been put on him by the local branch of the Land League to induce him to join them, under pain of being boycotted at once. He came to me yesterday to ask my advice. He said he utterly detested the League and its doings, and that what pained him most was what you and his landlord would think of him if he now joined the League after the very substantial reduction of his rent, which I understand he lately received, but that he would be ruined if he was now boycotted. I said that I sympathized with his case very much, that I knew that he detested the League as much as I do—and I honestly believe he does—that I knew being boycotted might be his case or mine, or any honest man's, to-morrow; that as there was no protection, or likely to be any, for him, I felt compelled to advise him, as the only means of safety left to him at present, to subscribe to the League and become a member. I said that I would take care to let you know the full circumstances of the case, and that I felt sure you would make all allowance for the difficulty in which he was placed, and for the solution of which I am as much at least to blame as he is, but I could not have the heart to advise this man, doubly helpless for certain reasons, to expose himself and his family to the devilish machinations of those ruffians when his sacrifice would have been quite unavailing to the cause of law and order."

2687. That was some time ago?—1885. From a magistrate and deputy lieutenant.

2688. We know they were very bad at that time, but you say that in some districts boycotting is less than it was?—In the district where that was written it has lessened.

2689. The evil has to a certain degree harnt itself out?—Yes, in some districts.

2690. And have you any reason to hope that it will gradually do the same in others?—Yes, I should hope it would if the people were let alone, but I am satisfied that if a meeting were got up in the neighbourhood where that letter was written from, and speeches made such as have heretofore been made, that the fire would kindle and burn just as briskly as ever.

2691. But at present there is less pressure put upon tenants in Ireland than there was three or four years ago?—In certain districts there is more intense pressure put now than there was then. At that time outrage was prevalent in districts, but now, as I have said, the quiet pressure that is being put upon them is just as great, but in districts it has lessened. And I believe that if the observance of the ten commandments were enforced in the country that we should have peace. I believe the tenants are disposed to meet their engagements as far as they fairly can.

2692. And you think they are tired of this intimidation?—I am satisfied that in many districts they are. My opinion is fully in that direction.

2693. I believe you are one of those—a great number now—who entertain great hopes from anything which may induce tenants to become purchasers of their land?—It is the solution that I really hope to see availed of largely throughout the country.

2694. Considering it has only been passed one year, Lord Ashbourne's Act seems to have been very successful?—It has been, but your lordship will

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observe, if you had the returns, that it is chiefly in the North that it has been successful. The Northerners were the first to go in under the Land Act of 1881, and they have largely availed themselves—of course I do not know the actual figures—but they have largely availed themselves in the North of the purchase clauses, and I believe are willing to do so more largely still; but in the South it would extend, and if the League permitted, I am satisfied that a large number would become purchasers.

2695. You think they are prevented by the League?—I know it. When resolutions such as these are passed and published in the papers it puts the tenants in a difficulty about purchasing. I will just read the whole resolution: "The following resolutions were unanimously adopted—Proposed by Mr. O'Neill, seconded by Mr. Martin Byrne, that should any landlord in this parish notify to tenants his willingness to sell under the lately passed Purchase Act, we call upon such tenants not to come to any agreement without first consulting his brother tenants on the property, and coming to a mutual agreement on the amount they are to offer—that is all right—and before offering which they are to have the sanction of this branch."

2696. Sir James Caird.—What date is that?—That is October 10th, 1885.

2697. Lord Millicene.—What was the locality?—Keshmerty. This is the Ashmore National League. 2698. Sir James Caird.—And it has reference to the Act of 1885?—Yes, the resolution winds up, and "tenants acting contrary to these resolutions will be treated as enemies of the cause."

2699. The President.—I remember after the passing of the Act of 1881 the North, as you say, took advantage of it first, and the South were rather persuaded to hang back by the agitators, but afterwards could not resist following the example of the North—I believe so.

2700. Perhaps there may be hopes that the same thing would take place with regard to the Purchase Act?—One would hope so, and be certain of it if there were confidence in the country.

2701. And then one would recommend any changes in the Act which would obviolate any hindrances that might at present exist in the way of carrying it out?—There are difficulties in the way that if they could be lessened it would aid very largely. The great object the tenant has now in buying is to reduce his rent, and if an extension of the time of repayment, and a lowering of the rate of interest charged, could be made, it would be an aid in that direction.

2702. At present the term is forty-nine years, and the tenant may have his rent reduced even while he is paying off the debt?—Yes.

2703. You would go even further than that?—Yes, assuming that the State can be secured, as I believe it can. With an extension of the time, in fact the security of the State would be larger, when a smaller annual payment was required from the tenant. He would be more apt to make that payment. Then another matter that has pressed upon me very seriously is, that there should be a compulsory power to deal with quit-rents, chief-rents, head-rents, perpetual annuities, and tithes-vested charges.

2704. Then with regard to fixing the sum to be given for those, would you fix a certain number of years' rental, or how would you manage it?—In the bill that was recently brought in by Mr. Gladstone, the "Sale and Purchase of Land (Ireland) Bill," a certain number of years' purchase was fixed for quit-rents—twenty-four years; for head-rents, twenty-two. Well, I think that quit-rents ought to share the difficulties of the time, and that rent-charges, and various charges on an estate, such as chief-rents, should all be dealt with compulsorily. For instance, a large extent of land in Ireland is held by what are known as middlemen. Lord Millicene knows what I refer to.

2705. Lord Millicene.—Oh, we have heard a good deal about that?—Who have leases for ever.

2706. You mean that I was personally acquainted with the fact?—You receive a large amount of chief

rents, and you know the fact. Those are lands held in many cases on leases for ever, subject to large head-rents; and, as regards those head-rents, there is no power to apportion them; the landlord has a right to resort to any portion of the land to recover the rent, if an attempt be made to apportion it; and I do not think it would be fair to a landlord to compel him to accept an apportionment, but I think it would be fair to require that a certain number of years' purchase, whatever is considered as a proper number, should be accepted. If not, I suppose a fourth of the land in Ireland cannot be sold. Trinity College has a very large extent of land leased in that way, and receives a large amount of head-rent. Unless cases such as these can be dealt with in some way by legislation, I do not see how those lands are to be sold to the occupying tenants. If the head-rent is small, you can apportion it on one lot, but if the head-rent is large, as I know in many cases that there is not a sufficient holding of a tenant on the property to meet the head rent, that there is no one rent of an occupier sufficiently large to cover the head-rent—in that case, unless there is compulsory power to deal with such rent, I do not see how that district, and I have now present to my mind cases in Tipperary, can be dealt with.

2707. They vary in value according to the number of years' purchase?—Yes, according to the margin of security.

2708. Mr. Neligan.—You say that you would recommend a proportionate abatement in those, do I understand you?—No; I think the thing should be effected by the number of years' purchase.

2709. The President.—You would fix it all round once for all?—Yes.

2710. But you do not wish to state any number of years?—A great deal would depend upon the number of years' purchase that can be had. I feel that wrong lines have been embarked upon in the legislation of recent years, that we are all astray; everything has been in turmoil and upset; none of us know from hour to hour where we are, and the landowning class have suffered intensely. I have an idea that those that have charges upon lands—it is a very monstrous thing to say or to think of—but I believe that in justice they ought to share in the difficulties of the time.

2711. Sir James Caird.—Would that apply to mortgages?—I think so. I am a mortgagee myself.

2712. The President.—Have you any recommendation to make with regard to mortgages?—Well, there should be a power to mortgages I think, to petition for sale as in the Landed Estates Court. At the present time there are many proprietors that have a margin to live upon and if they were to sell, that margin would utterly disappear.

2713. Because they would get less interest for their money?—Because the mortgages, the charges at the present rate would swallow up the entire purchase money; and if it be necessary that a peasant proprietary should be created unless there is a power to mortgages and incumbrancers to petition in such cases a proprietor will be slow to move.

2714. The mortgage would force the proprietor to sell the estate, and then whoever bought it would sell it to the tenant, or how would that be?—Well, that should be a matter of arrangement through the Court, and that should be thought out afterwards.

2715. He could force a landlord to sell to the tenants direct?—At the present time in the Landed Estates Court the tenants are given the option of buying and that could be extended.

2716. Mr. Neligan.—In point of fact an extension of the powers of the Landed Estates Court would be the most facile machinery for carrying out your view?—Yes, undoubtedly so.

The President.—The Incumbered Estates Court?

Mr. Neligan.—I say an extension of the powers of the Landed Estates Court would be the most facile machinery for working out Mr. Townsend's view.

The President.—Is that the Incumbered Estates Court?

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Mr. Charles
Folville
Tottenham.

Mr. Nelson.—It used to be called the Incumbered Estates Court, it is now the Landed Estates Court, and sells estates that are not incumbered. They might have the power to carry out that idea. There the practice is to give a right of pre-emption to the tenants. They do so at present.

2717. Sir James Caird.—Do you suggest that the Landed Estates Court should have discretionary power as to the value to be placed upon each of these interests?—Yes, if a scale were not laid down in the Act of Parliament.

2718. Mr. Nelson.—You think there would be more confidence in dealing with the Landed Estates Court than with a Commission?—I am satisfied that there would.

2719. I think so too.—I have no doubt of it. Then there was a matter about turbaries.

2720. Yes, we will be very glad to hear you on that.—There is nothing that is a more fertile source of dispute and bloodshed at times than dealings with turbaries, and if an estate is sold having turbaries rights attached, and the lots are dealt out like the squares on a chess-board amongst the tenants, or if there be large tracts of bog attached, tenants are not disposed to combine for the common good to make the outlets, to carry off the water; they will have endless rowing and disputing over it. It takes now the strong hand of the landowner in the first instance to lay out the lines of the drainage, and then to form the drains and to see that the drainage is properly preserved. Some equivalent to that authority should be preserved in the future, either a State authority or a local authority, and a system of drainage should be laid out with power to vary the positions of holders of turbaries, and some small annual charge made.

2721. The President.—Then what authority would you suggest?—Well, there should be a local authority, say the Grand Jurors, or other like body in the future.

2722. To undertake this duty in connection with turbaries and anything else of the same kind?—Well, I do not say at all that it is the best thing that could be done, but it is the only thing that I see practicable.

2723. In the case of an embankment that was necessary to be kept up to preserve the value of the land, the same authority would undertake that?—Probably; and unless there be some such power retained as I have described difficulties are sure to arise. What is everybody's business is nobody's business.

2724. Mr. Nelson.—But your experience, Mr. Tottenham, is that a paid functionary, operating in the country generally, commands respect and does his business better than those boards—Boards of Guardians?—There is no question of all that it is so. The work is thoroughly well done then.

2725. And can be enforced?—And can be enforced. At the present time the guardians are evaded by every wind of sedition.

2726. A county court in each county might work out that idea of yours?—The county court would probably see it carried out.

2727. The President.—Is there any other impediment you can suggest in the Bill?—Well, those are the principal points that occurred to me.

2728. You think that the landlords as a rule are willing to sell now in these days?—Yes, to a large extent.

2729. Do you mean, to sell and leave the country altogether, or merely to sell their outlying estates and keep their demesnes?—To sell and many of them to leave the country after a time.

2730. Lord Milnes.—In the case of alehouses who are already out of the country, are they willing to sell?—Yes, largely.

2731. The President.—And you think that the tenants have a great desire to buy?—A great desire to buy, if they can get the rent largely reduced. I do not think they would buy if the rent were not reduced, and it is the measure of the reduction that is the measure of their anxiety to buy.

2732. Sir James Caird.—If the annual payment exceeded the present rent?—They would not buy, or even if it were equal to it, they ask for a reduction.

2733. The President.—They do get a reduction now, don't they?—If they buy at twenty years' purchase they get 20 per cent. reduction. That is actually the figure.

2734. Then the chief obstacle besides that in the way of the tenants adopting it, is the pressure that is put upon them, and nothing but the gradual restoration of law and order and of general confidence would prevent that?—Quite so.

2735. Mr. Nelson.—And I suppose the want of finality in legislation, and always hoping for something better to occur?—Well, unhappily the tenants have been led to expect so much from agitation that their minds are utterly unguided, and in many districts farm work is not being attended to in the way that it was. There is no confidence now, I might say, on either side. The landlord knows not where he stands, and the tenant does not know what to expect next. It is a miserable condition for the country to be in.

2736. The President.—Now I pass to another subject. I think we have done with the Purchase Act. Have you much personal experience of the present value of tenant interest and tenant right?—Yes.

2737. Is it selling well at this moment?—It is selling not as well as it did, but it sells where permitted. Out of Ulster tenant-right sells according to the size of the farm for a moderate number of years' purchase—5 to 10 years. In Ulster it sells in many districts for what many would think a fabulous sum up to the present hour. I have a table here that was prepared by Mr. Morrough O'Brien, who is next in authority to the Commissioners in the Purchase department. It was read by him before the Statistical Society, and if the Commission wish I can hand it in. He gives in that the purchase price recently paid for the tenant-right and afterwards for the fee of twenty-four farms. The paper was read in July of last year.

2738. Sir James Caird.—This year?—Last year, 1885, and he gives instances. (Witness read the following extract and table.)

"Beyond noting the fact that interests in farms are some times unobtainable, I repeat that I have not collected instances of failure to sell; but in the following table I have given a comparison of some prices at which the fee and the tenant's interest in the same farms have been sold—the sales of both interests, having nearly all taken place within the last few years, represent present values; the tenant-right interests were sold shortly before the fee, in some cases after the contract for the purchase of the fee, but before payment for it. These instances show that in many cases the value of a holding exceeds single security for a lease of the entire price of the fee, subject, however, to the infirmity of the security, on account of the delays, and great though uncertain cost of testing, or recovering the land.

COMPANIES' PRICES RECENTLY PAID FOR THE TENANT-
RIGHT AND AFTERWARDS FOR THE FEE OF TWENTY-FOUR
FARMS.

County.	Estate Name.	Acres.	Price paid for		Number of years purchase of fee, in	
			Fee	Tenant- right.	Fee	Tenant- right.
Aston.	18 10 0	22 8 0	1,645	1,400	15	25
	12 12 0	3 12 0	125	100	15	20
	14 12 0	24 8 0	215	200	15	20
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
	37 0 0	25 7 10	214	200	25	30
Tyone.	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
	31 0 0	4 39 11	1,000	275	15	25
Keweenaw.	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
	125 0 0	140 0 0	8,000	1,500	20	30
Clare.	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
	21 0 0	32 12 0	775	500	20	30
Sligo.	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30
	185 0 0	16 3 0	3,200	2,210	20	30

2739. Mr. Neilsen.—What year was this in?—This was read in July, 1885.

2740. Lord Millican.—But the dates of the transactions!—He does not give the date, but mentions within the last few years.

2741. Mr. Neilsen.—From your own experience you stated now that there is not so much given for tenant right as there was a few years ago—I have said so.

2742. The President.—It is only in Ulster that the tenant right sells for more than the fee, but in other places, in the South, you say tenant right is considerably less!—Yes.

2743. But not always. Here is one case in Clare of £670 paid for the fee and for the tenant right £825; but on the whole you say it is much higher in Ulster than out of Ulster. Can you account for that?—Is there any reason for it?—Yes; they are a more thrifty race, they have been used to it for a very long time, and in Ulster when they sell they pay the arrears of rent that are due, but in the southern counties they sell and do not always pay the arrears that are due. One part of the system is developed in the South and not the other.

2744. Lord Millican.—I thought the landlord had a lien on the purchase money for all the arrears of rent!—Yes, and still the thing is not complete;—the arrears frequently is not paid. The tenants make a bargain, and under the pressure of the league and the difficulties of recovering rents, there is a yielding to the pressure, and the contract that would be carried out in the North and ought to be carried out under the Act is frequently not carried out in the South.

2745. That is because the landlord goes away!—Because the landlord has to give way.

2746. Is there pressure in the South, in any parts, put upon tenants not to sell their rights?—Yes, I have had cases in which I have arranged with the tenant to offer the interest by auction, and the local Land League when they saw the bills out called a meeting, and the auction was stopped and no sale could be had.

2747. And if the tenant right is sold, even with the consent of the tenant, is the new man considered in the light of a hand grabber and intruder?—Ordinarily not; not if it is permitted to go on.

2748. But they do try to stop men from selling!—Oh, yes.

2749. The President.—You proposed some evidence about Griffith's valuation. I do not know that we care very much about that. I believe you have some papers, some diagrams, showing the prices of agricultural produce from 1840 to 1885!—Here is a diagram of the prices of butter, beef, mutton, and pork from 1840 up to the end of 1885.—(Hands in diagram.)—It shows the varying prices. They are based upon tables prepared at the *Farmer's Gazette* office. I dare say that the Registrar-General handed in the table. I have a copy of it.

2750. Sir James Caird.—Is it the same as the Registrar-General's?—It is. It is the same as the Registrar-General's, in a different shape.

2751. The President.—Is this taken from Funder's Almanac?—Yes, as corrected up to the end of 1885. I have just added in the present year for a short period. These show a considerable decrease in prices of produce.

2752. You have put in 1886 here too!—I put 1886 there too, six months of the year—that is the period in which the great fall took place, and the prices are still, with the exception of wheat, considerably over Griffith's valuation prices—I give a table of his scale of prices there. But I have, on the other hand, a remarkable table, and I wish to show it to the commission.

2753. Sir James Caird.—I suppose I may take it that those prices relatively are of a similar description of either produce, or cattle, or butter, or whatever it may be, that they are of a similar kind and quality all through—I believe that they took their observations as regards cattle at fairs through the country—those of cereals are strictly accurate, they are taken from

the official authorities here, but the figures as to butter are taken from inquiries at the markets in Cork.

2754. And applicable to the same description of cattle stock; and not only to the same lot, but to the same quality and breed as it was—so that you are comparing things that are like each other!—So I believe, but of course I go on the authority of the *Farmer's Gazette*, which is the best that we have. Then I have a diagram here; a diagram showing the movement of savings bank deposits, year by year, in Ireland, from 1840 up to 1885. And that shows a very remarkable state of things. This line represents the money in joint stock banks, and that has gone on increasing since 1840. In 1874 it fell and rose soon after, and now it is at twenty-nine and a half millions. Well, I wish to call special attention, my lord, to the table at foot, the savings bank.

2755. Mr. Neilsen.—What was your last joint stock bank return?—Twenty-nine and a half millions.

2756. In 1885 it was thirty millions!—Well, it has decreased here. Then as regards savings banks from 1846 the ledgers have steadily risen, year by year, and increased up to the end of 1885, until now there is in the savings banks four and a half millions.

2757. Four millions!—Four and a half millions in the savings banks.

2758. Sir James Caird.—But money which is in the savings banks is not necessarily the money of agricultural tenants; more likely labourers, and persons employed as artisans in towns. This one does not really tell you much as to the condition of the agricultural owners!—I think the returns are made out by counties, and these returns would show exactly how the figures stood.

2759. This one, I fancy, more applies to the agricultural class!—Oh, I am satisfied that the joint stock bank return does.

2760. But this other takes in the artisan and labourer class!—Certainly. But I wish to call attention to the twenty-nine and a half millions and the four and a half millions, that is thirty-four millions, as against eight millions in 1840. There were eight millions in 1840, and thirty-four millions now between the two.

2761. Lord Millican.—They stood at thirty-four millions at the end of 1885!—Yes. That is, the two together.

That is, they have quintupled.

2762. Sir James Caird.—There is no certainty at all as to either class, how or in what proportion it may refer to the agricultural class!—No.

2763. It includes all classes!—It includes all classes. It is the balance to credit in the banks.

Mr. Neilsen.—The only way we had of recently judging of that was when the run came on the Bank of Ireland. At that time there was an enormous mass of gold taken out of it by the farmers in the country. They were the principal depositors.

2764. Sir James Caird.—There seems to have been a very rapid fall from 1883 to 1885. It fell from thirty-two and a half millions to twenty-nine and a half millions!—Yes, there was a steady decline in those years.

2765. It declined from 1883 to 1885!—Yes, and an increase in the savings banks.

2766. The President.—I think you say that you have had no personal experience with regard to the congested districts!—Not much, but I have had some.

2767. Is there anything you wish to mention with regard to them?—Well, probably you will find many with more experience of the congested districts than I have. The only thing I would venture to say is this, that it is not to be taken for granted that because the population is very dense in a particular place the district is a congested district. There are other elements to be looked to. For instance, the county Antrim is a very thickly populated county, but you never hear of it suffering in the way congested districts do.

2768. Sir James Caird.—Generally what are called congested districts are the least populous!—Yes; as regards area.

Col. W. 1885

Mr. Charles
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Mr. Charles
Gunnels
Townsend.

2769. I notice that in the western counties you have the least population comparatively to the extent of land.—Yes, but then when you look into the question of the value of that land. I have a table here that was prepared a few years since, that shows in a very interesting way—I do not know whether you have seen anything like it. (Witness reads table). That table is prepared with great care, and the counties in the list where the value per acre is smallest, where there is the largest extent of waste land, where the holdings are smallest, where the largest number of persons is given to agricultural pursuits and have no other resource, and where education is lowest, those counties are Donegal, Mayo, Kerry.

2770. The President.—Those are the places where you say outcrops exist?—Diffusion when this was prepared.

2771. Kerry is one of them?—The Moonlighters are now in Kerry.

2772. Mayo has got much better?—Mayo, Kerry, Donegal, Galway, Leitrim, Clare, Sligo, these are the counties that stand lowest and are at the foot of the table.

2773. Sir James Caird.—I suppose you mean to say that, looking at these counties, a great deal of the depression is attributable to the infertility of the soil, and to the exposure of the country to the Western sea?—Yes.

2774. To natural causes of inferiority?—Yes; to natural causes. The decrease in the growth of cereals in England has increased the difficulties of the migratory labourers in the congested districts.

2775. The President.—Is there anything more you would like to state?—I do not know, I do not suppose it is pertinent to the inquiry, any information as regards the way the country had progressed, up to a recent date (on 3rd July, 1880), as regards commerce, and increase in black cattle and sheep, and also improvements as regards the dwellings of the people.—I do not know whether these come under your powers.

Lord Millicent.—No.

2776. The Witness.—I do not know whether the Commission are aware of the evidence given by Mr. Gray, value in chief of the Land Commission as regards the comparative rents in Ireland and England? Lord Millicent.—We have had him here.

2777. The Witness.—He gave evidence before the Richmond Commission on comparative values. I have the print of it here, Page 592, No. 17,358.—“Can you give the Commission your opinion with regard to the lower value of land in Ireland, as compared with land of the same quality in England and Scotland?—Yes; but in using the expression value, I would say that lands of equal letting value in Ireland—lands which are adjacent to one another—are let at rents, varying from thirty to fifty per cent., some above, and some below what I consider the fair letting value. But taking the fair letting value, for a farmer to live well, I find, in valuing a farm, about the same value for an Irish acre in Ireland as for an English acre in England, under ordinary circumstances, where there is no special proximity to towns, or anything of that sort. The Irish acre is five-eighths more than the English acre.”

The President.—And in Ireland the landlord does all the improvements, and in Ireland the tenant. That ought to make a difference in the rent. The landlords have expended millions in improvements in Ireland.

2778. Lord Millicent.—I just wanted to put one question. Taking it for granted, Mr. Townsend, that it is necessary or may become necessary to compel the head landlord to sell. I do not quite understand the reason that you gave for wishing to have him sell below the fair market value of his rents. I want to understand from you whether you think that the security of head rent is a bit less now than it was thirty years ago?—That depends on the margin. Well, some head rents are, I think, just worth as much.

2779. Then they sold for thirty years' purchase?—Well, if you ask me, I must say I never heard of such a price.

2780. Do you know, as a fact, that they were sold

for thirty years' purchase thirty years ago?—No; I never heard of so much. I know them to have been sold at twenty-five.

2781. You know the Land Commission fixed the minimum for Church head rents at twenty-five years' purchase?—I know twenty-five to be the rate at which purchases were made, but that was when heads were selling at twenty-two or twenty-three years purchase of the high rents.

2782. And that was the rate fixed by the State a few years ago, selecting the public to buy on those terms?—Yes, under the circumstances stated.

2783. And you do not think that, notwithstanding that, it would be unfair to compel those purchasers now to take twenty-two years' purchase for the very same article?—I was careful to say that my impression was that recent legislation all round was not fair, that a particular class had suffered and were in many instances nearly ruined, and that those who derived their incomes from land should share more or less in that loss. That was the extent to which I went. I think it is a necessity in order to get out of the difficulty in which we are involved.

2784. Do you mean to say that the tenants have lost?—No, a class without political influence.

2785. Who are the class—the landlords?—Yes.

2786. And you wish to visit the sufferings of that class on those who have never gained in prosperous times?—I have no wish in the matter, but I come at the invitation of the Commission, and I make a suggestion.

2787. That was the reason that you gave for saying that head rents should be sold for less than was considered a few years ago their fair value?—My opinion is that unless something of that sort is done there is a large extent of land that won't be sold.

2788. That is another thing?—That is what I speak of.

2789. Mr. Nisglen.—So I understood you, you were not saying what you thought would be right but what you thought would facilitate the Act of 1885?—Solely, I do not think it is right to diminish the market value of head rents, and I never thought it was right without compensation to the landlords' heads and to set the tenant free, to appoint a court to fix a rent, and enable the tenant to go into the market and get the highest price that he could for it, I do not think this was right, and I do not think that what I have spoken of to-day is, perhaps, strictly right either, but I say that when there is great pressure, as there is, the only solution is that some such course should be carried out.

2790. Lord Millicent.—You have never anticipated the possibility of the head landlord getting a fair price for his property?—I do not know what to anticipate in this country.

2791. Mr. Knipe.—I think you said that you would establish local boards in preference to the Grand Jury system. I should like to know what the nature of those boards would be?—I did not so express myself. I said that if legislation of that kind were brought in, that some local authority might be made use of to look after the barbaries.

2792. That would be in the place of the present Grand Jury system—did not you mention the Grand Jury?—I mentioned that it was spoken of largely that there should be an alteration as regards the Grand Jury system, but I expressed no opinion.

2793. It was just to know what the nature of the local boards would be that you would establish?—My object was not to define what the local board should be, but to suggest merely that some authority was required to message as regards barbaries. I was not venturing to define what local boards should be, but if I had known that I should have been asked I should have thought the matter over; but I was merely suggesting that barbaries should be looked after carefully so as to preserve the property and prevent disputes.

2794. Those 600 tenants that you referred to, they got their judicial rents?—Yes.

2795. From the passing of the Act?—Yes.

2796. Up to 1885 I presume?—At various dates—up to the present.

Oct. 16, 1886.

Mr. Charles
Folger
Townsend.

2797. And you think that in some cases they got too great a reduction of rent?—I spoke broadly, that as a rule it was looked upon that the reductions were large.

2798. Do landlords as a rule look upon them in that way?—Yes; and tenants the other way.

2799. Are you aware that the Commissioners have found it necessary to give a further reduction since 1885?—You mean the Sub-Commissioners.

2800. The Sub-Commissioners?—I stated that my experience was that they were giving larger reductions within the last four months.

2801. Well, if that should be the case, would it not go to show that the rents fixed after the passing of the Act were too low?—That is a very large question to go in upon.

2802. But would not the Commissioners be the best authority?—I don't think. Some of them are as good authorities as we to be found. Others are very far from being so.

2803. Don't you as a practical man, with a great deal of experience of the position of the tenant farmers, believe that this will be the worst year for making up rent that we have had for the last three or four years?—Yes.

2804. Perhaps since the passing of the Act?—Yes; on the whole the most trying year; no doubt about it.

2805. Was it the low price of produce and foreign competition that caused the Commissioners to make a further reduction?—I was not aware that the Commissioners in fixing rents in 1886 were to base their scale of values for fifteen years on the prices for 1886.

2806. They took the price of produce for a number of years and made it the basis on which they made their calculations in fixing fair rents. You did not find it necessary to give any reduction to those tenants that had got their judicial rents fixed—they have been paying pretty well since?—Yes, especially in the north.

2807. But have some of the landlords you are acquainted with given reductions of rent?—I have made it my business to write to the agents of some in localities where I heard that abatements had been given—I am not talking now of Ulster—and I learned that abatements were given last year in many instances from Land League pressure and because they could not help it, because they wanted to get the balance of the rent, and I know myself a personal friend of my own whose rents had been reduced thirty-three per cent, and he gave another thirty-three per cent reduction on the judicial rent, because he told me that he must have the remaining sixty-seven per cent of the judicial rent or he must starve.

2808. Mr. Nelson.—Then it was either that or nothing?—He thought that two-thirds was better than nothing.

2809. Mr. Nelson.—That it was better than no leaf at all. But your experience is that those combinations are not on the increase, that the country is more penurious than a few years since?—They have so completely overgrown the land that they could not increase. They decrease in intensity but there is no opportunity of increase that I know of—out of Ulster, mind you, pray always remember that I draw a distinct line between Ulster and the other provinces.

2810. But this was in consequence of the rents being very high, rents which they were unable to pay?—Well, I do not agree with you there. I think the pressure was just as strong where rents were admittedly low. I believe it was part of a system to break down the landed interest, and got them out of the land altogether.

2811. I quite agree with you?—I am aware this evidence will be all read. I have given evidence before other Commissioners, and I have had before now a tenant sitting opposite me, and I have been asked, "Mr. Townsend, why did you say so and so in your evidence?" I am aware of what is before me.

2812. Mr. Nelson.—You speak under that assumption?—I speak under that assumption.

2813. The President.—What proportion does the number of tenants that you have mentioned as having had judicial rents fixed bear to the whole?—There are about 5,000 altogether.

2814. 600 tenants have had judicial rents fixed out of 5,000?—Yes.

2815. And any of those 5,000 might have had their rents settled if they had chosen?—Except leaseholders.

2816. Are there a good many leaseholders?—A good many.

2817. What is the proportion?—I suppose of those who did not come in, about one third. I said 5,000 and that 600 went in. Well, about a third of what would remain.

2818. And did you allow any leaseholders to go in?—I never was asked, but I mentioned early in the evidence that I gave, that I gave abatements to leaseholders in the same way as to yearly tenants. No distinction was ever thought of.

2819. With regard to leaseholders, have you any observation to make to the Commission as to whether they should be allowed to take the benefit of the Act?—I will answer any questions that you will be good enough to put to me. I would rather not be asked for an expression of opinion.

2820. I do not know how I can put it more distinctly. Can you give any opinion upon it?—Well, I shall say what is in my mind. I believe it is inevitable that the leaseholders must come in under the Act, but it is what I said from the beginning, we have gone upon wrong lines, and trying to get straight some wrongs may be done, we must take some other steps that are not what we should choose.

2821. Lord Almon.—But you have expressed a very strong opinion about the head landlords, Mr. Townsend. You seem to be under the impression that two wrongs make a right?—Perhaps so, but I am a mortgagee myself, and I am one of those who would suffer by what I have spoken of, and I have guarded myself by saying that I do not say it is right. I think the legislation of 1881, here, in many aspects, been a most grievous mistake as regards the country.

2822. The rents were lowered on the ground, rightly or wrongly, that they were exorbitant rents. If they were so there might be a justification for lowering them, but none for asserting that the head rents were too high?—No.

Therefore, I fail to see any justice in lowering them.

2823. Sir James Caird.—You have had great experience, Mr. Townsend, and perhaps you would be good enough to give to your opinion upon a question of this kind. What do you consider the present financial position of the tenants generally in Ireland, speaking of the larger class, the class of larger tenants, occupying good lands at the present time as compared with what it was ten years ago?—I believe the larger holders are in greater difficulties than smaller holders.

2824. Can you give any reason for that, why they should be?—Yes; when the Glasgow Bank failed in 1878 the bankers in Ireland altered their system as regards being so free to lend money to tenants. My experience up to that was that the tenants in Autumn borrowed money from the banks to pay their rents, and sold out their produce at their leisure. A large extent of grazing land was stocked in the same way, borrowing in Spring and selling out in Autumn; but I may say, evidently when the Glasgow Bank failed credit was largely stopped, and not alone to farmers but to shopkeepers. The report that the farmers had was gone; the shopkeepers not having the credit that they had been accustomed to could not give credit to the farmers, and had to press for their debts. That was one of the difficulties of the time when the pressure came in 1879, 1880, and 1881; and another was that when profits were large they by degrees lived better. Where their sons used to dress in coeduroys they took to tweeds, and their daughters had ribbons and little extravagances of various kinds, and the farmer and his wife had what is called a side-car where before they had not possessed one; and in many instances the farmer took part in hunting; and this more or less involved them in what are for them I may say excessive expenses, and they lived a little freely.

2825. Sir James Caird.—And this was all independent of any question of fall in prices or bad seasons?

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—You, there were the two difficulties. They had the fall in prices as in the table I show, and they had credit suddenly stopped.

2826. That was chiefly the large farmers?—Well, they had large credit—down, say, to the men of £40 a year.

2827. And have they suffered?—Not so much as the larger men, and they are not in such difficulties. And perhaps I may mention a conversation I had with a peer who has a very large estate in Ireland. Speaking about the subject of large holders he said to me, "My uncle spent thousands of pounds in improving his estate, making comfortable houses for the farmers, enlarging their holdings. It is all money thrown away. The man that he did most for are the men who are now suffering most. The smaller holders are the men who have been able to weather the storm."

2828. When you speak of smaller holders what rent will you not go below?—Men of from about £40 to £50 I would call smaller holders, and the larger £500.

2829. But from £40 to £50 and above that would not be nearly the half of the whole of the tenants of Ireland?—Taking the two classes.

2830. But taking the two together they would not amount to nearly half of the number of the whole?—Well, as regards the others there is a very large number of the others in the West that are in a state of chronic poverty, and should hardly be called farmers. I do not state that they are not poorer than they were, but they never had much to sell. They are poorer from want of employment.

2831. Do you know the West from your own experience?—Oh, yes; I have seen a good deal of it.

2832. Do you think it would be a safe investment for the public money to advance money for these people to buy their farms?—Not to a large extent. I should like to try the experiment in a small way first.

2833. Mr. Nelson.—Lord Milnes is believing in trying that experiment, I see by the papers?—Yes.

2834. Lord Milnes.—Do you advocate compulsory purchase from landlords other than head landlords?—No.

2835. You would only compel the head landlords?—What I spoke of was fixed annuities, ranches of various kinds, and chief rents and head rents.

2836. Mr. Nelson.—And these ranches and quit rents?—Yes, the Crown ought to share the difficulties. But the Crown won't take less than twenty-five years' purchase when the lands are selling for seventeen.

Lord Milnes.—Because there is an enormous difference between the one and the other. One is an absolute security.

2837. The President.—I wish to ask you one question, that is how far in your opinion, if at all, could the Act be expedited or extended by providing security through the intervention of local authorities?—Well, my lord, I have not seen my way at all to that system of local authorities. I do not know that it would do at all in the present condition of Ireland.

2838. Have you ever seen across anybody who did advocate it?—I have not, and I think the general tendency in what the subject is started for people to shake their heads.

2839. Lord Milnes.—You do not advocate compulsory purchase from any landlord other than the head landlord. Supposing now that a number of the tenants on an estate were anxious to buy and the landlord refused to sell, would you be inclined to compel him to sell provided the price was a fair one?—I think not, and I will say why. The Landlord Estates Court here with all their efforts were never able to sell more than two millions' worth of property in the year. I had a return which I thought of handing in, but did not wish to trouble the Commission; but selling to the occupiers is a great deal more troublesome than selling at once in large lots; there is a deal more detail. The title to the estate to be made good, title to incumbrances to be looked after in the same way, and with the best efforts you could make I do not think you could sell more than two millions

worth of property in a year, or perhaps three, and the settlement of the land question in that way will occupy many years, it is a long time to look forward to.

2840. What is a long time?—The settlement of that question of making peasant proprietors of the people because there is plenty of time to think of compulsory purchase, there will be plenty of people willing to sell; at present there is no necessity to think of compulsory purchase.

2841. But the possibility is that all the worst tenants might get an opportunity of purchasing, and the very best tenants might be left out in the cold?—I do not know that.

2842. I suppose a landlord would be more reluctant to sell where the tenant is a good solvent man?—No, they would not like to sell to a good one and keep a bad one, but they would be glad to make a clearance, to sell the whole thing and be done with it.

2843. Sir James Caird.—You think it will go on slowly?—It must go on slowly, it cannot be otherwise.

2844. I suppose you think it will for that very reason be more satisfactory?—Satisfactory if the country were settled.

2845. You think that it should not go on too hurriedly?—Yes, if order were enforced, if, as I said before, the Ten Commissions were enforced, and to carry out the work gradually; but I mentioned just now—I do not think you heard—that the Landlord Estates Court with the full machinery at work were not able to sell more than about two millions worth of property in a year. I believe that in Prussia in their seeking to carry out a system of converting occupiers into owners they are not able to sell more than a million and a half.

2846. Two millions here?—Yes.

2846a. One and a half in Prussia?—Yes; I have a table here that I will hand you that illustrates the thing exactly.

2847. Mr. Nelson.—There is an immensity of detail in selling property for a million of money in small lots?—Yes, the very mapping of the holdings is a heavy labour. There is a return of sales in the Landlord Estates Court, taken from returns moved for in the House of Lords by the Duke of Argyll and Lord Ponsonby, from the year 1855 to the year 1883, and the average number of years' purchase, average, profit rent and purchase money are all set out here, and in only one case was one and a quarter millions' worth sold in a year. That was in 1873. In 1874 it was £1,200,000; in 1877, £1,074,000.

2848. Sir James Caird.—Then they never got up to two millions?—Not in those years.

2849. Mr. Nelson.—Since 1844 the highest they were ever able to sell in one year was £1,700,000, and then they had a most highly trained court. Some of the ablest men that we have ever had.

2850. Sir James Caird.—I find the highest was in 1873, £1,343,000?—That is a return of the number of years' purchase for the fee, for too farms renewable for ever, or for terms unexpired. This is land. There were also annuities sold. (Returns handed in). This Return deals with land and head only. Then you see it hardly ever exceeded a million. If you take land alone it is hardly a case of a million.

Witness, at the close of his evidence, handed in the following letter received from a solicitor, relative to the difficulty an incumbered proprietor labours under in selling his estate:—

Dear Sir.—The difficulty of effecting sales of incumbered estates under the Land Purchase Act is in finding the deposit required by the Land Commission of the amount advanced to the tenant.

So long as there are incumbrances affecting the estate the whole of the purchase money must be applied as payment of such, and the owner is not therefore in a position (as the money is not his) to consent that one-fifth of the advance may be retained by the Commission.

Consequently the owner or tenant must lodge the one-fifth in cash, if the lender does so he gets 3 per cent. for his money; if the latter, we understand that he pays a lower security in redemption of the loan than he would if the deposit were made by the owner.

The Commission adjourned until Tuesday at 11.30.

SIXTH DAY—TUESDAY, OCTOBER 19TH, 1885.

Oct. 19, 1885.

Commissioners present:—Earl COWPER, President; the Earl of MILLTOWN; Sir JAMES CAIRD; Mr. NELGIAN, Q.C., and Mr. KNIFE.

Mr. Edward Poulton examined.

Mr. Edward Poulton.

2851. The President.—You are a tenant farmer in the County Kildare?—Yes, my lord.

2852. How many acres do you farm?—I hold three different farms. One is 160 acres of permanent pasture—at least when I say permanent pasture I mean I don't break up about eighty acres or so. There are three distinct farms, two of them quite distinct.

2853. And they all belong to the same landlord?—Oh, no; the farm on which I live is one I acquired about twenty years ago, and another is that upon which I was born and reared.

2854. Sir James Caird.—How much altogether?—About 156 or 160 acres.

2855. Of which about 100 acres are in pasture?—About 100.

2856. The President.—Is there any combination in your district at present, against the payment of rent?—Not at all, my lord; none.

2857. I thought there was some years ago?—No, there was no combination. The only combination was that tenants would meet, and ask their landlords for a reduction of rent. But they did not stand out and say, "We will not pay our rent;" but they said, "If you will allow us five, ten, or fifteen per cent. (or whatever they could pay) we will pay you."

2858. And no tenant who had paid his rent was subject to any inconvenience?—Never. I understand, my lord, you refer to boycotting—never. There may have been, but, to my immediate knowledge, I am not aware of any tenant being subject to any inconvenience whatever, simply because he paid his rent.

2859. With regard to the fall in prices, principally this year, you and others have asked for an abatement of rent?—I am getting an abatement, I think, since 1877 from one of my landlords. From my other I cannot get one, unfortunately, now, unless the Court of Chancery allows it, because the poor fellow is a lunatic. But we are going before the Lord Chancellor, to see now if we can get any reduction. Those who manage the property allowed us a small reduction last November, with the promise of a further reduction. But the receiver said he could not grant it without the sanction of the Court.

2860. Have you judicial rents?—Yes, on this farm, since 1881.

2861. Your rent was higher for a few years?—From 1874 to 1877 I voluntarily gave an increase, because I would lose the farm that I did not reside upon. I had that standing me in the face, or a suit in Chancery, compelling me to sign a lease to which I had formerly agreed; but I objected to do so because I feared I could not sign the lease without ruining myself, for the rent was sixty-six and a half per cent. over the Government valuation.

2862. Lord Milltown.—Which farm is this?—It is the farm I don't reside upon.

2863. Mr. Nelgian.—The one in reference to which you are applying to the Lord Chancellor?—Yes.

2864. The President.—Well, about the fall in prices?—I will go back to 1875. I devote my farm to beef and mutton. I don't go in for dairying. It is stall-feeding I go in for principally—I never sell store cattle. I will give you my gross income. In the year 1875, it was £1,046.

2865. Sir James Caird.—That was in 1875?—£1,046, my gross receipts for cattle.

2866. The President.—All stall-fed?—I stall feed all, my lord. I buy my cattle and feed them. I keep them a year; sometimes I keep them two years, but only on a small scale. In the year 1880, my receipts were £1,042.

2867. Two or three pounds less?—In 1881 they were £885 10s., and in 1882, £885. But I may mention that in those two years I fed five beasts less on an average owing to my turnip crop not being so good. That accounts for about £125.

2868. Then there was no falling off, really?—No falling off in price. In the year 1883, I had the usual number of my stall-fed—forty; and my income was £1,083 10s.

2869. Then you got the five beasts back again?—Oh, I got the forty beasts back again. There was no fall in price in the year 1884, and my income was £1,094 in that year. In the year 1885 there was a very considerable reduction, and for the one number of cattle I got only £533 10s. Now the average for those six or seven years I have calculated at £882, odd, and last year—1885—my gross receipts were £769 5s.

2870. Lord Milltown.—This year, you mean?—I call it last year. I bought last year and realize in this. I call it the year 1885-6. The gross receipts upon the one number of cattle was £769 5s.

2871. The President.—And you had the same number of cattle?—The same number of cattle, £769 5s.

2872. Sir James Caird.—And that applies to an equal extent of time?—The very same.

2873. Lord Milltown.—The same period?—The same period.

2874. When does this period end?—In March, April, and May, I buy; I begin in April, May, and June, to sell.

2875. The President.—You sell one year's, and buy the next year's, about the same months?—About that, my lord; somewhat that way. The loss I was at last year on an average was £215, odd, on the same number of cattle.

2876. Still the average is rather low on account of the small number of cattle you had during the years 1881 and 1882?—Oh, yes. If those two years were up to the average of the others I would be at a much greater loss.

2877. Sir James Caird.—Just read those last figures—the loss on the average?—The loss on the average, £215, odd. I have written down at the foot of my notes, "From the above returns it can be seen at a glance the great depression in the value of farm produce—that is, beef and mutton." Now, I will just give you an idea of the balance account of last year and this.

2878. Would it not make it clearer if you say the corn prices?—I will go back on corn by-and-by. I will not go into the prices of my corn so closely, because of brevity. In last year my total receipts for corn was only £172 14s., that was for the year 1886.

2879. The President.—£172 14s.?—Yes.

2880. Lord Milltown.—That was for the harvest of 1885?—Yes, my lord. Those are my total receipts for corn, barley, and oats.

2881. The President.—But you were going to say how that compares with other years?—Well, I should say, my lord, that it was little better than for two or three years previous, in fact the cheapest for the previous year was, if anything, worse than that of other years. If your lordship will allow me, I will give you my balance account for the past year—my outlay and income. My outlay for last year for store-cattle—for cattle that I bought, was £391 5s., in the spring of last year, 1885. My labour account for last year was £250; my rent and taxes, £253 17s. 6d.; manure and seeds, £50; artificial manure, grass-seeds, clover, &c.—feeding stuff, oats, meal, &c., £48; the tot of which makes the gross sum of £1,500 2s. 6d. Now my

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receipts for the same period for cattle, sheep, and corn, amount to £241 14s.

2882. Mr. Neligan.—That was from all sources?—Yes, from all sources. I am not speaking of other things, such as the feeding of horses. There are many things mixed up through the land. I am only going into my cash account, and if I brought those in I should have to debit something else. These show a loss on one year alone of money about £36,000.

2883. The President.—These are your total receipts?—Yes, but I had better deduct £30 allowed me on my rent of £150 a year—about twenty per cent. It is only fair to give the landlord credit where it is due. This all shows a loss on the cash account of £28 1s. 6d. Then I say, "The above account takes no notice of my personal expenses and household expenses, &c., necessary charges which should be put down for capital, and my time in carrying on the business operations of the farms, which, of course, being added to the balance of £28 1s. 6d. against me, will set up a very considerable item." That does not include all my losses. I am giving you what I actually sunk, and then the sum which I received to meet that. I will give you here, my lord, some further notes I have taken which probably may be necessary to show the system of farming that I carry on. I have about fifty-five acres under cultivation, and of that there are twenty-five acres of corn, eighteen acres of green crop, including some rape upon it, and twelve acres of early meadow. I have already given your lordship the sum that the labour on that costs me, and I have struck an average that it costs me about £4 an acre for the land under cultivation, or about £1 8s. an acre on my whole farm, pasture land included.

2884. Sir James Caird.—That includes your grass land?—I am speaking of your permanent meadow—I grow very little permanent meadow. I hay most of it, hay, &c. I have my land in pasture.

2885. But including that, it comes to £1 an acre?—£4 an acre, and including the pasture it comes to £1 8s. an acre.

2886. The President.—There is not much labour on the pasture?—Not much. I am not charging for horse labour at all, only what I pay for steen machinery and manual labour. Now, in a general way, I will just mention a few facts about the harvest. Since 1870 there has not been in my experience a good harvest, that is to say a harvest with an average amount of produce per acre.

2887. Since 1876?—Since 1876—that is with average produce.

2888. But then, you have not been so much out of pocket at all if you made so much profit?—I had no profits at all from corn from 1873 to this moment, in fact the land scarcely covered its expenses. The average produce of barley from 1866—I go back twenty years—to 1876, was about sixteen barrels for the average Irish acre.

2889. Mr. Neligan.—1876 to 1886?—1866 to 1876, sixteen barrels an acre, and the average price was about 18s. a barrel.

2890. The President.—What do you call a barrel?—The barrel is sixteen stone. From 1876 to 1883 the average did not come up to twelve barrels, and the average price was 14s.

2891. What were the average prices for the first year?—For the first ten, 18s., and for the last nine, 14s., in fact we can only get 13s. for the best barley now.

2892. What does your corn consist of?—Barley as a money-making crop; oats for use. I sell the oats I do not require. I sold 100 barrels of oats the other day for 12s. a barrel, and for the same class I used to get 16s. a barrel some years ago. I used to sell round about me to parties at the Curragh, and round about me at from 13s. to 20s. a barrel.

2893. Sir James Caird.—And now?—12s. is the price now for old oats.

2894. Lord Milltown.—I bought some for 12s. the other day?—They must have been very good for that.

2895. And what was it 20s. a barrel, you say?—The last 20s. I got, I think, was about five years ago. Mr. Gilpin, of Holmestown, used to give me 20s., and Baron de Rebeck—I forget how much he used to give me.

2896. But those were exceptional cases?—Yes. The usual price was 16s. to 18s. White oats are sometimes sold at that price now, but, as a rule, they are only used as food for huns and other fancy horses.

2897. What is the value of the produce of an acre?—The average was £14 8s. for the Irish acre for the last ten years—sixteen barrels to the acre at 18s. I got £23 an acre about the year 1867 or 1868. I got 23s. from Mr. Cassidy.

2898. Sir James Caird.—But what is your first average?—£16 8s. for the first ten years, and for the last ten years 12s. One of the largest farmers in Kildare told me the other day that he could only get 17s.

2899. The President.—Then they were worse crops as well as lower prices? The two combined?—The two combined, my lord. More or less the bad crops and the bad prices as well.

2900. Sir James Caird.—You don't tell us the value of the acre of oats, I mean to compare with other years?—Well, I had better give you my experience of ten acres of oats which I broke up last year.

2901. I would rather like to have the average prices for twenty years of oats?—I cannot go into that. I can give you last year's if that would be any use to you.

2901a. Mr. Neligan.—Not unless we could compare them?—I cannot compare it. This year we had bad crops and bad prices, but I think it may be taken in the same ratio as barley.

2902. Sir James Caird.—Your sales of barley are every year much greater than of oats?—Oh, much greater. In good years I used to sell 350 barrels—this year I sold 400—but last year I only sold 130 barrels altogether.

2903. You don't feed your barley at home as you do oats?—Sometimes I do; when I cannot sell it. But nothing will sell now but the very best. I showed very good barley last week in Kildare, but the miller refused to buy it. Then if there be any doubt I have my dealer's report showing that the price of beef never exceeded 60s. in 1883, and only in one case did it come up to it. Formerly it used to be 70s. or 80s., so that I find that beef has come down in seven years an average of £1 a cwt.

2904. The President.—Taking the ten years past?—No, my lord, seven years.

2905. Sir James Caird.—Well, beef has come down from 80s. to 60s. top price, down to 60s.

2906. Can you give us the price of the best?—Yes, the price of a best has come from 22s.

2907. Down to what?—Down to 21s. for seven years from 1878, that may be taken as an average.

2908. Comparing 1879 with what it is now?—Comparing 1879 to 1884 and the succeeding year, I think very nearly, taking it as a whole the fall is £1 a cwt.

The President (to Lord Milltown).—Does that correspond with that return?

Lord Milltown.—I was just looking to see how often it was up to 80s. I see in 1874, 1875, and 1876—but they are the best years—it went up to 85s.

2909. The Witness.—In 1876?

2910. Lord Milltown.—In April?—My lord, I could not, owing to the pressure of my agricultural business, make out my returns for those years. I could only go back to 1873. It would be utterly impossible in those years for farmers to hold their own on the prices of corn. It was not paying its expenses. We depended entirely upon the prices of mutton and beef. I was very fortunate in growing good green crops.

2911. It is curious that in the year of Griffith's valuation, which was 1862, it appears to have reached

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his lowest point. It was then 35s 1—I don't know much about Griffith's valuation, but it is certain that at the time that Griffith made the valuation it was not on beef or mutton that the price was fixed but on corn. I remember when a little boy to have given my father £100 for five acres of corn—£20 an acre—and in no time in my recollection do I remember oats to have gone so well.

2912. Sir James Caird.—When was that?—It must have been thirty or thirty-five years ago.

2913. On the same land and with the same seasons?—Not at all. We would have fine frost and snow to strengthen the land, fine springs, fine summer heat to fill our corn. You would be astonished at the crops of corn grown in those years, crops of wheat and oats.

2914. The President.—What time was this?—Well, I will just tell you by going back to when I was at school. It might be from 1850 or 1858, up to 1860.

2915. Lord Milnes.—In Griffith's year it is rather curious that oats should be at its lowest. It appears to have been at 4s. 10d. 1—4s. 10d. 1

2916. In 1851, 5s. 10d.; in 1852 it was better, and it rose in 1853, from 7s. 2d. to 8s., and in 1854 it rose from 8s. to 10s. 1—I sold a Scotchman, a contractor, 250 barrels of oats in 1867, at 18s., the contract price for oats. Now the prices are almost ruinous, and were it not that people had some little preparation made, and had some small capital they could not at all have pulled through. One of the objects of the Commission is to inquire how so to combination, but it is only in cases where tenants cannot possibly pay their rents that they have endeavoured to combine to get a reduction.

2917. The President.—That is in your country?—Yes, in Carlow, Kilkenny, Kildare, and Meath. I met with men in Meath and some of them complained bitterly of the poor prices at present, and told me they could not really pay their rents. But there was no combination, but against paying that which was utterly impossible, and I may say, my lord, what is more, that I stand to-day myself, comparing the last ten years with the previous one £1,600 worse in my floating capital.

2918. Do you think landlords, as a rule, in your part of the country, have behaved liberally?—I cannot say, generally. One of my landlords, Rev. Mr. Fitzpatrick, brother-in-law to the Marquess of Headfort, always considered reductions when they were applied for. The other landlord we had, unfortunately he is beyond our power now, would have, I believe, given us a reduction. In other cases I know of tenants often treated very harshly—were treated in cases where only six months rent was unpaid, and in these cases the tenants might have resisted. It is utterly impossible for tenants, to my own knowledge, to pay the sums which are fixed upon them.

2919. Are they judicial rents?—No, my lord, they are not. They are rents made in past times.

2920. And for leaseholders?—Leaseholders, my lord. Well, one landlord refused to make any concessions, and the result is that one of the largest tenants has been proceeded against. There is a decree for possession granted, and the Board of Guardians have been notified to provide accommodation for him. He has tiled it over; but if he was a smaller man he would have to go.

2921. I suppose leaseholders would like to come under the Act?—I think so, my lord, if they could have rents fixed at fair prices. But this must be borne in mind, that it is a subject which has not been much discussed by farmers at all.

2922. Lord Milnes.—The Chairman meant that the tenants come under the Land Act, and get their rents fixed?—Oh, they would be delighted to get the power of coming into court, I know myself from my own experience. I was not in court because I had very little confidence in the Land Court since they were first established. I was only on one occasion a witness as

to the value of land; and of three farmers of my own class I put the highest value, and yet all our evidence was set at naught, and a professional valuer sent down, who probably knew as much about the land as I do about Egypt, and his evidence was taken in preference to ours; and the Commissioners said when they went down "We found a prosperous tenant"—but the cause of the prosperity was the tenant's own industry. That landlord lived near your lordship, at Blessington.

2923. Did the whole of your farm come under the Act. I thought pasture was excluded?—I am not speaking of my own land at all. It is what I know elsewhere, and I know tenants adjoining me who are in sore need of some interference on their part.

2924. Mr. Nelson.—Leaseholders?—Leaseholders. Have you any idea of their terms?

2925. Lord Milnes.—Can you give me the average date on which these leases were granted?—Somewhere from 1856 to 1870—somewhere about that time.

2926. And many of them were granted after the Land Act of 1870?—Not upon this property, my lord. It is a property that was offered by the landlord for sale, and he was looked upon as a conscientious landlord, and when he said you must give me an increase of rent to enable me to meet my engagements: partly to add him, and partly to save themselves from going into other hands, they took out fifty-one year leases, but they only set a rod to whip themselves with.

2927. Then it was not to save the landlord so much as to get the lease?—It was to keep the landlord. But on this property there have been evictions—several, and evictions. Soldiers brought from the Curragh, and police and magistrates brought down from Dublin to put the people out.

2928. The President.—What county was that in?—The county Kildare, within a mile and a half of where I live. These cases were under the Act of 1851; and since the tenants were evicted the landlord and I arranged the terms for them, and they showed plainly that the landlord was at fault. He wiped out two years rent, and I collected the payment of another year's rent, which the tenants could not pay. We re-instated those tenants by paying a year's rent down, and the landlord made a permanent reduction from 28s. to 26s. a year. I think that is conclusive proof that the owner was at fault.

2929. Mr. Nelson.—Was that the rule or the exception on that estate?—On that estate it was the exception, so far as evictions, but not as to the rents being too high.

2930. The President.—Now I will ask you a little about the Purchase Act. Do you think there is a desire on the part of the tenants in your neighbourhood to buy their holdings?—I never heard of even once discussed.

2931. Really? And you have no desire yourself?—Oh, certainly; I myself have offered so far back as 1870 to buy, but very fortunately for myself my offer was refused then, because the whole was sold in plots or in bulk afterwards.

2932. The tenants in general in your part of the country have never even discussed the matter, you say?—No, my lord. The difficulty they have now is in meeting the immediate pressing demands upon them without looking to the future at all. Formerly we were most anxious and are so still if we could see our way without saddling ourselves with a liability we could never meet.

2933. You mean in the way of rent?—In the way of everything. The rates I don't think they take so much into consideration. They don't exactly know what is facing them. If there was any guarantee given them that things would remain at the low prices which exist at present tenants might see their way to say what rent they would be able to pay.

2934. Then they would not be so easily able to get rid of their holdings if they were their own property as they are now?—Oh, that does not come into our consideration. Our desire is to remain, and not to part at all.

2935. Well, I cannot see why they don't see the

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advantage of becoming proprietors?—Well, the subject has not been discussed, and there was only one case in the county Kildare in which tenants have come under the Act of Lord Ashbourne, and that was on the Duke of Leinster's property.

2935. Do you realize the advantages they will have?—As I have already said the subject has not been discussed, and bear in mind that the tenants cannot take the initiative at all. The landlord must move. If I go in and say I will buy the landlord may say he will not sell. If the landlord made a move in the matter the tenants would be only too anxious to avail themselves of the Act.

2937. Do you think the landlords will be willing to sell?—I don't think they would. I was astonished when I heard that the Duke of Leinster was selling his property.

2938. But you yourself would be anxious to buy?—I would. I would be most anxious to have what may be called a permanent reduction in my rent.

2939. Have you considered the working of the Act sufficiently to be able to suggest any things that would not as hindrances to it?—I have not considered it at all. I have just read it over. I think in cases where the tenants cannot take a move in the matter —

2940. The tenants may take the initiative, but you consider where the landlords do not take the initiative there would be no use in their doing anything?—Yes.

2941. Sir James Caird.—Do you see from Mr. Forster's table that for a holding the existing rent of which is £100 if you buy it at twenty years purchase the price would be £2,000, which would be advanced by Government, and the further payment that you would have to make for forty-nine years instead of being £100 would be reduced to £30, and then at the end of forty-nine years the land is your own freehold?—I am aware of that, but you have to add to that all the taxes.

2942. Oh, no!—Oh, yes; the fall of the taxes. The tenant will be responsible for them and he will also be responsible for the poor rates and county cess.

2943. And will that amount to the difference between £30 and £100?—Oh, not so much.

2944. Well, then he will have the advantage of not having to pay so much rent and also of making progress towards becoming a freeholder?—He will provide that, that we won't be swamped in the future, which we more or less anticipate from what has taken place hitherto.

2945. Lord Millicom.—What is the average poor-rate in our union?—Well, I should say it is about 1s. 6d. an acre. It must be that. It fluctuates from 1s. up to 2s., and 2s. 6d. in some cases, in the pound. It is 1s. or 1s. 6d. in the pound.

2946. Can you calculate how much more in the pound the occupier would have to pay in case of purchase?—Well, I don't think it would be any more than 1s. in the pound of poor-rate—not much. We pay county cess twice.

2947. With regard to county cess in the vast majority of cases the tenant pays the whole of it?—I don't say in most cases he does, but in a good many he does.

2948. I think in the majority of cases. Up to 1870 the tenant always paid the rates; since 1870 the landlord generally pays half?—Yes.

2949. But up to 1870 the tenant paid the whole?—Yes.

2950. In that respect he would be in the same position as now?—But, I believe, in the Land Act of 1881 or 1870, I don't know which, it was made compulsory on the landlord to pay some of the county cess.

2951. Mr. Neligan.—In future tenancies. In a new letting after 1870?—A new letting to the same man?

Mr. Neligan.—Yes, if there be a change of possession.

2952. Lord Millicom.—But you think that, in the vast majority of cases, the tenant having to pay the

county cess, he would have no heavier burden if he was his own owner?—Not in the great majority of cases, but in some cases.

2953. And all he would have to pay would be an additional 1s. in the pound of poor-rate?—Oh, I should say very much more than 1s. The rates in Naas now must be 1s. 6d. in the pound.

2954. But not in all the electoral divisions?—They are from 1s. up to 2s., my lord, but I cannot give you the average.

2955. I am paying only 6d. in one, 10d. in another, and 1s. 1d., I think, in a third. What is the average amount in Naas union?—I don't know exactly.

2956. You don't think it is much more than 1s.?—Oh, it is much more, my lord; £10,000 is our gross rate upon a valuation of £150,000.

2957. I don't wish to go further into these small points, but I want to point out that the tenant by becoming a purchaser will be only burdened with half the poor-rate more than he pays now?—That is on some properties.

2958. On most?—The landlord adjoining me allows half the county cess, although he has been regarded as harsh to his tenants.

2959. Well, I am glad to hear that. However, in most unions that would be so. About 5d. in the pound I should say. In that case it would be a very great advantage to the tenant if he got 20 per cent. reduction, and only had to pay 8d. in the pound more than he pays now?—It would; but that would depend a good deal upon the basis on which the valuation was made. If it was a number of years' purchase upon an excessive rent that would be ruinous.

2960. Oh, of course. I am supposing twenty years' purchase of a fair rent?—The people would not consider that at present a fair standard to go upon. I, myself, would not purchase my land at that figure.

2961. Mr. Neligan.—20 per cent. would give a reduction of 20 per cent. in the rent?—Then the tenant made himself responsible by becoming his own landlord for all future rates, whatever they might be. We don't know what may be in anticipation, by even the present Government with regard to local boards, and taxation may increase. The rate for educational purposes, that is optional with us at present at Naas, we don't allow a shilling for that at all; but by-and-by taxation for that purpose might increase under county boards.

2962. The President.—County boards elected by the ratepayers would be more likely to reduce their own expenses than to increase them?—But if it were obligatory upon them what could they do? We have to pay, at present, under the Board of Guardians, for revision sessions and many other things that we consider should not be levied on the rates at all.

2963. To sum up then, you think that things are in such an unsettled state that you don't wish to incur any new obligation until you see how the things go?—That is so, but not generally. Speaking for myself, I am most anxious to purchase on fair terms, but the poor people only consider that they cannot be much worse than they are. It was very difficult for them to bear the hardships of the last few years, and to support themselves and their families. In paying the shopkeepers they had to deny themselves many comforts of life to pay their engagements.

2964. Mr. Neligan.—I suppose the shopkeepers suffered themselves in the towns?—Yes.

2965. Has your attention been drawn to the large increase in the deposits in savings banks?—I have heard of them, but I am not aware of them. But this I know, that if there is a large increase it is not from the class to which I belong. On the contrary they have drawn largely from the banks, and they are obliged to fall back upon the banks for the purpose of meeting former loans.

2966. But assuming the thing to be true, to whom would you credit the deposits?—I have not the slightest information on the subject. Where the

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deposits come from is a mystery to me. I should be getting by £100 a year clear profit to support my family and meet my engagements, but unfortunately that is not the case.

2967. Lord Milnes.—I just want to know about the years which you give as '79 to '85. So far as I understand the amount in each year was pretty much the same till we come to '84, and then there is a tremendous falling off?—Yes.

2968. That was to be attributed to the bad year '85?—No, it is to be attributed to the great downfall in the price of meat and butter.

2969. And to the large price you paid for your stores and the comparatively low price you got for them?—Yes, upon forty bullocks I made only £7 for twelve months' keep, including five months' house feeding and seven months' grass; whereas for anything under £18 I could not keep them without a loss. I feed my cattle rather well, using cake largely, Indian corn and pollard, and all these things, for the purpose of having a finished article. But I could not feed them in the way I feed them under £18 for the year, and last year the sum I made was on an average £7.

2970. But I don't quite understand, do you complain that in all three years from '76 to '85 you had too high a rental?—No, the loss in crops was owing to the harvest being so very bad. All my profits, if any, and of course I cannot say there were none since '74—all my expenses had to come out of my cattle.

2971. What I want to understand clearly is the deduction which you make from these figures—the deduction I make is that '85 was an extremely bad year, in which you made probably less than nothing?—Oh, I lost in '85.

2972. But this year in which we are now, Mr. Fenelon, will probably be at least as good a year as '84—I hope it will, my lord. I hope to have as much profit from my cattle—nearly so—in consequence of buying them cheaper.

2973. Exactly so. I quite believe that of a man who understands his business, and bought in the spring of last year stores cheap, considering the abundant supply of grain he has had—I suppose as good a guess year has not been known for a long time!—The grass got coarse, owing to the rain, my lord.

2974. But he must make a good profit this year, selling out fat?—Well, I am not engaged in selling fat. But a gentleman told me that he never made less profit in that direction. The cattle only left him £4 or £5 for nine months.

2975. But supposing we had an unusually severe spring and winter, which entails an immense amount of hay being given to cattle—which is not usually given in Ireland for many months—and supposing he sold out now, don't you think, if he was a judicious purchaser, he must have made a good profit?—I did not hear anyone say that they made much profit, but in my district there is no fat land whatever.

2976. All I meant to say was that this is a better year than last year?—I hope it is, my lord; but so far as my recollection goes it is not. I never had such a prospect of barley as I had this year, but it has turned out so badly that it is poor, miserable grain. The great majority of it will be for the cattle. There will be little or no mowing barley.

2977. Sir James Colville.—What is barley now?—The top price is 13s.

2978. And oats?—Oats, 8s. In the country it is 7s. 6d. I understand.

2979. Lord Milnes.—And I believe you can buy Black Sea barley for 11s. at Liverpool, and as long as that is the case it is not likely to go up. But with regard to oats, that was a good crop this year?—Where the land is good it is a good crop. On poor land it is very little better, if any.

2980. And the price is as good as last year?—No. It was 9s. 6d. per barrel last year, and it is only 8s. this year.

2981. I find from the average prices given for forty years that the mean minimum price of oats was 6s. 7d.

a hundred, and the mean maximum price 8s. 5d. during these forty years, so that it is not down to the lowest minimum yet!—That is by the hundredweight!

2982. Yes!—But there are one hundredweight and three quarters in a barrel of oats, and if you add three quarters to the minimum and maximum you will see a very great difference in the price.

2983. Yes, you are perfectly right; but taking it for what it is worth that is what it is. With regard to your opinion about foreign produce, I suppose you know that the American imports are diminishing?—In what way, my lord?

2984. In number!—Of cattle, this week only.

2985. It has been for some time?—I have been reading the papers published in the *Freeman's Journal*, and I find they have only diminished this week.

2986. One of the witnesses examined before us—an official witness—has stated his opinion that the depression in trade in England has infinitely more to say to the low price than the importation of foreign stock. Would you be inclined to agree with that?—I don't know. I know nothing about trade in England; but the natural conclusion to draw—and it is a reasonable one—is that while there is trade depression, whether in England or Ireland, the value of produce must go down.

2987. Just so. And that being so, it stands to reason, I suppose, that if the prospects of trade improve there, as persons now hope who are qualified to express an opinion, our prices must go up, too?—I hope it will be realized, my lord. There is just one question upon the Land Purchase Act which you did not ask me as to what I consider myself just now might be the basis?—

2988. I am coming to that in one moment!—Very well, my lord.

2989. You would not say in your opinion we are likely to have a continuance of such bad years?—I would.

2990. As we had last year—although we have got a better one already?—We cannot say that. My harvest is not so good owing to the very bad summer we had; it is not so good as it was last year, and the price is worse. The only way you can say it is better for my sheep is that store cattle were a little cheaper, and the men who produced them lost by that.

2991. No doubt that is quite obvious; but still, as representing a very large class, it is a very important distinction?—For that it is, my lord.

2992. If the margin he gets between the buying and selling price in the same, it is obviously immaterial to him, from a profit point of view, whether he buys higher and sells a little higher or buys lower and sells a little higher?—No, but it is a selfish view to take.

2993. I apprehend that low as is the price he gets now, he got much lower some twenty or thirty years ago?—I dare say. It may be for cattle but not for anything else—not for corn. Sheep and cattle have been lower.

2994. There is a considerable rise in the price of sheep now?—For the last six weeks there has been a rise, not for fat sheep. I sold six ewes in Dublin about five weeks ago, and I believe I did not realize expense a pound for them. They were quoted at sixpence and sixpence halfpenny. I sold wethers for about sevenpence a pound, and they were quoted at sevenpence or eightpence, but the quotations are not to be relied on.

2995. At present there is at any rate a very great rise in sheep?—There is; but then the great majority of people have no sheep to sell, nor do they want them to buy. It won't tell upon the smaller class of farmers what the price may be.

2996. The price of wool has gone up also?—Yes, but that is in the hands of the brokers. I sold my wool at nine pence halfpenny a pound; and others at eight pence halfpenny, so that they lost out of the bargain before wool got up to ninepence a pound.

2997. I suppose that is owing to everybody being in want of cash?—I believe it is better to sell the

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wool at the clip. I lost something myself by keeping wool.

2993. This year you lost by selling it?—I consider I gained a penny a pound more than they did.

2994. At any rate the fact that sheep have gone up so very considerably as they have, and that the price of wool has gone up, don't you think it a promising sign for the future, and that there is no cause to take so very dependent a view as has sometimes been taken?—I should rather say it is more probably a speculation on the part of sheep breeders, and men who keep sheep than it is a certainty.

3000. What do you mean by a certainty?—That they would continue to sell next year in the same way; but if that were so, we might lawfully conclude when we were buying store cattle at a high price that at all events was a reason why they should continue to be high.

Mr. Foulson.—Well, you have to take that with the fact that the woollen manufacturers in the principal industry that is going on in the country—the price of wool going up with the increased manufacture of woollen in the country.

3001. Lord Milnes.—As I understand you, there is a certain amount of instability amongst the tenants to pay the judicial rents?—There is no question about that.

3002. And that in your opinion arises from a certain fall in prices?—Yes, from the produce being less, and the fall in prices.

3003. And you should, from that, be of opinion that the judicial rents are too high?—Undoubtedly.

3004. Now supposing that there are better times in store, would you still think that they are too high, or is it on the supposition that such years as last year will form the rule, and not the exception; that you are now of that opinion?—It is not so much upon last year. Speaking for myself, last year was a very bad year, but I cannot show the small farmers who depend almost exclusively upon a grain of corn, or pigs, in the same class as myself; and consequently there are two questions involved—one as to my class, another as to the small class of farmers. The one answer would not suit both. My own experience is that if there is a continuance of the last two years gone by, if it does not improve considerably both in interest and prices, that the rents are far and away too high.

3005. You mean the judicial rents of course?—Yes.

3006. The judicial rents were fixed in 1882, 1883, and 1884; they have been lowered since?—These rents are often beyond the ability of the tenants to pay. The majority of the tenants cannot pay them now.

3007. They could not pay them last year at any rate?—No, nor this year—the man who is growing the corn could not pay, with barley at 12s., and oats at 8s. per barrel.

3008. I suppose it is in their favour that the articles of clothing and food are much lower now than they were in former years?—Well, with regard to the articles of clothing it is a very remarkable thing that it is not. If I go to buy a suit of tweed, I have to pay nearly as much for it at the mill in Lancashire as I was, and I asked why they charged so much; look, I said, at the price of wool. "Oh," they say "that is not it at all. It is the price of the labour, and not the price of wool, we have to look to." I pay nearly as much as I did ten years ago, for the price of a suit, and as much for a pair of boots. I remonstrated with the woollen manufacturer, and he said "I know perfectly well that there has been a fall in the price of the raw material, but it is the price of labour we have to consider."

3009. But, at any rate, food is much cheaper?—Yes, it is; but as a rule the small farmers live a good deal upon their own corn—oatmeal, and so on. Of course they must pay for tea and sugar and some luxuries, and they get that cheaper, undoubtedly.

3010. With regard to the Purchase Act of '83, so far as I understand, you say that the people at large,

in your neighbourhood, are not acquainted with its provisions?—No, they are not acquainted with its provisions. It has never been discussed.

3011. They think only of how they can pay their rent?—How to get through their present difficulties.

3012. But don't you think that if the facts were brought before them that they have an immediate way of getting rid of their difficulties, by having their rents reduced twenty per cent. and in forty years becoming owners, that that would strike them as a good arrangement?—Undoubtedly. If it was understood that if a certain number of tenants on a property desired to purchase, the landlord would be more or less compelled to sell, then the tenants would rush at it; but at present there would not be the slightest use. I myself am acquainted with the Purchase Act, but I thought the initiative should be taken by the landlord; and until it is generally understood, I believe, as was the case with the Act of '81, it would only be a more permissive Act.

3013. Should you advocate compulsory purchase?—Yes.

3014. Compulsory purchase on both parties?—First on both parties—so much on the part of the landlord as the tenant—that the landlord should have the power to compel the tenants to buy, by selling them to do so, and that the tenants should have the same power of saying to the landlord "We are now prepared to buy. We are anxious to get this statement; there is a law to that effect, and we see great advantage of it." The rule should be applied to the tenants as much as the landlords.

3015. But have the landlords now the power to compel the tenants to buy?—I don't know whether they have the power or not; but I saw in the public press where pressure was brought to bear upon the tenants to buy.

3016. But you may take it from me that the landlords have no power whatever to compel the tenants to buy?—But they have the power to call on the tenants to buy, and if possible to meet them.

3017. But that is not compulsion. They can make a proposal, but so can the tenants?—I don't think they can, my lord. It would be of more avail if a landlord, that is not willing to sell, were compelled to do so.

3018. But I want you to see that you are labouring under a misapprehension in thinking that a landlord can compel his tenants?—I don't think he can compel them exactly to buy their holdings, but I have heard of cases where a certain amount of pressure was brought to bear on tenants to buy, or the property would be sold off otherwise.

3019. Mr. Foulson.—We have had the evidence of the Commissioners, and they refuse to sanction such sales where such a thing has been attempted?—I was not aware of that.

3020. Lord Milnes.—I can conceive a case where a landlord might be owed a considerable amount of arrears, and might say to his tenants—"I will stay my hands if you consent to purchase and I forgive the arrears." That, undoubtedly, would be exercising a certain pressure on the tenants, but it would be giving a quid pro quo. That is the only conceivable case?—But if the Act is to be worked it will have to be compulsory. I say that if the tenants make a proposal for buying their holdings the landlord should show some cause why he refused it.

3021. Should you give that power to every individual tenant?—Oh, no, I would not go in for bits and scraps. Assume a case, supposing there is a property unseised adjoining the one which the landlord has sold to the tenants on the advantageous terms I have mentioned, from my knowledge the people who had purchased would apply all their industry and all their energy to improve their holdings all they could. So that you would only be making isolated improvements throughout the country if you do not make it general.

3022. Mr. Foulson.—Would not that be one of

these economic incidents that would work its own cure?—It might or it might not.

3023. Lord Althorpe.—I understand your proposal to be, that where there are a number of tenants on an estate prepared to offer their landlord a fair price for their holdings that he should be compelled to sell?—Yes, provided they offer a fair price.

3024. Should you leave it to the court or to whom?—That reminds me of an answer I gave to the Berks Commission. I would leave the landlords and tenants, so far as possible, to arrange the matter between them, or, if not, I would leave it to the court.

3025. As a kind of arbitrator?—Yes; because the landlords or tenants might be obstinate, and the court would be an intermediate party to intervene between them.

3026. If the tenants should claim the right to buy the landlord should also be put in the position of claiming the right to sell?—I would not claim exceptional advantages for one party over the other.

3027. And you are inclined to think that the tenants on the property that is not sold will be placed in a very unfair position in relation to the property which has been sold?—No question of that.

3028. And considerable heart-burnings and untold difficulties in collecting the rent might be the lot of the landlord who has not sold?—Yes.

3029. That to a considerable extent might work its own cure, because it might compel him to sell?—It might; but untold misery and the danger of crimes would follow in the track of a refusal to sell. The landlord who refused to sell would be afflicting his tenants still by extracting the judicial rent if he could get it, whilst the other tenants would be prosperous and happy, and the former ones would say that all their misery fell upon them by the obstinacy of their landlord.

3030. I don't dispute that, but I merely said that the result would be so disastrous to the non-selling landlord that he would be obliged to sell?—Yes, and afterwards untold misery and crime might follow. I am not at all surprised when I hear of crimes following in the track of hardness and cruelty, and when a poor man and his family are thrown out on the roadside. At the same time I understand that I do not in any manner condone crime. On the contrary I have always raised my voice strongly against it.

3031. Then your suggestion is that we should anticipate what the landlord would be eventually compelled to do by making it compulsory on him to sell under fair conditions and at a fair price?—That would be my view, my lord.

3032. Mr. Knipe.—Speaking of the reduction which you got from one landlord was that on the judicial rent?—No, sir. That was on the rent of a lease, which said more for the landlord. I had a lease under which he need not have allowed me any abatement, and from 1878—I will go back to 1878 or 1877—I got a reduction every half year; and he allowed it to the leaseholders as well as the non-leaseholders. I am now placed in this way that I can apply to the court; but having been met in what I might call a liberal manner for this year, though the rent is still high, I have not gone to the court, but I have now made a proposal which, if not accepted, I mean to go to the court.

3033. And in your district of country have you known landlords to have given substantial reductions upon the judicial rent?—I have not known a single instance of a landlord in my district having given an abatement on the judicial rent.

3034. Have they been applied to for a reduction?—In my district very few parties have got judicial rents fixed. They were enabled to arrange with their landlords in getting temporary abatements, and some of the landlords are giving abatements temporarily, and in some cases where there are leases. But the tenants are most anxious, if they possibly could, to come to private arrangements with the landlords rather than go to court. They would accept a small sum from the landlords privately rather than by going into

court incur the uncertainty and delay and the danger of being worried by appeals.

3035. But the tenants have applied to their landlords for a reduction, and they have been refused?—These are places where there were leases, but I never heard of a case where a judicial rent was fixed in my district where there has been an abatement on that judicial rent, though I know judicial rents fixed which are entirely too high; in fact I would not take the land for half what the tenants are paying for it. But that is bad land; of course you cannot put all bad down at the same figure.

3036. And in your opinion land would be worth less this year than at the time the judicial rents were fixed?—No doubt of it, because corn was better in price at that time than it is this year. I anticipate that the barley I have this year will be very bad.

3037. Have you heard, or do you know, that the Commissioners have been giving from seven to twelve per cent. additional reduction in consequence of low prices?—I have heard that for the last two years the reduction has been greater.

3038. Consequently the rents that were fixed previously have been too high?—Yes.

3039. Speaking of combination, has there been anything of that kind in your district?—None whatever. If you call combination tenants coming together to present a petition to their landlord, I myself have been guilty.

Mr. Naylor.—That is not what Mr. Knipe means.

3040. Witness.—But from what I have heard I have not the slightest doubt it would be called a combination.

3041. Mr. Knipe.—Speaking of the price of cattle this year, isn't it solely in consequence of the low prices at which you were able to buy stores that you are able to have a margin at all this year?—Undoubtedly. I am not able to produce fat of the great.

3042. What I want to convey to you is, what effect this will produce in the country. You buy stores from a certain class of farmers who rear these cattle. You are undoubtedly a little better off than last year; but will that improve the country generally?—Not at all. I have it from some of the men I purchased them from that they were offered the same prices last November for them.

3043. Hasn't that been going on for the last two years?—Not so to store cattle. Last year cattle came down from £3 10s. to £3. It is a matter of opinion as to the exact sum; but they have come down that within the last two years.

3044. That is what I mean. And consequently that presses on and affects the man who is least able to bear it?—Yes.

3045. And only benefits a few that probably are able to bear a little loss?—It benefits them in this way, that they bought at prices on which they expect a little margin of profit.

3046. And probably men who breed now may come to breed at the price?—So far as breeding goes a gentleman established a dairy on the newest and most scientific principles near to me. It was a collops; he had to sell off his cows. He sold off his prize-bred yearling calves, from £1 17s. to £3 7s. each last fair of Bathurst.

3047. Speaking of the rise in sheep, hasn't the rise in sheep been confined principally to breeding ewes?—Breeding ewes and store lambs of good quality.

3048. As to mutton ewes, is there a rise in prices?—It is scarcely perceptible. It is not a penny in the pound.

3049. And this rise in wool will have a very slight effect according to your ideas with the farmers who have some in hand at the present time?—So far from making our position better it is nothing to us what ever. There is not one per cent. of wool in the hands of farmers I would be justified in saying.

3050. With regard to leaseholders; would you admit them to the benefit of the Land Act?—Oh, undoubtedly I would admit them to the benefit of the

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Land Act. They stand in a very awkward and inconvenient position.

3051. As a rule what class of farmers are leaseholders?—The large class of farmers so much as the small farmers.

3052. But are they industrious, peaceable, hard-working farmers?—Undoubtedly they are. They don't do the actual work, but it is because they have not time. I can do anything about my farm at this moment, but I have to instruct my men, just like a foreman carpenter. I have to see that the work is properly done. I must devote my time to superintending; but I am very often much harder worked than the men, because I have the work of the intellect, to look closely into the matter, to study how to buy and feed, how I am to dispose of the land, whether to till or grass it.

3053. Speaking of the additional amount that appears in the savings banks, could you assign any reason for it, or do you believe that the farmers are depositors?—It is not the farmers.

3054. Do you think the run a short time since upon the Bank of Ireland, and others, was a great cause of the deposits in the savings banks?—I cannot say that, but I know that instead of being depositors a great majority of the farmers are borrowers.

3055. Would you think it would facilitate the Purchase Act by making the sales compulsory all round on both landlords and tenants?—All round. I should say if it is to be effective and to have the desired effect it must be compulsory or not at all. The present way of leaving it optional cannot possibly settle the difficulty.

3056. And provided a landlord was willing to sell, and if he has 100 tenants on his property and seventy-five of them are willing to buy, you would compel the other twenty-five if they were not willing?—I would. Though it might seem a hardship this thing of compulsion, but being for the general benefit of the people I would compel the twenty-five to bow to the majority, particularly when they are not suffering by it.

3057. And would you entertain a tribunal for it that would interfere and say what the fair price should be?—Oh, certainly.

3058. It would be utterly impossible to do so without a tribunal. You don't apprehend that it would be a greater grievance than the fixing of rents by the Sub-Commissioners?—Oh, no.

3059. And it would be for the benefit of the people? Yes.

3060. Am I right in saying that you believe it would have the effect of making those tenants that might purchase industrious tenants, and make them peaceable?—Undoubtedly.

3061. And that it would have the effect of making the other tenants, not having the chance of buying, discontented, and not so attentive?—Of making these lukewarm, and from my own knowledge it is only a man of admirable courage will at this moment or five years gone by improve his holding when he will have a valuer coming in on his holding who will put a value on his improvements. I myself have laid out £800 on buildings alone. If I have improved a field, as I have improved it, a valuer coming in now will say that the land is worth so much. Let me point out the improvements to him he will say, "oh, we must take things as we see them." I have land at this moment which I remember my father and myself reclaimed from being bog and it is now growing fair crops. There is some of my labour down there and a half foot in that land when I was a little boy. Now that it is in my possession and good, a valuer observing the field of turnips growing there would put a value on that land far beyond what it is really worth.

3062. Mr. Nelson.—That is in assessing you for the purposes of taxation?—Oh, yes, or the purpose of fixing a rent.

3063. But the Act would enable you to give evidence before the Commissioners to show what your improvements were?—Oh, but the question is whether

the evidence I produced would counteract the evidence of the Court valuer or professional valuer.

3064. Lord Milltown.—There would be no question between the two. I think the Court valuer would say, "The land is now found to be worth so much." "True," you would say, "but much of that value is owing to my improvements; therefore, be good enough to deduct that?"—Yes, but would the valuer do that?

3065. Mr. Nelson.—The Court would do that, and does every day?—Yes, but would my testimony be taken as of equal value to the court valuer?

3066. Lord Milltown.—But the evidence of the court valuer does not bind you at all. There is no contradiction?—There is no contradiction; but the value is put upon it, and it is for the judge to say whether they may know what the land is worth merely from my statement.

3067. Mr. Nelson.—I suppose they will do their best?—But there is no person whose word will be accepted for the great difference in the land thirty years ago and at present.

3068. Sir James Caird.—Would that apply to the fifteen years under the judicial rents?—No, they could not take that into account at all.

3069. But you said it was a great hindrance to farmers making improvements, if they found their own improvements used against them in raising their rents; would that apply to rents fixed under the judicial system of fifteen years?—I spoke of improvements made long before that, at this moment I have laid out a good deal of money; and the question is now, could a valuer come to a conclusion of what that land was worth before I laid out that money, or could the Court value that it was in a certain state, simply because I told them that it was.

3070. That is not exactly the point I am asking you about.

Mr. Nelson.—That is incident to all human transactions.

3071. Sir James Caird.—I want to know whether, in your opinion, from the statement you have made with regard to tenants being unwilling to improve for fear it would be used as an argument for raising their rents, would the term of fifteen years—the judicial term—be found too short?—Oh, we don't go for fifteen years. I would rather be a yearly tenant.

3072. As I understand, your evidence will go to this, that rents fixed in 1883 would be too high a standard for rents in 1893?—Certainly.

3073. Could that in any way be met by a sliding scale of produce?—There would be a great difficulty in working a sliding scale. I would not object myself to a sliding scale, but another class of farmers who do not understand it, would consider it a very great hardship for it to be laid to them. "You will have to give £10 or £15 more to the landlord in seven years than you do now."

3074. Do you know any other mode of adjusting rents between good and bad years?—I do not. But I don't think a sliding scale would be at all workable; neither do I know whether this would be a good year for other landlords or tenants to arrange to buy or sell. There may be a possibility of its improving. I have some reason to think it may not, with all the foreign produce staring us in the face. But I would prefer to give more money ten years ago than I would now, I would prefer to give more money two years ago if prices had kept up than I would to-day, and I would be much better off, because every year I find things getting considerably worse, notwithstanding every effort that is made to make the most we possibly can. The most intelligent farmers cannot do it. So that we don't know what may be coming. We don't know but what may be selling for 10s. a barrel.

Mr. Nelson.—Under these circumstances compulsory sale would be punitive!

3075. Sir James Caird.—All this, in your mind, operates against a long term and in favour of a short term?—Undoubtedly; and I think the most favour-

able term for tenants at present would be from year to year. Supposing after ten years they met a good year, it would be a very great hardship if the tenants were called upon to give an increase for one good year.

Mr. Nelson.—In the sliding scale they would rise and fall.

3075. Sir James Caird.—Is there any saleable tenant-right in your part of the country?—Oh, no. It has not I may say existed. I only know a few cases of it where the right of sale has been given with the consent of the landlord. I know one farm that was bought at £1,150, and when the tenant wanted to re-sell it he could only get £300. The date of the first sale was about '74. The tenant bought the interest in the first place at £1,150, and then he bought all the crop upon the place by public auction.

3077. He paid £1,150 for good-will and tenant-right?—Yes, there was a lease of it.

3078. Lord Milnes.—How large was the holding?—About seventy acres.

3079. Sir James Caird.—But is that common in your district?—No; it is quite an exception. Tenants do not sell as a rule in any district. The tenant was going out of the country. The purchaser was anxious to re-sell, and he put it in the hands of an auctioneer who only got a bid of £300 for it, after expending £1,150.

3080. Lord Milnes.—What was the date of the sale for £1,150?—About 1874.

3081. The first sale was previous to the Land Act?—Yes; but in two years afterwards the man offered it for sale. Previous to '81.

Lord Milnes.—Because a leasehold is now no longer so valuable a thing to get.

3082. Sir James Caird.—Although so many questions have been put to you, there is one question which I think has been omitted and that question is, whether you think the intervention of the local authority for the purpose of providing the money would tend to expedite the operation of the Purchase and Sale Act?—I can give an answer straight to that. I am vice-chairman of a board of guardians, and I will put down my foot solid against any such thing.

3083. Sir James Caird.—It would not operate, you think?—It would not operate, because we would not sanction it. As a local board we will have nothing whatever to do with the sale of property—our property or another man's property.

3084. The President.—You would manage to get out of it?—We would manage to get out of it, and let the Local Government Board force us in some other way. We became security for the rent-rate. We appealed to the Court of Exchequer. The three barons of the Court ruled with us; but the Court of Appeal

ultimately went against us. There were four of the best judges with us, and two against us. The law was with us. But it was simply this, that the collectors asserted they did all they could; whereas they could see the assets with certain parties and the collectors did not realise them. So that stores us in the face, and we will have nothing whatever to do with the business.

3085. Sir James Caird.—You are quite clear that such a proposition would fail?—I am quite sure it would be scouted in the country. We are at present guaranteeing, of course, an outlay upon labourers' cottages. We shall never be able to realise what is granted. We know that, but we will pay the balance of that freely for the benefit of the labourers.

3086. You mentioned the case of a dairy which was established apparently with capital and enterprise, and which, I understood you to say, failed. Would you give us a little of the history of that?—Very shortly, the history of that case is this. A colonel in Her Majesty's service became tenant of this land from the proprietor, and he established a dairy upon it, with the result of two years' experience that he gave up the dairy, and he has turned to some other sort of farming now. He could not make it pay.

3087. Mr. Nelson.—In Kildare?—In Kildare.

3088. Sir James Caird.—Was he practically capable of making an experiment of that sort successfully?—Anything he required he had in the shape of a good land and dairymaids.

3089. And yet it did not answer?—It did not answer. The expense was not covered by the income.

3090. Dairying does not pay so well in Kildare as feeding cattle?—It would seem not. People have become so fastidious about the taste of butter that now-a-days dairying must be done on scientific principles.

3091. Lord Milnes.—You say the rise in the price of wool is no use now to the farmers, because they have all sold it; but, suppose it to be permanent, it would benefit them?—It would, of course; but the small farmers would derive very little benefit from a few sheep. To the large farmers it would be a benefit. I have got as high as 2s. a pound for wool, and this year it sold for 9d.

3092. Sir James Caird.—With regard to your very strong opinion against local authorities interfering with the sale of land, would you extend a similar opinion to provincial councils doing it?—It will extend to any councils, no matter in what way composed, in which I become responsible for my neighbour's honesty.

3093. Mr. Nelson.—You are not going to give a guarantee for a thriftless man?—Certainly not.

Mr. William Service examined.

3094. The President.—Mr. Service, I believe you are a tenant-farmer in the county Westmeath?—Yes.

3095. How much land do you hold?—I hold one farm there of about eighty-four Irish acres, and I hold a grazing farm also by the eleven months' system.

3096. Lord Milnes.—How much land is that?—About sixty-four acres more.

3097. Sir James Caird.—Are the eighty-four acres tillage?—No, it is principally grazing land and meadows.

3098. The President.—Do you hold both farms from the same landlord?—Yes, my lord.

3099. How long have you been there?—I have been tenant since '70.

3100. And when you came in '70, did you pay any tenant-right for your holding?—No.

3101. But if you went now would you have power to sell it, and get something by it?—Well, I suppose I would be able to get something by it.

3102. Has there been much sale in your neighbourhood of tenant-right?—Very little of late years.

3103. You find, I suppose, like other farmers, you

have had times of late years?—The last two years, especially in the cattle trade, have been very bad.

3104. Do you hold under a judicial rent?—Yes; I do.

3105. When was your rent fixed?—In '81.

3106. Have you had any variation during the last two years from your landlord?—No.

3107. Have you found a difficulty in paying?—Yes.

3108. And you think your rent now is higher than you can reasonably be expected to pay?—Well, I consider it is higher.

3109. Did you think it was fair at the time it was fixed?—Yes.

3110. Do you wish to give us any particulars as to the reasons for the difficulty you have found in paying?—Well, from the price of stock. At the present time I am selling cattle for about £12, that formerly I received about £16 10s. for.

3111. Lord Milnes.—This stock, you rear yourself?—No; I purchase them generally.

3112. The President.—There is no combination in

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your part of the country against paying rent?—None, that I know of.

3113. Have the rents among your neighbours been paid?—On the property I reside on there are only two defaulters, I think.

3114. Is that through inability?—Yes.

3115. Have other landlords been giving remissions on the judicial rents?—They have done so for the last two half-years. Two different landlords that I know of.

3116. Have you ever turned your attention to the idea of purchasing your holding?—Yes; I would purchase it, but not on the terms proposed.

3117. Terms have been proposed?—Yes; by the landlord.

3118. How many years' purchase?—Twenty years' purchase.

3119. And that you thought too much under your present rent?—Yes.

3120. But it did not go any further?—It did not go before the Commissioners?—No.

3121. But you would like to be a purchaser if you got a fair offer?—Yes.

3122. Are there many of your neighbours that have a similar feeling?—Well, I don't think so at present, for they expect they probably may come to buy on easier terms.

3123. They would rather wait to see how things go?—Yes; that is their inclination. Certainly, in my case, the landlord treated me, in fact, very liberally, for I held part of the land I hold under a lease, and he gave us all a judicial settlement.

3124. He treated the headholders the same as the yearly tenants. Are there many of your neighbours headholders?—There are, two or three besides me.

3125. And they were allowed to go in?—Yes; they all got the same settlement as the yearly tenants.

3126. And it would have been a great hardship if they had not been allowed to go in?—Yes; I consider it would.

3127. Lord Milltown.—Was your rent settled out of court then?—Out of court.

3128. Mr. Nelson.—Your landlord and you came to what we know as a judicial agreement out of court?—Yes.

3129. The President.—Have you ever thought of what is called the sliding-scale of rent?—Yes.

3130. Do you think it would work?—I imagine it would work.

3131. Would there be a difficulty in fixing it in the first instance?—There might be a difficulty in fixing it, I think.

3132. What product in your part of the world would you take on which to fix the sliding-scale?—Well, in our immediate district it is principally cattle.

The small farmers grow a lot of corn, but the price has been rising so much every year that it would be very hard to put a rent on it. I will give you a list of the prices for the last five years, taken out of one of the most extensive buyers of the district, for a large distillery there. In '81 and '82, he paid 15s. 3d. for barley. That is the average price for the sixteen stone of barley. Oats the same years averaged 10s. 4½d. for sixteen stone. That was the average.

3133. The President.—What is it now?—Now, it is 12s. for barley on the average this year.

3134. And oats?—7s. 6d.

3135. Lord Milltown.—Is that this year's oats?—That is this year's.

3136. What market is this?—That is in Kilbeggan—Lock's Distillery.

3137. The President.—Are you pretty well situated for the market?—Yes; I have also butter here. In 1882 the price given in Mulligan was from 10s. to 11s. per cwt. of butter. Now it is from 7s. to 8s., or an average of 8s.

3138. Mr. Nelson.—Up to what date is that brought down, Mr. Servis?—Up to Saturday last.

3139. The President.—And have you made any

calculation as to what in your opinion you think in fairness ought to be deducted from your rent for the present year, the amount of the allowance to be given you?—I don't expect to have an allowance given me, my lord. Our landlord is against it, and I think we will have to pay this year as usual.

3140. You have not asked this time?—I asked last year and it would not be allowed.

3141. And you have not asked again?—It has not come up to the time yet.

3142. What did you ask last year?—I did not mention any sum.

3143. Sir James Caird.—Yours is a judicial rent?—Yes.

3144. Lord Milltown.—Fixed by agreement?—Fixed by agreement out of court.

3145. What amount of tillage have you in your farm?—I only till about six acres, just for accommodation.

3146. What do you grow on it?—Turnips, oats, or barley, as the case may be.

3147. Have you a dairy farm?—No; I keep a few cows for the accommodation of my family, and I sell a little butter.

3148. The price of butter does not affect you very much?—Not so much as the price of cattle and sheep.

3149. Do you rear your own cattle?—I rear a good many, and I purchase a good deal.

3150. But in the feeding department you have not been a loser this year?—I think this year will not be a losing year, when all is paid off. I think it will be better than the last two years.

3151. Supposing you bought judiciously last spring, is your land fattening land?—Some of it.

3152. Supposing you bought judiciously last spring, you ought to make a good profit on your stores selling out this autumn?—I think it would leave a fair margin.

3153. You will make probably as much as you made in 1881?—No; I don't consider so.

3154. Do you think you made more by buying and selling in 1881 than you will make this year?—I consider I did.

3155. Can you tell us what you gave in 1881 and what you sold for?—I was getting at that time, I believe, about 70s. per cwt. for beef, and I am now selling it for 50s.

3156. But what did you pay for stores?—I purchased one lot in 1883 and I fed them off, and they paid me 28 per head. This year, up to this, I have lost £4 on some classes of cattle.

3157. You don't know what way they will pay yet?—No.

3158. But you bought considerably lower this year?—Yes; twenty-five per cent.

3159. And if you got twenty-five per cent. less for beef, if you sold as beef, wouldn't you make exactly the same?—Isn't that so?—I think it is nearly so.

3160. You say very fairly that in 1881 you thought this a fair rent?—Well, I was prepared to take any terms at the time, because I was paying a high rent and I had a lease of the farm, and it had eleven years unexpired.

3161. But you said you considered this rent fair in 1881?—Yes.

3162. But if it was fair in 1881, how is it not fair now?—I think from the downward tendency of prices.

3163. That has not hurt you this year?—Well, I am not complaining of this year.

3164. I quite acknowledge last year to be a disastrous year, and the year before?—Up to a certain extent.

3165. But you do not suppose that that will go on for ever?—Certainly not.

3166. But if times mend fairly, your rent would still continue to be a fair rent?—Well, I imagined when it was fixed it was a fair rent.

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3167. Then, if this year is no worse than then, it must be a fair rent still?—It is worse than then.

3168. In what respect?—In the price of oats.

3169. But you do not grow any oats?—Not much.

3170. You are depending principally on the buying and selling of stores. In that respect are you not doing as well as in 1881?—Well, I cannot speak for this year until I sell out.

3171. Of course you cannot; but looking at the prices you gave, and the prices you reasonably may expect to get when you do sell, don't you think you ought to do as well as in 1881 in that particular line of farming?—I don't think I will.

3172. Then I am afraid you must have bought injudiciously?—Well, I buy as well as I can. I make the most of everything.

3173. Supposing many farmers come here and tell us they have made as fair a margin this year as 1881, that would tend to show that the rent fixed in 1881 must be fair now?—That refers to grazing farms.

3174. Mr. Nelson.—You are down by the river Brosna?—Yes.

3175. I think I remember you?—Yes.

3176. I think you said you held half the land by lease and the other half as tenant from year to year?—Yes.

3177. Did the landlord waive the lease and allow you to come in?—Yes. I was stewarded to the gentleman, and he was breaking up the establishment and he set this farm to me without a purchase.

3178. He gave you the part he had himself as tenant from year to year?—The first he gave me was this lease lot, and the other afterwards as tenant from year to year.

3179. As I understand, the leasehold land had been in his possession before he broke up his establishment, and then he allowed you to come in for the future under the operation of the Act of 1881?—Yes.

3180. So far as concerns the portion of the land which you hitherto held as tenant from year to year, you got a right of renewal every fifteen years for ever?—Yes.

3181. That vested in you without any payment for it would be a valuable tenant right?—Yes.

3182. Then, in 1881, your landlord and you, out of court, came to a mutual understanding of what you believed would be a fair rent?—Yes. He got a valuer and sent him over the land. He valued all his property that year, and fixed the rents. He had other leaseholders as well as me and he dealt alike with all.

3183. Mr. Keipe.—How many tenants on this property you speak of got judicial leases?—All with the exception of one or two, and an offer has been made to them at the present time, and I believe it will be accepted.

3184. As a rule were the rents fixed by the Commissioners or by mutual consent between landlord and tenant?—Only one went into court out of the lot.

3185. What year was that in?—1881.

3186. And you now say that what you believed was a fair rent then is a very high rent at the present time?—I don't consider it a very high rent, but I consider it a high rent.

3187. Difficult to pay?—Yes.

3188. Taking the present prices of produce into account?—Everything. Yes.

3189. Have you thought anything about the leaseholders, if there is such a class of tenants in your immediate neighbourhood?—The leaseholders on the estate on which I reside have been all treated as yearly tenants.

3190. Have all the landlords in your locality adopted that?—No. I think the leaseholders on other properties are in a bad state though; but there are a couple of landlords in our district who have given reductions on the judicial rents passed two years ago.

3191. Are you of opinion that they should be ad-

mitted to the benefit of the Land Act?—I think they should. I certainly think it is a great hardship. If I was kept to the price I was paying for part of my land I could not live by it if I did not get a settlement. I was paying £3 10s. an acre for the part I held under the lease. Of course it was feeding land.

3192. Are you able to say if the tenants in your immediate neighbourhood would buy, provided their landlords were willing to sell, at the present time?—I think they would buy, but not at the present terms—twenty years' purchase—on which our landlord proposes to sell. I for one would agree to treat with him but the others would not join.

3193. Mr. Nelson.—Has he made a proposal to sell at twenty years' purchase on the judicial rents?—Yes.

3194. Sir James Caird.—And you are disposed to treat with him?—I would not be likely to purchase at twenty years' purchase, but I would like to treat with him.

3195. Isn't it good land?—It is.

3196. You think twenty years' purchase too high?—I think it is a little too high for good land.

3197. Mr. Nelson.—What is the gross amount of your rent?—£150.

3198. Mr. Keipe.—Can you assign any reason why the tenants are not willing to buy?—They expect to buy in future on better terms through agitation and legislation.

3199. Sir James Caird.—Do you live in that expectation yourself?—Well, no.

3200. Mr. Keipe.—Is the country generally very peacable?—It is.

Mr. Nelson.—I have had judicial knowledge of it. It was a very peacable district.

3201. Lord Milltown.—Has it always been?—It has always been.

3202. Mr. Keipe.—Do you not think if favourable terms were offered to the tenants, and if they could see that the rents were fair, that they would embrace them?—I don't think so. They expect to buy on easier terms.

3203. But provided the times changed?—I don't know.

3204. I only want your opinion?—I have given it as well as I can.

3205. Sir James Caird.—What would you have given when the landlord wished to take twenty years' purchase?—I would have given sixteen, or a little more.

3206. Mr. Keipe.—Do you think there should be an independent tribunal appointed to decide between landlord and tenants, and take it out of the hands of both?—Yes; I think it would be a good thing to take it out of the hands of both.

3207. And you think that that would work?—I think it would work.

3208. And they would be more likely to come to terms?—Yes.

Mr. Keipe.—And I quite agree with you.

3209. Lord Milltown.—Is there any combination in your district against purchasing?—Not that I know of.

3210. Have you the advantage of having a branch of the National League in your district?—There is said to be a branch in Killybegga, but I am not aware of it.

3211. Has it interfered with the tenants in your neighbourhood?—It may have interfered, but it is unknown to me.

3212. Do you think if the tenants were left to themselves they would be inclined to give a fair price for their holdings?—Well, I think only for agitation they would come on terms quicker.

3213. Or if there was an end to similar legislation to that of 1881 they would be prepared quicker to buy?—I think they would be more inclined to meet their landlords. I think they would.

The President.—We are much obliged to you.

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Mr. George
Bansdison

Mr. George Bansdison examined.

3214. The President.—Mr. Bansdison, I believe you are a tenant farmer in Kildere?—Yes.

3215. How many acres do you farm?—Two hundred and forty.

3216. Chiefly pasture?—Part pasture, and part arable.

3217. I suppose you have been suffering from the bad times lately, depreciation in the prices and deterioration?—More or less.

3218. Is your rent a judicial rent?—No, it was fixed by agreement.

3219. Have you received any statement during the last year?—No, I have not, my lord.

3220. Lord Milltown.—When you say your rent was fixed, do you mean judicial rent?—No, it was done by private agreement.

3221. The President.—And you have not received any statement for the past year?—No, I have not.

3222. Sir James Caird.—How long past did that agreement stand?—In May, 1881.

3223. The President.—But you find you can still pay the rent that was agreed to then?—If I had not other means to assist me I would not be able to do it.

3224. Did you turn your attention at all to the Purchase Act?—Yes, I have turned my attention to it a good deal.

3225. Would you wish to purchase?—Yes, I made an agreement with my landlord to do so.

3226. And why wasn't it carried out?—On account of some hitch which occurred in his title.

3227. Oh,—bad title I suppose?—No; but the farm had been put in settlement on the marriage of the owner's son, and considerable cost would be incurred in making title.

3228. How many years purchase were agreed upon?—Twenty years' purchase at my present rent, less his allowance of taxes.

3229. Lord Milltown.—What taxes does he allow?—£15, he takes up from me in a lump sum at present. He allows me half the poor rates and half county cess.

3230. The President.—You agreed, then, upon twenty years' purchase on your present rent less what the landlord allowed you?—Yes, but the Commissioners refused to accept his title on account of a hitch that was in it they declined to give the money. It occurred in this way, that part of his property was in his son's marriage settlement, and the hitch that occurred was in reference to getting over that sort of getting other property transferred to the trustees. Then there was another difficulty. He had a head-rent to pay and the landlord would not agree to have his name brought into court when he gained nothing by it.

3231. Therefore the difficulty of the head landlord came in also?—Yes.

3232. Mr. Neilson.—And the difficulty of the marriage settlement stood in the way?—Yes.

3233. The President.—Have you any suggestions to offer by way of removing any hindrances or difficulties that might exist in the working of the Purchase Act—could you make any suggestions to us?—If the landlords got a Landed Estates Court title it would facilitate the working of the Act very much, and if the term over which the repayment was spread was increased it would encourage the tenants. It would also be an advantage if there was power to increase the price advanced, for at present £3,000 is the highest sum allowed to be given unless under some special circumstances, and then it is increased to £5,000. If Government could devise some method of arranging these matters it would assist.

3234. Mr. Neilson.—That is £3,000 is the largest sum advanced for any one transaction without reference to the Treasury?—Yes, and if that was done away with it would facilitate the Purchase Act, because the small tenants look more or less to the large tenants to see will they be willing to purchase, and if they are willing to purchase they will do so themselves.

3235. Lord Milltown.—The Act limits the amount to be advanced to £3,000, unless under some special circumstances?—Yes.

3236. The President.—Have you any evidence you would wish to lay before us; have you prepared anything you would like to put on record?—No, except what I am just after stating.

3237. Have you no recommendations to make with regard to the head landlord that would facilitate matters?

3238. Lord Milltown.—Have you any idea what rent your landlord pays the head landlord for this property?—I have. He pays £200 a year for the property.

3239. The whole estate?—No, for that portion of the estate.

3240. What proportion does your farm bear to the estate—what I want to arrive at is how much an acre does he pay?—I think 2s. 6d., or something like that, but I think that the landlord pays him also for his residence, and the land he holds—both in freehold grant.

3241. The President.—Are rents being paid fairly now?—They are.

3242. Is there any combination against the payment of rents in your part of the country?—There was a slight combination, but it was got over last year.

3243. A combination of men met together to ask the landlord for a reduction of their rents?—Yes, and to refuse payment of them unless he granted it.

3244. Are there any leaseholders down there?—Yes, sir.

3245. Are you one?—Yes, I am.

3246. Is there a general wish among leaseholders to come under the Act of 1881 do you think?—I say there is.

3247. And you think it is a hardship on leaseholders not being brought under the Act of 1881?—I certainly do so.

3248. You would like to come under it yourself?—I am not desirous to do so.

3249. Perhaps some of your neighbours have not got so good terms as you?—They have older leases than I have.

3250. Has there been much sale of tenant-right down there?—No, not very much.

3251. Have you heard of any?—No, I have not.

3252. Have you thought at all of a sliding scale of rent; do you think it would work?—I think that it would work.

3253. You think it would?—I think it would.

3254. A scale fixed according to the price of cattle and sheep and farm produce?—Yes.

3255. Of course the tenant would be very glad to accept it while the rent would be low, but when it came to better times, and when the rent would be raised, would he be equally pleased with the sliding scale?—I think he would, because when the times would get better, and prices went up, he would be better prepared to meet the higher rent.

3256. And you don't think there would be any difficulty in making a start?—I don't.

3257. In fact you would like to have a sliding scale?—I certainly should.

3258. Then, to go back to the question of purchase, do you think the intervention of local authority, by way of giving extra security to the Government, standing between the tenant and the Commissioners, would be any advantage?—The only advantage I could see is that it might make the landlord more anxious to sell, because in that case he would not have to leave the out-farm of his purchase-money lying by.

3259. And do you think that the local authority would be willing to undertake that?—Oh, I could not say that.

3260. You have not had any experience that way. You are not a member of a Board of Guardians?—I have been.

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3261. But you could not say whether the local authority would be willing to do that or not?—I could not, but I may say that the tenants all round about me generally would wish to avail themselves of the purchase clauses of the Act.

3262. They do!—They do.

3263. And are the landlords on the whole willing to sell to them?—I think they are.

3264. You don't think they would place any obstacle in the way?—No.

3265. Then if both landlord and tenant are willing it would probably end in a sale?—In some cases it may.

3266. Except in cases of a flaw in the title, I suppose?—Yes.

3267. Do you think it would be necessary to make it compulsory on the landlord to sell?—I don't think that would be altogether necessary.

3268. The one-fifth of the landlord's money being left as a deposit, does this, in your opinion, act as a hindrance to the carrying out of the Act?—I think it does.

3269. Prevents the landlords coming forward?—I think it does.

3270. Is there anything else you wish to say to us?—I think the tenant would be somewhat more desirous to purchase if the rate of interest was reduced, and a longer period given him to pay back, say, from forty-nine to sixty years.

3271. Even though he gets a reduction of his rent now?—Yes.

3272. You don't think that a sufficient inducement?—No, he would prefer the other.

3273. Lord Alhousie.—With regard to the one-fifth deposit, the object of that is to afford security to the Government?—It is.

3274. Can you suggest any other means by which that object can be carried out?—I think the Commissioners should satisfy themselves that the land is a sufficient security to advance the whole amount on. It appears to me that the one-fifth guarantee is retained to meet the case of tenants so anxious to buy that they are willing to pay one-fifth more than the value of their farms.

3275. Do you think, in cases where the Commissioners are satisfied that the land—meaning both the owners' and the tenants' interests combined—is sufficient security, that they ought to be empowered to advance the whole money without deposit?—I think so, my lord.

3276. Do you think it would be desirable to encourage frugal tenants to pay down a fifth part of the purchase money by giving more favourable terms to those who would do so than you would grant to those who were not prepared to do so?—I think that would be an encouragement.

3277. Can you suggest any mode by which greater encouragement could be held out to the tenants?—I cannot.

3278. Except by prolonging the instalments?—Yes.

3279. That you think would be looked upon as a boon by the tenants?—I think it would. I have been speaking to some tenants around me, and they all seem to consider that it would be a boon. They say that they do not see the force of benefiting posterity by paying that large amount, and would sooner have the use of the money themselves, and by having the number of years lengthened they would also benefit themselves.

3280. The longer the period over which payment would be extended the further off the time till they became owners?—Oh, yes, but what they say is that very few of them would be alive in forty years' time to get the entire benefit of it, and they don't see the force of paying for posterity.

3281. Then you think the tenants in your neighbourhood, are anxious to avail themselves of the Purchase Clauses?—I do. Anyone I spoke to about it seemed anxious to do so.

3282. Is it your opinion that they are acquainted with the provisions of the Act?—I think they are.

3283. We heard just now from Mr. Fenslau, that they knew nothing about it?—Well, all I spoke to seemed to know all about it.

3284. The small farmers as well as large farmers?—Yes, I explained to them as well as I could what it was, and I told them that I thought it would be a good thing if they did it.

3285. Do you think if they had the chance they would avail themselves of it?—I think they would.

3286. Your rent was fixed in 1882, I think you said?—Yes.

3287. Last year was a very bad year?—Yes.

3288. And very difficult for the farmer to make rent?—Yes.

3289. This year the prices differ?—In some respects they do, but in others not.

3290. The prices paid by graziers who buy store cattle, don't they differ?—Yes.

3291. And don't the prices for prime young steers cattle differ?—No.

3292. But would you say that from the fact of this year and last year being bad years that the rent fixed in 1882 was too high for a period of fifteen years to come?—I would not like to say it.

3293. It was too high for last year?—It was.

3294. And may be too high for next year?—It may.

3295. It would be hardly fair to say that because they unluckily hit upon two bad years that the rents for fifteen years would be necessarily too high?—It would not.

3296. Mr. Nelson.—Have you seen the Purchase Tables by Messrs. Fortwell?—I cannot say I have; no, I have not seen them.

3297. It is a great pity they are not published through the country, for they show the advantages the tenant would derive by purchasing?—I have not seen them.

3298. Mr. Keipe.—Have you any reason to think that the times will improve for the next few years?—I have not, as yet.

3299. The present low prices in young stock would not warrant you in saying that?—It would not.

3300. And the foreign imports and low prices at present are not encouraging to farmers?—They are not.

3301. And the inclement season we have had has not improved the prospects of the farmers?—No, it has not.

3302. And taking all these things into consideration, the prospects of the future are not so bright as his lordship thinks?—The prospects of the future we can only judge of by the past.

3303. With regard to this arrangement between the landlord and tenant, is there any class of landlords that you would compel to sell?—Well, I would not like to compel any man to sell.

3304. And on the other hand you would not like to compel the tenants to buy?—No, I would not.

3305. And you would just leave matters as they are, and if the landlord and tenant could not agree you would have a Court to arbitrate between them?—I would.

3306. Do you apprehend the tenants would avail of this to a large extent?—I think they would if they got a loan on favourable terms.

3307. But do you not think that if there was a Court established to interfere between the tenant and the landlord in the way the Commissioners did in fixing fair rents, it would be expedient?—I think it would.

3308. And would it not be a fair way of settling it?—I think it would.

3309. Taking everything into account?—I think it would.

3310. And if the landlord was willing to sell and some of the tenants willing to buy, and others not willing to buy, would you think it right to compel the minority to purchase?—No. I think the landlord should be allowed to sell to those who are willing to

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purchase, and leave the others as they are, unless the Commission had power to buy the whole estate. At present they have power if three-fourths of the tenants are willing to purchase.

3311. Taking everything into account, don't you think such a Court as I mention should be established to deal out even-handed justice to all, taking the ten-

ants' interest and the landlord's into account?—At the fair value of the land.

3312. Yes!—Yes, I think that would be a good way to get the fair value of the land; but I don't think that the tenant should be compelled to purchase, or, on the other hand, that the landlord should be compelled to sell.

Mr. Bernard Haydon examined.

Mr. Bernard
Haydon.

3313. The President.—I think Mr. Haydon, you are one of the valuers under the Land Commission?—Yes, my lord.

3314. In what part of the country have you been valuing chiefly?—Almost all the counties in the North of Ireland, and I valued for the County Court Judge on two successive occasions, the entire number of acres for the county Mayo.

3315. You have been valuing up to quite lately, have you?—June, 1893.

3316. On the rents that you fixed in 1885, did you make much difference, and reduce them more than you did in the cases which you had to value from the end of 1882?—No, I made no difference, my lord.

3317. No difference? You did not think that the depression in the agricultural interest justified a difference?—I made no difference. I think there was not much difference in agricultural produce from 1882.

3318. And you have not valued since 1885?—Not for the Commission.

3319. Have you valued under the Purchase Act?—No.

3320. When you fix a rent do you take into account, a certain number of years back? How many years back do you generally consider the circumstances of in fixing a rent—five years or seven years?—I assumed, my lord, that there would not be such a change in prices in fixing the rents when acting for the Commissioners that has taken place since. The reduction in the value of agricultural produce is considerable since 1882.

3321. What plan do you generally go upon when you have to value a farm? How do you set about it?—I examine the soil and all the surrounding circumstances, and take into consideration the prices of agricultural produce and capabilities of the farm as to its produce or the acreable produce of grain—and its capabilities as a stock farm.

3322. I think you resided a good deal in the county Kerry—have you not? I have been living in the county Kerry, my lord, for the last thirty-three years.

3323. You are living there now?—I am not a Kerry man, I am a Kildare man.

3324. You are a Kildare man?—Yes, I valued a good deal of property, all in Kildare, before I joined under the Commission, for the Duke of Leinster. I valued the estates of Kildare and Rathangan, and I think the agreement of purchase with the tenants then, is eighteen years purchase of the value I gave in 1882.

3325. Do you know anything about the condition of tenants in Kerry? You are not living there now?—Oh, I am living there now.

3326. Lord Manners.—The Duke is selling at eighteen years' purchase on the value of 1882?—Yes. The tenants all settled out of court. The Duke sent a circular round the entire property, saying he would get his rents fixed by valuation, and that the notorious Leinster leases might be surrendered, whether long or short. He would pay for the valuation, and if the tenants were dissatisfied with the party he appointed, they could go to court with his perfect sanction. In the divisions which I valued there was not a single instance where any of the tenants went into court. They all settled outside, and I presume it is on that

settlement that they are purchasing at the present time.

3327. Sir James Caird.—Did you make the valuation?—I did.

3328. For what Duke?—For the Duke of Leinster.

3329. Lord Manners.—What portion of his estates is he selling?—The Kildare and Rathangan divisions. The town of Kildare comes into the Kildare division.

3330. Of course all his property is in Kildare?—Yes; but the best part of his property is further off, about Arkly and Castledermot.

3331. Sir James Caird.—What was the value of the property you valued?—I dare say it was about £17,000 a year.

3332. At eighteen years purchase?—Yes. It is a property that is very well circumstanced. A great deal of the land is very good and in a highly civilized condition; the buildings are good and well circumstanced with regard to farm roads, turbery and all that sort of thing.

3333. Lord Manners.—Has the Duke done a great deal of drainage in that district?—The principal drainage he did in that district was the sinking of the river at Rathangan. I think that cost £17,000 or £18,000.

3334. Who pays for that?—The Duke pays the larger portion and the smaller proprietors in the district the remainder. The tenants pay nothing.

3335. In the event of a sale to the tenants, will the tenants who purchase get the advantage of these improvements without having paid anything?—I believe so.

3336. The money is paid off?—I believe the interest is still being paid to the Board of Works.

3337. But the tenants, if they purchase, will pay that?—I don't think so.

3338. Do you mean to say the Duke will pay after he has sold the places?—I think so. I am not sure how the payment is arranged, but I know the Duke has paid the interest up to this and I don't think the tenants will have to pay.

3339. When was the loan effected?—Oh, I suppose about ten years ago.

3340. Sir James Caird.—This was done about ten years ago?—I think so.

3341. Then you valued it in the state it was drained as it was and with these improvements upon it. Unless the Duke got the price he would not pay the outstanding interest?—Of course the payment by the Duke was an inducement to the tenants to purchase. The land was only partially improved by arterial drainage. There was no thorough drainage, and the tenant in occupation on lease would not have further benefit without further expenditure. The arterial drainage only removed the surface water.

3342. The President.—Do you think, so far as you can judge from going about the country, that there is much desire on the part of tenants to avail themselves of the Land Purchase Act of last year?—I think they would, my lord, if they like the terms.

3343. You say that the tenants in the places that you valued would be glad to purchase?—Yes, I think so, if they like the terms.

3344. If they like the terms? And you think the landlords would be willing to sell if they like the terms?—A great many of them would I am sure, even if they looked upon the terms as a little to their disadvantage.

3345. Then you think they will take advantage of the Act?—I think they will.

3346. Is there any improvement that you could suggest?—I think if the money could be given at a cheaper rate, and spread over a greater number of years, it would be an improvement.

3347. Do you think the guarantee deposit of one-fifth is an obstacle?—I think it is.

3348. Do you think there would be sufficient security without it?—Ample security, but it strikes me that, with respect to the purchase, the Government should lead to the purchaser after he had settled for his farm. He should have facilities for getting cheap money to improve it, otherwise the country will not have the benefit contemplated by the Act. At the present time tenants have no money to work the land in their occupation, and that is principally so in the South of Ireland.

3349. Do you think it would be at all necessary to make it compulsory upon the landlord to sell?—I think it would.

3351. Witness.—I think it would, if the landlord was not a consenting party.

3352. The President.—I suppose in these cases where the landlord would not sell his tenants would be so discontented when all his neighbours had bought that it would lead to great ill-feeling?—Well, I think if an Act of Parliament was introduced to pacify the country it should be made general.

3353. Lord Milnes.—You say the landlord should be compelled. I suppose you mean the tenant also?—Both.

3354. The President.—Have you found that the head-roads to have been an obstacle to selling?—No, I don't know of any case where they have intervened, but I dare say there are some.

3355. Lord Milnes.—I understand you to say, Mr. Hayden, that you made no alteration in fixing your valuations in 1885?—Up to 1885.

3356. But you said, in answer to Lord Cowper, that you made no difference in 1885?—I did not make any valuations in 1885 under the Commission.

3357. Mr. Nelson.—I thought you did?—No, I made no difference up to the time I left the Commission.

3358. Lord Milnes.—Will you kindly give me the date?—June, 1885, I think.

3359. Up to that time you made no difference in the mode you were following?—No, I did not.

3360. Then what you considered a fair rent in 1881 you considered a fair rent in June, 1885?—Yes, and I fixed the rent assuming that there would not be much difference in price, and that the tenants had the necessary capital to work the farms to advantage.

3361. Your first idea was—what did you say? That there would be no greater depression?—No, I did not. I said I made no difference from the time I commenced in 1881 until I ended in 1885.

3362. But I understood you to say afterwards that you never anticipated such a fall as we have had?—No, I did not.

3363. But if you had anticipated it, would it have made any difference in the way you fixed the rent?—It would. I would not have fixed the rent so high.

3364. That is on land?—Well, it is very likely to increase with the increase of the importation of foreign stock.

3365. Do you know that they are decreasing at the present time?—They are likely to increase. I believe there is a larger increase in foreign stock at present than in those years.

3366. But, as a matter of fact, they are considerably less now than they were?—Well, they have made a considerable difference in prices at all events.

3367. You say when you fixed the value of land you took into consideration what that land was capable of producing, and the prices of its produce. Do I understand you to mean the price of produce

during that particular year that you happened to be fixing the value?—I beg your pardon.

3368. You say you took into consideration the price of produce. Was that the price of produce at that time?—At the time I was valuing.

3369. Is that all?—And for some years previous—about six years previous.

3370. About what time now?—About six years previous to 1880.

3371. You went upon that?—Yes. I assumed that the prices for the six or ten following years would not vary much from those that preceded 1880.

3372. And you held that opinion down to June, 1885?—Yes, but the prices up to that time were considerably lower than before 1880.

3373. But you considered those were fair prices to go by?—Yes.

3374. Well, I want to ask you what great thing happened to cause you to give up this opinion?—There was a very considerable difference. Take butter; it is a staple produce for farmers in the south of Ireland; it was forty per cent. less for the last few years.

3375. Pardon me; I am speaking of this year?—Oh, it was less this year up to August.

3376. Is it not better now?—It is selling better now, but the chief part of the season's produce went at the low rate.

3377. We are speaking of the present time, and you say now that rents ought to be considerably lower than the scale upon which you fixed them in 1880. On what do you ground that belief?—On the reduction of the price of agricultural produce.

3378. But you have instance butter, and it is higher now?—Oh, there is no use instance it now when people have it all sold.

3379. That may be, but that fact is no reason for reducing rent. Passing from butter, the price of stock is no lower now than this time twelve months?—It is. 1880. It is lower—are you not aware that there is a considerable stir in stock throughout the country?—There may be a stir, but I do not recollect young stock selling so low as at present.

3381. It is easier to move young stock now than it was this time twelve months?—Oh, it is.

3382. And persons who bought young stock then have a good opportunity of selling them now?—That is speaking of the larger class of farmers.

3383. But you are speaking of Ireland generally. I want to know by what reasoning you have come to the conclusion now that the scale upon which rents should be fixed in October 1880, should be much lower than you thought right in June 1885?—The only reason is that prices are lower.

3384. I want you to point out where they are lower?—The price of barley is lower; the price of oats is lower; the price of wheat is lower.

3385. Wheat is not much in Ireland?—But the price of butter is a considerable thing.

3386. The price of butter is higher?—It is higher now, but at this period of the year it is all sold out.

3387. It is higher at this period of the year than it was at the same period last year, and it was formerly the practice of the Irish farmers to sell it in October and November, and not according as it was made?—Well, we are getting more civilized in the manufacture of butter lately, and speculation of that sort would not do now, for butter kept to the end of the season would not be saleable. It would be too salty.

3388. Then you attribute the selling of butter according as it is made to that yourself, and not to any desire to realize money at once?—The two causes operate, but the principle cause is the necessity to realize money.

3389. That is the result of hard times; and, supposing the price of butter to maintain its rise, it will be a very important circumstance in fixing the rents next year?—Certainly. If we are selling butter at one pound a skin higher it will make a very serious difference, and if we are getting £5 10s. to £4 a bush,

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for calves six months old, it will be very different to selling them at from five-and-thirty shillings to fifty.

3330. Well, passing from that, sheep are higher than this time last year. Is not that of some importance in fixing rents?—Certainly.

3331. As a matter of fact, wethers were nine shillings a head higher than last year at Ballinacree, and ewes six or seven shillings higher?—I believe so.

3332. In fact that considerable rise in the price of sheep would not lead to the conclusion that rents should be somewhat lower than in June, 1885?—But the rise in sheep is very much lower than the depression in other matters—Items of farm produce generally.

3333. Can you point out where the depression is?—Grain is lower, young stock is lower—butter and stock generally.

3334. Young stock is lower. Is that your experience, that young stock is lower than it was this time twelve months?—It is my experience.

3335. But, supposing this year was worse than last year, do you think the occurrence of two bad years would justify you in lowering the value of land for the next fifteen years?—I think it would be an element; but I think it very uncertain, considering the class of Irish tenants you have to deal with. They can hardly hear the strain; and if you fix rents for fifteen years, how are you to get them if the tenants cannot get them out of the land.

3336. That is an argument for not fixing the rents for any period at all?—It is an element for consideration. It is the general opinion of intelligent men, that we will never have the same prices again for agricultural produce that we had some years ago.

3337. And it is also the opinion of intelligent men that you will; so putting the opinion of one intelligent man against another, the position remains very much the same. You appear, so far as I understand, to take five or six years, and then strike an average, so that it will almost altogether depend upon whether there were two exceptionally good or two exceptionally bad years falling into that period, whether the rent will be higher or lower. That is not a matter of opinion, since it must be so?—Yes, I suppose it would affect the average of course.

3338. Mr. Nelson.—I wish, Mr. Hayden, to understand you perfectly. I think I gathered from you that, as a class, the Irish tenants would not be able to stand the strain; for as a class they are not men who have capital?—Yes.

3339. In speaking of effecting a compulsory sale you refer to the Act of 1885?—Yes, I think it is a solution of the difficulty.

3400. Sir James Caird.—A solution of what difficulty?—Of the Irish difficulty.

3401. Mr. Nelson.—Then you would make it subject to another arrangement by which a man without capital can get money from the State to assist in working up their farms?—Yes.

3402. And supposing you don't get the money from the State would you still be of opinion that compulsory sale would be good?—Yes. If you put a tenant dependent upon his industry into possession you divert his attention from other things, but I fear that without capital the country will not advance as much as it ought to. If a man has a farm and has no money to improve it he will have to look upon it in a state of nature as *hitherto*.

3403. So that to attain the end which you think desirable it would be necessary for the State to advance the money to the tenant to improve the land which he had purchased?—At a fair rate of interest.

3404. But it would be required as a supplement?—Yes.

3405. Mr. Keipe.—Referring to those judicial rents that you assisted in fixing from the time you became a valuer until the time you resigned, don't you believe they are very high rents now, taking the time when you resigned?—I do.

3406. Are you aware that many of the Sub-Commissioners reduced their judicial rents from seven to

twelve per cent?—That is what they were recently doing.

3407. From 1885 up to the present?—I believe they have.

3408. Were you a valuer at that time?—No. I had a large number of cases on property in the county Mayo when Lord Dillon's rents were reduced and I see that his agent has given five-and-twenty per cent. on the rents I reduced at the present time.

3409. Mr. Nelson.—Where is that, Mr. Hayden?—In county Mayo.

3410. The President.—You told us on what property it was?—On Lord Dillon's.

3411. Mr. Nelson.—These are peculiarly situated holdings?—Yes, there are about 3,000 tenants, and a £20 holding would be considered a large one.

3412. Mr. Keipe.—What statement has been given?—He has given to those men who were reduced, twenty per cent, I think.

3413. Sir James Caird.—When were they reduced?—Some of the rents were reduced in 1885.

3414. Mr. Nelson.—I believe that is an estate where you have 3,000 tenants paying only £20,000 a year?—Oh, more than that. The property is worth over £20,000 a year. The tenants, however, made up the rents chiefly by labour in England. I asked a very intelligent gentleman if in the event of Irish labour being boycotted in England these people could pay rent. "I don't believe," he said, "they could do it."

3415. Sir James Caird.—Then they get their rents solely from labour in England?—That enables them to live in comfort.

3416. To what extent did you reduce those rents previous to 1885?—I was looking over my notes, and I think the average reduction I made in that county was 24 per cent.

3417. And now his lordship has given 20 per cent. more?—Yes, on the very same rents, but to those that were not reduced, and who promised to pay before November 1st, he is giving 40 per cent.

3418. The President.—And are they paying?—I expect they will. And to those who have paid the rents that fell due on the 1st May, he has refunded them 30 per cent., 6s. in the pound.

3419. Mr. Keipe.—Now, Mr. Hayden, I suppose in fixing the rents on other properties you went on the same principle as on his lordship's property?—Yes.

3420. And they are all fixed on the same basis?—Yes.

3421. Have you been in the North of Ireland?—Yes.

3422. And as a matter of fact all the rents that you have fixed are now 32 per cent. too high. That is the only conclusion to come to. His lordship has given 50 per cent.; other Commissioners, up to 1885, have given 12 per cent. more than what was given before by them, and that comes to 32 per cent. more than you gave?—Speaking of Mayo, I only gave an opinion; it was for the County Court Judge to fix the rents. I only gave an opinion in Mayo, but it turned out to be reality, because it was adopted.

3423. But did not the landlords often threaten to appeal from the decisions of the Sub-Commissioners?—They did.

3424. And didn't they appeal?—In no single case in Mayo. I valued cases through the whole county twice.

3425. And in no case was there an appeal?—I heard not, on either side.

3426. Mr. Nelson.—I always understood the same in reference to Mr. Hayden's valuations.

3427. The President.—You only value on cases under appeal?—When I was connected with the Land Commission that was my duty, but in this case, when I was attached to County Court Judge of Mayo, I was quite uncontrolled, and my valuation was adopted, the parties themselves seeing pleased.

3428. Mr. Keipe.—But if you could have foreseen the low prices to which produce has come would you have fixed the rents so high?—I don't think I would.

3429. But those rents are undoubtedly very high!—Well, it shows you the spirit of their play in which Lord Dillon's agent has acted when he made the reductions he has made.

3430. The President.—I believe the migration to England is diminishing every year, especially during the last five years!—Many people from Mayo have gone to America.

3431. That would reduce the money for paying rents!—Yes, it would. Many of them could not pay their rents but for what they got in England.

3432. Mr. Keble.—Speaking from the experience that you have as a Valuer and an extensive farmer, don't you think there will be greater difficulty in making 'up the rents this year than there was last year?—I believe there will.

3433. But you have also referred to the reduction in young stock. That will affect them materially!—Very much more than it will men who buy what is called a "dying stock."

3434. And consequently, according to your idea, the country is not in a better state than it was last year!—I think it is worse.

3435. I quite agree with you. This rise in price which Lord Millicott referred to—is that general, or is it confined to a certain class of sheep?—Well, I think it was for one or two year old wethers. It did not affect the price of lambs. I think the sport that was got up was for the younger class of sheep for exportation to England, and breeding ewes and half-soured sheep. At least, so I have been told.

3436. To refer to the price of butter, it does not make very much difference at the present time whether the markets are up or not. The butter is out of the hands of the dairymen and the farmers!—It makes very little difference, unless they were men who could afford to speculate, and these are few.

3437. And at the time they were obliged to sell, the price was exceedingly low!—Not 70s. per cwt.

3438. With reference to this transaction between landlord and tenant, you say you would approve of this sale being made compulsory?—Yes, I would.

3439. Sir James Caird.—On both sides?—Yes.

3440. Mr. Keble.—And you would compel the landlords to sell and the tenants to buy?—Yes, and I think if one man in a district was made an exception it might create a degree of commotion which would perpetuate agrarian crime, and the tenants on one estate might do mischief all round.

3441. But where the landlord would not be unwilling to sell and the tenant was not willing to buy, would not that lead to dissatisfaction?—Yes, it would. But I do not apprehend that tenants would be unwilling to buy.

3442. Provided the conditions were favourable?—Provided the terms were favourable. I would not like to give the tenant an undue advantage at the expense of the landlord. I would endeavour to deal with each fairly.

3443. With reference to the leaseholders, would you admit them to the benefits of the Land Act?—Certainly. I think there are a great many of the leaseholders more heavily weighted than men who had the option of going into croft.

3444. Their position is a hard one, and no mistake. They are industrious and hard-working men!—They are.

3445. Sir James Caird.—You said that farmers now are not over-burdened with money; in fact, that they would very much require help, even if they got their farms, in order to carry out improvements!—That is my experience.

3446. Has there been a very large decline in their position with regard to monetary affairs?—They are very much worse off, and I don't consider any land in the country is so productive as it was some years ago.

3447. Is that from bad weather and unfavourable seasons?—Yes.

3448. And it reduced the value of the land!—It reduced the value of the land very much.

3449. And the grass has not the same feeding qualities!—It has not the same feeding qualities, it is made coarse and unproductive from excessive wet.

3450. And that is one of the causes of the poverty of farmers to which you referred?—I think it is. I am a farmer myself, and I know it is.

3451. Have you any opinion upon a suggestion which has been made for facilitating the sale and purchase of land, that the intervention of the local authorities should be obtained in order to assist in the security to Government?—No, sir; but I don't think it would do.

3452. For what reason?—You mean to suggest something like the machinery in the Bill proposed by Mr. Trevelyan; to get the money in that way?

3453. This object would be to get the local authority to give their intervention in securing the State, so that if the farmer was unable to fulfil his engagements they could intervene and indemnify the State?—No; I don't think that would do. You mean to have the difficulty created by the improvident man paid for by the industrious man. That would create a rebellion in the land. It would stamp out industry of all sorts, and put a premium on improvidence. It would be something like the Arrears Act which was—

3454. What was the Arrears Act?—Oh, it was an admirable Act. It gave a high premium on idleness.

3455. Mr. Keble.—And perjury?—And perjury.

3456. Sir James Caird.—In what way did it effect it?—The rent was paid for the idle man, and the industrious man was discontented.

In what way was the Government recompensed? Lord Millicott.—It was taken out of the Irish Church fund.

3457. Witness.—It was taken out of the Church fund. It was a very generous Act, but it was bad and demoralising.

3458. Lord Millicott.—Mr. Hayden, you said that the productive powers of the land were not so good?—Yes.

3459. But the grass is good!—I am speaking of grain crops. I never saw a better year for grass than this year.

3460. You don't mean to say there is any similarity between Lord Dillon's estate in Mayo and the Duke of Leinster's in Kildare?—No. They are quite different.

3461. Therefore, what would be true of the one would not be true of the other?—No.

3462. Do you think the purchase of land could be carried out on such an estate as Lord Dillon's?—I think it could.

3463. Do you think there would be sufficient security in the land?—I think there would, but I think there should be some change with regard to emigration. There are too many on the land.

3464. Then, you would organise in conjunction with the purchase of such estates as Lord Dillon's, some well-organised system of emigration?—I would, or I would organise a system of migration to other parts of Ireland where the population was more scarce.

3465. No doubt, there are hundreds of acres in Ireland capable of enormous improvement by proper husbandry; but I want to know how you are to get those poor people out of Lord Dillon's land, whom they cannot live?—Well, I don't know.

3466. Well, I suppose the least improving tenants would be the most stubborn?—Yes; I think they would. The man with the worst place sticks to it the hardest.

3467. Then it would be difficult to work out emigration?—Well, I don't know any way emigration could be carried out, except by removing them to some portion of the land where you require improvement.

3468. Removing them to some part of the land where improvement was required?—Yes.

3469. Don't you think that some arrangement with some of our colonies could be made to receive these people in families and provide houses and grants

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of land for them—that might be a possible way!—I think that would; and in that case you would consolidate the farms.

3470. And then that would provide valuable security for the State?—I think it would. I think, even at present, the lands as they are cannot support tenants. The tenants would be better if they were sent out of the country and properly provided for.

3471. It would be a continuance of the evil to keep them as they are?—I think it would, but the provision hitherto has not been sufficiently liberal. Some of the western people have told me that their friends and others sent out of Mayo were very badly off—they were perfectly destitute. It would be better if provision was made for them.

3472. No doubt emigration has been badly conducted enough?—Yes, and that creates a bad impression at home and a prejudice against emigration.

3473. The President.—Is not there an idea amongst some people that if tenants in these congested districts were to buy, instead of stereotyping the present condition of things, it would make them more likely to sell to other people and to go away?

3474. Lord Milltown.—You mean if tenants were to buy?

3475. The President.—Yes. Is it clear that if tenants were to buy their holdings they would be fixed upon the land more firmly than they are now?—Oh, no. If these men in Mayo bought they would just carry out the same style of living then that they do at the present time. By purchasing, of course, the rents would be reduced.

3476. The rents would be reduced but they would be more strictly collected than now, and there would be no sort of reason which does not exist now to keep them fixed on the land?—I think the suggestion of this gentleman (Lord Milltown), would be very good if the people were properly provided for and got a start in another country. You would thin the population and consolidate the holding.

3477. But they would be just as ready to emigrate then as they are now?—Oh, I don't know that they would.

3478. Sir James Caird.—Would they willingly go now?—I am not sure of that. They are very fond of home.

3479. Mr. Napier.—Particularly when they have a freehold at a low rent?—Yes.

3480. I think, Mr. Hayden, I understood that you would extend the principle of compulsion, and that you would sell the land of every man who did not improve it?—That would be one way of adjusting difficulties.

3481. How would you ascertain that a man did not improve his ground so much so that he should be sold out. It would be a very delicate operation?—It would.

3482. Supposing you were carrying out this compulsory system, by making every compulsion the owner in fee of his holding, would you allow him to speculate?—No.

3483. Then in point of fact the moment you complete

the purchase you keep the country growing up under the same laws?—Yes, unless circumstances should arise to justify a change.

3484. You would allow them to assign—you would allow them to sell their holdings but not to speculate?—Yes.

3485. Would you allow them to encumber?—It would be very difficult to prevent them, indeed.

3486. Then supposing a man encumbered what would prevent the incumbrance or the mortgagee from going in and taking possession?—Nothing, but they must encumber unless you give them money to carry on their work and improve their farms.

3487. It is a necessity for money to be advanced by the State for improvements?—It is. The country will not improve unless money is advanced, and you will have only illness. What the country wants is to develop the attention of the people of all classes, farmers, labourers, and all into the cultivation of the land. If men have occupation they won't be so apt to commit crime. I know my experience is that formerly there was a great deal more improvement done throughout the country than there has been during the last few years. I see nothing doing now, and it is a great wonder to me that the great bulk of the population that live on labour are so quiet and well conducted.

3488. Lord Milltown.—You don't think that the security that the people got under the Act of 1881 has incited them to improve their holdings?—I don't think they have the money.

3489. The President.—Why is this?—It is because they have been thinking of other things—of agitation and other matters?—It is a reason. I would not give them time to think of such things; I would put them into the land and make them work. But they have not the capital to carry out any improvements. It is not from any want of intelligence. I know men who have improved, and improved very much, who have done nothing of late.

3490. They improved more then, yet their improvements were more liable to be confiscated than now?—Yes.

3491. Mr. Napier.—Would that not be caused through labour not paying?—No; not generally. The reason they dropped it was the want of capital, because want of intelligence when he drains land and cultivates it knows the value of the improvements, and if he can afford to pursue the same course he will do so if he has any money.

3492. Has the profit on land been as good last year as for the past few years?—No.

3493. Do you think if tenants were put in the position of owners they would become more industrious?—There is no doubt of it.

3494. Surely, it would not be necessary for the State to hand them additional money to enable them to cultivate the land?—Well, if you leave a man looking at land in a state of nature, and he has no money, he will not do much. The State, as well as the public, will benefit by the investment.

Mr Robert Murray examined.

3495. The President.—You have heard what Mr. Hayden has said with reference to his system of valuing land?—Yes.

3496. You also are a valuer under the Land Commission of 1881?—I have been a Court valuer. It is quite distinct from the position of Sub-Commissioner. We have no power to fix rents. Our business was to make inquiries and write a report for the guidance of the Chief Commissioners. The Sub-Commissioners had the advantage of acquiring information which we could not avail ourselves of, viz, sworn evidence they heard in court as to the expenditure in draining, reclamation, buildings, and such like, both parties being represented. Statements made to us by the tenants were, of course, reports statements. Our instructions

were to value the land as it stood, at the same time to gather all possible information as to improvements, and whether effected by the tenant or landlord. We were not called on to give evidence in Court. Our reports, together with the evidence produced at the hearing of the appeals, enabled the Chief Commissioners to arrive at their decisions.

3497. You valued the land as it stood?—Yes, that was my business, and I have been employed on the Commission since it commenced about a month ago. Another duty devolving on Court valuers was when two of us were selected to fix a fair rent, the landlord and tenant having previously signed an agreement to abide by our decision, they were nearly all final. The Chief Commissioners, however, reserved

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the power of hearing appeals from them. I was engaged yesterday on one of these cases, and, during my tenure of office, on hundreds of them.

3498. And when you valued during the last month—the last valuations you made, did you put the land at a lower value than you did the land which you valued in 1883 and 1885?—My endeavour was not to do that, because I could not use the reason. If a bad year or two occurred, and I lowered my valuation, I should on the same ground raise it if there happened to be a good year or two. It is, however, very difficult for a valuer going through the country not to be influenced a bit by the general complaints, by the known fall in prices and such things. But I never changed or intended to change my valuations on account of one or two bad years.

3499. Is it the case that during the first period you generally valued higher and more in favour of the landlord than the Assistant Commissioners, and that latterly you have valued more in favour of the tenant?—Well, just to that extent, my lord, that I have mentioned, and if there was any doubt the tenant got the benefit of it.

3500. Mr. Neligan.—The tenants got the benefit of the doubt?—Yes.

3501. The President.—Well, have you taken any interest in the working of the Land Purchase Act?—Yes, I am engaged at present in negotiating terms on an estate in the County Wicklow.

3502. Arranging the terms of purchase?—Yes, between an English landlord and his tenants under rather peculiar circumstances. The estate is situated near mines that have been worked in the County Wicklow. Your lordship is aware that there were a great many mines about the Vale of Avon, and it is upon an estate in that neighbourhood that I have been engaged. I have visited all the tenants and got their opinions upon the Purchase Act.

3503. But you say it is a peculiar estate: there are mines connected with it?—No, they have nothing to do with the mines, but I think the mines had to do with the rents they paid formerly. They paid what I consider high rents.

3504. But have you had to value any other case with a view to purchase?—No; in no other case have I been employed.

3505. Will the purchase work out in this case?—I think it will be carried through, because this gentleman at once lowered all his rents down to Griffith's valuation when he saw that the mines were stopping working, and swept the excess rent off. There are arrears too, but I think these arrears were also swept away.

3506. Lord Milltown.—Is he selling the minerals as well?—No, the minerals will be retained. There is a clause in the Act, that in cases that are made under the Purchase Act, the minerals may be retained.

3507. The President.—The principles that you are applying to it, are very much the same as before?—Much the same.

3508. Were they judicial rents you had to deal with?—No; the tenants never went into Court.

3509. Then you had no adjunction on the rental. You merely went on the appearance of the land?—Entirely on the appearance of the land.

3510. Can you make any suggestion with regard to the working of the Purchase Act. Have you any fault to find with it?—No. I have heard a great many opinions about what should be done, but I cannot say that I have formed any decided opinion. The only one I have formed, and it differs from Mr. Hayden's altogether—that is, it will never do to make the Act compulsory.

3511. You are not in favour of making it compulsory?—No, certainly not. You might as well make people sell all their property whether they liked it or not.

3512. You think landlords would be quite willing

to sell without compulsion?—I think most small landlords would be very willing to sell on fair terms.

3513. Well, in case where one landlord sells and the neighbouring landlord does not sell, and where, in the case of the one who sells, the tenant's rent is reduced by twenty or thirty per cent., won't the tenants on the neighbouring estate be very dissatisfied?—Well, of course it will have that tendency, but I don't think it will have the effect of reducing non-purchase rents by five-and-twenty per cent.

3514. It will. At twenty years' purchase rents will be reduced by 20 per cent., and at sixteen years' purchase by thirty or forty?—Then there are the taxes to be included. They will all fall on the tenant.

Sir James Caird.—The extra half of the poor rate is taken into account in Mr. Forster's book.

Mr. Neligan.—No, it is not.

3515. The President.—But won't it cause great discontent if one man is allowed to take advantage of the Act and allowed to purchase by his landlord and his neighbour is not?—I think if there was any fair reason for it that landlords would be very willing to reduce their rents.

3516. I am not giving it as my opinion that it ought to be compulsory. I am merely trying to illustrate by your answers everything that may have been said on the other side.

3517. Sir James Caird.—But although the rent was reduced to the same amount the tenant would be in a very different position at the end of forty-nine years, for he would still be a tenant, whereas the purchaser would be the owner in fee of his holding. That would be a very great difference?—It would be a very great difference.

3518. The President.—Are you in favour of doing away with or the retention of the deposit of one-fifth the guarantee deposit?—Yes, of lowering it.

3519. Do you think the retention of the one-fifth deposit detours landlords from selling?—I am sure that it does.

3520. And do you think there would be sufficient security without the one-fifth?—Well, I have thought on that subject a good deal, and I think less than one-fifth would be sufficient security.

3521. But you would not do away with the deposit?—Not all of it.

3522. Mr. Neligan.—Would you say one-tenth? Yes, I would my one-tenth.

3523. The President.—Then do you think still greater advantages might be held out to the tenant in the way of reducing his yearly payment and prolonging the period over which he pays?—Yes, if I saw any way to do it, but, so far as my judgment goes, I think the present terms very good.

3524. You don't see how it could be altered?—No. I think when a lot of tenants buy there will be a very great improvement in the morality of any district where that takes place. For one thing it will be their interest to keep down poor rates. They would have very considerable power as being members of boards and all that sort of thing, but we know that they have been quite reckless in keeping up rates. I know many instances of it.

3525. Have you had anything to do with any of the congested districts?—Yes, I valued very largely in Donegal on Lord Hill's property and estate.

3526. Was that with a view to sale or purchase?—No. These were appeal cases. There is the very same state of things that you heard of from Mr. Hayden—small farms consisting of a few acres of bog. Of course it was worth nothing to the landlord before reclamation except for the turbary that was on it. They got it free for a number of years. They built huts upon it themselves and went over to England and Scotland to make something to pay the rent. They live mostly upon potatoes, but you would be astonished to see how comfortably off the people are. They cannot live out of the produce of the farm, but it is a home for them, and no one can say that their rents are high. Why the rents were frequently

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only 5s or 10s, a year. An enormous quantity of potatoes are grown proportionally.

3517. Then you think it would be advisable that the Purchase Act should not be allowed to extend to those congested districts?—I would not control the Purchase Act. I would let them purchase.

3518. I believe there are some people—is not that the case—who say that the congested districts are the very places that you will most benefit by the Purchase Act. Is that your view of the case?—I have heard such opinions expressed.

3519. Lord Milnes.—Do you hold them yourself?—Yes; I don't see anything in it that would not improve the people of such districts.

3520. The President.—And you think that a man would be more inclined to emigrate if he had a little piece of his own which he could sell, and get money to go to?—That is exactly my opinion. They will get something themselves, and it would enable them to emigrate their children.

3521. And there is nothing to stereotype the present state of things, because there would be nothing to prevent people from emigrating any more than now?—No; nothing that I can see.

3522. Mr. Neligan.—Would there not be a greater inducement to those to remain after you have made them owners in fee at a smaller rent-charge?—Well, if you increase their prosperity a little, and they find that they can sell their farms something better than they got them for themselves, it might induce them to give up their lands and emigrate.

3523. Lord Milnes.—Do you think the tenant-right of a holding purchased under the Purchase Act will be of more value than the tenant-right of a holding before it is purchased—will it fetch more in open court. Supposing one of these small cottiers purchased under this Act, would his holding be more valuable after he has purchased than it is now?—Most assuredly. Still, in most of the cases I see now, they give most enormous prices for holdings as they stand.

3524. Well, do you think they will be apt to give more if the rent was reduced?—Well, I think if people were let alone, and not ill advised, they might readily purchase.

3525. I want to understand whether it would be an inducement to them to sell. Lord Cowper's question leads me to suppose that in case a man buys his holding under the Purchase Act he has a more marketable commodity to sell than he has now?—Of course he has, because he gets the free-hold in forty-nine years.

3526. Do you think the Irish tenant purchasing would take that into consideration?—I think he would.

3527. Do you think it would enhance the value of the tenant-right if he was a purchaser under Lord Ashbourne's Act?—I think it would. It would become more valuable year by year.

3528. Mr. Neligan.—What part of Donegal was that estate in?—Do you know Duffnaghy?—It is at Greencore where Lord Hill's property lay.

3529. What is the best way to get there?—You

can get from Letterkenny by driving across, or you can go from Derry across the Lough to Ramelton.

3530. And then how far from Ramelton is it?—Oh, it is a good long drive.

3531. Twenty miles?—I think it is. I met people going to a religious meeting there, and a better dressed set of people, for their class, I never saw in my life.

3532. Mr. Neligan.—You have been valuing since the passing of the Act?—Yes; since then, as court valuer.

3533. Were a number of your colleagues dismissed, or at least their services dispensed with?—No. I think you refer to valuers on the Sub-Commissioners staff.

3534. The farmers were displeased with their valuation?—I believe so.

3535. At all events you say that you have made no change?—No.

3536. Now you will make no change?—I am not called upon to go further. Appeal cases are all done up to the present where a court valuer has to be employed.

3537. And no matter whether cattle fell, or produce got lower in price, it would make no difference with you?—I have made no attention up to the time I was engaged. I have made no attention, but I am not employed now, and I cannot speak for the future. I am quite sure that if the tenants had taken advantage of the court valuers' services, they would have been quite as often pleased as the landlords were.

3538. Well, I am of opinion that it would not have been to their advantage, because I was one of the deputation that waited on the Lord Lieutenant when their services were discontinued.

3539. Mr. Neligan.—They were the valuers to the Sub-Commissioners?—That was not the staff to which I belonged.

3540. Mr. Neligan.—Oh, I don't say so. Witness.—They were the valuers to the Sub-Commissioners. There is an element in the want of prosperity of the tenants to which I don't think Mr. Hayden referred, namely, that the agitation which has upset their minds for the past few years has led them into most imprudent habits, going to fairs often twice a week, spending their time and leaving their places without the slightest care. Taking all that into consideration, it is an element that enters largely into the want of prosperity in this country at the present moment, and a very important one, too. I may mention that invariably—I may say invariably—in the different places where I have been, I have found the man who pays his rent always the most prosperous and industrious man, and his farm in the best order.

3541. Sir James Caird.—The payment of his rent was only the outcome of his property and industry?—It was the outcome of his industry.

3542. The President.—Is there anything else you would like to say?—I don't think so, only I don't agree with Mr. Hayden about a compulsory Act.

The Commission adjourned until the next morning.

Oct. 19, 1886.

SEVENTH DAY—WEDNESDAY, OCTOBER 20TH, 1886.

Commissioners present.—Right Hon. EARL COWPER (President); Sir JAMES CAIRD; Mr. NELIGAN; and Mr. KNIFE.

Mr. Toler E. Garvey examined.

Mr. Toler E.
Garvey.

3553. The President.—You are a land owner in the King's county, and a land agent?—Yes.

3554. Tell us how much a year you collect in rent?—About £40,000 a year.

3555. Is that entirely in the King's county?—No, it is chiefly in the King's county and Tipperary, but I collect some rents in Queen's county, Mayo, and Cork.

3556. You have a knowledge of the different parts of the south and west?—Yes, and a little in Wexford.

3557. Can you tell us whether the rents are being pretty well paid in those districts?—In the King's county and Tipperary, as far as my experience goes, they are being tolerably well paid, and there certainly is less combination to resist payment this year than there has been for several years in my experience.

3558. In the King's county?—Yes, the King's county chiefly, that is where I live.

3559. Mayo?—I have no experience of Mayo at present, for our rent collecting time has not yet come on.

3560. Are most of the rents you collect judicial rents?—No. I have to deal with 1,150 agricultural tenants, and of these there are about 500 judicial rents.

3561. Have you been giving any abatement on the judicial rents?—Not generally; in our district I have.

3562. And on non-judicial rents?—On the non-judicial rents, as a rule, except in cases of leases where the lands are held at a very low rate.

3563. Do you think the tenants have had much difficulty in paying—on account of bad times has it been an effort?—It has been an effort to them, no doubt, and it has been a much greater effort to some than others. My experience is chiefly connected with tenants on mixed holdings, or farms partly in tillage and partly grazing, but, perhaps, rather more tillage than anything else, and, no doubt, there has been difficulty with many of them in paying rents. Those who have been obliged to employ labour have certainly had much more difficulty than those who had labour of their own.

3564. Which have suffered most—the tillage tenants or pasture tenants?—My belief is that the pasture tenants have suffered much more than those who adopted the mixed system of grazing and tillage.

3565. Do you think judicial rents, according to prices as they now are, rents that were fixed some years ago, are too high?—Well, they are undoubtedly too high for some tenants in a certain way. I will just explain what I mean. I don't think they are too high for the tenants who are able to provide their own labour, and who have their own families to work. I don't think they are too high for tenants of that class; I think they are very well able to live and pay; but those who are obliged to find labour at the present rate must find very great difficulty in paying their rents and to live in the same manner as they have been accustomed to live for some years past.

3566. Is that owing partly to wages being higher than they used to be?—Wages being higher, and the mode of living of the labourers altogether much more expensive.

3567. Do you think that when these judicial rents were fixed they were fixed rather lower than was right at that moment?—In some cases I think, perhaps, they were; but I must say my experience of the Sub-Commissioners—these Commissioners I have had to deal with—was that they acted with judgment and with capacity. The Commissioners that I had to deal with knew their business, and the gentlemen who were employed were competent to do it. I am speaking generally. Perhaps I might say that the tenants I have to deal with, I think, must find a difficulty, as I have said, those who have labour bills to pay, in paying rents and living as they have done—I mean paying my rents. I don't really see that with judicial rent, or any other reasonable rent, they can be very much affected, because if the same Commissioners that fixed the rent a few years ago were to go to fix judicial rents now again, and were to take into consideration the present low prices, I presume they would also take into consideration, at this moment, that we have had an abundant harvest, and that there is a certain rise in prices in certain things; and any difference that they could make, if they would make a difference, would be so small that I don't think it could possibly affect the position of the tenant.

3568. Mr. Nelson.—After refusing?—Yes; that is, if the tenants are to live in the same expensive way that they have been living. For twenty years the farmers made money in a rapid manner; in fact, they made it by hope and bounty, and they got into an expensive mode of living. They don't wish to alter that mode of living very naturally. The prices have changed a good deal, and they don't see any other

way of being able to live except by looking for a reduction of rents.

3569. The President.—Has there been any sale of tenant right in the parts of the country that you are interested in?—Yes; there has been a good deal.

3570. And how did it sell as compared with what it used to sell at?—They have sold at enormous prices.

3571. Perhaps you could give us some particulars, keeping the counties distinct?—Perhaps I might be allowed to illustrate what I mean by a case. I asked a tenant who came to me a couple of years ago for an abatement of rent: "Why do you ask for an abatement of rent now; the prices are very much higher than when your rent was fixed thirty years ago?" He said, "Well, that is quite true, but my mode of living has very much altered. Thirty years ago I was quite content to work in a way my family don't work now. My daughters must have a side car to go to chapel, and if I don't give my sons pocket-money they will go to Australia. They will emigrate and leave me, and the fact is, I cannot live and keep my family at home if I don't get some reduction of rent." I think that pretty much illustrates what a great many of them feel, and he honestly told me what was the real state of the fact as regards himself.

3572. Then you think in late times the condition of the tenant has very much improved?—Yes; their position has very much improved, and very rightly so. They are better fed and better clothed, and they live in a much more comfortable and easy way.

3573. Is there anything more on that particular point you wish to say?—I think not.

3574. You told me that tenant-right has been selling in some instances at enormous prices?—Yes.

3575. Sir James Caird.—In what counties?—The King's county and county Tipperary.

3576. Selling now?—Selling now. In this year of 1886 the interests of about 15 farms that I have to do with have been sold.

3577. The President.—Altogether in these two counties?—Yes; and they have sold at an average of from six to fifteen years on the rent—six to fifteen years' purchase on the rent.

3578. Mr. Nelson.—Would that vary on the estate under a particular landlord?—I think not. I don't think so at all. They vary according to the circumstances and size of the farm, and where they may be situated; sometimes near a town, and sometimes a medium sized farm selling for much higher than large farms.

3579. The President.—Were these farms on which rents had been judicially fixed?—Some, and some not.

3579a. Sir James Caird.—May not a farm be so large that it would have no tenant-right—a very large farm—could there be much competition for it and tenant right paid for it?—Isn't it the fact that as you go up in the scale of farms the competition diminishes?—Yes; after a certain size.

3580. And you may get a size where there is no competition: very few people being capable of taking it?—Probably.

3581. The President.—Is it always the smallest that sell best?—It is generally the smallest that sell best.

3582. Sir James Caird.—Because there is most competition for it?—Because there is most competition for it.

3583. The President.—These sales take place even in cases where the tenants complain of the rents being too high?—Oh, yes. There are two cases I am acquainted with where the tenants had not judicial rents; they demanded reductions; the farms were thirty acres each; the rent in one case was £25, and in the other £26. One sold for £350, and the other for £245.

3584. Had there been many improvements made on these farms by the tenants?—No; one was a small farm that the tenant did not reside on, and it was all in grass.

On 26, 1886.
Mr. John K.
Garry.

Oct. 26, 1885.
Mr. John B.
Garry.

3585. He made no improvements?—It was meadow and grazing land. You will perceive from the rent that the land was not particularly good land: it was just land of fair average quality.

3586. Sir James Caird.—Not feeding land?—No, it was land that would give a crop of meadow every second year—it had been fairly cared for; it had not been run out; and in both these cases abatements were demanded, and were being demanded before they were sold.

3587. Are they now demanded by the purchaser?—They have since been demanded by the purchaser, and on that very property there was last spring a very determined resistance and combination against paying rent. Thirty per cent. reduction was demanded all round on that property by leaseholders and by those who held at judicial rents.

3588. The President.—Had the tenants who sold been in arrears of rent?—Yes, in one case the tenant was in arrears.

3589. Mr. Nelson.—With reference to the farm on which the abatement was demanded last year—how is it situated this year?—The new purchaser—the man who purchased that farm at the larger price of the two, is a wealthy man; he does not live on it. He is a farmer who lives a short distance away from it, and he is perfectly able to pay, but he demanded an abatement with the other tenants.

3590. Is the rent in arrears?—No, the rent was paid up when the purchase was completed.

3591. Sir James Caird.—How long is it since the purchase?—The £360 farm was purchased two years ago, and the £245 one was purchased this year.

3592. The President.—Do you think this demand for abatement is the result of combination?—Certainly, there is no question about that, because the two tenants who demanded abatements were men who certainly had not the least necessity of asking for it. They held at judicial rents; one was a shopkeeper in Nenagh, and he held a farm at a judicial rent; and the other was a large farmer in the neighbourhood, who held a small farm on this estate—the judicial rent of it had been fixed by himself; and these two men were put forward by the other tenants to demand thirty per cent. all round.

3593. Which was refused?—But refused with the utmost trouble and inconvenience and loss, the fact being that the shopkeeper who demanded this positively refused to pay. His farm was sold out, and it is now in the landlord's hands and boycotted.

3594. Sir James Caird.—The man who paid £360?—No; this is a separate farm—I was only mentioning two persons who came forward to demand reductions of rent, showing there was combination, that these two men who were put forward by the other tenants to demand reductions were men who held judicial rents and were not in need of abatement.

3595. The President.—And the shopkeeper was put out?—Yes.

3596. And the land has remained vacant ever since?—Yes; and with a further consequence of the farm of 300 acres which has been upon the landlord's hands for an immense number of years being boycotted, so that the meadows could not be sold.

3597. This was in which county?—This was in Tipperary. I ought to mention that this estate which was in my charge for some time, last year passed into the hands of my nephew; but he has made me acquainted with all these facts.

3598. The large farm which had been vacant?—No; the estate which had been in my hands as agent last year, passed into my nephew's hands as agent.

3599. Mr. Nelson.—Are you now speaking from a personal knowledge of all these facts?—Yes; in fact I knew every step and stage of it as it went on.

3600. The President.—Then that seems as if there was a good deal of combination?—On that particular estate there was a good deal of resistance to the payment of rent—nothing could be worse.

3601. Did you make any other eviction besides that of the shopkeeper?—No.

3602. And the consequence of the eviction of the shopkeeper was that the others paid?—Oh, yes, the others paid.

3603. Sir James Caird.—Did that remove the boycotting of the 300-acre farm?—Not in the least; it still remains boycotted.

3604. The President.—Is that the only land in the landlord's hands in that district?—This farm which has been evicted joins the 300 acres. He has it upon his hands for years, and that is boycotted too inasmuch as the meadows could not be let this year.

3605. He was not boycotted until he turned out the shopkeeper?—No.

3606. Sir James Caird.—They could not be let but the landlord could meadow it?—No. At the end of the season the landlord with great difficulty got a few hands to save some hay; in fact, it would have been quite impossible for the landlord to have got local workmen to save the meadows this year.

3607. The President.—And in the case of the neighbouring estates in the country round about there is the same sort of thing going on—combination against payment and boycotting?—As I mentioned there is less of it at present—there has been less within the last few months; in fact I believe there has been less of it since the present Government came into power.

3608. Do you think the improvement may be permanent?—I hope it may. I think that all depends on the action of the Government. In many cases where the tenants believe that any kind of combination and demand will be successful, I think they are quite ready to make the demand, and so much depends on whether there is an active branch of the National League in the district.

3609. Are there at this moment active branches in Tipperary?—Yes; close to that farm, and the whole thing is being done under the advice and guidance of the branch of the League.

3610. Do you think the League is at all losing its power over the people?—Yes. Decidedly.

3611. The people are getting tired?—I think they are utterly sick of it, and I think it is the very great desire in the majority of tenants to see it abolished.

3612. Sir James Caird.—To see the League abolished?—Yes.

3613. I thought you said this morning that when the tenants believe that combination would be successful they would be ready to adopt it?—That is a fact, but still I think they are led on by the action of a few. Unfortunately it is the case that the few noisy ones will generally control the majority who are well disposed.

3614. Mr. Nelson.—Would I be right in inferring that the people would be glad to get freedom of individual action?—Probably.

3615. Which they don't at present enjoy?—Which they don't at present enjoy.

3616. The President.—Has your attention been turned to the notion of tenants purchasing their holdings?—Yes, my lord, I have thought upon that.

3617. Do you think it would be an advantage?—Indeed I do think it would be a great advantage in most cases.

3618. Is there a desire on the part of the tenants to purchase?—A very great desire.

3619. And, on the part of the landlords, are they willing to sell?—I believe they are in many cases very desirous of selling. Of course there are cases where they don't, perhaps, at present see their way to it, but I think the desire on both sides exists, and effect would be given to that desire if the tenants believed they would not get better terms by further agitation.

3620. In fact, the obstacle in that part of the country at present is the reluctance, if any, on the part of the tenant and not of the landlord?—So far as my experience is concerned, it is.

3621. Nothing occurs to you except the gradual restoration of law and order, and putting a stop to vain hopes on the part of the tenant to remove that—I think restoration of confidence in the country and in law and order is the first step; but, no doubt, if some extension or easier terms of the Purchase Act could be given, it would facilitate cooperation. Perhaps I might mention a case about the difficulty of selling, to illustrate what I say about tenants having hopes. Soon after the Purchase Act, 1885, became law, there was one of the proprietors for whom I am very anxious to sell his property in the King's county to his tenants. He instructed me to interview them. The rents were judicial rents. I assembled the tenants, it was a small property, about twenty tenants, with a rental of something over £200 a year. I told them the terms on which he was willing to sell. I explained the Act to them, and what benefit it would be to themselves. I asked a price of twenty years' purchase on the judicial rent, and one of them, who was spokesman for the others, said they had surmised it was on this subject I wanted to speak to them, and they had thought over it, and he was authorized by the others to say that they would give twenty years' purchase on the poor law valuation, the judicial rents being in excess of the valuation; and he said, "I can only give that price if the rules of the country allow me." "If the rules of the country allow you," I asked him, "what do you mean?"—"do you mean the rules of the National League," he said you, that was what he meant; if they allowed him they were prepared to give twenty years' purchase on the poor law valuation. They expected advice from their leaders on this subject shortly, so of course I could not go into further negotiations when they made that conditional offer, and a short time afterwards there was a good deal of advice given. I think Mr. Davitt made a speech, in which he said five or six years' purchase would be quite sufficient, and the result was that those negotiations fell through, and so yet have not been resumed. But I hope to resume this season with better effect.

3622. Suppose, for the sake of argument, that sale could be made compulsory on the demand of either party after a fair period, would that meet the opposition of the League, and break it down?—I suppose it would, to a certain extent.

3623. Have you ever thought of the result of such a thing, whether it would be a just measure towards the owners to compel them to sell, or, indeed, towards the occupiers to compel them to purchase at a certain price?—I think if a thing is in the market the buyer and seller ought to be allowed to fix their own price for it.

3624. You think the owners would decidedly object to anything of that sort?—I do think they would; while I believe the majority of the owners are willing at the present moment to sell for a moderate price, or a fair and reasonable price. I think they would object very strongly to compulsory sale.

3625. Sir James Caird.—In principle, what is the difference between the Land Court fixing a fair rent and fixing a fair price?—I am not aware that there is a great deal of difference. Of course, an Act of Parliament can do anything in that way, but at the same time, the proposed grounds for legislation upon one were much more reasonable than at the other case. The ground for legislating in one case was that there had been alleged unjust action as between landlord and tenant on the subject of rent and eviction, and so forth. That in a measure, I suppose, justified Parliament in passing that Act, but nothing of that kind could be alleged in the other case. That would be a serious difference I think.

3626. The President.—Is there much satisfaction in being an owner when the landlord possesses a farm in which the rent is fixed by an outside authority. The tenant has power to sell without the landlord's consent, and is immovable for fifteen years—is there any feeling of ownership left under these circumstances?—

Very little; almost the only privilege which has been left is the right to sporting.

3627. And that is exercised under difficulty if the tenants set themselves against it?—Indeed so it is, but at the same time there is not that general feeling of unfriendliness between landlord and tenant in all cases; many landlords can live upon friendly and happy terms with their tenants, even under the present state of things. If law and order was restored, notwithstanding the operation of the Land Act, and notwithstanding the curtailment of the landlords' privileges, I believe they could live happily in the great majority of cases. If the law was firmly administered, and agitators were not allowed to put things into people's heads that don't exist, I think they could still get on very happily in many cases.

3628. Suppose instead of being tenants they were small neighbouring proprietors, might not the same good feeling exist between the two?—If the tenants became neighbouring proprietors, I don't see why it should not. I always held that if tenants became proprietors that is no reason why landlords should leave the country.

3629. Mr. Nelson.—You mean resident gentlemen?—I mean resident gentlemen. I see no reason why they should not stay. Of course, many of them would not have the attraction of field sports that they have hitherto enjoyed, and which has helped to keep many of them in the country. But still, as far as ill-feeling goes, or the country not being pleasant for them to live in, I don't think that would be the case. I have too much confidence in the kindly nature of my fellow-countrymen to think they would keep up in perpetuity any ill-feeling, which, I hope, has only been a passing case.

3630. Sir James Caird.—I suppose it would not be very easy to get purchasers for the mansion and demesne of the old residences?—Very difficult to get purchasers for them to be kept up as demesne, but plenty of purchasers to cut it up into small farms, and pull down the mansion house, or let it go into ruin.

3631. The President.—None of us is in the position of having formed any opinion at present, but I am anxious to get from you any objection you have to the notion of compulsory purchase and sale—anything you can tell me against it I will be glad to hear?—I cannot think that anything would help to drive the present gentry and people of capital out of the country more than compulsory purchase, because there are many cases where farms come up very close to demesne that a man would not like to sell—perhaps farms that he has taken special interest in seeing well kept and some planting done on it—that would materially interfere with his enjoyment of that demesne or his residence.

3632. Mr. Nelson.—Has it occurred to you, with reference to the loss of income—takes a man with £100 a year judicial rent, and that you made him sell compulsorily at twenty years' purchase: he would get £1,000, that would be £80 a year for the tenant; and the landlord would get £2,000, but one-fifth would be locked up, so that that would bring down his income to £260, or £25,000 in console, so that you would be giving him £20 a year instead of £100?—Precisely.

3633. Although the £100 was the judicial rent and the tenant brought it down to £20 a year, the landlord would be bought off with £20 a year?—Yes.

3634. Mr. Nelson.—It would be better for him to have the judicial rent and £75 a year?—Oh, much better.

3635. Then to sell?—Yes, and to retain some of the privileges of ownership.

3636. And the tenant would be 10 per cent. better off?—Yes.

The President.—On the other hand he would be saved from the worry and bother of demanding his rent.

Mr. Nelson.—Yes.

3637. Witness.—There need be no bother if there is law and order.

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3638. *The President*.—I am only taking this line for the sake of drawing out your views!—Precisely, my lord. I may say that we have not entertained the idea of compulsory purchase as we thought it would not become a reality.

3639. Is never entered into anybody's head?—Oh, yes. The matter had been spoken of in public. We all knew about it, but only to be dismissed as a thing not likely to be realised or carried out. I presume the Government, if they became the purchasers entitled to receive the future rents of the country, would act with firmness in the collection of those rents, and I believe, if they did, they would not have the slightest difficulty in getting those rents. It is not the natural desire or nature of the Irish tenants to shirk paying their fair rents. They are perfectly ready to do it, but they are easily persuaded not to do it if people are allowed constantly to din into their ears that they ought not to do it. But then the vast majority of them are quite ready to pay a fair rent, and I do believe that the Government would not have the slightest difficulty in getting their rents.

3640. And may I ask you whether you know of actual cases where, having been driven to carry out an eviction, great difficulty does not very often arise from the landlord, or agent, or bailiff backing out at the last moment, leaving only the police and troops prepared to go home looking very foolish, and that this would not be the case if it was in the hands of the Government?—No.

3641. In that way it would be more easy to collect the money of the Government than the money of individuals?—Yes, I believe it would be. One objection the tenants have to sales is that they will have to pay the Government to the day when the rent is due, and that they will not get time the way they did from the landlords; and that shows that they recognise the obligation to pay and pay punctually. They all say that they know if they buy they will have to pay to the day, and notwithstanding that, there is, in my opinion and from my experience, the utmost desire on the part of the tenants to purchase. I may say that I have some tenants of my own. I have a property to the extent of about £1,800 a year, and I have been trying to sell to some of them lately. I have sold to one tenant whose rent is over £100 a year, and I have agreed to sell to him his farm for the sum of £5,000.

3642. *Sir James Caird*.—Twenty years' purchase?—It is under twenty years' purchase. It is on the rent. It is only about eighteen three-quarters. It is not thirteen years' purchase. His rent is £107, and the purchase money is £2,000; but I am to redeem the mortgage, and convey it to him free of expense.

2107.—I thought you said £100!

3643. Is it good land?—It is light land. He holds by a very long lease, an old and a long lease—49 years lease. But I may say that I am afraid I will have some difficulty in carrying it into effect, for I have been to my solicitor upon the subject, and he says that the difficulty of carrying out these sales here and there is so great, that the delay in the Land Commission Court is so serious, that the examinations into title are so voluminous and so protracted, that he advises me not to go on with the sale, or carry it out, until I can get a greater number of tenants to join in the sale; and I have heard very great complaints of the tediousness of carrying these purchases into effect, making it altogether a very expensive matter. I heard of a sale to some tenants—I am not sure whether it was one or two tenants—of land to the extent of £2,000, and that the expense of carrying that out was likely to be £400.

3644. *Mr. Neligan*.—£400?—Yes. £400 out of the landlord's pocket.

3645. *The President*.—Was likely to be?—Well, the solicitor has not yet furnished his bill of costs, but I know as a fact that I am not oversteating the case.

3646. Was that owing to the arrangements of title being very complicated?—I suppose there was a certain amount of complication in it, but I think there

was a great deal of unnecessary examination, as I was given to understand, and it was suggested that these sales ought to be carried into effect in the same way that railway companies are enabled to carry out their purchases. There is no difficulty about that. The money is lodged in court when the price is agreed upon, and the transfer immediately takes place. Even if there is a little delay about getting out the money, the sale, in my opinion, ought to be confirmed.

3647. *Mr. Neligan*.—The expense of getting the money out of court would be very heavy then. You would have to make title to the money to satisfy the Court of Chancery.

Witness.—In the case of railway companies—I don't think so.

3648. *Mr. Neligan*.—No. If a railway company pays money into court, the costs of getting the money out of court falls on the railway company, because they get a *quid pro quo*—they get the advantage of being put immediately into possession?—I don't think in the case of railway companies that they look into questions of incumbrances and all that kind of thing deeply.

They do.

Sir James Caird.—Is that example you gave something of an average example of the costs of sales?

Mr. Neligan.—I should say not.

3649. *Witness*.—In cases where there is any kind of difficulty about title, I am told the expenses are extremely serious, and I was warned in my negotiations with my own tenants on this subject. I undertook to convey the farms entirely free to them of all costs, and I was told I was doing a very risky and foolish thing—that the costs would swallow me when I came to find out how much they were.

3650. *Sir James Caird*.—In that case you mentioned it would be something like the landlord babbling he was selling at twenty years' purchase, and getting only sixteen?—Something like that. I was going to sell at something like twenty years' purchase, and convey to the tenants. I wanted to redeem the head rent and rentcharge and everything, and I was told I was making a foolish bargain.

3651. *The President*.—Was the land heavily mortgaged?—Considerably mortgaged, but I don't think there was much difficulty about that.

3652. *Sir James Caird*.—You mean to say the mortgage would come out of the price?—Yes.

3653. *Mr. Neligan*.—Would I be wrong in coming to the conclusion that before any attempt was made at the sale of land in the country you think some effort should be made to simplify the transfer of land?—Precisely.

3654. *The President*.—Is there any other improvement in the Act you could suggest that, in your opinion, would facilitate its working?—Well, I think, of course, that the locking up of the fifth of the landlords' money for I don't know how long—I believe it is—

3655.—Fifteen years?—Fifteen or seventeen years, *Mr. Neligan*.—Fifteen years.

3656. *Witness*.—Is that what it would be? I think that is a very serious objection. I think it would make the landlord transfer or sell more freely if that block was removed.

3657. *The President*.—And you think there would be ample security for the Government?—I do; if the Government go determinedly about collecting the rent.

3658. And anything else that you can suggest? The reduction of the rate of interest charged to the tenant from 4 to 3½ per cent.; and the extension of time for repayment of the instalments from forty-nine to fifty-five years. These are the two principal things, I suppose—the reduction of interest and extension of time; and the doing away with the deposit?—Yes; these two things.

3659a. And reducing the expenses of the court?—Yes, my lord.

3659. *Sir James Caird*.—With regard to the deposit, I understand the landlord gets the interest of it?—The landlord gets interest at three per cent.

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3660. And the loss is subject to only the difference between three per cent. and anything else he might be able to get for that money?—Yes.

It is not large.

3661. Mr. Nelson.—And the possible loss of the tenant making default?—Yes; but when a person sells a thing it is a serious thing to have so much of it locked up for such a long time. I think it would be much better, as many of us understood from reading the Act in the first instance, that when the Act stated a fifth of the purchase money was to be locked up until a fifth of the purchase was paid up, that that would only mean locked up for five years, and that is a very different thing from locking it up for fifteen years.

3662. The President.—Well, you have no other thing to suggest as to an improvement in the working of the Act?—I was under that impression that the money would only be locked up for a shorter period when I was making my own bargain with my tenants, and there are others under the same impression. We thought it would only be locked up until the tenant had paid back one-fifth of the purchase money in half-yearly instalments.

3663. Sir James Caird.—You included rent in the purchase-money—that was the error?—That was the error.

3664. The President.—In giving security to the Government, do you think the intervention of local authorities would tend to expedite the operation of the Act?—Such as boards of guardians, do you mean, my lord?

3665. The boards of guardians at present, or any other local authority. Could they be made useful in any way in giving security?—From my experience of boards of guardians I don't think they could.

3666. They would be very unwilling to undertake it, I suppose?—I think they would be very unwilling to undertake it.

3667. And it would be difficult to compel them?—I doubt very much that it would improve the working of the Acts, that they should be in the charge of boards of guardians. I think it would be very dangerous and very unwise to entrust them with any such power.

3668. Is there anything else you would like to tell us before you conclude?—As I said before I don't think there is any necessity for further action than a firm resolve on the part of the Government that their rents should be collected. I don't believe there is, or ever will be, any desire on the part of the tenants to evade payment of their fair rents.

3669. I should like to ask you one other question on a point which I omitted. Supposing any further adjustment of rent was necessary, have you thought anything about a sliding scale?—Connected with prices?

3670. If it was found that the tenants could not pay the judicial rents, and if any change was found necessary have you ever thought of adjusting rent according to a sliding scale, varying with the price of produce? You have not turned your attention to that?—No, I have not.

3671. Then I don't think I need ask you further.

3672. Mr. Knipe.—With reference to the Land Bill, do you think it should be improved or that it should be improved so as that leaseholders would come in under the benefits of the Act?—I must say that I do think that it is a hardship that leaseholders as a rule should not have the benefit of the Act of '81.

3673. Sir James Caird.—You think it a hardship?—I do.

3674. Mr. Knipe.—And you would recommend that the Act should be so improved as to admit them to the benefits of that Act?—I would; but it would require very careful preparation. I don't think it would do to bring in all leaseholders upon the same grounds. The circumstances under which they become leaseholders would have to be very carefully considered and inquired into, I mean their bargain as to when they took the lease; and also regard

being led to the interests of the landlord at that time, I do think that the leaseholders should have an opportunity of having their rents revised.

3675. And you do look upon their present position as a very bad one?—I don't say that, because so far as my experience goes I don't think that the landlords have kept leaseholders up to their full agreement.

3676. But where they have been kept up to it, and are paying probably from 25 to 30 per cent. over the judicial rents fixed on the same property, is their case not a hard one?—Oh, I should like to know the particulars of each case before I gave an opinion upon that. I don't like to speak generally upon such a subject as that. I may say that I know cases where I would think the landlord would be acting very injudiciously in not giving an abatement to leaseholders.

3677. And you have known many landlords who did not take advantage of their position and gave the same abatement to leaseholders as to tenants at will?—Yes. That is my experience of them. I look upon the leaseholders in the midland counties as the best of the tenants.

3678. As a rule they are good farmers?—I think as a rule they are the best farmers, and as a rule they have held larger farms.

3679. That is one of the reasons why you would recommend their case to be looked into?—It is. Oh, large or small, I think that their case should be looked into.

3680. With reference to this Purchase Bill, would you not think it desirable to make the sales compulsory upon both landlord and tenant?—No; I do not.

3681. And you think that if left to themselves, that is, without any other body to interfere, they would be likely to have very large sales—you think the landlord and tenant would agree?—I do.

3682. But would it not be possible to establish a court or tribunal that would do what was fair between landlord and tenant in fixing the prices?—I think it would be possible to find honest men to do that in any case of the kind, and competent men. I certainly do. If such an Act was to be passed, I do believe you would find that a tribunal could be found to do what was right and fair between them. I think it would be very much better, at all events, to wait for some time, for some years, before such an idea was entertained, to see, when every facility was given to carry it out, to see how the present Purchase Act would work.

3683. Have you thought what effect it would produce on the tenants that were assisted to become owners of their own land?—I believe it would greatly help to make them industrious, peaceable, and loyal. Of course, the one fear about the thing is subdivision.

3684. Sir James Caird.—Is not that provided against by the Act?—Until the purchase is paid for.

3685. That is for 40 years? It is a long time to look forward to?—It is. Still when such a thing—

3686. Mr. Nelson.—How is it to be enforced?—That is the only danger. We know that in times gone by it did take place to a fearful extent, to the great injury of the country. But I don't believe myself it would again.

3687. What effect do you think it would produce upon the tenants on an adjoining property that have desired to purchase from their landlord, and the landlord refused to sell, while the tenants on the neighbouring property had purchased and become the owners of their own land? Do you think it would have the effect of creating jealousy on the part of the tenants that were desirous to buy, and whose landlord would not sell?—I don't see why it should. Of course, they would very much prefer being able to do so, but I don't see why that should affect them injuriously in any way, any more than if they saw any particular cow in their landlord's demesne, and they thought he ought to sell them that cow because he had sold another cow to another tenant.

3688. But I think you said before that the

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tenants who would be assisted to become the owners of their own land, that it would have the effect of making them industrious!

3688. Mr. Neligan.—He said, byrd, possible, and industrious.

3690. Mr. Neligan.—If it would have that effect don't you think the Act should be amended so as to embrace all tenants who would have a desire to purchase on reasonable, fair terms?—Whatever the effect might be I don't think it would be just.

3691. What difference would there be in the Land Court where the Commissioners were appointed to fix fair rents between landlord and tenant and another court established now to fix the prices between landlord and tenant? What difference would there be, or what grievance would the landlord or tenant have to complain of more than of this court which is already established?—I have already stated that the reason, the ostensible cause of passing the Land Act was that there was not always perfectly fair dealing and justice between landlord and tenant, and that advantages were occasionally taken of tenants' improvements to increase their rents, and that was the one great argument, I believe, for the passing of the Land Act.

3692. Mr. Neligan.—Of '81—Of '81; and no such argument could be advanced in the case of the Land Purchase Act.

3693. Mr. Neligan.—But if the landlords felt aggrieved by the decision of the Sub-Commissioners had not they power to appeal from that decision?—Yes they had the power to appeal.

3694. That seems pretty fair?—Yes, but they had not the power to appeal from taking it from under the operation of the Act. The Act was there all the same.

3695. Certainly not. But do you know, as a matter of fact, that the rents fixed after the passing of the Act up to '85 are now looked upon as very high rents, and that some of the Commissioners are making further reductions of from seven to twelve per cent. since '85?—Yes, I believe they are. I have not had experience of it; but I have heard so.

3696. So that it was no loss to the landlords that the Act came into operation at the time—they seem to be deriving a benefit from it?—It was no disadvantage to the landlords that the Act should be acted upon as rapidly as it was, instead of waiting to the present time.

3697. Now, in reference to those sales which you say took place on your property, was that in King's County and Tipperary?—Yes.

3698. Do you think if a tenant who has made improvements upon his holdings or holding soils, and if an adjoining tenant buys it, that that is a sufficient reason why there should be no change in the rent, and that he should not come under the benefits of the Act in order to get a reduction of his rent if the Court thought that he was entitled to it?—I don't quite understand the point.

3699. Perhaps tenant-right exists on a property, and a farm of land has been sold for a few hundred pounds; do you want us to understand that is a proof that the rents are not too high, that there should be no further reduction of rent?—I believe it's quite possible that there might be a large sum of money paid for a small farm, and that if that farm had been in the Land Courts the rent would have been reduced; but it just shows that there is a living to be made out of the land at that rent, and that other people are anxious to get it. But under the operation of the Land Act I am quite prepared to admit that the rent might have been reduced, and possibly a greater sum paid for the tenant-right.

3700. And until the passing of the Act of '81 there was no such thing recognized in your part of the country as tenant-right at all?—Not as a rule. Many landlords did permit it, and many did not.

3701. Would you be surprised to hear that in the North, where tenant-right did exist, that it was a very common occurrence for sales to take place from year to

year and from month to month, since the operation of the Land Act, and that it did not affect the Commissioners in any way in fixing the rents—that tenant-right was in existence, and it was recognized and legalized before the passing of the Act?—I don't know as regards the North.

3702. But you are aware we have had that custom in existence before the passing of the Act?—Oh, certainly.

3703. You have known some landlords who have given reductions upon the judicial rents, you said?—Yes.

3704. Sir James Caird.—In the districts with which you are most specially connected are the rents being paid at present?—The rents are being fairly paid.

3705. Mr. Neligan.—Satisfactorily?—They are being fairly and satisfactorily paid.

3706. Sir James Caird.—You have a knowledge of the change in prices that may have taken place between 1881 and the present time, from the beginning of the judicial rents to now, and has your experience led you to believe that there has been any considerable fall in the value of products?—The prices of grain are less considerably.

3707. And of young cattle, since 1881?—Yes, the prices are less.

3708. Have the farmers, do you think, on the whole as good a monetary position now as they had then, or otherwise?—I think the farmers at the present time, if we take a year, perhaps 1883, and the present time—I think that perhaps they have not as much cash, but they have decidedly as much if not more stock.

3709. That may arise perhaps from laying more of the land down to grass?—No; I think it arises from the difficulty of realising good prices for their stock, and they have held them on and have not been so ready to dispose of them. Besides, in the years 1879 and 1880 and part of 1881 in our district there was a considerable loss in sheep, and a great many farmers, large farmers, and landowners, all lost a great many sheep.

3710. That was after the very bad year of 1879?—That was after the very bad year of 1878. Latterly they have been increasing their stock, both of sheep and cattle.

3711. Have they had the same facilities by the banks for borrowing money when it was necessary?—No, certainly not.

3712. That has been very much straitened?—It is undoubtedly.

3713. Therefore their immediate means are not so good as they were?—I think that their facilities for getting cash are very much restricted.

3714. Would that in any way account for any slackness in the payment of rent?—Oh, yes, I think it would to a certain extent.

3715. You have mentioned combination as being certainly present in the districts with which you are acquainted. But besides combination is it not a fact that the farmers themselves are in less good circumstances to enable them to fulfil their engagements?—I believe so. I should say—I should not wish it to be thought that in the districts that I am acquainted with, or the estates that I am connected with, that there exists any general combination against the payment of rent, for that is not—

3716. No; I did not understand the estates that you yourself have to do with; but I think you just said there was such a combination in that part of the country?—I believe there exists a combination here and there. The estate I alluded to was in the neighbourhood of Nenagh, and it existed in the spring. In the county of Cork, where I have some connection, there was a recent combination not to pay rent.

3717. I suppose the diminished power of the farmers in monetary affairs would make them more liable to combination if it was pressed upon them?—Undoubtedly it would.

3718. Did you say that naturally an Irish tenant, so far as your experience goes, would gladly pay his rent if he had the means of paying it?—I believe he would if left to himself.

3719. Mr. Nelson.—So far as your experience goes, and the estate you are managing, did you observe a fair disposition on the part of landlords to recognise the difficulties of the tenants in dealing with their tenants?—Certainly. But in the case of judicial rents, beyond the giving of an extension of time to pay the rent, I think the landlords are unwilling to give any reduction. In other cases, I think—in all other cases, I think I might say—they are universally giving abatements.

3720. Sir James Caird.—Including leaseholds.—Including leaseholds.

Mr. Charles Davis examined.

3721. The President.—I think you are a tenant farmer?—Yes, sir.

3722. In the county Waterford?—In the county Waterford.

3723. Could you tell us how many acres your farm consists of?—I have a leasehold of 65 acres, and two holdings of 27 and 20 acres each from year to year.

3724. Have you found a difficulty in paying your rent?—I regret to say, my lord, that I have had very great difficulty owing to the great depression in the times. I took my lease in 1875, and I had no difficulty then at all in paying my rent. I paid my rent six months in advance with ease.

3725. But you find things very different now?—But latterly I find it next to impossible. I may state that if I bring as many as 100 sheep into a fair, I find it a difficult matter to sell five or six, or ten, and I have to bring all the rest back very much depreciated in value by being driven to and from the fair, and I have requested the people, even butchers and persons I know, to come and buy them; and the difficulty I found in selling myself was this, that having to pay such a high rent the people generally shun such purchases as myself. They say that a man that has to pay 43 an acre for his farm of land could not possibly take a fairly remunerative price for his stock, and they pass me by and go to a man who is paying only 16s. or 17s. an acre on the estate of the Marquis of Waterford. Whereas, I have to stand side by side with that man, while I have to pay three or four times more rent than he.

3726. It makes your case appear the more hard seeing your neighbours paying a much lower rent?—Yes. And it might be said, why did you take a lease? When I took the lease I went by the value of the land adjoining me, and I said: "If this is worth so much, with my skill, and capital, and energy, it will be worth a little bit more to me." But when two years after that came about, they all got a reduction, and I got no reduction because of being a leaseholder.

3727. Has your landlord not given you any abatement?—On the other hand, I am sorry to say, he raised my rent last year, because I took the lease with the option of surrender at the end of seven years. I surrendered at the end of seven years to go into the Land Court, and the landlord said: "It is no surrender; you could not give me up possession."—I said, "If I gave you up possession I would be out of possession then," and Lord Ashbourne held I would be out of possession if I should have surrendered the house and premises, and come into the Court, and then I would not be under the Bill. He then said that I should give up the place, or pay an increased rent of £10 a year for the holding. So I am subject to an increased rent of £10 a year, or give up my possession; and I have sunk £1,011 on improvements in that leasehold.

3728. But they repudiate them in the case of judicial rents?—They repudiate them in the case of judicial rents, but are willing to extend the time for payment. For example, a man asks for time for a certain fair to enable him to realise the money, or to turn his produce into cash; so far as that extension is concerned, I think it is readily granted. No pressure is put upon him, and I think there is a very strong desire on the part of landlords to avoid extortions.

3729. I think I may gather from the whole of your evidence that, in your opinion the tenants would prefer becoming the owners of the freehold rather than continuing under the fair rent principle?—Yes, sir; decidedly.

3730. Which you would lose if you gave it up?—Which I would lose if I gave it up.

3731. And you have said that this is the effect of being under a middleman?—Yes. Lord Carrow and the Marquis of Waterford both stated to me that if they had such a tenant every facility would be given to me to pay the rent and make a living off it, because they see how I have improved the place.

3732. You have really no alternative but to pay what he asks you or forfeit your improvements?—It really comes to that. Then I have made an offer with regard to the purchase.

3733. I will ask you about that by-and-by. I think you have made out a very clear case of great hardship about your lease. Have you anything more to add on that point?—I may also state that there are others in a worse position.

3734. I would be glad to hear that, about some of your neighbours being in a worse position than yourself?—Yes, some of them are in a worse position than myself, but they are not exactly adjoining me. With some small exceptions, all immediately adjoining me have got a reduction, because Lord Carrow and the Marquis of Waterford are both extremely good landlords. If I had been under such men, I would be worth thousands instead of being impoverished; because I have had to erect fifteen gates on my farm, whereas Lord Waterford has built a most magnificent dairy and outhouses for his tenants close to me. Lord Carrow the other day in my own presence called a man and told him to get the most expensive boiler he could, and then he said to the agent didn't he want something in the way of a dairy, and a dairy is put up for Mr. Robert Marren at an expense of £75, and this tenant has got 30 per cent abatement. And I have to go into the butter market and compete with that man, and I ask you how can I or any one of the leaseholders round about me live at all now under such circumstances as that, we cannot sell butter or we cannot sell anything unless we take the most fabulously low price for it.

3735. On the tenants of the Marquis of Waterford or Lord Carrow pay their rents without asking for a reduction?—They cannot, and Lord Carrow sees that. I go to farms most constantly although in the position I am. I go to every fair. I only missed one fair since I took that place. I go to distant places—Kilkenny and other fairs. I have seen farmers standing side by side of me at fairs whose inclination was to pay every farthing, and they have been unable to sell their stock, their sheep and cattle, and they, in consequence, were not able to pay. They have come to me and said—"How are we to pay our rents?" Where are the rents to come from, for in the name of God I don't know? I have not been asked what brought me to the fair to-day, although I have thirty young stock down there, and cannot sell one of them. I have gone to examine the

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stock and see what was the cause of it. We have to keep these stock from month to month, and already we are overstocked. They are depreciating. We have offered them to the landlord—and this is a most important point of evidence—and the landlord would not accept them. Some three ago I stated publicly in print the names of my neighbours who offered their stock to the landlord, and proposed to charge half the cost of keeping them money than sell them off the place. If the landlord will not do that at the present time he must only expect to impoverish the tenants further by obliging them to sell off their stock at any price to save eviction more than distress. The land then becomes unstocked, and the consequence is that the tenant is left as means at all then of paying the rent. The landlord is deprived of any advantage, and the tenant is deprived of any advantage. I think if the landlords were more straightforward and said to the tenants—"I am not going to take any steps against you;" but if the tenant has a fear that he is going to take steps, he sells his stock and leaves his land without it. But if the landlord says, "Don't sell; your stock is too cheap at the price. Mortgage them to me." If this system were adopted with regard to stock; if the landlord took them as security and said to the tenant—"Don't sell at the present. Wait until the times improve." Then the tenant would be in a better position; but the tenant now really has to sell. He brings them to the fair, and must sell them for whatever he gets; if he is honestly inclined and determined to meet his rent. Only this time twelve months, walking before my gate by accident on the public road, leading from Waterford to Dromore, I picked up fifteen pawn-tickets. I looked at them, and on some of the tickets was marked "Cash," and on others was a certain name that I happened to know. There were a great many persons of that name in the place. I went to one and I did not think it could be he; but he said—"I am so much obliged to you for bringing me these tickets, because if you told anybody it would ruin me. I went to the fair to raise my rent and I could not sell a single thing, and I bought in these things to pawn them." Among the things was his own coat, his son's coat, a spool-made coat of frisco, a horse-collar, and a shawl belonging to his wife. With the exception of this last article no exception could be taken to any of the other articles. On the whole he had received a sum of £4 3s., and he said to me—"You see I have two horses; I have two for working, and a yearling. I have six or seven yearling calves, sixteen sheep, several pigs—I have all that and yet I cannot raise the money, and if I wanted £5 to-morrow you know I could not raise it; so I had to take these clothes and pawn them." I said to him, "Why did you do it?" I spoke to him like a first-class Land Leaguer. His answer to me was—"I have a good landlord. He reduced my rent considerably upon the last pale day, and if I told him I was not able to meet my reduced rent now he would not believe me; and sooner than that he should disbelieve me or think I had cheek to go and ask him to make any further reduction I went and pawned these things."

3736. The rent of that man was not too high!—Even then it was too high; too high when he could not receive any fair price for his stock—£3 was the most he could receive for any one of the yearlings. I received £10 for ones similar to them in 1879. I got as high as £10 for what I could not get £3 10s. for now.

3737. You have been farming at a loss for the last eight years!—For the last six years. I have every year been out of pocket on that leasehold at the lowest, paying wages and trying to keep the place—the premises were unaltered when I got it—I have been from £80 to £100 out of pocket a year. I paid my rent six months in advance to the landlord till he raised the rent on me, and since he raised the rent I paid it once with the hope that he would make a remittance out of it and just to test and see the man's character, and he refused to give me a single shilling.

3738. Is he a resident landlord?—He is a middle man; he is not a resident. He is a banker. But my head landlord was the late Mr. Maurice Reel, a very good man, and he has offered my landlord 4s. in the pound on this same property. I am positively informed that he refused the 4s. in the pound because, he said, "I don't want it; and if I take it I will have to give it to Denis, and Denis does not want it."

3739. Has your middleman got a long lease?—He has, and it is a peculiar lease because he took it in very good times, just as Griffith had valued the place, and he was new to the place and he valued it at £10—less than one-half I am saying. That is 55 per cent. under what I am paying, and I am offering to pay twenty years' purchase now at Griffith's valuation. Of course being a leaseholder I have nothing else to go upon. I have no judicial rent, and I could not give twenty nor ten years' purchase on my rent.

3740. Your landlord does not think that enough!—He won't entertain it at all. He won't take stock nor produce for his excessive rent. All he wants as my case, and four or five others, is to get us to give up, and give over all the improvements.

3741. What you would like now is to be allowed to come under the Act?—That is all we ask. I only ask what is fair, and I am willing to leave the amount he asks to any arbitrator, but he won't do that.

3742. Mr. Solym.—To leave it to the Land Court?—Yes, sir.

3743. The President.—But even if you were allowed to come under the Land Act, you would be still more glad to become a proprietor?—Oh, certainly, because with us leaseholders we would be delighted. When I say leaseholders I think I may say for myself that we are a superior class of farmers in Ireland. Generally a man—no man will take a lease unless he has got some money to take it up, and therefore I think that the leaseholders require a great deal more encouragement than what they are getting. Leaseholders are men who lay out all they can to try and make the place pay eventually. I said when I was taking this place, what I lay out the first two years, I will reap the benefit of it afterwards, and the sooner I begin to lay out the better. So I went rather too strong into it the first two years, and nearly crippled myself in trying to benefit myself, so as to have the benefit afterwards, and I would have the benefit only for the reduction that my neighbours get, because that increased my rent in this respect—all my labourers looked to me then to give them 2s. a week extra. I said—"For what?" "Oh," they said, "because all the farmers round are giving it." I said—"They have got a reduction, and I have got none." But they said—"Can you expect us to work for you 2s. less than what we are getting from others?" Certainly not. So that I had to pay this extra pay to the labourers. My landlord can have his dinner now 1s. a day less than what he got it for before, and if he is able to save 30 per cent., why should not I have the benefit of that 30 per cent.? That is all I ask, and I ask him to give me what I give him in return. It is not I who refuse to pay the rent, but it is my land that refuses to give him the rent.

3744. I know. And do you think you could sell the lease if you wanted to do so?—At the present time if I put it up I would only be the leasing stock of the country. I am glad your lordship asked me that question, because that is the very thing. If landlords were compelled to put such places as mine in the public market I am the first one who would be delighted. I will willingly give him this moment 10s. an acre more than anyone in the world will, because my improvements are in it. But he won't do that. He will accept a surrender of my lease now, he says, that is the only thing he will do. The only satisfaction I have is that I can walk away from my lease.

3745. If you were able to go into the Land Court and have a judicial rent fixed much lower than it is now, then I think it would be much easier to sell, or

perhaps your landlord would be more willing to sell to you outright?—Yes.

3745a. Mr. Nelson.—It would be his right to sell them?—That is all I want. My desire is that I should be placed in the position to sell. At the same time I have made a calculation, and at 20 years' purchase my landlord would not lose a single cent, nor would his head landlord lose, because things are in this way: say the rent is £100, and the valuation £50. If I give him 20 years' purchase on the valuation that would be £1,000. The interest on £1,000 would be £40 a year. He is paying at present a head rent of £50 a year—£50 a year for this for which I pay £100. The head landlord says to him "I allow you 20 per cent, give me £40." The head landlord would still have the £40 by the scale I have laid down. If he takes the £40 and says "Well, there, I will hand that £40 to the landlord." I will then have to pay him half of the county cess, poor rates, and several other charges, and that would really make it quite burden enough upon me, whereas he and the head landlord would both come off first rate. They would not be one single penny at a loss.

3746. Mr. Nelson.—I don't follow you in your calculation. What is your present rent to the landlord?—Take it to be £100 a year, and £50 is the valuation—that is Griffith's valuation. Then twenty years on the £50 would be £1,000. Very well, the interest on that £1,000 at 4 per cent.—

3747. But you know he cannot get that, because one-fifth of it is locked up?—How is it locked up? I will give him that.

3748. You mean a cash transaction?—Exactly. I thought you meant to sell under the Act.

3749. The President.—You will give it to him down?—Yes. That will come to £40 a year. Very well, now he is paying £50 at present to his landlord, and the head landlord offered to allow him 20 per cent.—4s. in the pound.

3750. Mr. Nelson.—That would bring him down to £45 to his head landlord?—Yes. He has to pay at the present time, besides that, about 2s for half county cess and half poor rates.

3751. Very well, that would be £51, and you would give him £40?—He would not have to pay that £51 at all. He would be released.

3752. Very well, £59?—Yes.

3753. That would leave him £1 a year, but he has £40 a year at present?—Exactly. But I am showing if he wanted the head landlord to take over the property, and the head landlord says: "Why would I take it from a good tenant, like you, and place it in the hands of a dubious tenant?" So that if it is fair to the head landlord—

3754. Your argument is that the arrangement would be fair as between you and the head landlord?—Yes.

3755. The President.—But the middleman would disappear?—Yes; and I hope it will be one of your suggestions, as Mr. Gladstone did promise us once that we would get rid of the middleman. I know a property, which I have lately come into myself. It is at Mullingar. There are seven leaseholders on that; and, to show that I am genuine, I will take the same terms, and will only be too glad if any tenants desire to avail themselves of this alteration and try it. If they do that we will be delighted. At the present time they are owing us two years' rent, and we are paying an agent, and we cannot get it. They are only paying 30s. as score for the very best land in Westmeath, coming up to the walls of the barracks at Mullingar. We are willing at this moment that they should buy their places, and we will take the money from the Government, and be only too glad. And we only ask on behalf of ourselves and the leaseholders, that which we will do on the same land—not as Mr. Parnell, who wants all, takes all, and gives nothing, but we will take the same as we give.

3756. The President.—What you really wish is to come under the Land Act of 1881 and have a judicial rent fixed?—Yes.

3757. Mr. Nelson.—But coming under the Land

Act of 1881 would practically work out that for which you are contending?—It would.

3758. But observe upon your own showing by admitting the leaseholders to the Act of 1881 the result would be the effacement of the middleman. He disappears, and as Mr. Justice O'Hagan and the other day, he would recommend a judicial surrender of the middle lease?—Mr. Maurice Read's representatives are quite willing to take such terms as I have proposed; but my landlord is not willing to allow me to purchase, because he thinks I would have the benefit of my improvements, and he seems to wish, as a personal matter, to deprive me of these improvements. Upon what other ground can we, as leaseholders, possibly compute the value of our holdings under the Purchase scheme, unless it is upon Griffith's? Of course if it were upon a judicial lease, a judicial lease might not be at such low terms; but if so we would only offer fifteen, or sixteen, or seventeen years' purchase, whereas we have made allowance for that, and I should say that in my case twenty years' purchase on Griffith's valuation would be very fair to both.

3759. Mr. Nelson.—Have you studied fifteen years' purchase on £100 a year rent—what reduction that would be?—I have.

3760. It would bring it down to £50 a year?—It would.

3761. The President.—You have stated your case very clearly—I might make one remark with regard to combination, to show also how it is that tenants often are deprived of the means of paying their rents. It is a very simple little thing—I have witnessed it repeatedly. A man, say, owes £10 rent. He will bring in ten sheep to pay that rent. He will try to sell his sheep, and he only sells two of them. He gets for those two sheep, say £3. He goes home and says, "I have got these £3; I have only been able to sell two out of the ten, and I am owing £12 to my landlord." Before he is able to raise the other £9 the £3 dwindles away before the next fair comes round. The next fair comes round, and he sells two or three more; still, he has not enough to meet the requirements of the landlord. I state this to show you what will be done, not in one case, but in fifty cases. A man's property then goes in debits as it were. He cannot get the full amount into his hands at once, so that he might be able to turn it over into the hands of the landlord; but, owing to the depression of stock, he gets it in such small dribbles that he lays it out in buying clothes for himself and one thing and another, and thinking that the next fair will bring him better results, he finds he is completely out of pocket and has nothing for the rent. The landlord loses all and the tenant also loses his opportunity. He has nothing more to sell. That is a point I saw work adversely towards some small farmers; and I wish if it would come into your lordship's scope that you will make some allusion if possible to the subject of labourers' allotments. In the manner things are going on now with regard to labourers' allotments it will be the most disastrous step that ever was taken for the tenants of Ireland. The labourers' allotments are taking half an acre of the best of the land from me and from others at a very small rate, for which we are not receiving any rent, and if we do receive any rent we receive it from a very unwilling tenant, who is led to think he has no right to pay so much, who will not be able to pay it, because he won't have time to work his half acre. If the Government in making these allotments had taken one piece of ground, say, and built six labourers' cottages upon it in a central position, and placed rail fencing round these allotments in place of taking up so much ground; these iron rails could be removed by two men as easy as possible, and the plough could be put in, and they could be ploughed up together without any headlands. The ground would be all tilled for them, they would be all living together, and they all could give a hand.

3762. The President.—The Board of Guardians could do that for them?—When I proposed it Lord Waterford said as it was now established they would go on

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with it. And the consequence is this: a man won't work for the man whose land his cottage is placed upon, and he has to walk three or four miles to work for another man; and you have to put up with him all the same. Your house is taken up, and you have to send for a man perhaps two miles off.

3763. Mr. Nelson.—Hasn't that been the result of leaving the management of it to the local authorities?—It is.

3764. If I may so call it, it is Home Rule that has done it. They have got the discretion and they have abused it, you think?—I do. And I think there is one thing you should take into your consideration also, and that is the matter of roads. For my farm alone I have to pay for four acres of roads, and I think it is a very hard case that I should have four acres of roads put on me for which I pay £11 or £12.

Mr. Dawson A. Milward, examined.

Mr. Dawson
A. Milward

3765. The President.—I have looked over the notes of your evidence with great care, and I think perhaps I will be economizing time and sparing you trouble if without putting a series of questions to you, you will be good enough to state the evidence you have prepared?—Very well, my lord. As far as my experience is concerned, I may mention that I have been living in Ireland for a great many years, and during that time I had very large agencies and had a large experience. I have been living in a very wild part of the country, where I was a magistrate, among the people, and had ample opportunities of witnessing their habits.

3766. Sir James Caird.—Not in Kerry, was it?—No; in Kilkenny. For some years past I have had large experience as a land-valuer, but not in the North of Ireland. During that time I have been examined before various Sub-Commissioners. Shall I give you the names of the counties?

3767. Yes, please?—I have been examined before the Sub-Commissioners in reference to the value of land in the counties of Kilkenny, Waterford, Wexford, Tipperary, Carlow, Queen's County, Wicklow, Dublin, Kildare, King's County, Westmeath, Meath, Longford, and Limerick.

3771. Sir James Caird.—That includes all the southern counties?—Practically.

3772. Do you exclude Cork?—I was not examined in any case in Cork, but I have large experience in valuing there. I have also made a great many valuations since 1881 in cases where the landlords and tenants had come to amicable arrangements as to the adjustment of their rents without the intervention of the Land Court. I have been a land agent for thirty years, and during that time I held agencies from £10,000 to £30,000 a year.

3773. The President.—Then as regards the payment of rent?—As regards the payment of rent it is my experience that rents as a rule have been fixed in Ireland for a great many years, and have not been changed in many cases for 50 and 100 years; I should say the average would be from 50 to 100 years.

3774. Sir James Caird.—That they have been unchanged?—Practically for an average of 50 years and upwards.

3775. The President.—And therefore are low?—They are moderate in these cases.

3776. Are there many tenants whose rents are as low as those who have applied for judicial rents?—I think it applies to all.

3777. Have many tenants whose rents were fixed 50 years ago applied for judicial rents?—Certainly. I came across a great many cases where the rent was fixed fifty years.

3778. And then reduced?—Quite as much as the more modern rents. I myself had a case where the rents were fixed in 1828, and I have a return here of cases where they were so fixed which I will come to presently. But I should refer you to the returns of the Land Commission Court, from which it appears

3765. The Act of 1881 has a provision, I think, with reference to the measurement of roads. If you were once let in to the Act of 1881 it would remedy it for you?—But I thought this Royal Commission might still further curtail in that way.

3766. If you were once under the Act of 1881 the roads would be excluded from your land?—I have also to keep up the fences on both sides of the road. That is a tax of something like 10s. an acre a year.

3767. I am afraid the local magistracy must do that for you?—But I am afraid they won't do that. I have endeavoured to lay the case of myself and those concerned with me as clearly as I could before you.

The President.—We are very glad to have heard you.

where rents had been changed for a great many years. There is a return in the Court that gives that information, which I can produce if necessary.

3779. The President.—The rents were fairly paid?—The rents were fairly paid in times past. I am prepared with a return of the rents of a property purchased by a friend of mine in 1850, and it will show you the way the rents on that property have been paid. See Return I.

3780. Sir James Caird.—In 1850 it was purchased?—It was purchased in 1850. It was purchased by a London man; and that property is a fair sample of the properties of the country.

3781. What county is it in?—It is in the county Kilkenny. It contains about 1,000 acres, and is held by twenty-one tenants paying rents varying from £3 to £24 a year. It is high, poor land, lying high. A great part of it lies about 200 feet above the sea-level, and, as usual, the farms are intermixed in all sorts of ways. In this case the rents were fixed by leases granted from 1833 to 1836. The rents were fixed at the gross sum of £708 7s. The tenement valuation, published in 1850, was £507 15s. From the time the purchase was made the rents received by the new landlord were £670 10s. Now, out of that he made large allowances; he never raised the rents in any way, but made large allowances for timber, slates, and for drainage. The statement your lordship has there shows the returns. From September, 1850, to March, 1854, the increase of arrears was £141 16s. 4d., which, divided over the five years, comes to 4-1 per cent. of increase per annum, therefore making 50-9 per cent. the return of rent for those five years. The next five years were from 1854 to 1859, and the increase on arrears during that time was £107 18s. 3d., making a percentage per annum of 3-1, or 36-9 received. From September, 1859, to March, 1874, there was a decrease of arrears of £51; therefore there was a percentage above the year's rent of 1-4, making 101-4 received during those years. From September, 1874, to March, 1879, there was an increase of arrears of £90, making an increased percentage per annum of 2-6, or rents received 97-4 per cent.; and then from September, 1879, to March, 1884, there was an increase of £216 16s. 5d. of arrears, making a sum of 6-4 per cent. per annum, leaving 95-6 as the gross receipts, but in addition to that we had to give an allowance last year which brought it down to 85-4 on the five years. Now, that return, my lord, is included in the large return that you have near your hand for a large number of landed properties. But before we go to that, I wish to say that in 1879 the agitation against rents commenced, and from that date payments changed; but still this return that I now place in your hands shows the calculations for these years. Now take here the large number of properties.— See Return II.

3782. Sir James Caird.—Are you not going on

with this statement!—This statement as to the individual property is complete so far.

3783. Oh, that is the statement you have to put in; but we have not heard it!—I will give it to you now. On the same property the rents from 1884 to 1885 went down by an increase in the one year of £303, and we have only received 49·5 per cent. during that year, and from 1885 to 1886 they are not completed and I cannot give any return. All I can say is that the rents in March last were not paid, and they are all now due, the whole year's rents and the arrears. In this return of the gross rents of about £12,000 a year the returns from 1879 to 1884 show, after allowing for all arrears accrued and allowances given—that would be voluntary allowances given—that we received from 85 to 90 and 97 per cent. of the rents, and in one or two cases they were up to 100 per cent., but they were exceptional cases. In 1884 and 1885 these receipts fell. The receipts fell from the figures I have given you to 43, 83, 74, 71, 37, 90, 95, and so on. Now, my lord, I produce you here a lot of memorials that I received in November, 1885, which I think go a long way to show that there was a combination amongst the tenants to resist the payment of rents at that time. [Documents produced.] These are the original documents, signed by the tenants. One of the tenants whose name is on the list of signatures, and is first on the list of trustees, leases a farm at £113 6s. under a feuferm grant. He gave £500 for the interest, and that within the last four or five years, and has since built large houses and settled himself there.

3784. Mr. Nelson.—What is the date of the feuferm grant?—The original lease is very old—some hundreds of years old. Here is another memorial [produced] from another property in the county Kilkenny. I have several others, and also letters from clergymen of parishes. [Letters from two clergymen read and handed in.] There are some letters from individual tenants, but I think those are all the memorials which I think it worth producing to you now. In addition to that I have my notes of interviews with other tenants who are not included in these properties which I have mentioned, in which they came to me and made such the same class of statement; and when I refused to give them the allowances they asked for, they said "We won't pay at all," and went out.

3785. The President.—And they did not pay!—They went away and did not pay. I am not going to give any particulars that I cannot verify. There are many things I have heard, but I only give you what I know of my own knowledge. Now I have on another property where judicial rents were given in the courts, a case in which a tenant declared to me that he was unable to pay his rent, and that he would not pay what the land did not make; and a few months afterwards, that is to say within the last year, I happened to be in a bank and saw this man drawing interest on his deposit receipt. I was perfectly well aware that the man had money held by through the general repute of the country, but I never had it positively, because he always denied it to me before that. I knew he had very fine crops, and I knew he had more stock than he could shoot feed on his farm. Of course, I may say, my lord, that I do not think it right for me to publish names. I will do so if you wish.

The President.—Use your own discretion.

3786. Witness.—Well, I visited him a short time ago and without entering into detail, I represented to him the folly of not paying his rent, and of going to law with his landlord, and the only answer he made me was, "Do you want me to have my head knocked off," thereby representing that he was afraid to pay his rent.

3787. Sir James Caird.—Has he paid any part?—He paid one half year in November—nearly twelve months ago, and has paid no money since, leaving one and a half year's due. These are positive cases. The

extra falling away in the rents has been in my opinion quite as much due to disinclination to pay as to inability to pay.

3788. The President.—But principally you think it is due to inability?—In some cases. We have always had in our experience a vast number of very poor tenants who live from hand to mouth, and the moment they get into difficulties they become more or less paupers.

3789. But there is no doubt times are very bad!—Of course, we are not going to say that they are as good as they were, but at the same time, I don't think that the prices that have prevailed for some time past have been the sole cause of non-payment of rent as is supposed.

3790. Sir James Caird.—Do you think there was any truth in the statement that tenant made when he said, "Do you want me to have my head knocked off if I pay?"—I am perfectly certain there was. I believe that this man would have been more or less boycotted if he had gone beyond his neighbours. This is in a particularly quiet part of the county Kilkenny.

3791. The President.—But do any tenants, as a rule, break through this combination and go and pay?—I think not many. So far as my experience has gone they have all gone in the swim.

3792. And the reason there have been no outrages is that they have not attempted to resist?—Just so.

3793. Sir James Caird.—To what extent of country does that apply?—My chief experience is in Kilkenny and county Waterford, and I only speak for what I know myself. Of course, I have hearsay information—any amount of it—from other parts where I have been visiting. In a great many cases tenants state they could not sell their stock last year, but at the same time there is no doubt that they would not sell because they could not get the price they imagined the stock ought to be worth, and because they thought the landlords might do without the money. In old times that did not occur. They always managed to get their rent ready on the day fixed for it.

3794. Did not the banks give them more accommodation than?—The banks practically have ceased to give them any assistance. Three facts that I have stated apply quite as much to cases where judicial rents have been fixed, as to where the old rents stand. I have here for reference, if necessary, the rentals of estates where judicial rents have been fixed, and I find the same state of things prevails in all cases.

3795. The President.—In cases where judicial rents have been fixed there is quite as much unwillingness to pay as in other cases?—There is. Here is a case of a gale of rent due on the 25th March, and ought to be paid about May, and as you see there is almost a blank on the payment side of the book [book produced]. On that estate the rents were very largely reduced annually. Part of it belongs to a County Court Judge, and the remainder—it is a joint property held by a large number. They joined together and anxiously reduced the rents.

3796. Sir James Caird.—Did that include the judicial rents and the leaseholders?—There were no leaseholders, I think. The old rents were changed about the year 1881.

3797. Recently?—Since the Land Act came out they were changed.

3798. Mr. Nelson.—Changed by arbitration?—Yes. There was an arbitration held, and the arbitrators reduced the gross rents. It would take me some time to give the amounts, but it resulted in a large reduction—18 or 19 per cent.—and now the rental is about £1,000 a year or thereabouts. But these tenants came to me on the 21st of June, in a body, and demanded 20 per cent. allowance. I refused to give them that allowance as I was not authorized by the landlords, but for peace sake and rather than to get into law with them I took it upon myself to offer them a reduction of 10 per cent. They

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went away that day and refused to pay anything unless they got 15 per cent. off.

3799. *The President*.—When do you say the rents were fixed?—The rents were fixed sometime in 1881.

3800. I suppose times are much worse now than in 1881, and that there is some reason for their not paying?—That is quite a matter of opinion.

3801. But in your opinion?—As to prices they are, but not as to produce.

3802. It is prices that I mean. Prices are much worse now?—Oh, prices are much worse than in 1881, but whether produce is worse is a matter for discussion.

3803. But prices are worse and the farmer has more difficulty in paying his rent?—Still I say the question is whether in 1879 and 1881 they were not quite so badly off as now.

3804. *Mr. Keppel*.—Referring to the arbitration, did the landlord appoint a man and the tenant another?—Yes.

3805. That was the way it was brought about?—It was.

3806. You were for the landlord?—No. I was not an agent at the time for either.

3807. And both parties were satisfied?—Well, I don't know.

3808. *Sir James Caird*.—This was in 1881?—Yes, in 1881. Those rents were all recorded under the Land Act, and no appeals were taken. In September, 1885, these tenants came to me (three cases in on behalf of the lot) and demanded fifteen per cent. reduction, and refused to pay unless they got that amount. I again offered them ten per cent., and they went away without paying. I mention this matter to show that on that property the judicial rents are not paid, and the result is that instead of getting the September rents now, which should be paid about this time, the March rents are still unpaid.

3809. *The President*.—In some cases the tenants have their rent ready to pay?—Oh, yes, I am perfectly aware that several of these people had their rents and could have paid, but went out of the office without paying it.

3810. And they were afraid to do so?—I believe they were afraid to do so. That has repeatedly occurred to me these last four or five years.

3811. I see that you propose to put in a letter to show the intimation that is exercised?—It is a letter I received from a tenant and kept hold of. [Letter produced and read.] The tenant, who had a receipt in full, came to me and asked me for a receipt on account to produce, and I refused to give it. I kept hold of the letter and said nobody should see it but the Queen, and the Government did see it. I have the original letter in my possession still, but I don't wish to produce it, because I do not wish to give the names.

3812. Did this man suffer?—We took precautions by the advice of the then Government, and the man did not suffer.

3813. What date is this letter?—I think it is in the year 1882.

3814. In the bad time. And you believe that intimidation of the same kind still exists?—I do. I believe it exists in the same manner all through. We have no proof of it, because the Land League resolutions are now suppressed. We do not see them. But from the information I have received from sundry tenants, I believe the same class of things still exists. I am quite well aware that boycotting prevails quite as much in quiet counties as in other counties that we have heard of, but it is done in a much quieter way and without outrage. In my opinion, the non-payment of rent during the last two years, has been very much caused by intimidation.

3815. Have you any evictions pending?—I have carefully abstained from evictions when possible. I have not turned any tenants out of a farm for

over twelve years. I have a strong feeling on the matter, and have kept evictions as quiet as possible. When I say turned a tenant out, I mean forcibly turned him out. I have had one or two evictions for the purpose of family settlement, where I was as much the friend of the tenant as of the landlord; and a couple of times this year I have gone on a car with a Sheriff's bailiff and carried out an eviction without police or any other interference, and perfectly quietly.

3816. But supposing these people to whom you refused the reductions refuse to pay what will be your next step?—It is very hard to say. In my opinion, it is better to wait a little longer. I am strongly of opinion that things must cease round again, and that we shall do better by waiting a little while longer without taking forcible steps at present. I have had a great deal of experience in my time, and I think it is better to wait. I know what I am losing now, but I don't know what I should lose if I put Emergency men in.

3817. We may go into these judicial rents—the fixing of judicial rents and the disinclination they have given to both tenants and landlords, and that they have not been paid better than other rents?—I think I have shown pretty well the non-payment of judicial rents.

3818. I may take your answer that they are not paid better?—I think so. I think the better way is to divide judicial rents into amicable arrangements and court arrangements. So far as amicable arrangements are concerned I have had a good number of rents fixed by them. Arbitrators have been proposed by the tenants in a great many cases. I have myself been employed in arbitrations, but they have practically come to nothing. Owing to the difficulty of getting landlord's and tenant's valuations and unpires who will agree, they have practically fallen through.

3819. You think it just as well to go to the Court?—Well, I think that is the result of it. Unless you can make an amicable arrangement there is no use in arbitration. Now, in the fixing of rents by the Court—I don't know why I need go into a description of all that, but I have put it down in case it was necessary.

3820. *Mr. William*.—Is that a résumé of the practice?—Yes; it is the rule of procedure.

3821. I think Lord Cowper and Sir James Caird understand that?—Well, it comes to this, that the valuers, one for the landlord and the other for the tenant, give very different versions of the value, and then the Sub-Commissioners have to go on the facts and make their own decisions upon the value, and upon this system the decisions are all based.

3822. *Sir James Caird*.—On the Commissioners' valuations or your valuations?—Oh, they have the valuations in detail.

3823. The valuations on both sides?—Given by the valuers on both sides. Then when they get on the ground they are supposed to take into consideration the circumstances of the farm, such as the position, market, elevation, shelter, the time that the rents were fixed and how long they have been paid, and the way they have been paid, and in fact to get at all the details they must see the place with their own sight. It is on the way that this has been done that I assert that the whole machinery of the Court has broken down and has not given satisfaction either to landlord or tenant.

3824. *The President*.—What sort of percentage was knocked off on the whole when the judicial rents were fixed?—On the whole of Ireland?

3825. No, in your part?—I will give you the actual percentage. I need not say that the Irish peasant likes to see fair play and to get as good a reduction as his neighbour, but if they think their neighbour is getting a better reduction than themselves they are very much dissatisfied. The first occasion that I propose to lay before you was when I went with the

Commissioners to a farm that was rented at £840 a year.

3826. *Sir James Caird*.—One farm 1.—One farm, 3827 That was a large farm.—It was a very celebrated case, one of the standard cases of the day, and I went with the Commissioners to see this farm valued.—There were 462 statute acres on the farm. We had this farm and two other farms to value, and we drove sixteen Irish miles, and we travelled across country six miles—walked across country six miles—and did the whole thing in five hours. The other two farms were fifty-three acres and thirty-five acres respectively, 550 acres in all, and in doing them travelled sixteen miles by car and walked six miles across country, that is across one farm, and besides that we had to do the two small farms. Now, I produce here a map of the large farm and upon it is set out in a dotted line every field, every one as they travelled it in going over that farm; and in red is marked every hole that was dug upon that farm. Some of that last was worth £3 an acre, and they valued that farm in one hour and three-quarters and came away and said that that farm was to be reduced to £603.

3828. *The President*.—From what 1.—From £840, 3829. On that visit 1.—Practically on that visit.

3830. *Sir James Caird*.—Was that the Commissioners' value?—The Sub-Commissioners themselves. 3831. *Mr. Nelson*.—Was that in Kilkenny?—In county Limerick—some of the finest land in county Limerick. They sent out an independent valuer themselves, and I hold here the independent valuer's report, in which he states—this was the man who was employed by the Sub-Commissioners under the action of the Act of Parliament which enables them to employ independent valuers—he states, "Some of this division has the reputation of being the best land in the county Limerick." Now, I prove that they did not see that best land at all by the track that is on the map of the land. I have in my hand the original map that I brought there.

3832. *The President*.—How many acres do you say 1.—462.

3833. *Mr. Nelson*.—What rent did the independent valuer put upon it?—£698 10s. 6d., without the buildings. This was in the month of November, and we left the town at one o'clock in the day beginning our journey, and we arrived back at five o'clock.

3834. Was there an appeal in this case?—There was.

3835. *Mr. Nelson*.—Was this all in grass?—Some of it was in grass.

3836. *The President*.—And on appeal you got 1.—The case was thrown out on a point of law.

3837. *Sir James Caird*.—Then the reduction did not take place?—It was thrown out on a point of law. It was proved that the tenant had no right to go into court. I merely mention this to show the way the valuation was made.

3838. *The President*.—How should it have been done?—Well, it took me two days to go over the farm, and they might have taken one to it. At any rate, in this, one of the most important farms in Ireland, this is how it was done.

3839. *Sir James Caird*.—And how does the farm stand now?—The landlord has made an amicable arrangement with the tenant, and I think it was reduced by something like £100 a year, but I cannot be certain. I produced these papers to show how that was done, and I could produce a blue book showing that the rent was reduced from £840 to £699.

3840. Then you have not much confidence in the Commissioners' valuation 1.—Well, I have not. I now go to a case in which we had a large estate of which I was agent, where the rents had been fixed, as far as we knew, about the beginning of the century. Owing to the death of one of the owners we had to make an arrangement with the tenants. In 1850 the rents had been reduced to Griffith's valuation and were reduced steeply. We thought we had a very good case, indeed,

that the rents were fair and likely to stand, and we put the tenants into court so as to get a definite statement of value for partition.

3841. *Mr. Nelson*.—In what county is this 1.—In Kilkenny. It is a large estate, about 1,500 acres of land. The case came on for hearing, and the inspection took place. On the first day the Sub-Commissioners went out they did 325 acres, on the second day they did 539 acres in one day, and on the third day they did 586 acres. These were not large, but small farms, my lord, as you may see by the return there. A large number of these farms were very much scattered, some of them were half a mile apart.

3842. *The President*.—A good day's work.—It was a good day's work. I produce that to show the way the Commissioners ran over the ground. Now I say that these rents, which were, as we thought, fair, have been unequally reduced. I have one man here reduced 74 per cent, and I have another man reduced 20 per cent; I have another man reduced 22 per cent. Now, these were practically brought down to Griffith's valuation originally. The rent after that day's work was £327, and Griffith's valuation was £375; but practically they were reduced in that extraordinary manner. The reductions on the whole were 14 or 15 per cent.

3843. Below Griffith's valuation 1.—I have not that accurately calculated, but they have been reduced below Griffith's valuation. The rents were practically at Griffith's valuation before.

3844. You hold they were the same as Griffith's?—I hold that they were, and they were reduced 15 per cent. That was the result of that inspection. Now, in another part of the same estate, a point within four miles of Waterford, with about 137 acres—this was done by another Commission, another Commission quite distinct—the Commissioner went out with me and in an hour and forty minutes he valued—that is, 100 minutes—he valued 137 acres of ground in 54 fields, in five farms, and we crossed two intervening farms at the same time, so that that is at the rate of a field for every two minutes, including the jumping. Now, that Commissioner returned to Waterford and arrived at the hotel at 1.15. He had luncheon; he dressed himself, as I saw that he changed his clothes, for he appeared in a different attire; he packed up his luggage; he made up and signed five decisions; and he was in the granaries and away by 2.15, that is one hour. I produced this statement to the legal Commissioner at the time and told him I was not satisfied, and I think it right to produce it to you to show you some grounds for saying that I do not think either the tenants or the landlords are satisfied. The legal Commissioner went to the station with the Sub-Commissioner and came back to the hotel. He then went down to court and gave decisions, and it was all over by 3.15. By those decisions our rents were cut down 18 per cent and 16 per cent. Now, these were rents fixed under the same circumstances as the property I have just mentioned—by old leases in 1876 reduced in 1890, and again since 1890 they further reduced the rent. These were not tillage farms; they were fine grass farms, dairy farms within four miles of the city of Waterford. Now, these are three cases that I have been with the Commissioners myself and have seen them valuing land. I have other cases which I can tell you of in which I was acting as valuer, but I have not been with them myself and cannot go into details.

3845. And the general result of all was that the rents were put a good deal below what the then value of the land was 1.—I think they were put below what their then value was, but I put this before you to show the way the work has been done.

3846. *Sir James Caird*.—Is there much difference in the quality of these small grass lands? Do they lie much together?—These small grass lands lie much together, and there is a good deal of difference between them.

3847. *Mr. Nelson*.—You don't complain of the

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"law's delay," and I do not, sir. I consider these cases were quite fast enough for me. I have had enormous experience in travelling through tenantry, valuing farms in all these several counties, and I have gone into court and I have been cross-examined upon values I have made, and I am perfectly aware of the necessity there is for careful examination when I am on farms. Now, upon this statement of fact, I consider that the tenants who tell me "that there was no use in going into court, that they would not get justice there," have formed the same opinion as I have.

3848. The President.—The tenants object to going into court because they feel that with such a summary view as this, it is just as likely that they will be injured as the landlord?—That is my opinion, that they have formed the idea that they will have as much chance of being injured as the others.

3849. Sir James Caird.—I think you said that there had been a considerable fall in the value of produce since 1881 up to the present time, and especially in the last two years?—There has been a considerable fall in the price of stock and in some classes of corn, but it is a question how the fall came about.

3850. The question is whether there has been a fall?—There has been a fall since 1881.

3851. Then, in the estates with which you are connected, you have met that fall by a reduction?—I have given a reduction of rent whether they were leaseholders or yearly tenants.

3852. With judicial rents?—And in a few cases where judicial rents had been fixed arbitrarily, and when the reductions which had been made were small. Where judicial rents were fixed in courts, I have tried to obtain as much as possible, but in some cases I have given reductions in order not to go to law.

3853. What reductions have you given in cases where there were judicial rents?—I have given as high in 1885 as twenty-five per cent. on old rents, not judicial, but in that case the tenants were of the poorer class, and I considered their rents too high.

3854. Mr. Knipe.—Were these rents fixed by the Commissioners?—No, they were old rents, and I found they were fairly high, and no reductions had been made.

3855. But on judicial rents?—On judicial rents the highest I gave was fifteen per cent., but that rent had been arbitrarily fixed.

3856. Don't I understand you that on another estate a number of tenants came to you and asked for fifteen per cent., and you refused it?—That was on another estate. In that case I gave ten per cent.

3857. But looking upon the unfavourable state of produce, you did think it right to give a reduction?—Certainly not, on judicial rents, but I did think it better to give a reduction than go to law.

3858. It is difficult to foresee coming events?—It is, but we should be prepared to meet the events when they come, and I heard the opinion of one judge —

3859. Sir James Caird.—Is it a recent opinion, this?—It is the opinion of Mr. Beaman, not recent, but given in 1881. It is a definition of a judicial rent. He says, "In my opinion a fair rent should be such as having regard to the property and interests of the landlord, and the intelligence and industry of the tenant, can be paid out of the return from the labour and capital expended as a whole . . . through good years and through bad years without having to apply in bad years for any abatement or reduction, while it leaves to the tenant a fair average remuneration for the labour and capital invested." That is his definition of a fair rent.

3860. Of course he had reference to past experience of prices?—We have nothing to say to that.

3861. But his experience is different from past years?—Well, my experience is as a farmer who commenced in 1849—I was educated by John Merton and I commenced farming in 1848, and I have been farming very largely since, and my experience of prices then, and the prices of the present day, is that they are considerably higher now than they were then.

3862. Then you argue from that that the prices fixed in 1882, ought to be similarly considered the

fall has taken place even up to the present time?—I argue that any rents which were charged in 1881 ought to meet the contingencies of bad seasons, and they should also have met the contingencies of bad prices. We should go by our experience.

3863. But the experience you have had for fifteen or sixteen years prior to 1881 or 1882, would not give you any idea of the future?—We were quite well aware that the prices of 1875 and onwards were inflated prices and they were beginning to come down even in 1881, and should have been taken into consideration. For that reason I say judicial rents should not be disturbed.

3864. Mr. Knipe.—That is a matter of theory, but as a matter of practice, Mr. Milward, do you find that men can meet these rents with as much ease as they did in 1881?—I think they could if they acted in the same way as in 1881, and did not submit to combination. The result of combination is that a tenant, when pushed, need not sell his corn but hold on to it and speculate upon the landlord's agency.

3865. Mr. Knipe.—Would that combination have anything to do with the Sub-Commissioners finding it necessary to give a further reduction from 1885 to the present, more than they did from the passing of the Act down to 1885?—I think the tendency of public opinion, as evidenced, has brought that about with several of our Commissioners. I have cases in which they have reduced rents by 48 per cent., subject to appeal, and I have reported to the landlord that it was a most unfair reduction—48 per cent. The Sub-Commissioners at the present day appear to me to be going wild.

3866. But your opinion is that the rents fixed after the passing of the Act, which came into operation in 1881, are too high rents?—No, I don't say that.

3867. I understood from you that the court valuers did not take time to inspect the land properly, and, secondly, that the rents fixed were unfair rents and high rents?—Either up or down—I never said too high; I said they were up and down, that some tenants only received 7 per cent. while others had received 22 per cent., and therefore the judgments had not given satisfaction because they were not equal.

3868. The President.—I think your contention was that they were so haphazard that they were of no value one way or another?—Very much that, my lord. It is my experience.

3869. Sir James Caird.—Do you think the tenants now are in a good monetary condition as they were in 1881—the time of the beginning of fixing the fair rents?—I think they are on the whole. I think they are holding a very much larger amount of stock than they ever held before, and our agricultural returns show that.

3870. Mr. Knipe.—But are you not aware, that store cattle have reduced considerably, for the last two years in value?—In point of numbers they are not going down. Last year—the year 1885—was one of the highest years for stock that we had—the highest in numbers, mind.

3871. But I am speaking of price?—Oh, the prices have gone down on the prices of 1885, but not on the prices of 1855. As to the working of the Land Purchase Act (Ireland), 1883, I place in your hands, my lord, a table that I have prepared as to the position of landlords and tenants under the Purchase Act. (See Return III.) I have taken it that suppose the rent—the net judicial rent fixed after paying rates and quit rents—was £100. From that the deductions by me from the £100, net, would be credit to the tenants, bailiff's fees, law costs, arrears lost, and allowances for losses, say ten per cent. I have allowed poor rates, the landlord's half of the poor rates, two and a-half per cent.; I have allowed income tax two and a-half per cent., taking an average; and I have allowed agency commission five per cent. That is to say twenty per cent. out of the £100 which is received by the landlord. Some people say that is rather too much, but I have taken

it is a full average. That would leave him £80 a year for every £100 of net rents he receives. To get his £80 a year, if he gets his money invested at three and a-half per cent. less income tax, he can sell his property at a trifle under twenty-four years' purchase. If he can get four per cent. he can afford to sell it at twenty-one. At anything he chooses to sell below those figures he cuts down his income. If he sells at sixteen years' purchase, at three and a-half per cent., he will only secure £54, and, if at four per cent., £62. Now take the other side and see the tenant's position. He has to pay a fixed rent of £100 at present. His future payments, supposing he borrows the money at forty-five years, will be the interest, whatever it comes to. He has got to charge himself with the debts which were formerly put to the landlord. Now, amongst those debts is the very important item of credit. He has to pay his interest on the day appointed—with the rents he never did pay on the day appointed. The usual thing in Ireland was a running sale of six months credit, and he had his chance of arrears and allowances. I put these chances down at ten per cent.

3872. The President.—Do you think it is an advantage to the tenant to be allowed to run into arrears?—No; but he is taking advantage of it. He will have to pay the poor rates now allowed by the landlord, say $\frac{1}{2}$ per cent., and in many cases income tax, say $\frac{1}{2}$ per cent. more; and altogether I consider he will have to pay or add to his interest from £10 to £15 a year. Now, in case he buys at twenty-four years' purchase, it would be £2,400, and he would have to pay £94 a year interest, and he would have to pay these debts, £15, bringing it up to £111, or if he buys at twenty years' purchase it will come to £96.

3873. By this transaction both landlord and tenant must lose?—Either one or other. The vendor has to buy up the head rents and tithes; quit rents, twenty-five years' purchase; tithes, twenty-two and a-half years' purchase; and head rents, whatever you can get for them—say twenty-five; so that if the landlord sells at eighteen years' purchase, and buys up the charges at the figures I have stated, he will not really get more than fifteen or sixteen years' purchase for his property. If he is prepared to sacrifice the interests of himself and his family, of course he can do so, but unless he is so prepared he cannot sell.

3874. Sir James Caird.—If you come to twenty-four years' purchase?—If I am wrong in saying £80 is the percentage available of the £100—one gentleman says I am nearly five per cent. wrong—that will bring up the interest to £85, and still put the landlord into a worse position as regards the future of his family. In my opinion no man selling land can invest his money at a higher rate of interest than three and a-half per cent., unless he is prepared to accept an inferior security to that he is giving up. Therefore, unless the landlords are philanthropic enough to come forward and subsidize to a loss, in my opinion, they cannot sell.

3875. We have it put in evidence before us that the selling of the tenants in Ireland would be against purchasing at any price which would increase their present rent beyond what it is?—I am perfectly certain, sir, they will not come forward and buy unless they get a tangible reduction—not to any extent.

3876. Unless there is a tangible reduction?—Unless they get a tangible reduction. If you show them that they will only get three or four per cent. reduction they will not come forward.

3877. Have you calculated, then, how many years' purchase the landlord will have to take in order that the tenant should in all cases be kept within the present rent?—You will get it on the table. I have given you all years' purchase, from twenty-five to seventeen.

3878. What time does your return show that the tenant could purchase without extra payment?—About twenty years.

3879. And, accordingly, if the landlord would accept

twenty years' purchase he will get only £68 5s. instead of £80?—Yes, about that.

3880. Sir James Caird.—In order to get a reasonably secured income, the landlord's £80, you say, would be reduced to £68—£68.

3881. At $\frac{1}{2}$ per cent.—If he takes twenty years' purchase.

3882. Of course any purchase below twenty years would make his reduction greater?—Very much greater. I do not touch upon the legal position of the matter, because that is not my business. My business as a valuer is to put this before my employers, and I have compiled these tables for the purpose.

3883. Have you seen Mr. Foster's tables?—I have not.

3884. And you don't know how they compare with yours?—I do not.

3885. Mr. Nelson.—They would be very much the same, except that Mr. Foster does not charge the landlord with the outgoing?—Well, they are absolutely necessary.

3886. The President.—Referring to the tenant's side of the affair, you think on most estates the tenant does get £10 a year in allowances, improvements, &c.?—I think he will get a great deal of it, my lord, but, at the same time, I have included in that £10 a year what I consider would be something for his loss of credit. If a man has to pay punctually to the day the loss to his credit is something serious. He has to either go to the bank, who will charge him 6 per cent., or he has to sell his cattle at a reduced price, for he must find the money by a certain day. Now he can come to the agent and say, "I have not got the money to-day, I want some time, my pig is not fat," and so on, and, as a matter of fact, he gets not time.

3887. We have it as a matter of fact that the Commissioners can and do give some time?—They may give some little time, but my experience of those receivable orders is that if the money is not paid within a limited time, say one month, one gets into correspondence with the solicitors. I know in cases of purchase under the Church Temporalities Act, where the interest is paid by receivable orders that the tenants have to pay on a fixed day. Really, the only experience we have of land purchase is under the Church Temporalities and the Land Act 1870 Acts.

3888. According to this table a tenant could only get a reduction of rent if he gets his land under nineteen years' purchase—about eighteen years' purchase?—Yes, and I say if the landlord sells at eighteen years' purchase, he must be a dead loss.

3889. Mr. Nelson.—And at eighteen years' purchase, which would only make it worth the tenant's while to buy, the landlord would be brought down from £80 to £61?—Yes.

3890. That is, for every nominal £100 he would be receiving £61?—Yes.

3891. And you say the nominal £100 represents really £80?—Yes, and I say if I take credit for these contingencies it ought to be a perfectly safe £80. Then, as far as the tenants are concerned, I have already stated to you that I have had vast experience by living amongst this class of people. I have seen the results of purchasing under the Act of 1870, and I have observed that they were not satisfactory. The tenants who purchase under this new system must have all sorts of legal difficulties to meet. Those legal difficulties, so far as I am going to speak of them, are the settlements amongst their children. Let me illustrate this by one case. A man dies, and the eldest son comes into the whole farm. But there happens to be a widow and other children. If the deceased farmer happens to have made a will charging the property the eldest son is swamped; or, if no will is made, the younger children lose all share of his property. This is, I say, a very serious difficulty which has to be encountered so far as the tenants are concerned.

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3892. The President.—But the new system prevents subdivision!—Practically, the tenants cannot subdivide for thirty-nine years, but this is a very serious matter for them. I have put it before them myself, several times.

3893. You don't think it would be an advantage to either the landlord or the tenant?—I don't think it is for the advantage of the small farmer—the man under £30 or £40 a year—to become a land owner. I have travelled over a considerable part of the Continent, and I have studied there the condition of the peasant proprietors. I do not think it is very satisfactory. In fact I was sent out by the Royal Agricultural Society of Ireland as one of their Commissioners to Denmark and the north of Europe.

3894. Mr. Nelson.—To study that particular question!—Not that particular question, but the better question. And while there I made it my business to make every inquiry regarding the system of peasant proprietorship. I found that the peasant proprietors were mortgaged up to the hilt. In Denmark I found that the tenants who had purchased were, every one of them nearly, mortgaged to the full amount of the rent.

3895. The President.—You do not look forward to the purchase by tenants of their holdings as a solution of the difficulties that beset Ireland at this moment?—I do not, my lord. I have had considerable experience on a large estate I managed. The free-staple holden on the Cammorage, which extended over a very large district in the neighbourhood were the most unhappy crew that I ever had before me.

3896. You don't think that the tenants as a class, are anxious for purchase?—I have had very few of them showing any such anxiety. Not one has asked me to sell, and those whom I have asked to buy have positively refused to have anything to do with purchase. I have here some documents which have been published by the Land Commission, very pleasantly indeed, putting forward the advantages of this sort of thing, but I do not agree with them.

3897. Do you think the objection which you find to exist would be reduced by extending the term, and lowering the yearly payment?—Of course it would be reduced by extending the term, but at the same time we have the term now extended to a generation and a-half, and we cannot go beyond that. What is the use of saying to men they will have the land free after two or three generations to come. They would not look at it under such terms. The only thing that can be done is to reduce the interest. Then as far as the landlord's side of the question goes the deposit of one-fifth is a very fatal objection. It has already been proved to upset the system. I know of several cases where the mortgagees refused to allow their money to remain out, and the landlords not able to sell in consequence.

3898. Do you think if that could be dispensed with there would be sufficient security without the one-fifth deposit?—I don't see it. I cannot see how you could give all the money to the Irish tenants without leaving some margin.

3899. Sir James Caird.—But if there was a valuable tenant-right in the place!—The tenant-right in the South of Ireland is so very fugacious a figure that it would not be safe to rely upon it. The tenants improvements as a rule are very small, and therefore the tenant-right or specified value of the farm entirely depends on the caprice of the purchaser. If you wanted to turn him out, he having failed to pay up his instalments, you would have to bring the farm into an adverse market, and of course it would sell for nothing, so that really my opinion is that it would be no use even to give all the money.

3900. Your opinion seems to go to this, that the interest of both landlord and tenant, so far, would be a bar to the carrying out of the purchase, and that they should not adopt the purchase clause!—My opinion is this, that if the country could settle down, and

if the rents were fairly adjusted we could get on far better in every sense for both sides, than it would be for either if sales were carried out under the Act.

3901. The President.—You don't think the present double ownership is practically a great disadvantage?—I do not. My idea has been for many many years that peasant proprietorship would be a great mistake in this country, and I have that opinion entirely on my experience of having lived among these people in an open country—having no gentleman within an mile of me. I have lived entirely amongst the people for thirty-five years, and I know as much of their habits and ways as most men.

3902. Then your views on the whole as to purchase are entirely adverse to doing anything in that direction?—I think it would not work out well.

3903. Well now, what do you say as to prices?—You have got the scale of prices which has appeared—chiefly compiled from Furdan's Almanac. It has been quoted in all directions. I am not going to say that that is wrong as regards prices generally, where we have really any tangible reports to go of, prices. But I do think that scale is very much wrong as regards the prices of store cattle, and is not to be relied upon with respect to them. These prices are simply taken from newspaper reports which are compiled by sending a reporter to the fair green. There the reporter asks me or any one else he meets—what have you sold as how much you have got, but he does not give any description of what the animals were, so that we cannot rely on the prices in any way. I know many instances in which these reports have been quite skewed. Cases where individuals were put down as having disposed of animals at a certain price, but where I know they did not get anything like the figure, and on the other hand I know cases where the sellers got much more than the prices put down. Besides you must recollect that the quality and condition of the store cattle causes such a change in their value, that it is quite impossible to form any judgment from the prices mentioned in the report unless you actually saw the cattle.

3904. From 1856 to 1876, the prices ran up!—Up to 1875 or 1878, they ran up to a very high rate—far beyond what they were in 1856. Some of them have gone back a good deal, but at the same time they are, I think, much higher than they were in 1856. I know myself I have given prices in the last fortnight or three weeks that were considerably higher than any in my books for that time. I have my books here—but they are just as unreliable as the newspaper reports for the simple reason that we have not got the animals before our eyes. I think that the drop in store cattle from 1875 to 1886, has been as follows!—Three-year old heasts in 1875, worth £20, have come down to be worth £17 in 1886; three-year old heasts, worth £18 in 1875, have come down to be only worth £16 in 1886; three-year old heasts worth £16 in 1875, have come down to be worth only £13 in 1886. These would be good store cattle. Two-year olds worth £14 in 1875, would be only worth £11 10s. in 1886; two-year olds worth £12 in 1875, would be only value for £10 in 1886; and two-year olds, value for £10 in 1875, would be worth £8 in 1886. One-year olds worth £12 in 1875, would be worth £8 in 1886; yearlings worth £10 in 1875, would be worth £7 10s. 6d. in the present year; one-year olds worth £8 in 1875, would be worth £6 in 1886; one-year olds worth £7 in 1875, would be worth £5 in 1886; and one-year olds worth £6 in 1875, would be worth £4 in 1886. £3 and £4 cattle are practically unsaleable—these are a very inferior description of storeable cattle. I think the cause in the falling off of the prices of store cattle were the reduction in the prices of meat, and the bad sale for stores in England and Scotland, owing to bad crops of roots and hay for the last year or two. By this reason our export of store cattle has been very much curtailed. I further think that a cause of falling off has been the overproduction of cattle—a matter which has already begun to cure itself.

3904. Mr. Knipe.—Am I to understand you to say that cattle value from £4 to £5 are practically the same price for the last ten years?—No; I say cattle which ten years ago would be worth £5, would be very poor indeed.

3905. But your contention is, that there is no reduction in that class of cattle?—I say they are unsaleable. If you bring them into the markets you must take them home again, for there is no demand for them.

3906. That is not my experience. In the North of Ireland that is the class of cattle we are entirely depending on. The graziers buy them?—I am referring to little half-starved yearlings, which would be worth £5 in 1875. Such cattle would be sent home again to us if we had them at a fair or market—people would not ask the price of them. I say this, that the quality of that class of cattle is very seriously different from what it was ten years ago. We could not sell them now. About two months ago I heard a dispute between two gentlemen about the quality of such cattle. One asked the other to turn round, and pointing to a large number of boxes—requested him to say how many of them cattle he would buy. The other replied that there were indeed very few of them which he would buy.

3907. That is not our experience in the North of Ireland. Where are you speaking of?—I am speaking of Kilkenny.

3908. You are only speaking for a part of Ireland?—I am speaking for Kilkenny and Waterford, from thirty to forty miles around me. Now, as regards the importation of meat from foreign ports, I think that has affected the prices of meat at home to a certain extent, but not at all to the extent that is supposed. I have here the agricultural reports for Great Britain for 1885, showing what the value of live and dead meat imported from foreign ports is annually per head of the population. In 1875 it was 9s. 11d.; in 1883, which was the highest year, during the period it went up to 15s. 10d.; in 1884 it was 15s. 2d., and in 1885 it was 13s. 3d., while in the year 1885 up to the present time the importations are less by 17½ per cent. than they were in 1884; that is a very small proportion to the quantity of meat consumed per head of the population.

3909. The President.—Do you know what that quantity is?—It can only be estimated. There is no detailed return of that, but take it as low as 5s. per week per head, in round numbers it would be £7 10s. a year. The proportion between 14s. 2d. and £7 10s. would be very small. Looking at the matter in this light we must seek for some other cause for the depression in the value of cattle than foreign importation.

3910. Sir James Caird.—What is the other cause?—In my opinion the want of employment in England has been the absolute cause of it.

3911. Mr. Nelson.—The state of trade?—The state of trade. We hear a good deal of talk about the results of foreign importation and that sort of thing, but as far as meat is concerned it must be remembered that the artisan class in England who were formerly our best customers are now glad to be able to feed their children with dry bread in a great many cases.

3912. Sir James Caird.—Then to the diminished home consumption you attribute the fall in the price of cattle more than to anything else?—Of course. I don't think you could get it in any slower way than by going through these government tables—these agricultural returns.

3913. Mr. Knipe.—Do you think that the number of cattle we are getting from America at the present time, both alive and dead, would not affect the prices very considerably?—Certainly not.

3914. Certainly not?—Certainly not. I have the returns here showing imports from all ports, including America.

3915. Mr. Nelson.—According to these figures the importation would be a single mouthful?—I am prepared to show you from the cattle returns that the cattle imported, alive and dead, are only a second-hand.

3916. Mr. Knipe.—Would we not have higher

prices for our home meat if there was not such a large quantity of foreign cattle and meat coming in every week?—I think that the prices as affecting Ireland are caused by what I am about to produce to you. I have here the returns showing the ports of which American and all other cattle came in. Cattle come from Denmark, Belgium, the Channel Islands, Norway, Spain, Portugal, Sweden, Canada, and the United States. These returns prove that the bulk of the cattle coming into the country from America and Canada are landed at three ports. The first of these is Glasgow, the next is Liverpool, and the next London. Now, Irish cattle are chiefly landed at Liverpool and Glasgow, and as a matter of sequence the foreign cattle from America meet us there and we are severely hit by them as far as our local markets are concerned. But take the whole of England in 1884, the imports from all countries of cattle was 624,564. The gross number of cattle in the country that year was 10,412,752. Now take the cattle to be slaughtered before they are three years old it would mean that the average consumption of cattle would be somewhere a little under 4,000,000. What we have then to export is between this 4,000,000 and the 620,000 imported, so that I cannot see in what way we have lost that great reduction in price by importation. Now, take the prices in the Liverpool, London, and Glasgow markets. In 1875, in Liverpool, meat by the carcase was five pence to eight pence per pound. It went from five pence halfpenny to seven pence halfpenny, from five pence farthing to seven pence farthing in consecutive years, and it is in 1884 four pence halfpenny to six pence halfpenny per pound. That would be a difference of about a halfpenny in the pound, or 4s. 6d. in the hundredweight. Take Glasgow, take London, in every town, we look to it, it will be found to be the same, that the cattle tumbled down in price, and that meat became from a halfpenny to three farthings per pound lower.

3917. How many years?—Inside the last ten years. I am only taking the returns given us by the Government. We can only take these.

3918. That is not the experience of farmers generally?—But these are the facts from the authorized returns.

3919. Mr. Nelson.—You do not deny the fall in the price, but you attribute it to want of home consumption and not to the importation of cattle?—Yes.

3920. In other words, you attribute it to another cause than the introduction of foreign cattle?—Yes, and I prove it from the figures given us by the Government.

3921. Mr. Knipe.—But would you not expect as a natural result that we would be getting higher prices for our home-made beef if we had not such a large amount coming annually from America?—I do not think you would under the present state of trade in England.

3922. But if trade in England were better, we would?—I don't think it would make much difference. If you study the returns of imports for the last twenty years you will find that the increase in live cattle is very small, but there is a considerable increase in dead meat.

3923. Sir James Caird.—But the dead meat of course equally affects the market?—The dead meat affects the market to a certain extent; but taking the returns and the total of live and dead meat per head you will find that it has only gone up from 6s. 2d. to 41s. 2d.

3924. Can you give us the quantity of imported meat in each case—the same as you have done with regard to cattle?—I could do it, but I have not got it made out now.

3925. It is very considerable?—I know it is very considerable. Takes the year 1865; the total of meat per head was 6s. 6d. Then it went on at that rate until the year 1874; and from the year 1874 it began to grow.

3926. That is the dead meat?—The live and dead

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most from 1874 began to grow. In 1875 it was 9s. 11d.; in 1876 it was 11s. 4d.; and it has been the double figure ever since—11s. and 12s. and so on up to the present.

3927. That is a very considerable addition!—Of course it is a very considerable addition. But in 1875 we had no complaints of the bad prices.

3928. I am not disputing—quite the contrary—your belief that the fall in prices has very much arisen from the depressed state of trade in England. You argue that in 1875 the import was high and there was no complaint, and in 1876 it went on higher and there was no question of the depression in the price of live stock. It is only within the last two or three years we have had the depression in the value!—Yes.

3929. The President.—I believe wheat is practically very little grown in Ireland!—Practically the price of wheat does not affect us very much now. The growth of wheat has gone down enormously in Ireland. Our people have turned from eating other things to eat bread; they get the advantage of the low price of wheat imported from foreign ports as much as others.

3930. If they use the wheat imported, therefore they gain!—Therefore they gain as much in proportion as any other part of the population by having cheap bread.

3931. Well, as to oats!—The prices of oats have ranged low for the last two or three years, but, at the same time, I may observe that the crops of potatoes which have been grown in Ireland for the last two or three years tended to meet the difference in the value of oats. Of course, when the people had no potatoes they had to eat a great quantity of oats. I am speaking now of the small class of farmers having from ten to twenty acres of ground. We know the way they live and the way they must live. No farm of from ten to twenty acres can give a man beef and mutton—that is quite clear. The price of barley is excessively low this year, the reason being that it is damaged by inferior quality. But it has been a full average crop for some years past, and a fair price has been paid for good quality.

3932. What about beans?—They are practically not grown.

3933. And fax!—Practically farmers in the South of Ireland know nothing about fax. It is a crop unknown to us.

3934. We now come to the butter!—The price has ranged low for the last two years, and is still lower than the prices that prevailed a few years ago. There is a return compiled from the Cork butter markets for a great many years past showing the extraordinary way butter went up in price. You will see averages made out in periods of ten years. The return has been prepared by one of the Cork butter merchants, and a most valuable return it is.

3935. Mr. Nelson.—Where has it been printed?—It has been privately printed by Mr. Clancy, butter merchant, Cork, but he has not carried it on from the year 1864. I think the price of butter is nearly as much, if not quite as much, affected by the depression in trade in England as most. Of course butterine has come in to affect the inferior class of butter very much, but I think the depression of trade is principally the cause. Now, as to the price of labour, in my experience the price of labour per man has increased, but I do not think that on large farms the cost of labour per acre has increased to such an extent as to interfere with the farm returns.

3936. Owing to the introduction of machinery!—My opinion is, that on large farms where labour was an important item, the introduction of machinery has cut down the expenditure on labour very considerably.

3937. And, of course, in many cases the farmer and his family do the whole work!—In the cases of small farmers the price of labour does not affect them except for a day or two during harvest.

3938. By some returns we had before us it appeared that the number of labourers in Ireland is

about half the number of farmers!—That would be my experience from general observation.

3939. At all events, in a number of small farms the work is done by the farmer and his family!—By the farmer and his family or with the assistance of a neighbour. The small farmers very often join in helping one another—one helps to-day, and he is himself helped to-morrow.

3940. The President.—What is the general result of your remarks as to prices!—The general result of my experience as to prices of all sorts of agricultural produce is that they are down twenty per cent. lower than they were ten years ago, but that they are still at such a level as will enable farms to be cultivated and to pay rent.

3941. Supposing there was to be a revision of rents and a new plan adopted for settling the rent in the future. Has your attention been at all turned to the advantages of a sliding scale?—It has to a very slight extent. I have not studied that question very much, nor do I believe there is very much in it, for I think the result would be this—that when we in Ireland slide downwards we forget to get up again. I think we should have a great deal of that. We have had a very striking example of it in one particular item—with regard to tithes which were paid to clergymen and to lay proprietors. We had the right to revise them every seven years, but it was exercised in a very few cases. When the Church Act of 1870 was passed it began then to be a matter of considerable importance, for great numbers who then had no further feeling about reducing them, commenced proceedings to have them revised and lowered, but the Government suddenly slipped a clause into the Act of Parliament that they could not be reduced any more, so far as rectorial tithes were concerned. That cut the ground from under our feet, and the result was that the tithes stay as they are, notwithstanding the depression and the reduction of rents. I am very much afraid that the rents would be the same if there was a sliding scale introduced.

3942. Mr. Swigg.—Referring to the difficulties which you say are in the way of the Purchase Act, do you not think that these difficulties could be met by establishing a court to interfere between landlord and tenant!—In other words to establish compulsory purchase.

3943. Yes!—Well, I think if you establish compulsory purchase that you must give the landlords the income they have been hitherto receiving. You cannot compel a man to sell and reduce his income, nor can you take his property from him unless you give him the same thing as before. Doing a thing of his own accord is quite another matter. We have had compulsory purchase for railways and other things of that sort, and the general price given there is twenty-five years' purchase.

3944. But if he finds it to be his interest to make an arrangement with his tenant!—That, I understand, he has the option of doing now. You asked me what did I say to compel him to make an arrangement with the tenant or to compel him to sell.

3945. To establish a court to carry out the arrangement!—Then, I think, you introduce compulsory purchase.

3946. You would not approve of that!—No; but I should be very glad to be bought out at twenty-five years' purchase—and I am sure all our landlords would be so too.

3947. Provided one landlord was willing to sell and that the landlord and tenants agreed, but that a landlord adjoining refused to sell, though the tenants were willing to buy, what effect would that produce among both classes?—I think it would be very unsatisfactory to both parties, because I think the tenants would be complaining that they were not getting fair play, and the tenants on the property which was sold would be laughing at the others, because they themselves would only have bought because they got the land at a bargain.

3948. Would not the effect of the purchase be to

make the tenants who had bought more industrious and attentive?—That is not my experience. As I stated, I have had large experience of this class of people—free-holding owners of small quantities of land. I have seen large numbers of them in different cases where I have been working on property, and it is not my experience that they were a bit better off than the rent-paying tenants. Others who were not of my view on this subject have also considered the matter, and they have reported to me since that they came to the same conclusion as I did. There was one man in particular who had a very strong opinion opposed to mine; but he has since expressed his opinion to me that I was not very far wrong.

3949. Your experience then is, that the less security a tenant now has in a farm, the more industrious he is?—I did not say a tenant has less security now. I think he has a very good security at present. He has a good tangible security given him at present.

3950. But, would he not have greater security if he arranged with his landlord to buy?—Of course he would have a better security, but I am not prepared to say he would be better off. I am speaking now of the owners of small farms. In the owners of large farms we would expect to find greater intelligence and a different state of things.

3951. It has been stated here by a great many that the result would be the opposite effect to what you have stated?—I should hope it would have, but at the same time I am only giving you my opinion, that I don't think it would.

3952. At all events, with reference to the prices of oats, wheat, and oats, you do admit that they are lower than they have been for a number of years?—That there has been a temporary reduction for the last two years. We already see signs of its beginning to get up again, and indications that things will come to their level again.

3953. But in consequence of the fall in prices tenants have more difficulty in meeting their demands?—Certainly, more difficulty.

3954. And some of the landlords in your locality have found it necessary to give reductions on the rents fixed in 1882?—They have given reductions. I do not say on the judicial rents—they have given reductions, and if they have, they have given them for the sake of good fellowship, and to prevent any squabbling.

3955. But are there not complaints all round from tenants of their inability to pay owing to this being a very bad year?—I have already given you a good many proofs that there is combination as well as inability.

3956. I think your statement only went this length—that there was a combination to resist the payment of unreasonable rents, and asking for a reduction of rents, but that there is no intimidation?—I thought I made no such mistake. I thought I went over the subject in such a manner as to prove very plainly that there was combination, and that the combination was the result of intimidation.

3957. I thought the combination related only to applications for reduction of rents?—No, I referred to the combined circumstances of combination and intimidation, and I cited one case where a man had

a free-hold grant—and where the other tenant refused to pay unless he got a reduction as well as they.

3958. Looking at the present state of the country and looking back for four years, are you prepared to say whether it is in a worse or a better state now than it was three or four years ago?—I should say slightly worse—but not much worse. I think the country is not much worse than it was four years ago.

3959. Is it better than it was six years ago?—It is rather better than it was six years ago. I think from 1879 to 1882 were the worst times we had. We had very bad times as far as crops were concerned in 1879 and 1880.

3960. But it is principally in connexion with the demands for further reductions of rents that the complaints about the bad times are made?—I think the times have changed quite apart from the reduction of rents.

3961. But I am referring to the combinations?—The combinations have been within the last two years. They differ very much.

3962. But principally the demand made has been for a reduction of rents, and it has been refused—and in some cases the tenants have combined together?—I have made allowances in all cases more or less—but excessive demands have been refused. When men asked 30, 40 or 50 per cent. I have given 20 and sometimes 25 per cent. reduction.

3963. Looking at the low price of produce and the inclement season we have had?—Well, I cannot agree with you about the inclemency of the season—I don't think we could consider it a bad season until within a short time back—part of the harvest, but at the same time I may say, that I got all my corn in in good condition long before any bad weather—I am equally aware that there is a vast quantity of corn all over the country in a very bad way. I attribute that as much to the careless way the farmers go about getting it in, as to the bad weather.

3964. That does not apply to the North of Ireland. We have suffered very severely indeed—and the rivers are very much swollen?—Yes, within the last week.

3965. Yes?—But you will admit that the middle of October is very late for harvest.

3966. But we have had a fortnight or three weeks of very unfavourable weather?—Yes.

3967. The harvest was retarded in consequence of the inclement weather we have had. The last rain has injured the crops very much, and, as a fact, caused very considerable loss?—Well, I have travelled a good deal through the country, and while I have seen vast quantities of land cleared, I have also seen vast quantities of crops left out. At the same time those who were active and thrifty about their work have got their harvest very safe. I have seen a good deal of corn coming into Kilkenny in very good condition—corn, sixteen barrels to the Irish acre threshed. On the other hand, I was offered barley at 8s. a barrel—8s. per cwt.

3968. I believe your harvest is a fortnight earlier than ours in the North of Ireland?—The harvest has been over with us for some time.

The Commissioners then adjourned until Tuesday, at Derry, at eleven o'clock.

Oct 22, 1884.
Mr. Dawson
A. Milward.

EIGHTH DAY—FRIDAY, OCTOBER 22ND, 1886.

The Commissioners met at Lonsdownery.

Present:—The Right Hon. Earl Cowper (*President*); the Right Hon. Earl of MILLTOWN, Sir JAMES CAIRD, Mr. NELSON, Q.C., Recorder of Lonsdownery, and Mr. KNIFE.

Mr. Thomas Montgomery examined.

Mr. Thomas
Montgomery

3363. The *President*.—I believe you are agent to the Irish Society?—Yes, my lord.

3370. And you collect about £12,000 a year for them in agricultural rents?—Well, not exactly exclusively agricultural rents. £12,000 a year would include house property to a great extent.

3371. But still there are a good many agricultural rents?—I think you might put down, roughly speaking, the purely agricultural rents at £4,000 a year.

3372. Have you many leaseholders among those tenants?—Yes, there are. Perhaps I might say the leaseholders would be about—the 'judicial' leaseholders would number about forty-five and hold perhaps about 1,500 acres.

3373. Lord MILLTOWN.—The judicial leaseholders?—I am speaking of the judicial leaseholders.

3374. The *President*.—Those who have taken advantage of the Land Act of 1881?—Yes.

3375. Lord MILLTOWN.—But that is not what we mean by leaseholders.

3376. The *President*.—You mean that forty-five have had judicial rents fixed under the Land Act of 1881?—Yes.

3377. Sir James CAIRD.—You mentioned the rental I think?—They hold perhaps about 1,500 acres. The Government valuation of that would be about £1,400 and the rents at present about £1,350.

3378. Lord MILLTOWN.—That is the reduced rent?—That is the reduced rent.

3379. And the Government valuation?—The Government valuation is £1,400.

3380. The *President*.—We may take it that Griffith's valuation is much higher here than in other parts of Ireland?—My experience, to a certain degree, is rather limited. I have not been agent for more than a year and a half.

3381. The rent has been reduced to £1,350?—Yes, 3382. These are all judicial rents?—Yes; and one half of these have been entered into by mutual consent between the Society and their tenants. The other half were fixed in court.

3383. For how long have these been settled?—For fifteen years.

3384. No, but how long is it since they were settled?—From 1869 up almost to the present time.

3385. You were not here?—I was not here.

3386. Therefore you have no means of telling me whether they were fixed mainly low at the time they were fixed?—Well—

3387. Lord MILLTOWN.—Were those fixed by the Court, or those agreed to by mutual consent first?—which class came first?—I am speaking now from what I know.

3388. Yes?—I should say that the first judicial rents were fixed by the Court.

3389. And then later?—By mutual consent.

3390. Did the Court give the line on which they were fixed or was it those fixed by mutual consent that gave the line?—I should say it was the Court gave the line as they fixed the first rents.

3391. The *President*.—Do you think those rents are higher than could easily be paid by the tenants?—No; I do not. I think they are very fair rents.

3392. Sir James CAIRD.—May I ask if there was any considerable difference between the rents fixed by the Court and those fixed by mutual consent?—Be-

tween what the Court fixed and what were fixed by mutual consent?

3393. Yes; is it supposed that the rents fixed by the Court were higher or lower, or that those fixed by mutual consent were higher or lower?—I should take it that they were much the same.

3394. The *President*.—Have you had any difficulty in collecting the rents this year?—Well, there is a sort of general—I could hardly express it, but there is a sort of unwillingness, as a rule, to pay. But coming from the South as I do I should say the tenants here are far more inclined to pay and far more inclined to discharge their liabilities. As a matter of fact there are some in arrears at present, but nothing very long in arrears, and nothing that I don't expect to have paid. I may tell you that the old rents of these judicial leaseholders amounted to £1,350, on the whole forty-five tenants holding 1,500 acres, so that the total reduction was about £250.

3395. Lord MILLTOWN.—Then the old rent was practically the same as the valuation?—Yes.

3396. Sir James CAIRD.—The old rent was £1,350?—Yes.

3397. Within a few pounds of the valuation?—Yes.

3398. The *President*.—Was there much difficulty in collecting the rent in former days?—I have never heard there was. In fact, I may say there was not.

3399. Are any of your tenants holders of leases made before 1881?—Yes.

4000. How many?—I cannot exactly tell you. But the number of acres held under old leases, terminable leases, is 2,300.

4001. What was the length of the old leases?—From thirty one to sixty one years.

4002. Are their rents, as a rule, higher than those fixed as judicial rents?—No. The difference between the two rents—between the rents that are now paid by the judicial leaseholders and the rents that are now paid by the other leaseholders is small. The judicial leaseholders pay about one shilling an acre less.

4003. And therefore you could have no objection to their taking advantage of the Act of 1881?—I am not prepared to say that. I mean to say that considering that the rents are pretty fair all throughout I should not be for allowing any further reduction.

4004. But would not the effect probably be to increase the rent?—Well, the 'terminable' leaseholders are paying a shilling an acre more than the judicial leaseholders.

4005. Sir J. CAIRD.—But taking the acre as an average acre—that must depend on the quality of the land being equal?—Well, I am taking the average of the whole estate.

4006. Lord MILLTOWN.—Do you speak of Irish or statute acre?—Statute in some cases.

4007. But as a rule you speak of the statute acre?—The Conyngham acre.

4008. The *President*.—Your objection to allowing the leaseholders to take advantage of the Act of 1881 is that the rents would be lowered?—No. I don't wish to be taken as saying that. My objection is that I think that the leaseholders are very fairly rented at present.

4009. You see no necessity for allowing them to take advantage of the Act?—I see no necessity.

4010. Do they pay as cheerfully as the holders

under judicial rents?—More cheerfully—decidedly more willingly.

4011. Are improvements generally made by the tenant or by you?—Well, they are generally made by the tenant.

4012. Has the tenant-right been selling well of late?—Yes; tenant-right sells here pretty much as it does throughout Ireland.

4013. Has it been selling as well during the last year as in former years?—No more have come within my knowledge during the past year.

4014. Have you given your attention much to the Land Purchase Act of 1885?—It has come in a slight way before my notice.

4015. You have not had any sales under it?—No sales, but at present there are applications for sales before the court.

4016. There are?—Yes, four in number, and I have had one or two large tenants coming to me for advice about the advisability of making a proposal for the purchase of their farms.

4017. Are your company anxious to sell if they could get a good price?—I think my society would be pleased to sell if they could get the same annual amount from the capital sum they would realise by the sale. But I don't think they would wish to sell if they would be losers; and I don't see how they could, because the society have spent the greater portion of their money—I may say an enormous amount of their money in educational improvements and other improvements all over their property.

4018. And you consider that unless they could get a fair offer they would rather remain as they are?—Yes; they would rather remain as they are. If they were to sell at a price that would reduce their income they would cut short a great many of their grants.

4019. Is there a wish on the part of the tenants to buy?—In there a widely-spread wish on the part of the tenants to buy?—At a price, but not at a price that I consider the landlord could fairly sell at or be asked to sell at.

4020. How many years' purchase do you think it would be worth your while to sell at?—As I said before, and I think I might say, without absolutely committing the society—I wish to say I am speaking as an agent, and I cannot quite say whether my society will endorse all I say—but I am quite sure my society would be quite willing to sell if they lost nothing per se on the sale.

4021. Would you be in favour of a sliding scale for rents—having the rent fixed according to the price of agricultural produce, in the same way as the tithes were fixed?—As an agent I should say I would be strongly opposed to it, for I think it would be extremely hard to collect rents when prices went up and the rents were raised.

4022. It would be easy to reduce them, but not so easy to put them up again?—Yes. *Pacile desamur accuri.*

4023. Lord Milborne.—I understand you to say that the agricultural rental of the Irish Society's estate is about £4,000 a year; and that of this amount £1,150 is paid by tenants who have had their rents fixed under the Act of 1881?—Yes.

4024. And how is the balance between that and the £4,000—how is that held?—The balance will be leaseholders holding under terminable leases, with the exception of 350 acres held by tenants who are satisfied with their old rents and have not gone into court.

4025. With the exception of how much?—350 acres.

4026. How many tenants on these 350 acres?—I should say about twelve.

4027. So that with the exception of those twelve tenants all the tenants who could avail themselves of the Land Act of 1881 have done so?—Quite so.

4028. What class are the leaseholders—are they a superior class to those who have gone into court?—They vary a good deal. There are three or four who

have leases—for example, the High Sheriff of Donegal is a leaseholder.

4029. But the general body?—They would be pretty much of the same class, as a general rule with a few exceptions, as those who have gone into court.

4030. Pretty much the same class as those who have had their rents fixed?—Rather better on the whole.

4031. Was there any reason for giving some of your tenants leases and others not, for the prescription would be that those who obtained leases would be the tenants in whom the Society had most confidence?—It is quite possible at the time the leases were granted; but I can hardly speak with authority from that time.

4032. When was the last lease granted?—The last lease?

4033. Yes?—The last judicial lease?

4034. No—the last ordinary lease?—I could hardly tell you.

4035. How long before the Land Act of 1881?—Before the Land Act of 1881?

4036. Yes?—I should say about ten years.

4037. Then before the Land Act of 1870?—I said before the Land Act of 1881. I am speaking, perhaps, of what I ought not to speak.

4038. They don't do that. But these were not granted after the Land Act of 1870?—No.

4039. Have you any reason to know whether many of these leaseholders would be desirous of taking advantage of the Land Act of 1881?—Yes, a certain number, perhaps under a dozen, have already made application to the court asking to be allowed to have the provisions of the Act applied to their leaseholds.

4040. They have?—They have, and it is at present under the consideration of the court.

4041. How can the court allow them to take advantage of it?

4042. Mr. Neligan.—I think he means by the court, the court of the Irish Society.

The Witness.—I mean the court of the Irish Society.

4043. Lord Milborne.—About twelve out of a number of how many?—I could not tell you exactly the number—a very small proportion.

4044. And are these—this small proportion—are they large leaseholders?—No, very small. They are quite the smallest tenants on the estate—the smallest leaseholders on the estate.

4045. The large leaseholders have expressed no wish to have their rents settled by the Land Court?—No.

4046. Are these small men higher rented than the others?—They certainly are the poorest class.

4047. But this is not the point. Are they higher rented?—Oh, I don't think so; but they happen to be the poorest tenants.

4048. You have no reason to believe that the vast majority of the leaseholders on the estate of the Irish Society are desirous of availing under the provisions of the Land Act of 1881?—So far no application has been made to me.

4049. That is your impression—you say a large proportion of the revenue is laid out on improvements on the property—for educational purposes and other improvements?—And on public buildings.

4050. Can you tell us what proportion is laid out in that way?—Over £4,000 a year in educational grants alone.

4051. That is £4,000 out of £12,000—in that or denominational education?—No; it comprises all denominations.

4052. Then it must be denominational education?—Denominational education—yes.

4053. The President.—In Ireland?—In Ireland.

4054. Mr. Neligan.—How is that sum of £4,050 distributed?—In the City of Lendinore a large sum is given to Foyle College, a large sum to the Academical College, a large sum—but a smaller sum—to St. Columba's College; a large sum, £300 a year

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I think, to the Academical Institution, Coleraine; to the Society's own schools, in Coleraine, over £800 a year; and I think I might say to every school under the National Board, and to most of the Sabbath schools over the whole property.

4053. Lord Millican.—What becomes of the rest of the £8,000?—It is spent on public improvements. The society have subscribed very largely to public improvements. For instance, there was a sum of £40,000 to free the bridge of Derry. They also gave over £30,000 to the Bann navigation.

4054. These are capital sums paid down?—

Yes.

4055. They paid down the £40,000?—Yes, yes; quite so.

4056. But what I wanted to know was—what proportion of the large income of £13,500 a year which they get from their estates they lay out on these estates, and on what nutritious objects in Ireland?—I might say that they lay out very nearly the whole sum, with the exception of the expenses for the management and certain expenses connected with the holding of the estates court in London.

4057. Their whole income?—There are perpetually supplementary grants towards the erection of churches and schools and all sorts of public purposes.

4058. You say that the whole income, with the exception of the expenses of management, which I suppose includes turtle soup, is laid out on the estate?—I might say so.

4059. And the society would not consent to sell unless for a sum that would bring in a similar income, but they would not have the same amount as at present to spend on these objects?—Yes.

4060. That is the only reason?—That is the only reason that I am acquainted with.

4061. What is the offer of the tenants?—about how much?—The offer of the tenants that has been already put in.

4062. You say that some of the tenants have proposed to purchase, and you say that the society could not think of selling unless they were to get a sum which would produce an annual income equal to the present income?—I said that the tenants' offer was under consideration.

4063. But I think you said the society would not think of taking what they offer—what are their offers?—There are certain offers before the society at present which are under consideration. These offers run from seventeen to twenty years' purchase. One is for twenty years, and others from seventeen to eighteen.

4064. That is of the gross rent?—Yes.

4065. Have you any knowledge whether there is a general desire among the tenants to purchase?—With the exception of these four cases there have been only two other tenants that have spoken to me with regard to making a proposal to purchase, two other tenants, two very large holders.

4066. Is it then your opinion that there is no general desire amongst them, or have you formed no opinion on the subject?—I judge from the fact that only four have come forward, and only six, including these four, have talked about it, that there is no general desire.

4067. Sir James Caird.—How many tenants are there?—I could not say exactly.

4068. I would like to know the proportion?—I could send it to you.

4069. Lord Millican.—Is there general satisfaction with the judicial rents fixed?—Yes; I should say there was.

4070. You mean they give satisfaction to the tenants as well as to the landlords?—They give satisfaction to the tenants.

4071. I would just ask you, this question—do you think it would be desirable to have a general re-valuation of the whole of Ireland with a view of fix-

ing the rents?—This is simply my own opinion on the subject, and I should say certainly not.

4072. Why?—Because I think that my great idea, if I was asked about it, would be to have some finality about the question; and the more re-valuations the less finality. I should say that the great reason why more tenants do not take advantage of Lord Ashbourne's Act, and why there is such unwillingness to pay rent is that the tenants think that the question is not settled, and that they will get better terms—that by holding off and not taking advantage of the Acts they would get better terms. Both parties would be likely to be satisfied when they know that they could not get better or worse.

4073. Mr. Aspin.—With regard to leaseholders, did you make a calculation when you say that their rents are a shilling an acre higher than the judicial rents?—Yes.

4074. That is, you took the rents on an average?—Yes.

4075. Is there not some of these old leaseholders much higher rented than others?—Yes.

4076. They vary considerably?—Yes.

4077. And some of them pay perhaps five shillings an acre over the judicial rents?—Quite so.

4078. Perhaps more?—Perhaps more in some cases. They would be more in the case of farms that lie close to the town.

4079. You have had no applications from this class of tenants?—I have had no application, but the one I have spoken of. None but one, that included the names of twelve tenants which I have told you has been forwarded to the society, and is now under their consideration.

4080. You say that a large number of these leases were taken out before the passing of the Land Act of 1870?—Some were taken out before the passing of the Land Act.

4081. Prior to the Land Act of 1870?—Prior to the Land Act of 1870.

4082. And probably more pressure brought to bear on the tenants by the landlords?—I happen to know from my own experience that another reason might be given to it.

4083. Lord Millican.—What do you mean by another reason?—I speak of my own father's property in the County Cork. His property is representative of the old class of proprietors who let their estates on lease; and one of the greatest difficulties was, when the lease fell out to avoid giving offence to parties who tenders for the farms, and who tendered at higher rents than would pay; and to give it to a solvent party at a lower rent than was offered by others; and I know that that was so in many other cases of a similar kind.

4084. Mr. Aspin.—You said these were an industrious class of tenants—the old leaseholders?—Yes, very. All the tenants here are very industrious.

4085. Do you think that the Land Act should be so altered as to admit them to the benefit of its provisions?—The Land Act of 1881.

4086. Yes. Is not it very hard for these leaseholders to be paying five shillings, and perhaps ten shillings an acre more than those who have got judicial rents fixed?—It has been stated, with regard to tenants who took out leases before 1870, that the reason they took out leases at high rents was to prevent themselves being subjected to rises of rent by the landlord. Assuming that that is the case, those tenants who took out leases have been getting the benefit of their improvement, while tenants from year to year have been periodically having rises of rent put upon them. If that is the case it would seem more proper to reduce the rents of tenants from year to year than those of leasehold tenants.

4087. Have you ever heard that there was pressure put upon tenants to take leases, prior to the Act?—I have heard it often and often.

4088. And tenants as a rule were pleased to get leases, so that they might have some protection, and

that they might be saved from the additional rent that was generally put on it—It is stated to be the reason now, but my impression is that the tenants were delighted to get the leases, to get the land.

4091. The lease was a protection to them?—Of course it was.

4092. Do you think that, taking all things into account, these leaseholders should be admitted to the benefit of the Land Act of 1883?—I can't agree with you at all.

4093. You would not recommend that?—No.

4094. About what was the average of the reductions to tenants who went into court and got their rents fixed?—Out of a rent, in forty-five cases, of £1,360, it was reduced by £310 or £311.

4095. Were there any appeals?—So far as I know there is but one appeal. There is only one appeal pending, and I don't know whether it will be carried out or not.

4096. And there were about as many fixed out of court as in court?—About the same.

4097. And about the same proportionate reduction?—About the same proportionate reduction.

4098. You say the tenants have a greater desire here to pay rents than in the South of Ireland?—The tenants in the South of Ireland have a greater desire not to pay rents than the tenants here.

4099. Do you think it is a difficult year for tenants to meet their demands?—I consider the last three or four years have been very difficult.

4100. Has the price of store cattle been going down for the last three or four years gradually?—I think this year has in some respects been the easier.

4101. How?—They hold in stock at low rates, and they could afford to sell them at low rates.

4102. And they have a little margin?—They have a little margin.

4103. And does that not affect the humble class of tenants—the tenants that rear young stock?—There is no doubt that it affects all classes of tenants.

4104. And if the grain got a little more, that does not improve the general state of the country?—I don't know that, because at present there is a little rise in cattle.

4105. The people who actually produce these cattle are worse off; and grain is low?—Grain is low. At the same time there is a good deal of produce. Oats, which is a great staple commodity here, you might quote at about 8d. a stone.

4106. Max is much estimated here?—Not very much.

4107. Prices are lower?—I could not say anything about the price of fax?—I have not seen it quoted.

4108. With reference to the Land Purchase Bill of 1885, considering the state of the country, and the relative positions of landlord and tenant, would you say it ought to be made compulsory?—I think the Act might be improved by extending the number of payments which the tenant is now compelled to make, which, I believe, is for forty-nine years. If that were extended over a longer period, say seventy or eighty years, and so reducing the instalments; and also I think that in the case of a sale the landlord ought to get his credit, which he has now to leave with the Land Commission. In the case of many a landlord with a heavily incumbered property, there may be his living in the credit, and if he were to get that he might see his way to sell.

4109. Have you thought what effect it might produce if the tenants on one property were to have the opportunity of buying and arranging with their landlord, and what effect it would produce on the tenants of another property where the landlord would not sell?—Of course it would produce a very evident effect on those who had not the opportunity of purchasing.

4110. They would see their neighbours getting their land cheaper than themselves?—Yes.

4111. And it would encourage the tenants who had

benefited in this way to be more industrious?—That I am not prepared to state at all. It might in this part of the country; but I am not prepared to say it, from what I know, of the South of Ireland.

4112. Do you think if there was a court established to interfere between landlord and tenant for the purpose of fixing a fair price that such an arrangement would work?—That is a speculation that I really could not go into.

4113. Mr. Nelson.—Take the case of your own estate—could they come to an amicable arrangement that would cut down their income by 40 per cent.?—It would take a very clever gentleman to get them to consent. I should say my society would not willingly consent to a reduction of their income below their present rent, because that rent is spent entirely on different improvements and public works, and in fact the society's facilities are very great. And I think I might say also, that certainly hitherto, and from what I know of the tenants, the society and the tenants are on the best of terms. I have never had a cross word or an angry word with the tenants, and they are the most thrifty, hard-working set of men I ever met.

4114. Mr. Keig.—That is the general character of the tenants?—That is the general character of the tenants.

4115. Do you think that landlords who have that class of tenants would be so anxious to sell as if the tenants were of a less thrifty class and the landlords had some difficulty in getting their rents?—Undoubtedly they would not.

4116. You are not able to say what effect it would produce on those who saw their neighbours able to purchase and they themselves unable to do so?—It would produce different effects in different cases.

4117. Mr. Nelson.—Could you give us an idea of how many new leases were granted before 1870, and how many since—could you let us have it?—I will let you have it in the course of the day.

4118. Before and since 1863?—That is the leases before and since 1863.

4119. Yes. And I think there was another matter—the number of tenants on the estate, distinguishing between those who hold under lease and those who do not?—Of course this will only mean the tenants that I have included in the figures I have given.

4120. Could you say whether this year or last year if any, and what amount of reduction or abatement was given on the judicial rents?—Throughout the country?

4121. I am speaking of the property you are managing?—There was no reduction on judicial rents.

4122. In this neighbourhood?—On the society's property.

4123. Were any refused?—From me?

4124. Yes—I am speaking now of the estate you manage?—One or two individual tenants, when paying their rents have stated that they found it hard to do so, and asked were the society going to give a reduction.

4125. Sir James Caird.—You stated that your society would not be desirous or willing to sell unless they could receive from the proceeds of the sale an income equal to that which they at present have?—Yes.

4126. Could you let us know what would be the reduction that would take place in the income of the society now after deducting expense of management and every other outgoing that necessarily falls on the society as landlords—what net income does the society receive after all outgoings?—I want to know what is the average per-centage of deduction for all outgoings?—I don't quite comprehend your question.

4127. If you have £100 of rent how much is short-paid to the landlord out of that £100 in the management of the estate—that is, necessarily laid out by the landlord—is it 10 per cent. or 15 per cent., including rates and cost of management, and other demands upon

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the landlord?—Well, I could not exactly tell you what per centage.

4128. You have not considered how many years' purchase it would be necessary to charge the tenants on the estate to bring out the landlord in the position of not losing by the sale?—I have not.

4129. You don't know whether it would amount to 20 years?—I should think it would be over 30 years.

4130. We have found that very few Irish tenants would be disposed to pay more than the present rent in order to get into the Land Court and become purchasers of their farms; and if it were more than 20 years it is probable their payments would exceed what the rent is at present?—Yes.

4131. And if that be the case your society would not be, you say, in a position to sell?—My company would not be in a position to sell unless the interest they got from the capital would be equal to the rent.

4132. Equal to the rent they receive?—Yes.

4133. The President.—What per centage would you say that the landlord might expect to get for his money—would you put it at 4 per cent.?—I should say that would be the very highest.

4134. Sir James Caird.—You said you were not prepared to say whether, if the tenants became owners, they would increase their industry?—I said that, looking to my experience of the South as well as of the North—I was looking more to the South—but the tenants of the North are of a very different class.

Mr. William Sinclair, of Drumlog, Donegal, examined.

Mr William
Sinclair.

4144. The President.—I believe you see a land owner?—Yes.

4145. And also a tenant farmer. You have got land that you hold from other people?—I hold land in the West of Donegal and in Tyrone—Strabane, not very far from here. I also must come land from Lord Conyngham, and some from the Duke of Abercorn.

4146. What extent of land?—Altogether between 500 and 600 acres.

4147. Have you found like everybody else that last year has been a bad year for farming?—Well the last year was not as good a year as those that preceded it.

4148. Mr. Jelliffe.—You speak of 1885?—It was not a good year.

4149. The President.—It was worse than 1884?—It was worse than 1884.

4150. Do you hold under a judicial rent?—No, I hold under lease.

4151. All your 500 acres are under lease?—The greater part of my land is my own property. I have the leases from the two others.

4152. When were the leases made?—One of them nearly forty years ago, and the other about twenty-five years ago.

4153. Is the rent that you are paying higher than the rents near you, which have been fixed by the courts?—Personally, I have no experience, for I have not appealed to the Court, and I could not get into court being a leaseholder.

4154. And you can't say whether you are paying more than you would pay if you could go into court?—It is very possible that if the rents were judicially fixed they would be reduced. Rents on the Duke of Abercorn's property have been reduced, and rents on Lord Conyngham's property have also been reduced.

4155. Do you think that your rent is too high?—No.

4156. Then you would have no wish, if you were allowed, to apply to the Court for a judicial rent?—I have no reason to do so.

4157. You have no wish?—No.

4158. Sir James Caird.—When were the old rents fixed?—In the one case about 1849, and in the other about 1862.

4159. The President.—Are they the same amount of rent in both leases?—About the same.

4135. Speaking of those you knew in the South?—In what way?

4136. Do you mean that if they became owners they were likely to become less industrious?—I think so.

4137. Why should they do so?—I think they would be more careless, and that they would have easier.

4138. Don't you think they would be more anxious for the improvement of the country and the increase of its productions?—I do not.

4139. You think it would be better for them to remain under the judicial rents than to become owners of their farms?—If I were to sell an estate in the South of Ireland, I believe that that estate in ten years time would be worse than it would be, supposing the tenants were paying fair rents.

4140. A rent much the same as he is paying now?—Yes.

4141. You think that if he remained a tenant under a judicial rent he would be better off than if he became a landlord?—I think that having to work his farm to pay rent, that farm would be better worked than if he had not to pay rent at all.

4142. But he would have to pay an equal rent in the form of instalments?—So long as those instalments were over his head. But I was looking forward to the time when he would be possessor in fee.

4143. That is a long time?—Yes.

4160. Do you consider the rents fair?—They are about the fair value of the land. Under the Ulster custom I could get very substantial tenant-right for them.

4161. Then I have it that you see no reason in your case, or in the cases of which you have personal knowledge, for admitting leaseholders to the benefit of the Act of 1881?—I myself would not ask any benefit from the Act; for where a man takes a lease I consider he is bound to stick to his bargain. I don't see myself what claim any leaseholder has to have his rent reduced.

4162. I pass to the depression of late years. Have you more difficulty in making the rent now than you had two years ago?—Of course, prices have fallen very much since 1875—say in the last ten years. I think they were pretty nearly at their height in 1875. At that time the price of every article was at a rate that it had not been five or seven years ago. It was at that time it had pretty nearly culminated. At that time tenant-right had gone up very high. It had gone up to twenty-five or thirty years' purchase.

4163. What is tenant-right now?—Sixteen or seventeen years.

4164. Having been thirty or forty before?—It went up to from twenty-five to thirty.

4165. Lord Killanure.—Was that the usual tenant-right in 1875?—Yes.

4166. Was it twenty-five or thirty?—From twenty-five to thirty years' purchase of the rent. There is one instance I could give you of a farm rented at £17 10s., and the purchase money of that was £420.

4167. What do you say it is now?—About sixteen or seventeen years' purchase.

4168. Mr. Ennis.—Could you say what was the rent of that land?—£17 10s.

4169. How many acres?—About twenty-five.

4170. Was that Irish or English measure?—It was Scotch land reclaimed.

4171. Was it Irish or English measure?—Scotch.

4172. How many acres?—About twenty-five or thirty. There was another farm close alongside which was sold in the year 1864, and the rent was £25, and it was sold for £500 or £520.

4173. The President.—I think there has been improved railway communication in some of the districts that you were concerned with?—Well, the landlords

of West Donegal were induced to make a line of railway from Stranorlar towards Donegal. That line was to have been eighteen miles, as originally contemplated. But they were not able to raise more than enough of money to make fourteen miles, and that fourteen miles they made. Then they got an order in Council under the Tramways Act, and they expected they would have been able under a haramion guarantee of about £20,000—nineteen thousand something—to have completed the line. The entire amount of taxation which could come on the railway was threepence in the pound. We have not been able to get a single share sold.

4174. Then you are not able to continue it?—Not beyond the fourteen miles. But in order to reach our terminus and which would be our seaport, we have now a gap of four miles; and for that we have an order in Council. But even so it is it has a great effect on the markets there, and particularly on fish. The other day there was a large take of herrings, about twenty tons, and although we are still four miles from the port this line has prevented the difficulties being so great as they were, though if we had been able to carry it on to the port the advantage would have been still greater. The carriage for the four miles costs more than for the remaining fourteen, besides the transhipment.

4175. Sir James Caird.—What is the name of the port?—Donegal town.

4176. And does the railway go to Donegal town?—No, it stops short four miles from it.

4177. The President.—You said you were a landlord, as well as a tenant?—I have tenants—a very considerable number of tenants.

4178. Do many of them hold under lease?—I have only one.

4179. Is he higher rented than the tenants who hold under judicial rents?—No; I think not. There was one lease which dropped last year, and I think the man is lower rented than a judicial rent would be.

4180. Your tenant has not applied to come under the Act?—With regard to leases I have nothing to do, for there is only the one case on the property, and that is a small farm.

4181. I think you can give us some information as to emigration?—Well, the way in which the emigration Act was worked in the West Donegal country which was one of the Scheduled districts—some people came and besought every man that could to emigrate, whether he was a desirable person or not. That was too often done. One man had a farm, the tenant-right of which he sold for £200, and he received £180 from the Government to take him away. There was another man—a labouring man—he occupied a rent-free cabin, he had constant employment for himself and his daughter, and this man was selected as an emigrant. He was very anxious to stay at home, but his wife would not let him, and he went away. A son of his also who got work not only as a labourer, but also as a rabbit-trapper, and made a very good sum of money—he also went off.

4182. Lord Millican.—Under what Act was that?—The Act for the Relief of Distress. I think it is about four years ago. I think it was in 1881.

4183. Under the Land Act?—I don't know, but that was done. It was an Act under which certain Unions in Ireland were Scheduled. There was another case in which a man sold his tenant-right for £180, and he was taken off; £40 was given under the Act to help him away. He had a small family.

4184. Have you thought at all of the question of purchase by the tenant of his holding?—Of purchase?

4185. Of purchase?—My tenants have not shown any inclination to purchase. I have not known much inclination shown to purchase. We had in this country not long ago a very large opportunity for the tenants to purchase. That was the Glebe Lands Church Act, and in this part of the country hardly any of the tenants did purchase.

4186. The terms were not quite so good as they could get now?—That is quite true.

4187. The instalments are much smaller?—Yes.

4188. But your tenants have not expressed any wish to buy?—None; I have not heard any of the tenants express the wish.

4189. Have you any wish to sell, as a landlord?—I have not.

4190. But if purchase becomes at all general?—If purchase spreads in the country, as it may do, of course it will be a different matter.

4191. Take the case of two neighbouring estates on one of which the tenants purchased, and the other did not, would not the tenants on the estate on which purchase did not take place, be dissatisfied?—Would it not lead to a great deal of discontent?—Certainly.

4192. You would not have much objection to sell if you got a fair price?—I would very much rather not sell. In fact I think if I was obliged to sell I would leave the country altogether; and that I think would be the general course—a course that would be very largely pursued.

4193. How many years' purchase would you consider a fair price?—I think that less than twenty years' purchase of the ordinary rent would not be fair; and in fact it would still be a considerable loss in this part of Ireland. Rents are very well paid. My rents were very well paid last year. I have every reason to expect they will be equally well paid this year; and the loss and expense and those things which would be in the ordinary course of affairs would perhaps so reduce the rent as to make twenty years' purchase to the landlord about a fair price.

4194. Mr. Fejgon.—Do you mean twenty years' purchase on the net rent?

4195. Lord Millican.—Or on the gross?—In my case a certain number of my tenants, and tenants on other estates went into the Land Court; and they got, some of them no reductions, and some of them small reductions. The evidence that was given in the Land Court, I found, created very disagreeable feelings between landlord and tenant. Men who got no reduction thought they were badly treated. I went to them and I said I would give them ten per cent. on their present rents, and to another class of the tenants I gave 12½ per cent as the tenancy were not so comfortable, and after that they paid very cheerfully ever since and none of them have gone into the Land Court.

4196. The President.—May I ask you the amount per cent. of the outgoings of the landlord—what is the difference between the gross and the net income?—Generally speaking, he pays five per cent. to an agent, and there are losses of one sort or other, between the subscriptions that he has to make, and the things that he has to allow. Now in the poorer districts of Donegal sometimes he has to forgive a year's rent. Sometimes to a fellow who has lost his cow—he has to give him a cow; and I think that taking it altogether, in the poorer districts, there would be 20 per cent. altogether.

4197. Lord Millican.—Are you thinking of the poor rate?—The poor rate also.

4198. The whole thing would be 20 per cent.?—The whole thing. The landlord pays now one half of all. And all tenancies of £4 and under £4 the landlord pays all.

4199. Including £4?—Virtually it is that. If a man pays £3 19s.

4200. He pays it if it is £4 too?—Yes, up to £4.

4201. Including £4?—Including the £4. There are very few rentals that come to exactly £4.

4202. Then if you could get twenty years on your gross rental and invest your money at 4 per cent. you would be exactly as you are now in the way of income?—I would not be as I am now because at present I receive a certain amount of money, and if that was capitalized and that I received twenty years' purchase for it, all that I would get would be 3 per cent. or 2½ per cent.

4203. But supposing you got twenty years' purchase of the gross rent?—It would be so much the better.

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Becher.

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Mr. Wallace
Stirling

But the point is this—suppose I was paid down £10,000 to-morrow what am I to do with it? I only get 3 per cent. if I put it into the funds, and if there were a large number of landlords looking for investment in the funds they would go up and investors would not get three per cent.

4204. The President.—Have you served on the Board of Guardians?—I am a member of two boards.

4205. You have taken part in the proceedings—you have practical experience of it?—Yes.

4206. Do you think that the intervention of the Local Authority, which is now the Board of Guardians in working the Purchase Act, could assist in the way of providing security?—Well, I should not like, as a guardian, to recommend that.

4207. You would not like them to have anything to do with it?—The fact is that the Boards of Guardians are so very differently situated in different parts of Ireland the working of them would be quite different. Now, in the north they are generally pretty rational, but in the west of Donegal—in the part of Donegal where this property is situated—it is a very poor district, still owing to the management of the Board of Guardians none of the seed rate is uncollected, and the Guardians have a very respectable balance to their credit, while the two Unions on each side of it, Ballyshannon and Glenties, which are much richer, are in debt, and a good deal of the seed rate is in arrears, and both Unions are practically bankrupt.

4208. Do you think there would be the same difficulty in collecting the instalments as in collecting the seed rate?—I think that where there is such difficulty in collecting the seed rate by such Boards as Ballyshannon and Glenties, it would not be a wise thing to have them responsible for the collection of the instalments of the purchase money.

4209. But if there was an improved local authority?—I don't see how that is likely to happen—how it is likely to be improved.

4210. You don't see your way to recommend any manner in which the local authority might intervene?—I do not.

4211. Lord Milnes.—What are the points of difference between those three Unions?—The Donegal Union has a body of intelligent Guardians who attend to the business, and a certain number of resident gentry attend there. The Glenties and Ballyshannon Unions are both entirely in Nonconformist hands.

4212. And not many resident gentry there?—None. In Ballyshannon there are some, but they are overburdened by the others.

4213. And the result is that they are both practically bankrupt?—Yes.

4214. I was sorry to hear you say that if you were compelled to sell you would leave the country?—I have always led an active life, and have taken a considerable interest in matters relating to the improvement of the country, and in the state of affairs generally. And if I was to find that my influence was to be taken away I should not care to remain.

4215. But has a landlord any influence left him as a landlord since 1881, now that he may be said to be a mere rent-charger?—A very great influence. I have very great influence with my tenants, and with others who are in my district.

4216. Don't you think he would retain that?—I don't think it at all. There are men I know who have probably more wealth than I have, but they have not the influence at all that a landed proprietor has.

4217. Not if they are resident and take an interest in the affairs of the country?—Even so. They have not that kind of influence. They are not brought into the same sort of relations. A landlord who lives on his property and a landlord who has a personal knowledge of the people acquires a very great influence and men come to him for advice. I had a letter from a man this morning asking me for advice with regard to the settlement of his family.

4218. But he came to you as a neighbouring gentle-

man for when he had considerable respect, and not as a landlord?—He came to me as a neighbour whom he knew well.

4219. Don't you think he would have done the same thing if you had not been a landlord?—I am perfectly certain he would not. The people here have a very strong leaning still to the landed proprietors—to the feudal gentry.

4220. I know that in many districts they have a feeling of respect; do you think they would lose that if they sold their estates?—I think they would themselves feel that they were uncrowned kings, and that they would not take the trouble with the people. Now, that railway which I mentioned, I was the promoter of it originally, and the terms on which it was made were that a certain number of landed proprietors agreed to give sevenpence in the pound on the valuation of their estates for twenty-three years.

4221. When was this?—About the year 1875 or 1877.

4222. That was before the Land Act of 1881?—Yes.

4223. They would hardly have done that now?—Not one of them would have given a halfpenny. That is what I was coming to. If I had parted from my tenants I would not have promoted that railway.

4224. But taking into consideration the very considerable amount of uncrowning that has been done to the landlords by the Act of 1881, don't you think it would still further diminish their position if they sold their estates?—Of course they would have no interest at all, for although I am now, as you say, a rent-charger, still the people that I have been connected with from my infancy I do take a very great interest in them, and I would not do so if they ceased to be my tenants. This is a tenant right country, and that is a sort of thing that English people cannot understand at all; but the fact was that the tenants had a concurrent right with their landlords in the land—and very often almost equal to what the landlords had. And the land was let at a very moderate rate, and it might, perhaps, not be unfair to say that a vast deal of land in this country is let now annually for cropping. That is what is called in the South *conacre*. Many thousands of acres near this town, and in Donegal, are let for cropping—for hay, for potatoes, or for grazing—and the rent for which that land is let is generally five or six times the landlord's rent. Land in this district was let repeatedly at from £9 to £10 an acre for a single crop of oats. There were exceptional cases, but I know three instances in which the letting was almost £9.

4225. Will you tell us what that included—what did they get for that £9?—They just got the piece of ground, and the man ploughed it, and sowed it, and reaped it.

4226. They got no manure?—No manure.

4227. Sir James Caird.—And they had to bear all expenses?—Yes. This morning I got a letter from a brother of mine who is a very extensive land agent. He says he set eleven acres of his farm this year to a neighbour for £5 an acre—half of it mowed, and half of it stubble, after the second crop of oats he paid me yesterday, and told me he cleared over £40.

4228. Lord Milnes.—Out of how much?—Eleven acres.

4229. And what was his crop to be?—Oats.

4230. And he made £40?—Yes £4 an acre.

4231. This year?—This year.

4232. How many barrels did he get to the acre, or out—of course an acre of good oats?—200 to 250 stone.

4233. The President.—He made £40 on eleven acres?—That is the Cunningham case.

4234. Lord Milnes.—Do you count by barrels in this country?—No, by the stone of 14 lbs.

4235. How many out, to the statute acre would that be—what is the difference between the statute acre and the Cunningham acre?—The statute acre is 4840 square yards, and the Scotch acre 4356 square yards.

4295. Mr. Nelson.—Have you any idea what the selling price was per stone?—I don't know, but one of the best farmers of my country, last year told me—we were standing in the middle of a farm which had been let for cropping—"A man," he said, "had taken a field of five acres, for which he paid £8 an acre." I said, "That is a pretty sharp rent," and the farmer said that it paid well enough, and he also said "Last year I bought oats on foot, for which I paid £11 an acre, I sold them in Strathene market, and I got my expenses, and I had the straw for my trouble."

4297. Mr. Nelson.—Eleven acres of 200 stone to the acre, so about clear what he says should sell for over 1s. per stone.

Witness.—The present price of sheep is very much higher than it was. I was talking yesterday to a man who buys and sells for a friend of mine, and he said the day before yesterday 120 small Highland sheep he had bought two months ago for 15s. 6d. each, and he sold them for 20s. 6d. That is 5s. a head for two months feeding. He put them on after-grass. As to my own sheep, the average of my lambs was 22s. 6d. to 23s. 6d., and this year it has been 27s.

4298. Lord Milnes.—What sort of lambs?—Bred from a moderate class of Irish ewes crossed with a moderately bred Leicester ram. In 1885 I got 23s. 6d. for my lambs, and in 1886, 28s.

4299. Mr. Nelson.—Were those your own?—Yes.

4300. Sir James Caird.—Precisely the same quality?—Yes.

4301. And age?—And age.

4302. Lord Milnes.—Then I suppose you would be of opinion that this is a better year for farmers than last year?—In some respects it is. Beef cattle are lower. I generally sell from twenty-five to thirty head of fat cattle. I think this year we get four shillings a cwt. less than last year. This year I made a very bad sale.

4303. What would you say was the average for 1886 for beef?—My average was not more than 6s. from the 1st of January this year till the present time, and last year, I think it was 6s.

4304. Do you buy your stores?—I rear a good many, and I buy in September.

4305. They were pretty low in September last year?—Last year I did not buy any.

4306. But those who did buy their stores last autumn and winter had a very fair margin?—Yes. They would have a margin certainly, because 6s. would give a margin. All that we were able to sell up to the 1st July, we got a very good price for them.

4307. But you had a very good crop of grass this year?—Yes, a very good crop.

4308. And the cattle did very well on it?—Grass did exceedingly well this year, and hay; I should say I had 20 per cent. more hay.

4309. Then on the whole you consider it a better year than last year?—Beef was lower, but store cattle are selling as well now, or better, than last year. The milk cattle are selling higher; butter is higher than it was this time last year. I live for about half the year in Dougal and the other half in Tyrone, and the butter is sold in whatever place we do not happen to be, and I see that last year in October the price was 11s. 6d., 10s. 6d., and 10s. 6d., and this year in October 10s. 6d., 12s. 6d., and 12s. 6d.; on the whole the price of butter from the 1st January this year up till this time is lower than it was last year by nearly three farthings a pound. There are 36 sales recorded in my land steward's book last year, and the average was 10s. 6d. This year it was 9s. 6d. He says we had a very bad dry-season, which reduced the price very much for two months, so that this is not a very fair calculation.

4310. Do the farmers of this district sell their butter new, or do they pack it?—It is all packed.

4311. Then this is the more important time for them?—Yes, the people in Dougal pack their butter and keep it for five or six months, but here in this country they sell it as it is made.

4312. Is that in your judgment the better way?—I should think it was.

4313. It is not from want of money that this is done?—Oh, no.

4314. Of course to a farmer of that kind the price of butter now is not so important as it was during the earlier part of the summer?—No; in this country there is always a large quantity of butter brought to the market in all seasons of the year.

4315. Is land set for cropping higher or lower now than it was in 1885?—I think it was set quite as high this year. I know of one man who took a field from a friend of mine, of 5½ acres, and he gave £43 for it last year, and he gave £44 for it this year. It was ground that had been in grass three or four years and had been in very good condition.

4316. What species of tenant lets his land for cropping and to what species of man does he let it?—There are very often women who are left with farms which they cannot work, so they let their land in this way when they are not able to work it themselves. There are many gentlemen who are left with farms on their own hands and they don't like to let them as an ordinary letting.

4317. Since the Land Act of 1881?—Yes, if they make a letting, of course the tenant will come in under the Act.

4318. They let it in this way to keep themselves free from the burden of the Act of 1881?—To keep themselves clear of the Land Act.

4319. And, who takes it?—They are very often farmers. Now this land that my brother let to the man who took the land for £43, and £44 this year, is an extensive farmer and cattle dealer; and farmers here in order to be able to keep more stock will take land for the sowing of oats merely for the sake of the straw.

4320. What was the rental to the landlord of this land that was let at £5 an acre?—I suppose the rent of that would be about 25s.

4321. He pays 25s. and he can let it for cropping as you call it—we call it coarse—for £5 an acre?—£5.

4322. And I suppose if it was let to him for £5 by the landlord he would consider himself fearfully rack-rented?—He would not take it at all.

4323. It seems as difficult to account for one landlord letting for 25s., and the other for £5?—There is something to be said for that. The land here is worked on the five course shift. Say the land is in grass for one year, then it is allowed to rest, then next year there is a crop of oats; then the next year it is mowed, and the next year after that it is laid down in grass, and then there is one year's meadow.

4324. Sir James Caird.—Any green crop?—Yes. We will say the land is in grass this year, next year it is in oats; after that in green crop, and then in oats laid down with grass, and then meadow.

4325. Would not there be a grain crop after the turnips?—Yes, a grain crop with grass seed, then a year's meadow, and then a year's grazing. That is reckoned the best here, but farmers very often take a second crop after mowing, or a second crop after the grounds have been grazed.

4326. You were going to apply that to show how it is not so unfair to a tenant, who pays £5 an acre for it, after all?—If a person takes it to put murex on it he would not pay as much as £5. In the same way he would not get more than 25s.—he would probably get 24s.—and for grazing £3 to £4, so that although a man might get £5 or £6 for a crop it is not all profit.

4327. Then there would be a considerable amount of the value derived from the previous labour of the tenant?—Yes; but still, in letting for 24 or 25 an acre he would be letting it for four or five times the rent he pays to the landlord. This morning on the land, which I hold from the Duke of Abercorn, I asked my land steward to have two drills of potatoes dug

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and weighed, and they produced at the rate of fifteen tons to the acre.

4253. That is the Cunningham's acre?—Yes.

4252. You would take one-fifth off?—You take more than that. Last year we had a better crop than that.

4270. Is that a usual crop now?—The small farmers would not get such crops as that.

4271. The land must be very good which gives twelve tons to the English acre?—Not so good, it is very indifferent.

4272. Is it well manured?—Very well manured.

4273. Is that the ordinary crop?—With me it is, and with the good farmers.

4274. That must be a great change from the time of the potato failure?—Oh, it is.

4275. I don't suppose you ever had larger crops before the disease?—I suppose it is as good, but there is very considerably less on stiff blue clay land. That is very well laboured light land.

4276. What would be the crop on the stiff land?—I judge that this year we will have about twelve tons, but I did not see them yet. But the stems that the man gave in to me this morning were—Two drills fourteen perches long and twenty-two inches asunder yielded fifty-two stones of marketable potatoes.

4277. Lord Milnesham.—I suppose there is very little disease among the potatoes this year?—Generally speaking there is not much about here, but in some places where the land is stiff and cold I believe there is a good deal of disease. I don't think the potato crop is as good as last year, but not much worse. The turnip crop is very superior to last year's.

4278. And I suppose mangold, too?—Mangold, too. Last year there was a great deal of damage done to the turnips by fly; many people were obliged to sow over again. This year there is as good a crop as I ever saw.

4279. I should like to ask you whether there is general satisfaction as far as you know with the manner in which the judicial rents have been fixed?—The tenants seem to think that the action of the Commissioners has been very uneven—that they have given a good deal by gross work, and that in some cases where rents have been very largely reduced there was not as good a claim as in other cases where the reductions were not so large. What the landlord complains of is that while the Land Court sent out its own valuations, it did not abide by the decisions of these valuers.

4280. Do you think it would tend to general satisfaction in that matter if the whole country were to be revalued by Mr. Ball Green on a rental basis. I am told it would take about two years to do that?—It would be a very desirable thing that it should be done on some uniform system.

4281. With a view to the Purchase Act being put in force?—I think it would be a desirable thing. Whether it would be satisfactory to the tenants or not I don't know, but it would be very desirable. The difficulty would be about fixing a base.

4282. Should you say that a judicial rent fixed in 1881, 1882, or 1883, suppose it to be a fair rent when fixed, is unfair now?—I think there has been a fall in prices certainly since 1881, but I think that rents were reduced in 1881 to an extent that they ought not to have been.

4283. But taking it for granted that they were fair rents in 1881?—I have no doubt about it, looking at the market notes that the markets were higher.

4284. That might make it difficult to pay the rent in a particular year, but would it constitute that an unfair for the next ten years?—I don't think it would. I think that the rents which were fixed then the tenants ought to have been able to pay ever since.

4285. But do you think that the fact of those last three years having been worse than the three preceding would call for a revision of the judicial rents for the next 15 years?—I don't think so, for if you were to set on that you must make an annual revision.

What we want on all Irish matters is a little facility. There should be some persistence in some one thing or another.

4286. Are you acquainted with what are called the congested districts in Donegal?—Yes.

4287. Do you think it desirable that the people in these districts should be enabled to purchase their holdings?—I don't think they can purchase their holdings.

4288. Under the Ashbourne Act?—These districts have got to be congested districts through the neglect of the landlords. They allowed the people to sub-divide ad infinitum. There was no trouble taken with them whatever. Latterly the landlords have been trying to stop that sub-division, but if they purchased they would at once sub-divide again, just as they have done wherever there are peasant proprietors. The beggary and misery in parts of France pass belief.

4289. The President.—They are compelled to divide in France by law?—They are compelled to divide after death, but that part of it they very often get rid of, and there are generally such small families in France that the division is not very large. But perhaps a man has a farm which he uses to him in eight or ten pieces of fifteen or twenty perches each; he will sell that. Then another part of the French law is that very small parcels of land each member of the family is entitled to a share of that. That is exactly what went on in the congested districts here. It is the same thing in some parts of Germany, in Hanburg for instance.

4290. Is there no counteraction going on in the richer man and more provident man buying up his neighbour's holdings?—There is occasionally. But that is more done in this way; the purchases are more done in this way. The man who has saved some money and buys a farm, puts a son on it or a daughter, but he does not increase his own farm.

4291. Lord Milnesham.—You know that under the provisions of the Act of 1881 they are not allowed to sub-divide for forty-eight years?—And I know there is a difficulty in preventing them. As soon as that expires they will go on sub-dividing again.

4292. That will carry us on about half a century?—Yes.

4293. You don't think it would be possible to enforce that?—I don't think it would; and I think you will find that the tenants of the glens lands who bought their lands have sub-divided very much indeed.

4294. Before they have paid off the purchase money?—Before they have paid off the purchase money.

4295. They could sub-divide afterwards?—But nobody troubles themselves about the matter. I know of one instance—however this man paid off his purchase money. The rector had the right of pre-emption. He bought it and he sold it to this man. Where there was one tenant before there are eight or nine now. In many parts of Germany the people are quite unable to live on the land they have.

4296. Do you think that these congested districts, as they are called, would afford adequate security if the Government advanced the purchase money?—I am afraid not. I don't see how anything could be left for a man who holds land, as some do, value for 5s. or 6s. a year, perhaps 15s. or 18s.—that man is no security for anything.

4297. Is it desirable to leave those people in the same condition as they are now?—It is not desirable to leave them in the same condition but, I think the way to help them is not to make them owners of their land.

4298. How would you help them?—I think by improving the communication with the civilised world—if small railways were extended, and if poultry were more generally reared, for where there are any turkeys or other poultry they pay well. There is a regular market for turkeys in Mountsches every week. Perhaps 80 or 100 are sold there every week. Then in the nearer districts here, the country about Stranorlar has been opened up by the Finn

Valley Railway to which the Donegal Railway has been added, there is a very large poultry market.

4299. Do you find that the railways give fair rates for agricultural produce?—I think that they are generally rather high.

4300. Rather high?—Rather high. The smaller railways—their traffic is not large, and in order to get anything to cover their expenses, they are obliged to charge high rates.

4301. That, of course, is an important feature in deciding whether a tenant is able to pay his rent—the ease with which he could get his things to market?—That is it. But what is more valuable is to encourage the people to feed poultry, for they are a very important article in the produce of this part of the country, many farmers here have well managing vices make a good deal out of poultry.

4302.—And eggs; I suppose?—Yes, that is part of the poultry system, and many of them keep the current expenses of their houses very much out of poultry produce.

4303. You don't think the railways offer sufficient facilities for the transport of farming produce—of cattle and so forth?—I think the prices are not prohibitive, but they are high. The value of a pound of butter, or a stone of oats, or a pig at one end of the railway is very much more considerable owing to the difficulty in getting them to market, and the high prices of carriage.

4304. In the keen competition with the foreigner that is an important point?—It precludes competition. That unlucky four miles is a great obstacle as there is no way to get from one to the other by cutting, which costs more than the previous fourteen miles. That keeps buyers from coming from a distance to buy oats or pork, or butter or anything else.

4305. Do you think that these congested districts are centres of agitation and disaffection?—No, I think not. There is one district, Gweedore, and there there has been for a very considerable time a spirit of agitation promoted by the priest of the parish, Father McFadden. They did succeed in boycotting some of the people down there very completely.

4306. But as a rule the people there are not very turbulent?—No. In the first place boycotting cannot succeed in a country where there is a mixed population of Protestants and Roman Catholics.

4307. Is that the case in the Gweedore district?—There are not many there. They are nearly all Roman Catholics. But in the other parts of Donegal there is generally a very strong Protestant leaven, and the man who is boycotted will always find some one to relieve him. In 1879, a man who supplies me with some things was invited by the Land League to boycott me and refuse to supply me; and he said, "Of course if I must do it I must, but I would like to know how I am to be repaid for losing my best customer, for he will only go to such a man's shop down the street and he will get what he wants." The consequence was there was no more about it.

4308. Do you think the small tenants in these districts would be very desirous of purchasing their holdings?—I think they have not the smallest idea of it.

4309. Is that through their ignorance?—No. All over these districts there were a large number of glebe lands. They had an offer of purchasing them and they almost universally refused to purchase. That was in the districts of Carrick, Glenties, and so on, places, which was one of the places which was pictured as a famine country. They sold their right of pre-emption for a mere trifle, and the same way in Killybegs, which is not far from me—they did the same thing.

4310. Is your only suggestion for the improvement of these districts that there should be better communication with the outside world?—I think that is the thing that would be the most likely to do them good.

4311. You don't think emigration would do it?—You won't get them to emigrate.

4312. Mr. Keizer.—You take very good crops out of your land. Could you give us your idea of what it would cost to manure an acre?—Yes.

4313. Say an acre of potato ground or an acre of turnips?—I would allow £5 as the value of the manure that would be put on it. I would say 40 tons of farmyard manure at 2s. 6d.

4314. What would you value it at?—2s. 6d.

4315. That would be very cheap; you can get manure for that price?—The man who are near towns would get it for less.

4316. But in many places it would be more?—In country places you could not get it at all.

4317. What would be the cost of cultivating an acre of potatoes or turnips?—The cultivation of an acre of turnips—there would be, in the first place, two ploughings and two harrowings, and the ploughings would cost—the first ploughing would cost about 7s. an acre, and the second about 5s. The harrowings would cost, say 5s. an acre each. The seed potatoes would be eight cwt.

4318. How much do you say it would cost for the cultivation?—22s. or 23s.

4319. Then the seed?—The seed, the opening of the drills—a pair of horses will open the drills, and close them—a good pair of horses will do that in a day. The seed, eight cwt. of potatoes is sufficient seed for an acre of drills, that I take at an average of 2s. a cwt, that would be 16s.

4320. Lord Millican.—Two horses would do it in a day?—Yes. Two horses would open and close half an acre a day.

4321. Half an acre?—Open half an acre, and close half an acre.

4322. That would be half an acre?—The general seeding and labour for an acre of potatoes, I would take the cost to be something about £5—the carting of manure, and the spreading, and the thinning, and those things, I think, about £5. I look on it that the entire cost of an acre of potatoes would be £12 an acre, suppose the land was rented at £1 an acre, that £12 an acre would pay the entire expenses of putting down the crops.

4323. Mr. Keizer.—Would that have anything to do with the pitting and marketing?—Yes.

4324. Do you know anything of the present market prices of potatoes?—Yes; on Tuesday last they sold in Strabane market at 1s. 6d. a cwt.

4325. At 1s. a ton?—Yes.

4326. What would be the average through the country—to the poor tenants of the country what would be the average price?—I suppose that in all probability about eight or nine tons would be as much as they would have. But there are a great many farmers who would have a much better crop than I have.

4327. Do you think it would be over six tons in the case of poor farmers?—Certainly, I think it would be.

4328. Sir James Caird.—The statute acre?—What I have been talking of is the Scotch acre. But I have not so good an opportunity of knowing what would be the average. I should think that the average crop, on ordinary ground, of that class that I speak of, would be fully ten tons.

4329. Mr. Keizer.—They would cost £12 and then you would have to take them to market, and have rent to add to that?—You are taking the thing rather in a different light than I would look upon it. You have reduced the crop and have not reduced the expenses. You say the poor farmer, who does not work his land, or manure it, as I do, you take him as expending £12 on the acre.

4330. Do you know that no farmer can produce an acre of potatoes, and take them to market, and have a profit at present prices?—I beg your pardon, I know he could. He made a profit of £10 an acre.

4331. Mr. Nelson.—You know that of your own knowledge?—Yes.

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4332. Mr. Knipe.—Did he take the measure into account?—The measure and everything.

4333. And the marketing into account?—He sold them on his own farm. One man took them all.

4334. What price did he get?—£2 a ton.

4335. According to your own showing there would not be such a large margin—it would be exceedingly small?—I would like to know why. If a man gets fifteen tons, and gets £30 for them, and the expenses were £12.

4336. But if an acre of potatoes cost £12, and he has to cart them afterwards, and that the average produce is six or seven tons, and he makes 30s. a ton?—But you are making out quite a different case from what I made, because I am not speaking of a man who got seven tons, and I never named seven tons as an average.

4337. Sir James Caird.—But I suppose you would not say but that that would be the average in many districts you know?—My idea would be that the average would be much more than seven tons.

4338. I have here the returns for seven years, ending 1884—1878, 3 tons; 1879, 1½ tons; 1880, 6½ tons; 1881, 4 tons; 1882, 2½ tons; 1883, 4½ tons; 1884, 3½ tons; that is half the quantity your experience gives?—But these returns are not in the smallest degree to be relied on in any year. They are supposed to be taken by the police, and by the men who have never weighed or measured anything; and there is not a farmer in this country who really knows what an acre of potatoes or oats either costs him or brings.

4339. Mr. Knipe.—Now with reference to the rents—do you think this year is as good as the average of the last six years?—I don't know, for I was not able to refer to books further back than 1885, and this year I look upon as better than 1885. But I would suppose that in all probability this year would not be equal to the average of the six years that preceded it.

4340. Do you think that 1885 was a great deal worse than the four preceding years?—I think it was worse.

4341. And you think that 1885 and 1886 would be equal?—1886, I think, was better.

4342. Do you think that the rents fixed in 1881 were fair rents?—I think so.

4343. I think you said you thought it would be dishonest on the part of farmers not to complete their engagements?—I think if a man takes a lease he ought to abide by the terms of it.

4344. And you know the landlords were of that opinion before the passing of the Land Act of 1881?—The landlords?

4345. Yes?—The passing of the Act of 1881?

4346. Before the passing of the Land Act of 1881?—I don't understand your question.

4347. You say it is dishonest of the tenants to refuse to pay the rents reserved on their lands, no matter whether the landlords can pay them or not?—What I said was this. I spoke of my own lands. I said that having taken a lease which I considered would be beneficial to myself, I would consider it dishonest not to abide by it.

4348. Would not that apply to tenants who had no lease?—You can take it whatever way you like.

4349. And the result was the Government had to interfere between the landlords and tenants?—I think that it is contrary to all the rules of political economy that the rent of land should be fixed in any other way than by the law of demand and supply.

4350. And you think it was an undue interference?—I think so.

4351. And you don't think they should interfere now?—I don't say that there is not reason for further interference. You asked me if I think there is no reason why the Government should interfere now. I say that if judicial rents were fixed in 1881 for fifteen years I don't see why the Government should interfere at the end of five years.

4352. I would like to set you right. You said to me that you thought it was an interference with the rights of property, but you have interference in the Land Act of 1881?—Yes, but it was contrary to the policy of every civilised nation.

4353. Now there is considerable complaint on the part of tenants about high rents and the low prices of produce. I want to know from you do you think the Government should interfere?—I don't think that the Government should interfere with rents that were fixed four years ago on the basis of fifteen years' solidity.

4354. Notwithstanding the reduced price of produce, and the increase of foreign cattle—you would not interfere?—No; the time is too short.

4355. I understand you would sell if you thought that it was for the benefit of the community?—I do not wish to sell.

4356. But you said you would not object?—I did. I would only sell on compulsion.

Lord Malmesbury.—He said if it became general there would have to be compulsion.

4357. Mr. Knipe.—And you mentioned twenty years purchase of the rental?—I think it would be a fair rate.

4358. Lord Malmesbury.—On the ground?—On the actual rent.

4359. Do you mean twenty years purchase of the rent?—Yes.

4360. Without making any reduction for the outgoings of the landlord?—Yes.

4361. The President.—When you take a rental you always mean the gross rental?—There is always a certain amount of loss which reduces the net income.

4362. Mr. Knipe.—And it is that income you spoke of when you said twenty years' purchase?—I don't speak of that; when I take a rent of £25, I look upon it that that would produce £30, and therefore I think that £20 is what it should be based on.

4363. Sir James Caird.—That is the net rent.

4364. Mr. Knipe.—I think you said the tenants were looking forward to some finality?—The tenants have been looking forward to it for a very considerable time.

4365. They are not anxious to purchase?—They are not anxious for anything; but if they could get their land for nothing they would be very glad to get it.

4366. That is not your experience of this part of Ireland?—It is my belief. People should pay their rents.

4367. They want a reduction and you would not give them any?—I gave them a reduction.

4368. Are you not aware that many landlords have given a reduction on the rents fixed by the Commissioners?—I am not aware of any.

4369. Would you refuse to give a reduction now?—I would.

4370. Don't you think there might be a court established to settle the price between landlord and tenant?—We hoped that that was the case four years ago, and you now propose to re-open all that. If you were to open a court now to settle between me and my tenants as was done four years ago, somebody would some next day and ask for another settlement.

4371. It would not be the interest of the tenant to encourage agitation if they were owners?—They are encouraging it now.

4372. But if the tenant had bought out the landlord's interest in the property?—If the landlord was bought out, is that what you mean?

4373. If the tenant was the owner of the land?—Of course, then the landlord would have no more to do with it.

4374. Do you think it would have the effect of

making him a more industrious man?—How could he demand a reduction when he had no landlord?

4375. Were you examined before any other commission?—Have I been?

4376. Yes?—I was.

4377. The Beesborough Commission?—I was.

4378. I suppose you were very much of the same opinion as you are now?—I don't think my opinions have changed.

4379. You did not, on that occasion, think that the Government should interfere between landlord and tenant by fixing rents?—I don't think I ever said they should.

4380. You think they were interfering with the sacred rights of property?—I thought they were interfering with the rights of property, and I am of that opinion still.

4381. And notwithstanding that the Government did introduce the Land Bill and passed it?—I dare say they did.

4382. You are of the same opinion now as then?—I am of the same opinion.

4383. Suppose the Government were to introduce another bill now to fix the price between landlord and tenant would you be more surprised?—I don't think anything that I might say would interfere with anything the Government would do.

4384. Would you be more surprised if the Government interfered now between landlord and tenant?—Would I be more surprised?

4385. You would not be anything more surprised now if the Government interfered between landlord and tenant than you were before the Land Act was passed?—I would not be surprised at anything.

4386. But still you think it would not be desirable that the Government should interfere?—I think it would not.

4387. Mr. Nelson.—I believe a very distinguished member of the Government of that day proposed that the then alteration should be a final one, and that it was carried out on that basis?—I believe so.

4388. Would it surprise you to find that he had now changed all that?—Yes.

4389. I want to go back to that matter of concave—do that concave rent will paid?—It is.

4390. It is?—It is fairly paid.

4391. About what would the average be? You mentioned £2 an acre; would the average be £2 to £7?—I think so. But if it was from year to year it would exhaust the land. The cultivation is on the five years shift.

4392. And the average rental is about 25s. an acre, therefore it follows that if a man could set an acre in that way, he would have it rent free for the other four years?—Of course.

4393. Is there a difficulty found in setting land in that way—could a man always do it?—There has been no difficulty here. I am only speaking of my own district. I am only speaking of the district from here to Omagh, and on to Coleraine.

4394. The practical working of that system is that if a man lets his land for one year he has it rent free for the next four years; so that applying that system if he could do it, he would bring down his rent almost to a vanishing quantity. You were asked about the twenty years purchase whether you meant on the gross rental or the net rental?—I meant the gross rental.

4395. Are you aware, as a fact, that selling at twenty years on the gross rental you get only £80 a year for every £100?—That is what I meant.

4396. That you would consider it a fair offer if you lost £20 out of each £100?—Because I look upon it that the £100 at present is only nominal.

4397. Then it is practically on the net rent you go. You spoke with reference to the local authorities; you mentioned three unions, two of these bankrupt, and one solvent?—Yes.

4398. And as I understand you found that in the solvent union things were better managed there be-

cause there was a large number of resident gentry?—No; not large.

4399. But a resident gentry?—Yes.

4400. Do you ascribe the better working of the board to their presence?—To a greater extent.

4401. You don't think it would be a great public advantage to get rid of them?—I do not.

4402. Sir James Caird.—You stated that you considered yourself a mere rent charger?—That is what practically I am; but I have nevertheless an amount of influence over my tenants.

4403. But as a land owner you are a rent charger. You mean by that that the principle of fair rent will probably be made permanent?—I don't see any probability of making my rent.

4404. Not for fifteen years?—Certainly not for fifteen years, and probably not then either.

4405. Would you consider that fair rent a good security?—I do not for this reason, that when there is such a proposition as this gentleman has proposed, that a measure which we were told was to be final, when we hear from him that this measure is to be revised every four years, or every three years, I would not look upon it as any security at all. As I said to him, I would not be at all surprised if the new Government were to take twenty or thirty per cent. off every rent that had been fixed by the Land Commission.

4406. Then it is the fear of new changes of that kind that would make you think that there is no security in any such rent?—Yes; that is the reason. No one will have any connection with railways or provide capital for railways. A debt is owed by a railway company, of which I am one of the directors. We have been obliged to renew bills for this owing to not being able to get money to have the line inspected. When renewing the bills recently I said, "Are we to go on for ever renewing these bills?" and the answer I got was, "They have given this up as a bad debt long ago."

4407. Who are the people that are receiving the money, and who are those that pay this high price for the use of the land in concave?—Generally farmers themselves.

4408. Who are able to turn their attention beyond their own farms?—Beyond their own farms. Say a man has a farm of twenty-five or thirty acres—a pair of horses is able to work an ordinary farm of from forty to fifty acres, and he has a certain amount of labour disposable.

4409. But is not it a rather exceptional thing—is it a rule that any farmer can set his land in that way?—Thousands and thousands of acres have been set in this way, and if you wish to get particulars you can refer to the columns of one of the Derry papers.

4410. But suppose there is a farmer in the district with twenty-five acres of land, what will he do with the horses if a man comes to him and asks him to let part of his land in this way, and he lets it and has only ten acres left to himself, what is he to do with his horses?—He will probably keep no horses at all. That is his way.

4411. And is the whole crop carried off the land?—Yes.

4412. And the land is considerably impoverished?—It requires manuring; if he lives near a town he can do that.

4413. Then it is generally when the land is in the neighbourhood of towns or villages which can supply this manure?—No, it is not eight or ten miles.

4414. But nobody will cart manure eight or ten miles?—No, but they will do it one way or another. A farmer will use five or six acres of his land in cropping. He will, perhaps, leave it a second year in grazing so as to accumulate more vegetating power in it. It is as bad a system as possibly could be; but it is in a very great degree owing to the cause I told you in the first instance I spoke of. I think there were nearly 100 acres let in this way this half year, between this and Stralane. A man died, and his

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widow wished to get rid of the farm in this way. It was advertised to be let, and a tenant of mine took some of the land. I said to him afterwards, "Did you take much of that land?" He said, "No; there were too many people looking for it, and if there had been three times the amount it would have been all let."

4415. With regard to the congested districts, you say the people will not emigrate unless compelled. Have they any sort of comfortable means where they are?—In one district here—the district about Dungloe—from that they go, in immense numbers, to England for the harvest. They go away for three or four months, and make some money there. The women make a certain amount of money by knitting or by working at flowered while the men are away, but when the men are at home they hardly do anything.

4416. Do they usually grow as much provisions as sufficient to feed their family?—No.

4417. How do they feed them?—By extra industry. His rent may be 16s. or 18s., or 20s., and he will bring 25 or 30 from England, and his children may be making sixpence or eightpence a day knitting stockings.

4418. Have you been in their houses?—Very often.

4419. Are they fairly comfortable?—Well, they are much more so than you would expect. I went down to that country to investigate the state of the tenants of certain globe lands. The day I went there—I am an early riser—and I saw some of the boys going into town with about a dozen ponies. A fellow was riding one and he had three or four before him. I asked what horses they were, and the answer I got was,

"These are the horses that the men ride for the first stage of their journey going to the harvest." I made inquiry and found that there is none of them who does not keep a pony, or, if a man has not one himself, he borrows one from a neighbour; and in the course of that day I suppose I saw thirty of these ponies coming back that had been with those men.

4420. The people themselves have no desire to emigrate?—Not the least.

4421. Are they contented with their position?—Well, I suppose they are. They don't show any practical discontent. In all these countries at times, if there is a failure of the potato crop, or an exceptionally bad harvest, there is very great distress, and they come to England for a subsidy. But now there is no chance of any capital being expended there, and that makes their condition worse.

4422. I think you said you don't think the public money could be safely lent on this security for the purchase of their land?—I think if there was railway communication.

4423. But that is not an answer to my question. The question is whether, as I understood you, that you said that the Government could not advance money with safety to these people to make them owners of their land?—What I said was that I would not consider they could give any security. I would not consider that the security of a man who was in a state of famine one year out of five or six was worth anything, and that ten shillings worth of land was no security.

4424. The President.—Is there anything more you wish to say?—Nothing.

Mr. John Cunningham, of Millfield, Banamu, Donagel, examined.

Mr. John
Cunningham.

4425. The President.—I believe you are a farmer in Derry?—No, in Donagel.

4426. That is your principal business?—No; I have two farms in Donagel and a curiell.

4427. You were for several years a sub-commissioner under the Land Act?—Yes; four years.

4428. Could you tell us do you hold in this county under a judicial rent?—No; it is in the adjoining county, and I purchased under the Bright Clause of the Land Act of 1870.

4429. So that you are an owner?—I have to pay a rent charge.

4430. Lord Milltown.—Is your land all in Donagel?—Yes.

4431. You have none in Derry?—No.

4432. The President.—You do not pay rent?—I pay only the charge. I borrowed two-thirds from the Government, and I pay five per cent. so that for thirty-five years from the time of the purchase.

4433. Have you looked into the working of the Land Act of 1880, or considered it?—Yes.

4434. Is it according to your opinion desirable to encourage purchase?—I am of that opinion. I think it is the most sensible and only final settlement of the question.

4435. Would you go so far as to recommend that it should be made compulsory?—I have great hesitation about that. I think it is a very extreme course to make it compulsory. I think it must come to that.

4436. Could you make any recommendations as to make it work more easily?—I would advise the State to advance the whole of the money, and abandon that one-fifth which it retains.

4437. You think the security would be sufficient without that one-fifth?—I think the risk is small, in this part of the country.

4438. Do you think the term is sufficiently long for repayment?—I would recommend that the tenant might be allowed, if he chose, to pay 25 s. 6d. per cent., and pay that continuously or perpetually, with the option of buying out any time he liked.

4439. Is that a perpetual rent?—Yes.

4440. Lord Milltown.—To turn it into the payment of a rent charge?—Yes. At present, under Lord Ashbourne's Act, a judicial rent of £40, if purchased at twenty years' purchase, is reduced to £32, but if, instead of being charged four per cent. the tenant had only to pay £25 2s. 6d., he would have his rent reduced to £20.

4441. But he would never become an owner?—He would never become owner; but present substantial relief is more important than relief forty-nine years hence.

4442. The President.—Then his rent would be reduced still further?—Yes; in place of £40 it would be £25. The tenant would have a very easy rent and the State, therefore, a very small risk.

4443. Then if that would take place largely the difference between the tenants on estates where landlords don't sell and the tenants on estates where the landlords do sell would be very considerable?—The difference of comfort of the tenants would be so tremendous that a desire to purchase must become universal. It would have a very strong effect, and produce complete satisfaction.

4444. But in the meantime there would be a great deal of ill-doing and ill blood?—If the landlord had 20 years' purchase, which I would give him, I suppose there would not be a great hardship.

4445. You think that the landlords being bound to sell for 20 years' purchase would not be any great hardship?—There must be some hardship.

4446. He would lose 20 or 30 per cent.?—He would lose less under that proposal than under Lord Ashbourne's Act, for he would get the one-fifth.

4447. I am not talking about that. Have you any leaseholders?—There are a great many in my neighbourhood.

4448. Are they on the whole paying more than tenants holding under judicial rent?—Oh, yes, they are. There is a large estate here within three or four miles of the city on the borders of Donagel where the landlord is giving 25 per cent. to the leaseholders.

and where there are judicial rents 10 per cent, they having already got 15 per cent.

4449. Where estate is that on?—Lord Trenchard's. There is no feeling on the head question so strong here as that about the leaseholders about Derry with regard to their admission to the benefits of the Act of 1881. There is a very large number of them, and they are the very best of tenants.

4450. Sir James Caird.—How much did the judicial tenants get?—10 per cent. They had already got 15 per cent. in Court.

4451. Mr. Nelson.—Do I understand you to say that that put the leaseholders and the others on a level?—Yes.

4452. Sir James Caird.—And tenants who have not had their rent fixed and who are not leaseholders, how has he treated them?—I don't know. There are not many others I think on the estate.

4453. The President.—Are there any leaseholders in a better position than those who have got judicial rents fixed—any who pay less?—No; there are a sort of freeholders who pay less.

4454. Mr. Nelson.—Are they what are called 40s. freeholders?—No; they pay 2s. 6d. per acre.

4455. The President.—I believe the feeling is that it would not be desirable to keep up the distinction between leaseholders and tenants from year to year as to taking advantage of the benefits of the Act of 1881?—They all fail to see why the distinction is kept up.

4456. Is it more unfair to compel the landlord to give the benefit of the Act of 1881 to leaseholders than it was to prevent his doing what he always did, making an agreement from year to year?—Not a bit. The leaseholder tenant was a man of enterprise, and improved his holding, while alongside of him was a man who did not improve his holding but allowed it to deteriorate. The improving tenant has been held to a high figure, and the ill-doing neighbour who could not get a lease or who would not get it has got the relief of the Land Act.

4457. I won't go into the detail of prices, but there is no doubt whatever but that products are at a much lower price than they have been in former years?—They are. Oats is a very important product in this mixed tillage country and I am a little concerned with that. I don't remember it being so low for thirty years.

4458. You don't remember it being so low?—I do not. I think, however, in the public discussions on the fall of prices it received more attention than it deserves as compared with the cost of production. I remember handling my own farm since 1853 when Griffith's valuation was made. The outgoings for labour are 30s. for what would then be represented by 18s.

4459. Sir James Caird.—How long is that ago?—About thirty years ago. I include farm labour and horse shoeing and things of that kind; my outgoings at that time represented 18s. and now they are 30s.

4460. The President.—And that is on account of increased wages?—Yes.

4461. Do you get no benefit from machinery?—I can cut oats with the reaper cheaper by the acre for the mere operation of weeding and the potato digger saves a great deal of labour. But when I set up at the end of the year the outgoings come to more than in my father's time. The wages then were 10s. a day, and are now 1s. 6d. I think the good prices that prevailed up to 1875 from 1853—sometimes they went up and sometimes down—but speaking generally the good prices enabled the farmers to meet those increased wages. But now with the changed prices for produce I think tillage tillage farmers are feeling it very severely.

4462. Do you think that a farmer would find it more difficult now to pay the judicial rent than in 1881?—If they were to take it out of the present year they would find it difficult.

4463. You told us about Lord Trenchard's—see

many landlords doing the same?—Mr. Sanderson of Manchester has given a reduction both to leaseholders and ordinary tenants. I am not sure about judicial rents, for I question if any of his tenants went into court.

4464. On the judicial rent as well as the other?—I don't remember that any of his tenants went into court. It is a very generously managed estate.

4465. You don't know whether many landlords are doing this?—I know some cases where poor landlords, I live in Inishowen, where there are some small proprietors, and the landlords are not so well off. They are trying to stick to the judicial rents.

4466. Lord Milnes.—Do you know whether it is generally the case?—I only know of a few in my neighbourhood.

4467. The President.—I suppose there is rather a feeling on the part of landlords that whether a tenant finds it difficult to pay or not, where the rent was fixed by an outside authority there is no reason why the landlords should give any indulgence?—A very reasonable feeling.

4468. Is there much flax grown in the district?—Not so much as there was formerly.

4469. And are they getting so high a price for it?—Not nearly I should say.

4470. Lord Milnes.—Do you think that your proposal, which is, as I understand it, to do away with purchase and convert the present rent into a fee-farm rent considerably below the letting value—that is your proposal?—I would rather express it in this way. I would add to Lord Ashbourne's Act a clause by which the tenant may pay year by year £3 2s. 6d. rent instead of £4 per cent.

4471. That would be turning it into a fee-farm grant for ever?—Very well, with the option that he might pay the larger sum and buy it out if he thought fit.

4472. The policy of Lord Ashbourne's Act is to convert the tenant into an owner, but under your proposal there would be no means of purchase unless he was to purchase the whole of the purchase money?—There would remain the same means as at present. I propose that this should be merely an alternative; that some people should pay £4 per cent., and others £3 2s. 6d. per cent. My reason is this. Farmers are frightened by the present prospects of foreign produce coming in. There is a large steamer here on the quay which has brought corn from the Danube, and is now discharging it at an extraordinary low freight.

4473. Sir James Caird.—Wheat?—No; Indian corn. 8s. 6d. per ton for the carriage of it from the Sullins.

4474. Do you know the tonnage?—From 2,500 to 2,800 tons on board.

4475. And what was the freight?—8s. 6d. per ton.

4476. Lord Milnes.—Do you think that the terms which you suggest would give to the tenants the same feeling of having a stake in the country as the actual purchase?—Not just now; but relief would be given them at once, and they would be better able to buy it in future, which my proposal gives them the option of doing.

4477. Then is their anxiety to come in under the Purchase Act more the anxiety to have an immediate reduction of their rent than to become owners of their land?—I think in many cases that is true; in the case of the poorer tenants especially, it is a question of existence.

4478. To get an immediate reduction of their rent?—Yes. The Irish Society have property here around us—some of the tenants wished to purchase, avowedly with the view of getting a reduction of their rent. They went before the Court of Visitation, and the Court said if the tenants offered twenty-five years' purchase they would consider it.

4479. Sir James Caird.—The Court of the Society did not feel inclined to consider it under twenty-five years' purchase?—That appeared in the public papers.

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Mr. John
Connelley

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Mr. John
Cunningham.

4480. Lord Millican.—Even so they would get a reduction of their rent?—No.

4481. Surely?—Twenty-five years would not work out any reduction, and there would be the addition of paying the poor rate.

4482. Mr. Millican.—Twenty-five years' purchase at four per cent. would leave the landlord in a better position having regard to his outgoings.

4483. Lord Millican.—Lord Trenchmore has given a reduction lately of ten per cent. on the judicial rents?—Yes.

4484. Has that been well received by the tenants?—It has.

4485. I see resolutions in the papers thanking him?—They said they would like to purchase.

4486. They expressed thanks for the reduction, but they wanted a little more?—Yes.

4487. Were the judicial rents when they were fixed considered by the tenants fair rents?—Many of the tenants considered the rents fair, some thought otherwise. But that was to be expected.

4488. Is it the general feeling of the country that the judicial rents have been fairly fixed on the whole?—Do you mean the tenants?

4489. I mean both parties?—I think the tenants think that the court did not take the depression sufficiently into account.

4490. Do they think that they were fixed on an intelligible principle; or that some got too much, and others got too little?—I think they are fairly well satisfied in that respect.

4491. Supposing the rents fixed in 1881 were really fair rents when they were fixed, would you think that the depression in prices for the last few years would prove that they were not fair rents now?—I don't mean to say that they would not be difficult to pay for the last few years.

4492. But would they be fair rents for the next fifteen years to come?—If the depression were to continue they would not be fair rents.

4493. But are you of opinion that because we have had two bad years, which may be an exception—would you be of opinion that these rents were necessarily unfair rents for the term which has yet to come?—No; I think that if the prices reverted to the prices of 1875 they would be fair enough.

4494. If the prices were to go up to what they were before 1875 they would be extremely low?—I think they would be very fair; rents that people could pay. They would be fairly satisfied with them.

4495. 1875; that was a very good year?—I would go on to 1877. There was a great drop in prices, in oats, for instance, in 1878.

4496. But the mere fact that it has been very hard to meet the rents in 1885 and 1886 would not prove that these rents were unfair rents for fifteen years?—Certainly not. I think it was always expected that there would be two or three years now and then of depression, but the present has exceeded all reasonable expectation both in severity and duration.

4497. Although, as you say, a landlord who had been in the habit of making a reduction of rent in a time of depression would be somewhat less inclined to make that reduction on a rent which had been fixed by an outside authority. That is very intelligible. You have been speaking of tillage farms?—Yes.

4498. Does what you say apply to pasture farms?—No, not as regards the labour, but as regards prices. We had a fair in Derry last month, and for beasts well bought in June, I got a very poor price.

4499. You bought them in June very cheap?—Yes.

4500. Did not you get a very good margin?—No.

4501. Was not grass very good this year?—Yes.

4502. The price of sheep has gone up, but I believe that does not affect the North?—No.

4503. But the grazier who bought last autumn and

last spring ought to have made a fairish profit?—Spring purchases did not pay.

4504. I say autumn and spring?—If a man gets only £3 a cow, instead of £4 a cow, for the meat to put on it makes a great difference to him.

4505. Still it is an advantage to get his stock cheap?—It is undoubtedly. I don't know whether it is worth mentioning, but there is a class of people—people whose cases in Land Courts have been discussed and struck out. There are 35,000 of them. These cases are very much needing attention.

4506. Mr. Millican.—What cases are these?—Cases not having a legal representative, or where there is a dispute among brothers, or a dispute about tithary cases of subdivision, &c.

4507. Unless you could classify them and define them it would be impossible to legislate for them?—I think if the Land Commissioners had more power to deal with them it would be of use.

4508. That is to raise personal representatives?—Yes, and to deal with easements, &c.

4509. You are aware that it has been decided that the right of tithary does come under the Commission?—A good many have failed on technical points to secure a much needed relief.

4510. Lord Millican.—They are afraid to go into court for fear the landlord will deprive them of the right of tithary?—Yes, and a good many of the people are afraid to go into court but they would be deprived of the right of grazing.

4511. I have heard before now that it prevents a great number?—A great number. I have seen them leave the court in large numbers rather than go on with their cases.

4512. But if the landlord has a valid right to the bog don't you think it would be a very strong measure to compel him?—I would not compel him except by giving him the commercial value of it.

4513. And this firing being an absolute necessity of life, it would not be altogether unreasonable to compel him to sell it?—I think not. In many districts there is no way of getting firing except the bog is given.

4514. Mr. Millican.—You say Lord Trenchmore and Mr. Scanderson are giving a reduction on the judicial rents?—Lord Trenchmore is doing it. I am not sure whether Mr. Scanderson has any judicial rents on his property.

4515. That would imply that the rents are too high?—Yes.

4516. And I suppose it is the low price of produce that causes the difficulty of paying these rents?—Yes.

4517. Do you know of your own knowledge that the Land Commissioners have been, during the last two years, giving from seven to twenty per cent. additional reduction to what was given before 1885?—I don't know of my own knowledge. I don't know whether they are the same class of lands. It might be that the original rents were higher.

4518. But you have made no material difference as a Commissioner?—I have been off since the end of 1885. I think it had some effect towards the close of that time—the continuance of the depression. We thought at first it was only temporary, but it continued, and it became a very serious question.

4519. If you were called on to fix the rents now would you put on the same rents?—It would be a very serious responsibility. If the present depression were to remain, and I don't see any reason to suppose that it won't continue, I think the judicial rents ought to be fixed lower.

4520. That is an admission that the rents are too high?—Yes.

4521. With reference to this interference of the State between landlord and tenant, you think it

necessary that the State should interfere?—Yes, it would be.

4523. And you would say that all concerned in land must lose a little?—I think so.

4524. And do you think it would be any greater grievance for the State to interfere now and fix the price that the landlord ought to get and that the tenant ought to pay than it was to fix the jaded rent?—I think it would be a very extreme course where rents were punctually paid. But I am afraid it has become necessary. If one landlord goes in and another holds back the result would be that the tenants would become dissatisfied.

4525. It would have the effect of making those who purchased more industrious?—There is no doubt. With respect to the leaseholders I look upon their case as a hard one.

4526. Do you think they should be admitted to the benefits of the Land Act?—I do.

4527. They are very industrious?—They are the very best of tenants. They generally took their farms at sharp rents for the purpose of improving and protecting themselves.

4528. You say you never remember oats so low?—No.

4529. You have a mill?—Yes.

4530. And you are able to refer back to see the prices?—Yes, and I don't know how these public statistics are taken out. I saw in the *Economist* an article quoting oats in 1835 at 8s. a cwt. I think it is out of the question. Potatoes were quoted at 60s. a ton. I know last year of large quantities sold at 33s. 4d. a ton. Perhaps the way in which the statistics are calculated is that they take the average price of the twelve months and then include the prices now when the farmers have none to sell, or very little.

4531. What was the quality of oats this year?—Very good.

4532. What part of the country are you speaking of?—Downal and Derry.

4533. Can you say as near as possible what would be the average yield?—Per acre?

4534. Yes?—It varies immensely. I think 100 to 140 stones per acre would represent a great deal of the oats I know of.

4535. Lord Altham.—The statute acre?—The statute acre.

4536. One hundred and twenty stones?—Yes, and I think where there is less produce than that it is considered to be a poor crop.

4537. Mr. Nelson.—It would scarcely be so much except on good land?—I think in Louth even a great many people have not got 90 stones to the acre.

4538. Could you tell us the average quantity of potatoes—how many cwt. to the acre?—I would take on good land six to seven tons.

4539. That would be the outside?—It would be good tillage land.

4540. And it would take a very good crop?—I am speaking of good land very well handled.

4541. And you are speaking of picked potatoes for the market?—I think it would give that of picked potatoes.

4542. Do you think that twelve tons would be an extraordinary quantity?—I do. I have heard of it. But I would think it a very extravagant estimate.

4543. I see that you have mentioned that there is about 12s. an acre difference in labour?—The way I put it is slightly different. My own farm of 86 acres I know better than the other. Of these 86 acres I would be cultivating about 50 acres or 60 acres, and speaking the same way it would now cost 30s. to do what formerly cost 18s. over the 86 acres.

4544. In foreign produce keeping down the prices here?—That is so. That Indian corn is excellent for feeding horses and cattle, and is very cheap and largely used.

4545. Mr. Nelson.—Are you now a sub-commissioner?—No, not since the end of 1835.

4546. I think you said that all connected with land should now be prepared to meet a loss?—I think so.

4547. Would you include in that mortgages and jointures and annuities on land?—I would indeed. I think they should be included. I felt most strongly in cutting down incomes where all the loss was borne by a man who was nominally the owner but who had really comparatively little interest in the land, while everyone else escaped.

4548. Lord Altham.—Would you include the tenants?—Certainly. But I would say with regard to tenants that inasmuch as it is to be a permanent settlement the tenants should be left with enough to enable them to continue their tenancy—they should be enabled to remain solvent. They should make a sacrifice, but I don't mean they should make a sacrifice that would cripple them in future.

4549. Mr. Nelson.—I did not want to push you to that. You think that, as a matter of fair play, those who have invested their money as an encumbrance on land, should bear a share of the loss?—Certainly.

4550. And you would extend that to mortgages and annuities?—Yes.

4551. But as a matter of general principle, suppose two men, each having £10,000,—one invests it in the purchase of land, and the other invests it as a mortgage—do you see any difference between the two investors?—Except this, that the man who invested as a purchaser would have the chance of increased income, and he would not have given the mortgage any portion of the income.

4552. Then you would calculate the difference between them by the chance that the property had of increasing in value?—I would modify my hand and fast line.

4553. Sir James Caird.—Do you think the tenants themselves would more appreciate the reduction you propose, and not become landlords, then by paying the higher rate, and become landlords at the end of forty-nine years?—I think the poor tenants would appreciate it far more. I would leave the power to buy. With regard to that part of the inquiry about combinations—I don't think there is any combination here; nor do I think there would be any disposition to allow Boards of Guardians to become security.

4554. Do you think the local authorities themselves would not like to become security?—I know about this neighbourhood they would not.

4555. The President.—You are acquainted with some of the congested districts from having been a sub-commissioner?—Yes.

4556. Would it be advisable that the tenants of these districts should purchase?—I would scarcely like to give an opinion about—say the people of Achill purchasing their holdings. I think they ought to be dealt with in some exceptional way.

4557. Do you think that if it were made compulsory that the congested districts should be included?—I think their holdings are quite too small. I don't think any ordinary legislation would meet their case. They are not agriculturists. If they had it as owners, and a few bad years were to come, they would be just as badly off as ever. They go to Scotland or England and earn a livelihood in that or some such way.

4558. Sir James Caird.—There is really no economical rent in the land?—I think not. The average rent in Achill is thirty shillings, and they have three or four or five acres of bad land. If they get a present of the rent, it would not keep the family three weeks.

4559. Mr. Nelson.—You think this is a matter to be dealt with differently?—Yes.

4560. Sir James Caird.—Have you any notion of the number of tenants in that condition, compared with the general tenants in Ireland?—I think it is a most difficult matter to work out. The mere fact of a small holding does not imply that the tenants are extremely poor.

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Mr. John.
Cassington.

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4560. A small holder of very good land may be prosperous?—Yes.

4561. And a large holder of bad land would not be prosperous?—Yes. In the county of Antrim the holdings are small, but I have seen large mountain holdings which, now that the waste runs in the direction of good cattle, I don't know what is to become of them. The number of holdings to be treated as con-

prising the congested districts might be taken to consist of all agricultural holdings valued under £5 in the counties of Galway, Mayo, and Donegal, except so many as are in the half-baronies of North and South Roscommon, with the holdings on the islands off the county of Sligo. These numbers could be supplied in the Valuation Office.

Mr. George L. Young examined.

Mr. George L.
Young.

4562. The President.—I believe you are the agent of the estate of the Skinnere's Company?—Yes.

4563. You collect about £11,000 a year in agricultural rents?—Yes.

4564. You have no leaseholders among your tenants?—Not more than one or two.

4565. Are these higher rented than the others?—I should say not.

4566. Do they express any wish to go under the Act of 1881?—No; I think not. There are very few leases. The Skinnere's Company only came into the estate ten or twelve years ago, and the leases were only made about five or six years ago.

4567. Lord Milnes.—Was there a saddlemans?—Yes; up till 1873.

4568. The President.—Are they nearly all judicial rents?—Yes.

4569. Have the rents been paid well last year?—Not so well as before that.

4570. When were these rents fixed?—In 1852 and 1881.

4571. And since then there has been a considerable fall in prices?—I don't think the fall in prices has been sufficiently great to influence the payment of rents very much. Last year I got £10,000 in place of £11,000.

4572. I suppose that is the reason you have not got your rents?—No, it is altogether our division of the estate that is behindhand, and I should say in it there was a combination among the tenants against payments.

4573. Do you say on the highlands?—No; but it is in a mountainous district.

4574. Lord Milnes.—Is that where the combination was?—Yes.

4575. Had that anything to do with the combination?—No.

4576. The President.—Would anybody who did pay be suspected to any advantage?—No; I don't think so. It is merely an agreement not to pay.

4577. Have they paid anything?—All but sixty tenants.

4578. You have not been obliged to take ejectment proceedings?—I have forty ejectments, and I had sixty processes last year.

4579. Has that the effect of making them pay?—They generally wait till the last moment. After the ejectment is served they generally prefer to pay.

4580. Mr. Nelson.—You had forty last year, and sixty this year?—I have sixty served for next summer.

4581.—The President.—You don't think the tenants would find any difficulty in paying the rents?—Certainly not.

4582. Has there been much sale of tenant-right among your tenants?—Yes; there have been a good many sales.

4583. At what rate of purchase?—Twenty-one years' purchase since 1831, and it has not been lower than it was before. Strange to say it is higher this year than in 1852, when it was sixteen years' purchase.

4584. It is lower this year than it was before?—For the year ending December, 1855, it was lower. It was down to sixteen years, and for this year it was twenty-six.

4585. It has gone up this year?—There have not been many sales. There have been only four sales, but the average was twenty-six years' purchase.

4586. I believe negotiations are going on for the purchase of their holdings by the tenants?—They have begun.

4587. What are the terms proposed?—Practically

eighteen years' purchase. It is nominally nineteen, but this year's rent is thrown in.

4588. And you think it is to the advantage of the company to sell the estate at that price instead of keeping it?—Certainly not. I don't think so.

4589. That is their opinion?—That is their opinion, having regard to the probability of future legislation. They lose considerably by it.

4590. You have not stated exactly what would be the loss?—If they were to invest the money at four per cent. they would lose about £1,400 a year.

4591. They will?—That is estimating that they keep up the grants to the schools and clergy. If they gave up these they will gain.

4592. Are they influenced by any motives that would not apply to a private owner?—Yes, I think they are. I think they have an idea that there might be legislation which might affect the companies, and which would not affect private owners.

4593. Would the tenants object to give as much as twenty years' purchase?—I only came back from London yesterday, after making arrangements with the Company, so that I have had no opportunity of ascertaining the views of the tenants.

4594. Can you recommend any change in Lord Ashbourne's Act that would facilitate its working?—I think if there could be some means of providing that the one-fifth of the purchase money should not be kept back from the landlord it would be an improvement.

4595. And do you think there would be sufficient security without that one-fifth?—I think there should be. At the same time I think the Government would find it very hard to collect the instalments in a mountain district.

4596. Sir James Caird.—Just repeat that. You say that the security offered by the land, in the event of the non-recovery of the one-fifth, would not be sufficient. It would not be safe for the Government to give up that one-fifth, is that what your answer implies?—Yes, I think not; unless there was some other security the Government would not be safe.

4597. The President.—Are you acquainted with any of the congested districts?—I am well acquainted with Innishowen.

4598. Do you think that it would be desirable that the tenants there should buy, or would you think it would tend to make the present state of things permanent there?—I don't know.

4599. Would it have a tendency to stereotype the present population?—I am afraid they would sublet to such an extent that it would become worse.

4600. But the Act prevents sub-letting?—They may nominally be prevented, but it is very hard to prevent the sons and daughters dividing between them.

4601. Do you think it is easier for the landlord to prevent sub-letting than it would be for the Government?—Oh, certainly; much easier. They have the agent on the spot. On a portion of the Skinnere's estate, out of 400 farms about 100 are practically sub-divided, and we have no means of preventing it.

4602. Do you think that the congested districts should be left out of Lord Ashbourne's Act; or would it be an advantage for the tenants to have it?—I don't think it would be an advantage to them; but looking at it from the landlord's point of view, I think it would be a great advantage to them to get rid of the tenants.

4603. Sir James Caird.—At what price?—Twenty years' purchase. I don't think any private landlord could afford to sell for less.

4604. You think it would be an advantage to him to get rid of these tenants at that price?—I do.

4605. Do you think that poor land is as well worth twenty years' purchase as good land?—I think that it is the rent that is being bought.

4606. Do you think that the rent on poor land is as well secured as rent on good land?—It is lower.

4607. Do you think that it is as easy to collect it?—The tenant-right is much higher on small farms than on others.

4608. On these mountain farms?—Yes, on these mountain farms when the rent is about £5 the tenant-right sells high.

4609. Mr. Nelson.—There is more competition for them?—There is.

4610. Lord Milnes.—Do you think it is a danger to the country, and a source of shame to the country, that such a state of things should exist, where people are almost always in sight of famine?—Certainly.

4611. Have you considered any remedy?—Only emigration.

4612. Is there any desire to emigrate?—If there were some encouragement. I was living in Desagul at the time of the Emigration Act of 1850 and 1851, and I found that where the encouragement was given of a free passage and some money on starting that a good many of these people were quite ready to emigrate. I had more applications than I was able to comply with.

4613. We have had evidence that grants under that Act were not always properly applied—that it was not the destitute tenants who got the advantage. Is that your experience?—I did not find that.

4614. And the really deserving objects of charity were those who were benefited?—With this exception, where the tenant had a large family, where the eldest was not more than twelve years of age, the Government officer refused the case, as he did not consider they could support themselves when they went to America.

4615. Did many of them go away on your estate of 400 tenants?—About fifteen to twenty families.

4616. They have been doing well?—Yes. One of them has returned with a good deal of money and bought back his old farm.

4617. Has that created any wish among the remainder to go?—I think if there were assisted passages they would go.

4618. You don't think compulsion would be necessary?—No. I think if there were free passages and a little money given.

4619. If they were sent to some district where some adequate provisions could be made for themselves and their families, do you think they would be glad to go out of this wretched condition of existence?—I think many of them would.

4620. You say that there is a rise in tenant-right from sixteen years' to twenty-six years' purchase during the last twelve months?—There were no few sales that it would be difficult to calculate rightly. One farm sold at forty years' purchase, and that raised the average.

4621. That would be a very startling increase?—Yes. If taken over a large number.

4622. But there has been no falling-off?—No.

4623. Rather the other way?—Rather the other way, 4624. Could you go beyond that?—No, I think that is about it.

4625. You think this is a better year than last year?—Yes, considerably better. Crops were better and cattle were better.

4626. Do they breed their own stock?—They do.

4627. Young stock is not so high as last year?—I find that it is easier to sell.

4628. There is more stir for the selling than this time twelve months?—Yes. I have seen cattle that would not be bought almost at any price last year, and this year they will be bought.

4629. Last year they were not looked at?—They were not. There seems to be more stir in the cattle trade than last year.

4630. What does your company do with its revenues?—There is about £4,000 of it spent in this country.

4631. £4,000 out of £11,000?—They gave a guarantee of £1,000 bonds to the railway from Limerick to Dunguvin, and to the railway from Magherafelt to Drogheda.

4632. They gave a guarantee to that?—Yes.

4633. Mr. Nelson.—That makes £5,000 a year?—Yes.

4634. Lord Milnes.—What do they do with the balance?—That goes to London.

4635. And they do what they like with it there?—Yes.

4636. It cannot go all in diamars?—They give away a good deal in charity in England.

4637. Does it not strike you as an odd thing that so much should be given away in charity in England out of the revenues of an Irish estate. It would be no less to Ireland if this company did sell at a considerable loss to themselves?—This £4,000 will go out of the country.

4638. On the other hand, a number of tenants would get a considerable reduction?—Yes, about twenty per cent.

4639. And if the £4,000 a year could be preserved to the country the country would be no loser?—I think not.

4640. Do you think that the object of the tenants—such tenants as do desire to buy—that the object they have in view is to become owners of their farms, or to get an immediate reduction of rent?—I think the educated men look forward to becoming owners, but as a general rule they want an immediate reduction.

4641. That is what they want?—That is what they want.

4642. Would any of them be desirous of purchasing if the terms of the purchase were such that they would have to pay as large an amount in instalments as they pay now in rent?—No.

4643. They would not make a sacrifice to become owners?—They would not.

4644. And they would not even pay as large an amount as an instalment as they have to pay in rent?—No; because they think the State a harder landlord.

4645. Mr. Knipe.—Did I understand you to say that these houses were taken out in 1855?—I think it was 1852 or 1853.

4646. Was it by mutual agreement?—By agreement.

4647. There was no pressure put on the tenants?—Not the least. In two cases out of the three it was large tracts of mountain grazing.

4648. I think you said there was some compensation against the payment of these rents?—Yes, but your there was.

4649. Was there a demand made for reduction?—Yes.

4650. Did you refuse?—Not on this part of the estate. But the other tenants made a demand and it was refused, and they paid their rents. These men never asked.

4651. You found it necessary to issue sixty processes last year?—I issued more than that. Forty settled.

4652. Lord Milnes.—How many did you issue last year?—I issued between seventy and eighty last year between the different sessions.

4653. And out of the eighty one-half paid before they went to the sessions?—Yes.

4654. Mr. Knipe.—If they had got a little reduction on the judicial route they would not have had to be processed?—I don't think so. They did not come in to ask for a reduction.

4655. Do you know of any landlord in the neighbourhood who has given a reduction on the judicial route?—I have heard of only two, and they have not got in their rents any better.

4656. Looking at the reduction in prices, do you

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think the present rents are difficult to pay?—Prices have fallen.

4657. Have you heard that some of the Commissioners found it necessary to give a further reduction than in 1883?—I have had no experience of the Sub-Commissioners for the last eighteen months or two years.

4658. But you would not be surprised if that were so?—I should be surprised, because I think it is a mere temporary depression, and the rents have been laid for fifteen years, and ought not to be changed on account of a mere temporary depression.

4659. Tell us where this farm is situated for which forty years' purchase was given. There must be something peculiar about it?—No, there is not. It is a small farm near the mountains—at the foot of a mountain.

4660. Mr. Neilson.—What is the nearest town?—The nearest town of any size is Londonderry. It is close to Dungiven. I have the sales on their estates for the last three or four years.

4661. Mr. Knipe.—What was the rent of this particular farm?—The rent as judicially fixed was £2 5s.

4662. And how many acres?—Between four and five acres.

4663. And I suppose his predecessor had improved it?—No doubt it had been improved.

4664. Was it the tenant or the landlord who made the improvements?—Oh, the tenant.

4665. And it was in consequence of the tenant's improvements that the price was given?—I don't think the improvements were at all equal to the price of the tenant's right.

4666. Lord Milnes.—Where are the Skinnery's estates?—In the centre of the county Derry.

4667. In this county?—In this county.

4668. Mr. Knipe.—I suppose down to the last year the tenant-right was gradually decreasing?—No, certainly not. In 1881 it was twenty-two years' purchase, in 1882 it was twenty-one years' purchase, in 1883 it was twenty-one years' purchase, and in 1884 it was twenty-four years' purchase.

4669. From your practical experience and knowledge of the country, do you think would it not be an advantage to all if the State did interfere and insist on having some finality in this matter?—I certainly think there should be something final. I thought the Land Act was final when it was passed.

4670. That is in fixing the rents. But if the State should interfere between landlord and tenant and make some final settlement, do you think it would be desirable?—Certainly. I think the great difficulty in this part of Ireland is the mortgages. If the mortgagees insisted on getting paid in full private landlords could not sell at all, for they would have no margin, all margins would be cut away. I am aware of a case in which the figures were as follows:—The rental was £2,800 before the Land Act. The landlord's margin at that time was only 2500 a year. The remainder was paid to mortgagees. The rental was cut down to £650,000, and consequently the landlord has only £200 a year now.

4671. The President.—£300 a year to the land?—£200 a year to live on. And if he were to sell at twenty years' purchase and the one-fifth was kept back, and if he invested the money at three per cent. he would have no margin.

4672. Do you think it would be fair that the mortgagees should bear their share of the loss?—I think so certainly. There has been a general loss all round.

4673. Lord Milnes.—At what rate of interest are these mortgages given?—From four to five per cent.

4674. They go up to five?—Yes.

4675. Do you know of them going up to five?—Yes. The first charge is generally at four per cent., and then from that to four and a half and five, as the security becomes depreciated. If the State could see their way to advance money at the same rate of interest to the landlords, at the same rate of interest as they did to the tenants, to pay off the mortgages, it would be an advantage. They might be paid off in full, the State lending the money to the landlords at three and a half per cent. The landlord would be able to pay off his mortgage at four and a half, and then sell to the tenant, and have the difference to himself.

4676. Sir James Caird.—That would be saving the mortgages entirely?—Yes.

4677. Mr. Neilson.—And that would enable the mortgagee to deal with his tenants on better terms?—Certainly; either by way of giving them temporary reductions, or to sell to them for less.

4678. The President.—It would not bind them to sell.

4679. Mr. Neilson.—I only said it would enable them. (To Witness.) Do you see any objection to making that advance to the landlord conditional on his giving the tenants the advantage of it, and only giving it to men who would deal with their tenants reasonably?—I see no objection.

4680. Mr. Knipe.—You made some reference to householders; are there many householders?—Only two or three.

4681. You know a number of farmers who hold by leases?—I am acquainted with a good many leaseholders.

4682. Do you think they are deserving of consideration?—I think they should be given the same opportunity of having their rents fixed as other tenants.

4683. Mr. Neilson.—You were speaking of emigration a few minutes ago. Where did the emigrants go to?—About one-third to the States, and the rest to Canada.

4684. Do you think there would be any greater difficulty in providing emigration to our own colonies than to the United States?—The people prefer to go to where their own friends are. It was only by dint of persuasion that I got them to go to Canada. Those who went to Canada have done better than the others.

4685. Have you any means of knowing how they got on?—I have received letters from some of them, and those who went to Canada have done best.

4686. Sir James Caird.—Do you know whether many of them went to Manitoba?—I don't think many of them did go to Manitoba.

4687. Lord Milnes.—Do you know where they did go?—Their passages were paid to Montreal.

4688. Did many of them go to the towns?—I don't think so. Except one—the man who has returned and bought his own farm. I wish to add that in my opinion leaseholders are suffering a grievance at present, owing to the restrictions imposed on the letting of land in hands which can only be let for a single season under a special temporary letting agreement without setting up tenant right in the land, and I believe these restrictions should be removed, and freedom of contract restored in the case of all land in the landlord's hands.

The Commission adjourned till Saturday morning.

NINTH DAY—SATURDAY, OCTOBER 23RD, 1886.

The Commissioners met at Londonberry.

Present:—The Right Hon. Earl COWPER, Lord MILLTOWN, Sir JAMES CAIRD, and Mr. NELLON.

Mr. Robert H. Todd, LL.D., Solicitor, and Mr. Henry E. Cartwright called in.

Mr. Henry E. Cartwright examined.

4689. The President.—I believe you are agent of the estates of the Solihull Company?—Yes.

4690. Could you give me the area of the estate?—A little over 50,000 acres.

4691. And the value of it?—About £15,000 a year. We have sold it now.

4692. Have the rents been settled judicially?—Almost entirely. A few have to the Land Court. The rents were recognised as moderate and equitable. The great majority settled voluntarily by registration under the Land Commission.

4693. There are no leaseholders?—There are a few leaseholders—not any under old leases—not beyond 1854 or 1855.

4694. Did they express a wish to come in under the Land Act?—They have come in.

4695. The company have just concluded a sale of their estates to their tenants?—Yes.

4696. Would you kindly give us particulars?—It will be easy for you to get it. But the question that I should like to answer to you and which I hope most usefully in that question as to the anxiety of the tenants to purchase; because upon that is based a good deal of the success you might expect. I have been seventeen years living on the estate. It belongs to my company in London, and my object in undertaking the administration was, as much as anything else, to elevate and improve the position of the peasantry. The company are very benevolent, and they are very anxious to see that carried out. After I had been there three or four years, I began to study the question of enfranchising them by giving them their holdings in fee simple. That gave me the confidence of the people, and I found there was a universal desire among them to carry out such an arrangement. Their object was to put them on a firm basis, to prevent any future rise of rent which necessarily takes place when the market rises.

4697. Lord Milltown.—Was this before the Land Act of 1881?—Yes.

4698. The President.—What time?—1872, 1873, and 1874. Then, to prove their anxiety, I had an offer from the tenants of all existing leaseholds to buy those leaseholds at twenty-five years' purchase.

4699. Lord Milltown.—What date was that?—That was about 1874. Unfortunately at that time my company in London could not make up their minds to sell. They had an idea that it would be imprudent to sell a portion of the estate and not the whole, and in consequence of that hesitation that matter went off; but I mention that merely as a proof of a desire among the occupying tenants to become the proprietors of the land. After that we sold two leaseholds—one to a private person on the estate and another to the tenants—one for 22½ and another for 30 years' purchase. Then came the Land Act of 1881, and being in communication with the tenants on the subject, I was anxious to see if the estate could be sold as a whole. I met with Dr. Todd, who suggested that propositions should be made to the tenants. I had been in communication with the company, and got the majority of the company to pass a resolution to sell if equitable terms could be arrived at. And concurrently with that I was in communication with other companies, so that I paved the way, if it succeeded in selling my company's estate, for other companies to follow. In view of the Land Act of 1881, Dr. Todd came in and collected the tenants together and found that there was an absolute readiness to come under the measure, and to deposit the quarter of the

purchase money which under the first arrangement was necessary.

4700. Lord Milltown.—That was before the passing of the Act?—

The President.—Under the Act of 1881.

4701. Mr. Neilson.—It would be under the Bright Clause?—It was always under the Bright Clause I was working. They unfortunately came under the reflex of the agitation of the Land League, which came from the South and West of Ireland to the North. Before that the North had been free from its influence. The temptation seemed to be so great to our farmers that they fell under its influence. They said they had no sympathy with murder or assassination, or with the methods of the Land League, but that if the people of the South were frightening the landlords by the terrors of that association, they ought to benefit by it; and they said that by waiting they might get better terms. They then asked for delay in the matter. Then came forward the proposition that the Government, instead of making it a final Act, would make some further provisions. And our people said to us—“If this is to be the case, will you not wait for us to take advantage of any extension of the time, or any improvement for the advantage of the tenants?” I agreed to that; and, therefore, our sale was made under Lord Ashbourne's Act. Had the people known that the Land League agitation was not going to be recognised as a Constitutional agitation, they would have acted differently. But they are very clever, and they said to themselves, “What is the harm of our taking advantage of it, and joining it, though we don't intend to approve of all its acts?”

4702. The President.—The event proved they were right?—Unfortunately—that is for the owners of property.

4703. Lord Milltown.—I don't know whether it was a fortunate thing for the tenants. I think it would have been more fortunate if they had completed the purchase. It would have been. They had the money, and if they had put down the money at that time, they would have had the advantage of it. Those who have been thrifty will be in a good position. Those who have not been so thrifty will be in a worse position.

4704. I suppose that a good deal of the money was spent during that time?—A great deal. That agitation had the effect of taking them away from their work. It is wonderful how they neglected their business and came in to join the agitation in the hope of lowering the landlords' terms.

4705. The President.—Well?—Under the Act of 1885 our tenants all came in except a very small proportion, not amounting to fifty.

4706. Lord Milltown.—Out of how many?—Out of 1,000. Out of that fifty there were a certain number who have agreed only lately—legal technicalities having to be arranged. That is, certain family interests have to be arranged; and the moment that can be arranged they come in.

4707. Sir James Caird.—All the 1,000 have come in except forty?—Yes.

Dr. Todd.—There are forty that are not completed. In ten cases there are some legal technicalities, and five more have arranged. So that there remain only twenty-five. These don't say that they want complete the purchase, but they want some little concessions.

The Witness.—I am told since I came here last, that several more had agreed to complete the purchase. I want to put before the Commission the definite fact that there has been a strong desire, an honest desire

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on the part of the people, if they were only let alone—a strong desire to purchase. And if they only now believed that the Government measures were final, that desire would be permanent.

4708. *The President*.—What number of years purchase?—Nineteen and a half of the Government valuation.

4709. *Sir James Caird*.—Does that apply to your own estate, or to the country generally?—To our own estate.

4710. *Lord Millicown*.—But the strong desire on the part of the tenantry—does that apply to the country generally?—It applies to the whole of the district. The tenants are in communication with each other, and the desire is universal.

4711. A desire to purchase, even at a sacrifice?—No, not at a sacrifice, if they get equitable terms.

4712. Apart from getting a reduction of their rents?—No, but so as to get a settlement of their rents.

4713. *The President*.—They were willing to purchase even under the Act of 1881?—Yes. The agreement I made with our tenants—the agreement which was originally adopted by them—was twenty years' purchase on the rents.

4714. That was adopted by them originally?—Yes, that was what was adopted originally.

4715. *Sir James Caird*.—On the gross rent?—On the gross rent.

4716. What do you consider the difference between the gross and net rental—how much per cent.—the rental that you received after payment of your outgoings?—The outgoings are merely the expense of the collection, which is estimated generally at about five per cent.

4717. *Mr. Nelson*.—And the direct taxes?—And the direct taxes, which are estimated at 2s. 6d. in the pound.

4718. *Lord Millicown*.—Poor rate and county cess—who pays the county cess?—The tenants pay it. The only deduction would be taking the ordinary payment of five per cent. for expenses of collection; and the poor rate.

4719. What would that be?—That would be another five per cent.

4720. About 2s. in the pound?—About 2s. in the pound.

4721. *Mr. Nelson*.—Don't you allow for occasional losses?—Till the Arrears Act was passed there had never been any losses at all. The tenants always paid very fairly, if not regularly. The irregularity was generally caused by family distress, and these were allowed them in those cases; and two or three years afterwards it was paid up.

4722. Do you make any allowance for the cost of maintenance and repairs?—No. The average rent was 10s. 8d. per statute acre, but between themselves that land was worth 40s. to 50s. an acre. If one farmer rented land to another he purchased rent on it.

4723. *Lord Millicown*.—What is the poor law valuation?—About 15s.

4724. Then it is in excess of your rent?—Possibly you may put it at the same as the rent. The gross valuation is more. But in dealing with the tenants we have calculated upon the net valuation, that is upon the valuation of the land only; the buildings are not calculated in that valuation, which was on the land, and that may be put down as the same as the rent.

4725. *The President*.—10s. 8d. an acre?—Yes.

4726. And the Government valuation about 15s.?—I think the net Government valuation is about the same. If land is let to people in the country, to one of these, the value of that is about 40s. for which they have to pay no more than 10s.

4727. You have just agreed with them so pay twenty years' purchase?—Yes.

4728. In that agreement was this a stipulation, that any who paid cash for the whole should get five per cent.?—No. When Lord Ashbourne's Act was passed, Dr. Todd, who was acting for the tenants said, "You are going to get cash down, and therefore you

must be kind enough to consider that as if we were giving you cash down, and therefore you must give us five per cent."

Dr. Todd.—Part in valuation for the land and part for houses, and with regard to the relation between the rent and the valuation in three-fourths of the estate the rent was about ten per cent. over the valuation, but on the other fourth the valuation was about ten per cent. over the rent.

Witness.—Under this purchase our chief tenants will save a considerable sum; and what I should like to put before the Commission is this, that the advantage gained by these parties under Lord Ashbourne's Act are solely and wholly gained by the chief tenants. On our manse there are 1,000 chief tenants, but then there are 1,000 other families. The population is over 10,000 people. There will be 5,000 people, members of the chief families, who benefit by it.

4729. *Lord Millicown*.—Who benefit by it?—Yes. The rest of the people would benefit all, but on the contrary they will rather be injured by the withdrawal of the care of the agent over them. The landlord's interest will cease and the one-half of the people will have no benefit.

4730. *Sir James Caird*.—What is the position of the second 5,000?—Labourers.

4731. *The President*.—And they will then hold from the other tenants?—They are connected with them by blood and relationship. There is no difference between the people, except that one-half are made proprietors on the manse rolls.

4732. *Lord Millicown*.—That is, there is a large number of cottier tenants. Do they pay rent to your tenants or to you?—We know nothing about them, except in the way of education and charity.

4733. *Sir James Caird*.—They hold from the chief tenants?—Yes.

4734. And they may make their own bargains?—Yes. You should bear in mind that there is a very large population who are not going to be benefited by this sale.

4735. Nearly one-half?—Nearly one-half. And, therefore, if anything could be devised by which the benefit accruing from the low rate of interest could be disseminated over the whole people in the district in a communal form, you would shut out the discontent from the labouring class. The farmers are themselves so keen and thrifty that they will do as little as they can for the labourers.

4736. Could you offer any suggestions as to that?—If possible the solution should be in selling in townlands or larger units than individuals, and the saving of the interest should be for the benefit of the whole.

4737. *Lord Millicown*.—I don't understand that?—You give the townland a sort of communal interest.

4738. *Sir James Caird*.—You put the farmer and the labourer on an equality?—You give them the benefit of the reduction of interest.

4739. Do you think that practicable?—Not without a change in the law.

4740. *The President*.—Would you have commutation of townlands all over Ireland?—Or some other unit than individuals. If the farmers assume the whole of this benefit to themselves you will be face to face with another population almost equal in extent to those who will be agitating for something else.

4741. *Lord Millicown*.—In your particular instance the purchase will be probably a benefit to one-half of the class of the population and a great loss to the other half?—Yes.

4742. *The President*.—Do you consider the condition of those on your estate a fair sample of what exists all over Ireland?—All over the North of Ireland. This alternative has occurred to me that instead of making an alteration under which a compulsory sale should be insisted on all lands, that it should take the form of being compulsory only where tenants show their ability to pay and give evidence of their honest intentions by depositing a portion of the purchase

money, but if you give the whole as an anonymous gift surely the other people have some right to feel aggrieved and they will assert it afterwards. But if it is shown that the transaction is a bona-fide one, and the tenant pays down twenty per cent., you take away that grievance.

4743. But the labouring people won't be better off!—But they won't have the anxiety of saying that the farmers benefited by the taxes. They have paid down a share of the purchase money.

4744. Is there any other remedy that you would propose for the labourers?—There is systematic emigration. Our Government have never done anything to assist us in that way. I have done all I could to remove the pressure by assisting families to emigrate. Our policy was to cannibalise the farms among those who had capital.

4745. Is your part of the country overpopulated then?—That is a very difficult question to answer. It is not over-populated, because there is a great demand for labour.

4746. Then you would not want to emigrate the people?—Yes, where families get into distress and interfere with the labouring class.

4747. Sir James Caird.—It is not the labourers themselves, but the broken-down farmers—small families?—What is wanted to help that is a system of Government emigration, what, eight or nine years ago I took a great deal of pains to bring then under the notice of Mr. Gladstone, and he promised to help us, but it would have required £200,000 or £300,000. There was opposition to it and Mr. Gladstone could not carry that.

4748. We have evidence that there is a Fund for assisting emigration and that it is not being applied for?—It is not being asked for because there is no organized system. What is wanted is not merely to stimulate individual emigration. To be effective at all, it ought to be a system under which families could go together or a co-operation of families, carrying with them all their old associations and habits. They ought to go with their clergy, and to a place prepared for them. That would be a safety valve and prevent the misery that exists at present.

4749. Has the Labourers' Clause of the Act of 1881, done any good in ameliorating the condition of the labourers?—No, it has been merely used unfortunately for political purposes, for annoyance. It is not operating.

4750. Lord Milltown.—A proposal was made by Mr. Gladstone to carry out such emigration as you suggest—there was a proposal for a much larger amount; but to please Mr. Fawcett it was given up.

4751. The President.—We are going away from the question. I merely thought I would mention it as part of the policy which should be concurrent with the Land Act. It would hardly do to leave out so large a portion of the population as the labourers. It would be a source of future agitation.

4752. Sir James Caird.—You say you have a certain proportion of tenant farmers and about an equal number of labourers finding employment with these farmers now—would they not when these farmers become purchasers—would they not be likely to continue to be employers of labour?—Of course, to a necessary extent, but that would not do away with the discontent of those people seeing their relatives and friends partaking of advantages that they do not.

4753. That is another point, but would you, with your experience in the matter, think that at least a portion of that labour would still be required by the future proprietors of the land, who are now the tenants?—Yes, I would hope so.

4754. The President.—I should like to ask you what it is that the fostering care of an agent could do for them?—He could give attention to schools and to cases of individual distress.

4755. You are in the habit of looking into these things?—Yes.

4756. Sir James Caird.—How will that be supplied

if the change takes place?—Except the farmers are very kind to the labourers they will have no supervision whatever except from the clergy.

4757. The President.—Does the Company give much in private charity?—As regards education, the National school system has removed the necessity from the landlords. There are twenty-two schools on the estate, with 1,500 children on the rolls, and I have put all these schools under the Board of National Education, so as to get a proper supervision from the inspectors.

4758. And do the Company give much in private charity?—In seasons when distress occurs they do, and particularly among the very small farmers they give help in the case of death in cattle.

4759. I take it from you that they would suffer from having no agent to look after them?—What I wished specially to press on the Commission was that which I have a knowledge of, and that is the positive desire of the whole peasantry of the neighbourhood, if they are left alone, to become the owners of their farms.

4760. As to the labourers, are they unhappy at the prospect—do they think that their lot would be worse if the change was made?—They have not considered that yet, because they have been associated with the farmers against the landlords. The farmers' influence has been paramount. They have not separated from them yet. But there are signs of an agitation being got up amongst them; but what I wish to bring particularly before the Commission is that fact, that there is a general desire amongst the farmers to purchase their holdings. If I had been but alone six years ago I should have enfranchised the whole of these people and made them happy. An agitation was got up violently against that, and Mr. Davitt came down and advised the people against it. Meetings were held at Draperstown and elsewhere, and he enjoined the people by no means to purchase. That is to say, he said "Don't give more than a fair price." But his agents here went about all our people and said their price was ten years, and if by combination you will only hold out you will carry that—you will bring the landlords to their knees.

4761. Do you think he was afraid that if the sale took place in this part of the country it would spread elsewhere?—Certainly. The fear was that it would stop agitation. It was explained to me by that party that it would put a stop to the agitation, and Mr. Davitt came down. He was the most able man of the party.

4762. That is what you wish particularly to mention to us on the subject of purchase?—That is the chief point, and almost the only point.

4763. Do you think that looking on the Company as a private landlord, it is for the interest of the Company to sell?—I don't think that at all. I never have thought that. The interest of a large landlord would be to hold on, to tide over the difficulties if possible, because I am sure that land will become more valuable, and the very experiments that I have been making will make land more valuable if landlords hold on.

4764. I suppose the landlords will not be very willing in this part of the country, where there is no agitation, to sell at twenty years' purchase?—No, twenty-two and a half years' purchase, taking into consideration expense as a landlord. The land itself should be worth twenty-four years' purchase, but having regard to what the landlord has to pay out of that it might be put at twenty-two and a half years' purchase.

4765. Do you think the tenants would be desirous to purchase at twenty-two and a half years?—I am certain they would only for the agitation.

4766. Mr. Nelson.—At twenty-two years' purchase every £100 would mean an annual instalment of £88, and at twenty-three years' purchase it would be £92, it would be a saving of about ten per cent. to the tenant.

4767. Lord Milltown.—Only about half the poor

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rule?—The tenants would have been perfectly willing all through the districts I am speaking of to have given twenty-two and a-half years' purchase.

4768. The President.—And if there was to be compulsory purchase would it be an unjust thing to the landlord to fix it lower than twenty-two and a-half years?—Yes, that is as regards the rent I am acquainted with here.

4769. Lord Almon.—That is on fair rents?—Yes.

4770. Mr. Nelson.—That is on judicial rents?—No, but on all. Some of them were not fair rents—they were fixed in a time of agitation. They lost sight of the landlords, and some of the rents were very far below what they ought to have been.

4771. The President.—Even in those days of depression of prices of produce?—You must bear this in mind—the great mass of tenants are holders of farms which are worked by themselves and their families—they are not required to find capital for labour. They and their families work the farm and take the produce to market, and they are getting now better prices than they were formerly accustomed to get, so that they don't find the great fall in the prices.

4772. You don't think you are living in a time of great agricultural depression?—There is a depression here as compared with a few years ago, but not as compared with the prices for the last thirty years.

4773. Lord Almon.—If you take the average prices of the last thirty years?—Yes.

4774. If you take the average prices of the last thirty years there is no depression greater than the average of the thirty years?—No.

4775. Not greater?—That is my impression.

4776. Mr. Nelson.—I understood you to draw a distinction between those farmers who have the labour within their own families and those who have to pay for labour?—The complaint is that the price of labour has gone up a great deal. In 1870 the farmers' ideas of comfort were greatly increased; credit was given to them; they took advantage of that credit, and they, themselves and their families, thought that they were entitled to spend more. This told upon the labourers, and the labourers being connected with them began to expect the same improvement in living. They, therefore, pressed for more wages and the farmers yielded to them, because they themselves fancied they were in halcyon days. They got into more extravagant habits. That lasted for a time only—the present depression came.

4777. Sir James Caird.—In what way was their credit increased after 1870?—Their interest, called tenant right, was recognised by that Act. The shopkeepers gave them credit because they knew that they could proceed against them, and that the tenant right was practically security for the debt.

4778. Lord Almon.—What is the rate of wages?—10s. a week.

4779. You don't consider that too high?—I don't know.

4780. Is there a house besides?—Yes.

4781. Sir James Caird.—10s. 1.—From 9s. to 10s.

4782. And a free house?—A free house.

4783. And a garden?—They generally have a little patch for potatoes.

4784. The President.—I suppose the house may be put at 1s. a week?—About that.

4785. Lord Almon.—Do they pay that?—The payment is in labour generally.

Dr. Fidd.—I think the average rate given by Mr. Cartwright on his own land to his own labourers is about 8s. a week and a plot of land. The house is generally valued at about a shilling a week.

4786. Sir James Caird.—How does that compare with wages twenty years ago?—It is an advance—£d. a day was the former rate.

4787. In this part of the country?—Yes.

4788. But not so lately as twenty years ago?—No, not twenty years ago. They have been gradually in-

creasing for some time; but they were not so high twenty years ago as they are now.

4789. Lord Almon.—There is an appearance of inconsistency in your evidence. You say that the tenants form half of the population, and that the other half is not a superfluity, and then you say that the tenants farm their lands with their own families. You said that they did not suffer so much because they farm their lands with their own families?—Almost all the families who hold under ten acres farm the land themselves; but the others have men who are actually connected with themselves.

4790. The President.—You think on the whole that there is no reason why in this part of the country—in all parts of the country that you have a knowledge of, judicial rents should not be paid?—I think there is no reason why they should not be. And I think the farmers are willing to pay if they are only let alone.

4791. Is there much difference in the judicial rents—were some fixed higher than others?—You mean by the Land Court.

4792. Yes?—Those which were fixed first were not so high as those which were fixed later.

4793. But the later decisions—have not they been fixing the rents lower than those that were fixed before?—I think so.

4794. I think you spoke about encouraging tenants to pay ready money in case of purchase?—Yes; by paying a portion of the amount of the purchase-money in ready money.

4795. And I think that where they did do so you gave them an allowance of one half-year's rent?—Yes.

4796. By way of an equivalent for the ready money?—Yes; to induce them to find the money themselves instead of borrowing from the Government.

4797. Is there any other way that you could encourage tenants?—The only other way would be to give it cheaper.

4798. To extend the period for repayment?—You must look forward to the difficulties that may arise from political agitation. The sooner the payments are made the sooner the agitation would cease, and the better the condition would be.

4799. You would give a premium by a reduction in price?—By a reduction in price. I would recommend that it should be a sum paid now that each purchaser of a farm should pay down a certain proportion, as a test of his future intentions and ability.

4800. Would you make that compulsory?—I think it should be in this form—that any occupying tenant of a farm wishing to purchase his farm might do so by lodging with the Land Commission twenty-five per cent. of his money and serving notice on his landlord of his intention to buy.

4801. Then it would be compulsory on the landlord?—Then it would be compulsory on the landlord.

4802. At twenty-two and a half years' purchase?—At an equitable price. The court would be the referee.

4803. That where tenants pay down it should be made compulsory—do you think there would be a great opposition on the part of the landlords to a proposal to make purchase compulsory?—There would be; because they would be afraid of breaking up the estate. Some of it might be sold, and the rest left on his hands.

4804. Would it be desirable to make it, that if there was a large portion of his tenantry desirous of purchasing that he should be compelled to sell?—That would be one provision. But the principal is the enfranchisement. It is proposed in England that any long leaseholder might have the option of purchasing, having a great social option in view.

4805. Lord Almon.—But would it not be rather hard on the landlord to have all his best tenants made freeholders?

4806. The President.—But if it is to be made com-

palony on the landlord it should be made compulsory on the tenants.

4807. Lord Millican.—Don't you think that if a certain proportion of the tenants—if three-fourths of the tenants proposed to buy, the sale should be compulsory?—Yes.

4808. The President.—I suppose there is no doubt that if a great deal of the land was purchased there would be a great deal of feeling and agitation in less settled districts than this, among those who had not the opportunity of purchasing?—They would be discontented.

4809. You have not had anything to do with the congested districts?—No. I merely mentioned the question of emigration because it has been before me for several years as an alternative for the unfortunate state of agitation on the particular question.

4810. Sir James Caird.—Have the labourers any advocate in public?—Not yet.

4811. Lord Millican.—They have only just been enfranchised. Hitherto they have merely followed the farmers. The farmers persuaded them that their duty was to join in bringing the landlords to their knees.

4812. Mr. Nelson.—Once the farmers become proprietors you anticipate a new agitation?—Yes.

4813. So that in point of fact you are getting rid of one to lay the foundation of another evil?—Yes.

4814. The President.—What would they agitate for?—To get a share of the land that the farmers have. Mr. Nelson.—Which would be a great national benefit.

4815. The President.—I think that according to the returns of the Registrar the agricultural labourers in Ireland are just half the farmers?—About half and half.

The President.—No, twice as many farmers as labourers.

Lord Millican.—He misleads me that he called every man a farmer who had any land at all.

Mr. Nelson.—The number of labourers in 1831 is set down at 215,000.

Sir James Caird.—300,000 agricultural male farmers, and 195,000 labourers.

Mr. Nelson.—325,000 male farmers as against 195,000 labourers (males).

4816. The President.—With respect to the purchase of the townlands, would you make it compulsory that no farmer should buy direct from his landlord?—I merely suggested that.

4817. The land would become the property of the commune, and you would have communes all over Ireland—would they become proprietors?—The whole of the proprietors would become responsible for any default.

4818. In case of default what would be done with the defaulters?—They would have to dispose of the land. They would be obliged to evict.

4819. What would they do with regard to the labourers—would they exercise the fostering care of an agent in regard to the labourers?—I think that in such a state of affairs the labourers might step into the evicted farmer's shoes.

4820. Sir James Caird.—You seem to say that the loss of the landlord would be to some extent made good by the communal interest?—I think so.

4821. The President.—It would be a tremendous change in the affairs of the country—the transfer of the land to the commune?—True, but you want some scheme to get rid of this danger.

4822. Mr. Nelson.—And the thirty members would be guaranteeing the unthrifty members of the commune?—Yes.

4823. And one man would take his case while the other worked hard. In your case is the one-fifth guarantee deposit paid?—We have operated under the Act of 1853.

4824. But that is an Act which requires one-fifth? Dr. Todd.—They leave the deposit.

4825. Mr. Nelson.—No better security than your estate I should think could be imagined, and still they require the one-fifth?—Yes.

4826. How much money does the guarantee of one fifth come to?

Dr. Todd.—£50,000.

4827. Mr. Nelson.—And in that exceptionally good estate there is a sum of £50,000 locked up for fifteen years?—Seventeen years.

4828. Do you think that in the case of individual landlords the locking up of that large amount of money is rather an obstacle?—Except that the Land Commission gives three per cent.

4829.—But it is beyond its control?—It is in its hands. It is a very great drawback in a private estate, but that will be met by the tenants paying one fifth.

4830. You were suggesting that where the estate was advancing this money as an eleemosynary gift they should attach conditions to the sale?—Certainly.

4831. I agree with you, but do you think that would be desired amongst the farmers?—That would depend on the nature of them and upon whether they would recognise it as a social benefit.

4832. That is assuming that the farmers take a philanthropic view of it rather than a selfish one?—Yes; and if they could be persuaded that it was their interest to keep down agitation.

4833. If the idea of compulsory purchase was entertained do you think it ought to be an obstacle?—Certainly.

4834. That if the landlord was to be compelled to sell the tenant should be compelled to buy?—Yes; but then unless the Government advances the money on behalf of the tenant farmer he might not buy. I think the object would be to get the tenant to deposit a fair amount of money as a guarantee of his intentions.

4835. Would you do that in the case of individual holders looking at them as individuals that never have a personal interest in it?—I think it very hard to say that the better part and the most desirable part of a man's property should be taken from him and all the poorer undesirable part he should be obliged to keep. But against that you must remember the price I suggested is the fair market value that the landlord would readily accept unless, perhaps, for the purpose of having gain.

4836. Lord Millican.—Certainly he would not have much gain if there is any left?—There is not much left under the Act of 1851.

4837. The President.—You say that the Labourers Act of 1851 has done no good?—I find that it provides for a man to have a house and half an acre of land, and it is unsuited and not for party purposes.

4838. It has been used for party purposes?—The farmers themselves have a strong objection to having labourers' houses on a farm.

4839. And they constitute the Board of Guardians largely?—Yes. The farmers have always had a great jealousy about their cottiers. Years ago I was willing to build cottages for cottiers charging the farmers five per cent, but they set their faces against it, and in order to carry it out I should have been obliged to bring objections against them, and I thought rather than do that I would not trouble myself about the matter.

4840. Is it your opinion that leaseholders ought to be attributed to the benefits of the Act of 1851?—That is a question that requires consideration. A holder of a lease at or near the market value might fairly claim to come in under the Act, and if you take a holder of a lease who holds the lease from his landlord for a very small sum with the object that he should improve the property you will be doing an injustice on the landlord.

4841. The rent might be raised, and if you raise the rent the tenant might complain?—I don't see any objection.

4842. Sir James Caird.—Are you aware of any combination of tenants for non-payment of rent in this part of the country?—There has been no positive combination, but I feel quite certain from all that they told me that in our own instance had we not carried out this sale there would have been a general combination against the payment of rent in this county.

Oct. 23, 1863.

Mr. Henry K. Curwen
and Mr. Robert H. Todd.

Oct. 28, 1884.

Mr. Henry E.
Cortright,
and Mr. Robert
H. Todd.

4843. Lord *Millrose*.—On that property?—On that property, and all the property of the place.

4844. Sir *James Caird*.—But there has not been any?—No; there has been agitation on the part of the extreme party, but they have never got the respectable people to join them, there has been no distinct combination yet.

4845. Is there any withholding of rent on the ground that prices have fallen considerably since the judicial rent was fixed?—I cannot say that there is a withholding of the rent, but it is a reason for grumbling.

4846. A fall in prices is used as an excuse for not paying rent?—There is ground for that as compared with former years when prices were up.

4847. Lord *Millrose*.—Those high prices have not returned this year, but recently there has been an advance in prices. I don't quite understand what you said about combination. You said that in certain circumstances there would be a combination against a payment of rent?—I believe that if we had not carried out this scheme of purchase there would have been a combination against payment of rent.

4848. You said amongst other tenants besides your own?—In the whole neighbourhood.

4849. And what has prevented those where no such scheme has been carried out?—They know that the scheme is making progress. The Drapers' estate for instance were taking steps to sell. On the other side of the mountain the Skinners' Company are taking steps to sell.

4850. Does your remark only apply to the Company's estate?—Yes.

4851. Do you think that the prospect of speedy purchase has caused that anticipated combination to disappear?—Yes; the whole neighbourhood takes in a vast extent of country.

4852. Sir *James Caird*.—The example of your Company you think will be very generally followed?—I think so.

4853. Has it been followed by other Companies?—There were movements for the sale of the Ironmongers' estate and the Mercers' estate.

4854. Do they seem to be active now?—Not now; because they don't think it is the proper time to sell now when the market is so low. I find there is also a movement on the part of the tenants of the Irish Society in Derry.

4855. And the example you think will be followed by other proprietors?—As soon as the price gets confirmed we believe that it will be followed; the moment one sale is effected the price gets known amongst the others, and a movement is made for the purchase, and the price would go up.

4856. How would that influence men who have not bought?—Because the market price will go up; they will see our people sell their lands one to another at large prices; therefore the tenants of private estates will be inclined to give a larger price.

4857. Will they not point to your example and say it should be followed?—The answer to that is that it is a company, and a private landlord cannot afford to take the same price.

4858. The market value will become like the market value of anything else, and there will be a general rise?—Yes; I anticipate that will follow.

4859. Is there tenant-right on your estate?—Yes. The tenant-right is worth twenty years' purchase.

4860. Worth more than the value of the freehold?—Yes.

4861. Is that so still?—Yes, because even lately the sales that have been made with us, and which I have furnished to the Land Commission, have been quite equal to what they were before what they call the "depression" came out.

4862. Lord *Millrose*.—It has not affected the price of tenant-right?—It has not. Rather more was given at the sales that have lately been made. Of course if a large number wanted to sell their farms and throw them on the market, there would be a fall, but that is not so. The changes are made gradually; they are either from bankruptcy or from families emigrating.

4863. Do you think that the tenant who has purchased his holding and that is about to sell it would be in a position to sell both the tenant-right and the freehold, or would he lose the tenant-right?—No, certainly not. The people are so clever they understand it all.

4864. So he would have the value of both?—Yes.

4865. The President.—He would get fifty years' purchase for a holding?—I anticipate to see land going at £50 an acre, taking a pound as the rent.

4866. Lord *Millrose*.—Do you think that there is any apprehension that in purchasing their holdings they would lose the tenant-right?—Mischievous people tell them so.

4867. They do?—Yes, but our farmers have laughed at them.

4868. They are too shrewd?—Yes, they know exactly the value of what they possess.

4869. Just one question about judicial rents. In your judgment have those rents been fixed on any intelligible principle?—I think it would be very difficult to find on what principle.

4870. And are they regarded by the people at large, including all classes, as fair rents?—They are regarded by the people as absolute reductions to pacify them, not as fair rents. They consider that the reduction has been more to satisfy agitation than on any principle. I may be wrong in that. The Commissioners no doubt did their best under the circumstances; but as I cannot find any principle which they followed, I cannot help thinking that it was from a desire to pacify, rather than to value the land at its actual value.

4871. About the question that was asked you with regard to labourers' cottages being placed on the lands under the provisions of the Act of 1881, have you known instances where the dread of having a labourer's cottage imposed on them has deterred tenants from going into the court to have a fair rent fixed?—I have not.

4872. You should not be surprised to hear that?—Dr. Todd.—It is not so in the North.

Witness.—There is a nervous dread on the part of the farmers of having a labourer's cottage put on them. In practice, the Act has been resisted by a combination among the farmers who are Poor Law Guardians.

4873. Mr. Nelson.—That is the Labourers' Cottages Act?—The Act has been set at naught by a combination amongst the tenant farmers.

4874. Lord *Millrose*.—I can quite understand a man ready and willing to make a good home for his own labourer, but does not want to have a home for another man's labourer fixed on his land,?—Yes.

4875. Mr. Knipe.—Speaking of the desire on the part of the tenants to purchase their holdings, do you not think that the delay on the part of tenants was more in consequence of the depressed price of agricultural produce than of combination?—I don't think so. I think it was combination.

4876. Was there any combination, except to make an application to the landlord's agent for a reduction?—No open combination in our part of the country.

4877. You would not think that unreasonable?—No; but that is not what I thought. They were too happy to combine altogether not to pay any rent at all; to get the lands sold to them on their own terms, or the rent reduced to their own terms.

4878. Looking at the low price of agricultural produce at the present time, and the great quantity of foreign produce brought into the country, would you say the farmers' prospects are very bright?—Well, by the importation of foreign meat the farmers have suffered; but my opinion is that that is only a temporary reduction.

4879. Are not more cattle from £3 to £4 lower during the last two years?—There has been a depression, but there is an improvement now.

4880. It is not very expensive. Went the low price of stores have a very serious effect upon the country at large. Those men who breed cattle, and sell them in the spring of the year, are compelled to take from £3 to £4 less?—Of course the low price of cattle affect the income of the farmer.

4851. If the small farmers are obliged to sell their two-year old cattle for £4 a head less?—Of course if that continues it will be an injury, but the hope is that next year the price may be better.

4852. And oats and wheat?—Wheat would be a very serious thing, but they don't grow it except as a very crop, where farmers want the straw for the thatch of their houses; they don't grow it to improve their income.

4853. Was it not cultivated to a large extent?—No, I have never known it cultivated except for the straw.

4854. Is it not in consequence of the low price they ceased to grow it?—If wheat paid better they would grow it. It is simply that they can grow things that pay rent better than wheat.

4855. Have you known any landlords in your locality who have given a reduction on the judicial rents?—No.

4856. You don't think that it would be necessary?—I don't know that.

4857. In the present state of things?—I don't think so.

4858. And you have no knowledge of any landlords having done so?—No.

4859. You don't think it would be necessary this year?—Not if the judicial rents were fixed at an equitable rate. Of course you cannot think that all rents should be reduced because one or two years of depression comes.

4860. I am not expressing a wish one way or the other. I merely want to know whether such a thing has occurred in the North?—No.

4861. Are you aware that the Sub-Commissioners found it necessary to give from seven to fifteen per cent. additional reduction from 1885 down to the present time?—I believe so. I have not known it personally. I only know it from the newspapers.

4862. If that be the case, would it not be reasonable to suppose that rents fixed before 1885 would be unfair now?—If you assume the state of things that we had this year in to last; but you cannot fix the rents on the prices of one year, only you must take it that there will be good seasons and bad seasons.

4863. Do you think that leaseholders should be admitted to the benefit of the Land Act?—I look upon them that they occupy relatively the same position as the farmers who have got their rents settled. I have a difficulty in my own mind of seeing that leaseholders should not be included, if the landlord's interest was protected by the rent being fixed at the fair market value.

4864. I presume that the leaseholders who have come under your notice are an industrious class?—Yes.

4865. Do you look upon their position as being a hard one?—That will entirely depend upon the amount of rent that they pay. If they pay a very small rent they are much better off as they are. When the rent would be increased on the ordinary tenant at will, they have stood over, and went on at their old rents.

4866. I suppose you are aware that a number of leaseholders complain of the rents being too high?—I have only seen it in the newspapers. Our leaseholders look upon their rents as being reasonable, and when we admit them to the benefits of this purchase they look upon it as a great benefit. If we had wished to make them give more we should have been able to do so.

4867. With reference to this purchase clause of the Act of 1885, do you think that it would be unfair to make it compulsory—to compel the landlords to sell and the tenants to buy?—If you want to carry out a great social revolution for the benefit of the people there might be a reason for making it compulsory, but if that were done the landlord's interest ought to be protected by some court to prevent his being sacrificed.

4867A. But if there was a court established to interfere between landlord and tenant would there be

any greater hardship in that than in the establishment of the Land Court to fix Fair Rents?—If the duty was thrown on the Land Court to fix the purchase money the Government should be very careful in the appointment of the Commissioners for that purpose. They would have to do it with more care than they did in the former Commission, where they had to get a large number of gentlemen to do the duties, but in a court of the kind you refer to I am sure they would have a Court of proper Commissioners to protect the interests of both parties.

4868. Do you believe that such a court could be established?—Oh, yes. The only point is that changes of that sort, in order to be healthy, ought to be based on the ability of both parties, and the ability of the tenants ought to be tested by giving some security by the production of money that it is not taken merely as a haphazard kind of gift.

4869. Have you thought what effect it will produce on the tenants who have an opportunity of buying where the landlord is willing to sell?—A great deal; and my hope is that with the possession of property and the improvement of the people by education the whole social condition of the people once they are the possessors of property will be improved.

4870. What effect do you think it would produce on tenants who have a desire to buy and whose landlords don't desire to sell if they see their neighbours purchasing land and bettering their position, when they are deterred for no reason from the same advantage?—They would be discontented.

4871. You would not be surprised if there was a combination to induce the landlord to sell?—The combination is only taking that form now against paying rent; that is as the root of all. To bring the landlords to their terms a combination against paying rent would take place.

4872. Do you think that where landlords had great difficulty in getting rents and where the tenants have demanded a reduction of rent, that they would be very ready to sell?—Certainly. Of course they would be very willing to sell, but I attribute that to the weakness of the law. We are powerless I say, and we are compelled to sell our property because we cannot collect our rents.

4873. That would be one of the reasons for putting pressure upon the landlords if tenants were anxious to buy?—Yes, that would be a means of pressure on the landlord. It would take the form of a combination to pay no rent—I cannot conceive any other form it would take.

4874. You do not see any reason why it should not be made compulsory provided a certain number of tenants were willing to buy?—If you protected the rights of the landlord by giving him a fair price that would remove the objection as regards injustice to the landlord, but there would be a difficulty to be faced always. If by a compulsory measure the Irish tenants were made to purchase you would give a premium to them to form a combination against the Government against the payment of their instalments. In a healthy state of purchase they would give a guarantee for their conduct by paying something down.

4875. I understood you to say that they would become more industrious?—I hope so.

4876. Sir James Caird.—Your Company and other companies of the same kind have no difficulty in proving title?—No, no more than others, except the fees in holding their court.

4877. We have had evidence before us that it is very heavy in some cases, but in the case of companies the titles are perfectly clear, and there are no family settlements?—That makes it much more easy than in the case of individual landlords. There are no family settlements.

4878. That difficulty has not occurred with you?—The expense has been heavy.

Oct 25, 1898.

Mr Henry B.
Cartwright and
Mr Robert H.
Todd.

4908. You have no difficulty or expense in making title.—Only the expense of registering in Dublin.

4909. That has been in favour of the companies, an advantage to them over private landlords!—Yes.

4910. The compulsory sale of the landlord's estate would be very much affected by the possibility of the landlord's being able to show title. In case of compulsory purchase the Government would have to pay the expense all through and enable the landlord to clear his title by giving something analogous to the Landed Estates Court title.

There would be no difficulty in getting title.

4911. Mr. Neligan.—Could you suggest any simplification of the mode of purchase in the Commissioners' Courts in Dublin. In the office we have some complaints lately of the practice and mode of procedure there. In your experience is there anything you could suggest?

Dr. Todd.—Not generally, because I find the Commissioners made every effort to facilitate the sale.

4912. Mr. Neligan.—You have had to deal with very easy titles?

Dr. Todd.—Yes. In the case of townpale holdings a difficulty has arisen. The Land Commissioners admit that they have full power to lend on any class of property, even house property, but the intention being only to apply the Act to agricultural holdings it would be important if the Commissioners had greater discretion where an estate is being sold and there are a number of houses on the estate—that they should have a discretion to advance the money on buildings.

4913. Mr. Neligan.—They should be able to include a small village on the estate.

Dr. Todd.—Yes. There is the case of the village of Ballykelly, not far from here, which is part of an agricultural estate, and there is also Magheraduff, where there is land attached to the houses in the town.

4914. Sir James Caird.—Would not that property so detached from the estate be a good security for an advance?

Dr. Todd.—The best security of all, for there is not only the value of the ground rent but the value of the houses themselves.

4915. Sir James Caird.—Would these houses be still easily let?

Dr. Todd.—Oh, yes. A difficulty has arisen that in the Commissioners are satisfied that except the main portion is land and not house property they cannot act. I think there should be an intimation given to them that they should exercise a discretion in order to enable the landlords to complete the sale of their estates.

4916. Sir James Caird.—And you think these houses would be as good security as the land?

Dr. Todd.—Yes.

Witness.—A house worth £500 or £600 would have a ground rent of £4 or £5.

Dr. Todd.—I should say the actual value of the holding would be four times the price given. The price is only fixed on the ground rent. The Commissioners think that when they find the main subject of the holding as a house—they do not think they ought to exercise their discretion.

4917. Lord Millican.—Do you not think that if the Commissioners have that discretion they ought to exercise it?

Dr. Todd.—They admit they have.

4918. Lord Millican.—Do you think they should be compelled?

Dr. Todd.—They seem to think it was rather an omission in the Act not to confine them to agricultural holdings, and they require a discretion—all they require is a discretion.

4919. Lord Millican.—Because the power is there already?

Dr. Todd.—Yes.

4920. Mr. Neligan.—As I understand Dr. Todd, he thinks that if we were to make recommendations it would be of use.

Dr. Todd.—Yes. There are some matters in which I differ from Mr. Cartwright. I have had some experience of the Land Courts. While the tenants—some of them think that the fair rents were fixed too high, the landlords think they were fixed too low. My experience is that they were fixed very carefully. The Sub-Commissioners I find—I found to be a very careful body of men who fixed the rents as fairly as it was possible to fix them having regard to the facts placed before them. I think it is not fair to say they did not. They were required to fix them "in accordance with the circumstances of the case, and the character of the holding and the district, and having regard to the interest of the landlord and the tenant." Now each case differed in these particulars so much that therefore apparent discrepancies arose which made it difficult to reconcile decisions. This, in my opinion, is the best proof of their fairness.

4921. The President.—If the rents were fair a few years ago would there be a difficulty in paying them now?

Dr. Todd.—There is no question that prices have fallen.

4922. Lord Millican.—Do I understand you that the prices are inferior to what they were?

Dr. Todd.—What I would like to say is this, that the Sub-Commissioners did their work exceedingly well, and that the rents they fixed were fixed well. Of course there were mistakes, but in my opinion the rents, having regard to the circumstances and the prices when they were fixed, were on the average fair rents. I quite admit that the fall in prices has made the rents too high if this range of prices is to run over the next fifteen years, but I confess I would not be inclined to disturb the judicial rents until I would get further evidence that these prices are likely to continue. I say this, although most of my clients think they should be reduced at once. My view is that the best way of getting out of the present depression is by an extension of the purchase system.

4923. The President.—Is your opinion that twenty-two and a half years is the lowest at which landlords in this part of the country could sell with regard to their own interest?—I do not agree with Mr. Cartwright at all upon that point. I do not think that tenants should fairly pay that.

4924. What would you put it at?—That must vary in different places. I would put it at seventeen years all over Ireland. The tenants of the north-west of Ireland are willing to pay twenty years' purchase, and that I consider a fair price.

4925. What is the difference between the north-west and the south and the other parts of Ireland?—A portion of Donegal adjoining Derry, the county of Derry itself, the county of Tyrone, and parts of Antrim—there are markets within easy reach of the farmers of all these districts—there is easy communication, and that makes farming remunerative.

4926. You do not take into account the security of the country and freedom from combination?—There is no combination here that affects the rents, so that I would not consider that at all.

4927. I want to know whether in calculating twenty years' purchase here and seventeen years' purchase in other parts of the country you would take that into consideration?—No, I attribute it rather to the want of the means of communication in the West. The nominal rent in the rent was really not what was paid, and seventeen years' purchase would be as much as twenty years' purchase here.

4928. Mr. Neligan.—That would move you into the congested districts?—Yes.

4929. Sir James Caird.—Was not a lower rent measure put upon these estates?—No.

4930. Do you not think that the rents have some sort of equality notwithstanding the difference of conveyance?—I find that the rents were nearly all fixed by professional valuers, and that they only valued the land.

4951. Do you think they did not consider the proximity of the markets?—I think not. I find land valued at Inishowen fixed upon the same principle as within seven miles of Derry. You would find that the Arrears Act applied very much to the mountainous districts, where a bad season makes rents unpayable and good seasons makes them easily payable. You will find that if you take up where the Arrears Act was put in operation that it is on the sea-board.

4952. You would put these somewhat remote districts at a much lower rate than a district like this?—Yes. I think if there was a system of compulsory purchase these districts would have to be largely dealt with.

4953. Lord Millicom.—As a matter of fact, the normal rentals of a great many estates, except in very exceptional years, never were paid?—That is so.

4954. And do you think that judicial rents stand in the same position in the West of Ireland?—Yes, I have no doubt of it at all.

4955. Do you think the Commissioners did not take all these matters into account?—I think it was wholly impossible for the Commissioners to take into consideration the effects of the seasons in these districts.

4956. And therefore you think seventeen years' purchase would be fully as much value to the landlord as where in other districts twenty years' purchase should be made?—Yes.

4957. It has been asserted that Irish landlords—some of them put their rents up to a much higher figure than they really were entitled to for the purpose of obtaining mortgages?—Yes, we have a good example of that. A story is told that I know is substantially accurate. A gentleman purchased an estate in the country. He sold a quarter of it. He raised the rent of the remaining three-fourths, so as to have the same rental. He then sold another one-fourth, and increased the rental of the remainder to the total of the original sum. He sold another one-third, and the same rental was retained. That has now been reduced to one-third.

4958. Sir James Caird.—Was that recently?—I think about thirty years ago. The fourth sale took place about thirty years ago.

4959. Lord Millicom.—Do you say you were acquainted with what is called "congested districts"? I asked at the commencement of this for a definition of the phrase "congested district," and it was said to mean a poor district on which there was a much larger quantity of people than the land could support.

4960. You are not acquainted with any district where the population lives on such miserable land that it is impossible of supporting them?—No.

4961. Sir James Caird.—Unless they had assistance from wages or elsewhere?—I know none; but these people never intended to live by farming—some of them are fishermen and others labourers.

4962. Lord Millicom.—Then they cannot live on the land?—No; it was never intended that they should.

4963. In the case of failure of the potato crop would not their condition be very bad—as a matter of fact it is stated in such a case that they are brought to a state of starvation?—I don't believe that.

4964. Then you think it might be allowed to continue?—I think that in some districts there are too many small holdings, but I think it is desirable that there should be a large number of small holdings scattered through large holdings. In some districts there are large holdings and it is impossible to get labour, in other places there are very small holdings and those people have to migrate to get labour.

4965. In fact they are living on what is to all intents and purposes barren tracts of land?—That is so.

4966. You don't think the position a desirable one?—Not at all.

4967. Would you go so far as to say that it is a constant danger to the commonwealth?—I would; but I don't think they could be dealt with by legislation. I

think if railways were opened and fisheries, and if quarries were opened up, it would do a great deal to remedy the evil.

4968. And would you look rather in that direction than to the purchase of their holdings?—I would look to the purchase of holdings.

4969. Is there security?—I think so. A moderate sized farm in my opinion affords the worst security. If a moderate farmer breaks down there is no one to take his place.

4970. On Lord George Hill's estate as it has been described to me, should you say that on that estate the land would afford sufficient security?—If the Government was careful to see that the law was respected all through the country I have not the slightest difficulty in saying that the security there would be as good as anywhere else.

4971. You think that the security of the Gweedagh estate would be as good, if not better, as that of better circumstanced estates?—Yes.

4972. Sir James Caird.—Is there not great competition for these lands?—There is; they are very poor people and there is great competition, and where they get the money I cannot tell.

4973. Lord Millicom.—You think it would improve the condition of these poor people?—I do; for I think they would become more thrifty. If you had a railway made to the sea-board of Donegal, and those people had the opportunity of communicating with the rest of the world that the introduction of railways would give them, it would open up their minds.

4974. I presume any railways that were constructed in that district would have to be made entirely at the public expense?—Not entirely. I should say on the principle of the Act of 1853. The Act was not found to work in these districts, the reason being that the amount of the liability was not defined or limited to any amount. If the liability of the borrower was limited to a certain sum then I have no doubt the Act would work admirably.

4975. There is some difficulty now in getting money?—I was negotiating lines and had them arranged for, but the matter was thrown out in the Privy Council.

4976. I suppose that you are aware that some of these schemes passed the Privy Council, and guarantees had been found, and yet it has been found impossible to get the money?—That does not apply to the North of Ireland, and the Act was passed in the last session, allowing the Treasury to advance the money for this guarantee, as it was found impossible to get it elsewhere.

4977. Should you be in favour of effecting purchases of this district, or of any other district, from the monies of local bodies, setting on account of the people—acting as a buffer between the State and the tenants?—No; in my opinion these small holdings afford ample security, that is if the people purchase with the intention of paying; if it is on honest purchase. If that is not their intention—the Local Board must be an elected Board, I presume, and this elected Board, instead of being a buffer between the State and the owners, will rather be an organized body, that these people will, between them and the State, for the purpose of carrying out their views.

4978. The President.—Your opinion is, that if there was purchase they would be more likely to sell to one another in these congested districts, and the population would be more likely to thin itself than with the present system?—I don't understand you.

4979. That supposing these tenants were to buy, they would be less likely as they are now to sell to one another, and some of them to go away, and the population diminish in that way?—I think so.

4980. And therefore the carrying out of the Act in these districts would not of necessity have the effect of subdividing?—No.

4981. Lord Millicom.—Do I understand you to say that in carrying out any measures for the amelioration of the condition of the people, it is above all things

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necessary to uphold the law?—I did. I am representing the tenants. I don't think there should be any hesitation in making the instalments be paid punctually.

4961. Would you be in favour of making the instalments smaller, and prolonging the period of payment?—I would answer with a good deal of hesitation; but I think it would be undesirable.

4962. Sir James Caird.—You don't think that desirable?—I don't think it desirable; and for two reasons. I think it is important that the purchase should be completed as early as possible; and if time was extended, it would cause a delay in the completion of the purchase. It would not benefit the tenant, and would be an injury to the State.

4963. Why would it be an injury to the State?—It would induce the tenants to buy at an exorbitant price.

4964. But I was not viewing it in that way?—But it would have that effect. If the instalments are such as he could pay, in my opinion the sooner he can get rid of the instalments the better for the country, and the better for himself. It seems to me that to make the instalments smaller, and to spread the period of repayment over a longer period, would have the effect of inducing the tenant to pay too high a price.

4965. But you are safeguarded against that, are you not, by the direction left to the Lords Commissioners not to sanction too high a price?—I don't look upon that as a safeguard.

4966. You agree with Mr. Cartwright in thinking it a very desirable thing that the tenants should pay down a fair proportion of money?—Where they can do it.

4967. It would give them a greater feeling of self-respect?—Yes.

4968. And it would be a reward to those who were thrifty if more favourable terms were given to them?—Yes.

4969. It has been suggested to us that in the case of those tenants who were prepared to do that, smaller instalments might be accepted, and the repayments extended over a larger number of years?—I think that would be wholly unnecessary, for if the tenants are thrifty and they have saved money in the past, they would be able to pay with the greater ease.

4970. Would you make purchase compulsory?—In my own opinion the tenant should have the option of purchasing by lodging money, that is, that the purchase should be compulsory to that extent.

4971. That to the tenant who lodges the money, the right should be given to insist on purchase?—Yes.

4972. Even if it left the estate all tied over?—No, I would give the landlord the opportunity of lodging the fifth, and compelling the purchase by the remaining tenants.

4973. Do you think that the people are desirous of becoming the owners altogether, apart from the desire to get a reduction of their rent?—That desire is universal, so far as I know. There are twenty estates in which I have been instructed either by landlords or tenants under Lord Ashbourne's Act, in round numbers that would come to 200,000 acres. The difficulty I find is this:—In estates where the rents are badly paid, where there is some difficulty on the part of the tenant in paying them, there is no objection on the part of the landlord to sell. I find no objection in any part of the Northwest. But I do find that where the tenants are thrifty and industrious landlords will not sell. In my opinion compulsion should be brought in, the desire being not only that the tenant and landlord should benefit individually, but that agitation should cease. It is desirable that the best class of tenants should be made independent, and it seems to me that if the best class of tenants are left out by the Legislature, and if the Legislature only legislates for the thriftless, the occupying owners will not be of much account to the State, and the thrifty and frugal tenant who will be left out will be likely to give difficulty in the future; whereas if compulsory

purchase were put in operation by a tenant lodging one-fifth, you would have a large number of the best tenants coming in.

4974. Sir James Caird.—But you would apply the same principle of the number of years' purchase to a good estate and to a bad one?—I would leave that with the landlord and tenant, and in the event of their disagreeing, it should be decided by the Court.

4975. Mr. Nelson.—When you are including the price to be paid to the owner, would you pay him anything extra because of his being compulsory?—I think if he gets the fair value he should get nothing for compulsion.

4976. Lord Millican.—On a thrifty and well managed estate, is it your experience that there is a desire on the part of the tenants to get rid of the landlords?—The desire, in my experience, is universal.

4977. It would seem to be rather hard, because three or four large men wished to be free from their ties to the landlord, that all the rest should be compelled to follow suit?—On a well managed estate, such as Mr. Cartwright has been agent over, there has been always a good deal of the revenue expended on the estate on buildings, schools, and churches, subsidising the parishes, and perhaps the dispensary districts. With the exception of those who benefit by this expenditure, I think there is no single tenant that does not desire to purchase.

4978. No desire to continue the late ties between landlord and tenant?—No, my opinion is that they have no objection to the landlord, they are friendly to him, but they have no desire that the relationship should continue.

4979. The President.—They would be friendly if they were separate?—Yes. I know an estate on which the landlord is very popular, the tenants universally desire to purchase, and they have instructed me to arrange for purchase.

4980. What number of years?—Twenty years' purchase.

4981. Sir James Caird.—On the judicial rents?—I have, however, to pay twenty years' purchase on the judicial rents, and to lodge one-fifth with the Land Commission.

4982. What is his view of it?—Oh, he is willing to sell. But the agent and solicitor to the landlord, and two or three others interested, are raising so many objections as possible, and I don't think, unless there is compulsion, the sale could be effected.

4983. Lord Millican.—It would be expecting too much to expect that the agent could be a willing party?—He is not a willing party.

4984. Mr. Nelson.—How would that affect the income of the landlord?—Recollect the amount of taxes that he pays and the cost of collection—it takes a considerable portion of the income.

4985. It would only give £80 out of £100?—He does not get £80 out of it at present.

4986. The President.—Do you think there are any landlords who are unwilling to sell?—I think very few. The only difficulty is the price, one landlord asks twenty-eight, and others twenty-two and a half. A good many of them are willing to sell at twenty years' purchase. Public opinion reasonably moderates the tenants' and moderates the landlords' demands. Twenty years' purchase is considered a fair price. The tenants are willing to pay it, and the landlords are willing to receive it, but I think it hard that a thrifty people who are prepared to lay down a fourth or a fifth of the money and who would be the best citizens, would not be allowed to purchase, and that only the disreputable people, the restless people, should be allowed to purchase.

4987. Sir James Caird.—Would a large number of the tenants in these three counties be able to pay one-fifth?—I should say one-fourth in Tyrone, Derry, Donegal, and Antrim.

Mr. Cartwright.—I am quite certain that sales would be opposed by agents and officials, and the tenants play into the hands of those. My people are

repeatedly coming to me and saying to me, "Is it really your wish to sell, and if not we won't buy," and a week would have been sufficient; I had to impress on them that it was my wish that the estate should be sold.

Dr. Todd.—There is another landlord. The landlord (a company or society) sends a deputation here each year. The rental is expended for the benefit of the neighbourhood. When the deputation came here in July last a number of the tenants waited on them pressing for leave to purchase under the Land Act. The deputation said if the tenants would offer twenty-five years' purchase they would consider it. The tenants considered that unfair, and it fell through.

4998. Lord Milnes.—Any reduction in the income of the company that would cause a distinct loss to the revenues would be a distinct loss to the neighbourhood. For instance, you would not have the bridge free but for the Company?—I have not the slightest doubt but we would have had the bridge in our own hands much sooner. The bridge free and our port twice as large.

4999. Do you think the tenants would have laid out the money?—I think that if the thirty-three and a half per cent. that is expended in London were expended here it would be an advantage.

5000. There is thirty-three and a half for management?—Yes.

5001. Lord Milnes.—Because the evidence was that they spent the whole revenues here.

Mr. Seligson.—Nearly the whole.

5002. The President.—I don't know how much you estimated that your Company will lose.

Mr. Cartwright.—They will lose an income of £5,000 or £6,000 a year. But that must be qualified in this way, that they used not to note on their rental they used to give away a great deal. In future they will not be called on to give away that. In the case of my Company some years ago they borrowed a sum of £45,000 at four and a half per cent., the whole of which was expended on the estate.

5003. And in the case of private individuals the income would be reduced by £5,000 or £6,000 a year?—Yes.

5004. Out of £15,000?—Yes.

5005. Lord Milnes.—Are you quite sure that there is a general desire to purchase amongst the tenants of the Company you mention?—Certainly.

5006. I speak of the agricultural tenants?—Agricultural tenants, and they have a good deal of town property.

5007. But do you think that it is the desire of the people of the district that the Company should disappear?—Yes. Not that they have any objection to the Company, but on economical grounds. I am quite sure that the Company, as far as they could, managed things as they thought best for the district, but they come here as a deputation, they keep up two establishments out of the earnings of £20,000.

5008. I thought it was £12,000?—That is with regard to Derry, but they have a large property in Coleraine.

5009. We were told that it was £12,000?—That refers to Derry; that is even worse, for the proportion of income spent in management is, I believe, greater, but my impression is that it is £20,000.

5010. Suppose they did sell, would they invest the proceeds for the benefit of the neighbourhood?—Yes.

5011. In fact it would have to go to the original trust?—Yes.

5012. Lord Milnes.—The property of this Company belongs to the twelve London Companies, and the Company who administered it always devoted the surplus among the other Companies till the Sklenners' Company was dissatisfied and brought a suit in Chancery. That cost £25,000, and the decision was that this particular Company were declared to be trustees for the benefit of the other London Companies, and that they were bound to hand over to the other Com-

panies the surplus after developing the estate. The Company from that time have never paid anything to the other Companies—have never had any surplus, but have expended all on the estate.

Dr. Todd's statement is that the management is so expensive that it is really a loss to the district.

Dr. Todd.—Yes, there are two objects in view—the first, that it is too expensive, and the second, that it is managed by a foreign body who know nothing about it. There is a case in which the tenants were asked to purchase—they wanted to buy, they wished to purchase. I informed the landlord of that, and asked him to meet them. I have no doubt he was willing to sell, but it came into the agent's hands to advise, and he wrote it is at present not the intention to sell.

5013. Have you ever considered how much property it would be possible to sell in the course of a year supposing everybody was willing. How much could the Court do supposing everybody was willing?—The present Court could not do it in less than twenty years.

5014. Sir James Caird.—Have they done it at all at that rate since they began?—They have been doing nothing until the last six months.

5015. Mr. Seligson.—Take the best-parcel we have—the Landed Estates Court?—But the carrying out of this Act is much more easy than in the Landed Estates Court. I could purchase the whole of Ulster under this Act in the time I could purchase one estate in the Landed Estates Court.

5016. Lord Milnes.—It does not take so much time for investigation of title?—It does not take half the time in my experience.

5017. For the sake of the security to the State it is desirable that the title should be inquired into carefully. That you had not to do in the case of an encumbered estate?—The title had to be investigated.

5018. Yes, but not the price, and now the price is very material, and the materials are very difficult to deal with. You have to value; you have to get the judicial rents fixed; you have the boundaries to fix; but under your favourable impression of the powers of this new court you still think it would be done in twenty years?—I do.

5019. Sir James Caird.—Do you mean to say that you think that with all the necessary precaution and the present Court all Ireland could be converted into freehold in that way in twenty years?—I do. In the case of the Salters' estate we had the title lodged and proved in a month.

5020. But that was a Company's estate?—We have many Landed Estates Court titles. There is a question about the labourers that I do not agree with Mr. Cartwright upon. Take the case of the Salters' estate. The Salters' tenants are paying £6,000 a year less than they were prior to the Act of 1881. My experience of the North of Ireland farmer is that when he has the means he applies those means to the improvement of his farm. The labour then on that estate alone has increased by £6,000 a year, and it seems to me that except the population has increased you must have more labour.

5021. How is it increased by £6,000 a year?—I do not mean to say the whole would go to labour, but I say that where a farmer has means of improving his holding, he applies these means to the improvement of his holding in the first place. This estate is capable of great improvement; and I have no doubt a large amount of money will be spent in improvements, and will give large employment to the labourers. If you take that for the whole of Ireland, there would be at least £5,000,000 of money saved to the farmers; and if the farmer do as I expect they will—improve their holdings—there would be a vast number of labourers called into requisition.

5021A. Lord Milnes.—Is that the usual course for the farmer to apply his surplus money in the improvement of his holding?—It is done very extensively. I

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should say that the third is value of the land consists of improvements.

5012. *Sir James Caird*.—Do you say £5,000,000 a year?—Yes.

5013. That is not out of £15,000,000?—Yes.

5014. The present rent is only stated to be £10,000,000?—£15,000,000.

5015. Of course, if the present rent was only £10,000,000, it would be a great deal less than that?—It would be. But at any rate there would be a substantial reduction, and he would be able to apply the money to improvements. As regards the labourers' houses, it seems to me the Labourers Act and the Sanitary Acts are sufficient if they were put into operation. As regards the security, it seems to me desirable to leave the Land Commission a discretion to dispense with the lodging of one fifth, or to reduce that amount.

5016. *Mr. Nelson*.—At present they have not that discretion?—They must lodge at least one fifth, but in some parts, at least, the security is ample without it.

5017. *Sir James Caird*.—Having the tenant-right in addition to the freehold?—Yes.

5018. *Mr. Nelson*.—I would like to hear what you have to say with regard to leaseholders?—I agree, I think, with everybody upon that point. I never heard any difference of opinion upon that subject for the last two or three years.

5019. *Lord Milnes*.—I suppose you would be very angry if a landlord would go into court to have the rent raised?—No, the right ought to be reciprocal.

5020. That would in some instances mean a rise of rent?—In most cases where a leasehold is held at a nominal rent it is held for some consideration—for the improvement of the land perhaps—and all those circumstances will be taken into consideration in fixing the rent.

5021. In cases of old leases made in the last century, for instance, the rent is far smaller than it would be now, and then there is the question of the depreciation in the value of money?—Of course, that would affect it.

That is the difficulty?—It is a difficulty, but it would not stand in the way of solving the question.

5022. Then you would give the landlord the benefit?—I certainly would. When all the circumstances were taken into consideration you would find that the Land Commission would not alter it much. It might not alter one per cent. over the whole of Ireland.

5023. *Mr. Nelson*.—And where the rents are nominal you would assume the tenant gave a consideration?—Yes.

5024. And you would throw the onus upon the landlords of proving there was not?—If the tenant went into court and wanted a reduction he should give evidence to entitle him to it, and if the landlord went in and asked for an increase he should give evidence. The Court would have to assume that the landlord in letting the land—that the rent was then fixed fair, and he would have to show the improvements he made upon it, and not merely ask for an increase on account of the change in the value of money.

Walter Osborne, of Campey, Londonderry, examined.

Walter
Osborne

5025. *The President*.—Mr. Osborne, I believe you are a tenant farmer in this country?—Yes.

5026. And how many acres do you hold?—I have about 166 acres.

5027. Are you under judicial rent?—Yes, for the past two years.

5028. Do you think that during those two years there is a difference owing to the fall in prices?—do, you find a difficulty in paying your rent?—Yes, I find great difficulty in paying it this year. Other years I have drawn out of savings made before. This year I don't see any way. I don't see any way of doing it unless I use the same means, which I think hardly fair to myself.

5029. Do you wish to become a purchaser of your holding?—I would, I would wish to become a purchaser.

5030. It would depend I suppose on the number of years purchase?—It would depend largely on that.

5031. What do you think would be a fair price?—My interest is fully equal to the money paid by my present landlord. I paid no more for tenant-right on he paid for the freehold, it is part of an estate which he bought and I know what he paid for it.

5032. How much do you think he ought to get?—If you mean under Lord Ashbourne's Act, not much. I understand that there are no quit rent, no rent-charge, or title.

5033. *Mr. Nelson*.—That is not so?—I was told that it depends on circumstances. If it was free of all charges I would say fifteen years.

5034. Fifteen?—You would not give any more than that?—Suppose I was to give twenty it would be cheaper than the rent I am paying, and it looks strange as if I would only give fifteen, you may think it strange but my reasons are simple, for the last three years I have been losing money.

5035. *Lord Milnes*.—For the last three years you have been losing money?—Yes.

5036. That is before you got the judicial rent fixed you were losing money?—Yes, I was anxious to get a rent fixed and I would not take it at the present judicial rent if I had to do it now.

5037. *Sir James Caird*.—It was a rent fixed be-

tween you and the landlord—you agreed outside and the Court confirmed it?—Yes.

5038. What was the old rent?—£3 2s. less on the judicial rent. The old rent was £30 and the present rent is 287 2s. I had to take that rent in the dark.

5039. *The President*.—One hundred and eight acres?—That is Statute acres.

5040. *Lord Milnes*.—How long had you been a tenant?—I bought the termination of the lease ten years ago.

5041. *The President*.—How much did you give?—I gave nearly £800. It included some farm produce.

5042. *Mr. Nelson*.—That is for the tenant-right?—I thought I was purchasing the buildings.

5043. *Lord Milnes*.—You did not look at the buildings?—Oh, yes, but I thought that the buildings belonged to the farm.

5044. *Mr. Nelson*.—If you thought you were buying buildings and did not, you were making a bad bargain?—That is made the law now, in fact that is one of the reasons that he frightened me into this rent.

5045. *The President*.—The rent was fixed by the Commissioners, I suppose, on the basis that the buildings belonged to the landlord?—No, it was agreed to.

5046. Did you agree?—It was not fixed?—No; it was not fixed, I gave that rent because he frightened me by saying that his predecessors had built the buildings. He said he would set his own value and called on me to fix the rent. I called on him and he said, "Will you give me some £10 more than you have been in the habit of giving?" "No," I said, "I will give you £10 less." I demanded to see his value. Mr. Babington, a man I could trust, was valuer. The landlord said, "No, he will not see it unless you accept the farm at the value he puts on it." I told him I accepted the valuation of Hugh Babington; and I was bound.

5047. You thought it was too high at the time?—I took it as the law.

5048. Then you don't put it on the fall in prices?—The reason is because I feel the more matter of rent is a single matter, there is a reduction of sixty per cent. on potatoes, fifty per cent. of the value of oats, twenty

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per cent. of the value of beef, and forty per cent. in butter.

5049. Lord Millicorn.—How much do you say beef is?—I would say twenty per cent.

5050. The President.—Therefore, even if the rent was fair when it was fixed you would not be able to pay it now?—No, I don't exactly say that. I say that the cause is the fall of prices, not the amount of rent. I would say that in rent a few pounds would make very little difference, and I would say that when I have so much money in the place, and find that I must draw on money, that the fall in the price of produce compels me to make so low an estimate as fifteen years' purchase.

5051. You don't mean to say that the fall of prices took place since the letting of it?—No. A farmer holding less acreage than I do does not feel it as much as I do. I had money on hand and could pay it.

5052. You say there has been a fall of sixty per cent. in potatoes—A fall from what date?—Well, this is 1886—for about the last three years.

5053. Not before you took this rent?—Yes, besides I had a judicial rent on before that.

5054. The President.—You were in hopes at first that it might be only temporary?—Yes.

5055. And did not attach much importance to it?—No; I think I have a pretty good knowledge of the Land Act of 1881, and the scope of your inquiry as to combination and other matters.

5056. You have no combination here?—I want to deal with that word combination for a little. Many farmers around me say they will not be able to pay this half year's rent when it becomes due. Those that are in the courts, those who have a judicial rent fixed, and those who have got none, say they cannot. I think in that case it is hardly right, in my view, to have to draw upon money we have got in some other way, and they may be unable to pay, and consequently we expect a large amount of evictions, or at least that the landlord will not find as by putting in evictions for the rent payable. If they attempt such a thing in the North, and do not spare us, the time may come when we would propose formal combination. I used to consider it a religious duty to pay my landlord as I would pay my other debts. I think otherwise now.

5057. Lord Millicorn.—Have you read your Bible in a different way?—I have read my Bible in a way which I considered was wrong before.

5058. The President.—Are you not bound to pay all your debts?—I do not consider it a debt when I am ejected into it. We are both partners in the matter, and the landlord should bear a share of the losses.

5059. Sir James Caird.—If prices had risen would you have paid him any more?—I have never seen any rich farmers.

5060. Lord Millicorn.—If prices had risen you would not have paid him any more?—I think we are both partners in the matter.

5061. Mr. Nelson.—If the partnership subjects him to loss, surely it would entitle him also to profits?—Decidedly; but I object to dual ownership altogether.

5062. The President.—If you had not other money you could not pay?—I have no objection to swear that.

5063. Has the landlord offered no reduction?—It would be useless to ask him.

5064. Have any landlords in your neighbourhoods given statements on the judicial rents?—I am not conscious of it at present, but I believe it has been done.

5065. To go back to the question of purchase, you would not be willing to give more than fifteen years?—That depends upon whether or not everything should be done and straight, and all charges met.

5066. Of course there would be no circumstances upon it. If you get it clear—your own property—you would not be willing to give more than fifteen years?—No.

5067. Mr. Nelson.—On the net rental?—On the

judicial rent. I would give a payment of fifteen years on the judicial rent if all the quitters were met.

5068. I understand you to say if the quitters are met you would be prepared to give fifteen years' rent?—Yes; perhaps if you would allow me to say fifteen to seventeen.

5069. The President.—Of course that would be a great loss to your landlord. It would be a gain to you?—It would be a gain to me, but it would be a great uncertainty. I would be fixed for that rent, and we in the North do like to pay our debts.

5070. Do you think your neighbours about you would be willing to purchase, or do they wish to purchase?—That Act is little known amongst us. The aspect of the times politically has not given us in the North opportunities of understanding it. I believe that it is an Act little understood. I believe it is a very reasonable Act. We thought there could nothing good come out of a Conservative Government.

5071. Mr. Nelson.—You say fifteen to seventeen years' purchase. Do you know your annual payment then would be £50 1s. 8d.?—I do.

5072. You understand that?—Yes, but it is a matter of arrangement.

5073. The President.—I suppose you are not very well acquainted with the Act itself?—I am as well acquainted with it that I would lay at that price.

5074. Your neighbours have not made themselves acquainted with it very well?—No.

5075. Have you many leaseholders in your neighbourhood?—Yes.

5076. Are they anxious to come under the Act?—Yes. There may be some who have freehold grants and long leases, but except these they would be very anxious.

5077. Do they pay much more in proportion to their holdings than you do?—They do pay more—decidedly more.

5078. And they would be glad to come under the Act?—They would.

5079. Lord Millicorn.—Do I understand you to say you would not give twenty years' purchase on your judicial rent under Lord Ashbourne's Act?—I know I would be paying less rent than at present.

5080. You would be getting an immediate reduction of 20 per cent?—Yes.

5081. Notwithstanding that you would not give it?—I would not give it unless you guaranteed times would improve. There is no other reason under the sun. I would pay that under any Government.

5082. Anything that would benefit you you would be agreeable to do?—Yes.

5083. Even if the measure that gave the benefit was passed by a Conservative Government?—Yes. From what I have said you will understand I have all my life been opposed to the Conservative Government, but this Act if it was better known and perhaps more time taken would work well, only I would rather that the thing was urged and not left open. Of course you can make any improvement in the Act, but I would rather that the Government should have purchased the land themselves and then they would have taken care when they bought it that they got a good enough bargain.

5084. You have not paid much attention to the Act or you would find that the Government can purchase and re-sell to the tenants?—But I think a guarantee is required to be lodged.

5085. The object of lodging is to see that the State did not give more than the article is worth?—But they want a guarantee as well.

5086. If you could agree with your adversary?—I can agree with him.

5087. Would you be prepared to pay down a substantial portion of the purchase money?—No. Do you mean have I the money?

5088. I did not mean that. But I dare say I may have taken it for granted. Supposing that you had the cash lying idle would you be prepared to lay down your one-fifth portion, or would you rather that the State should advance the whole amount?—I know it

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is argued that it would be safer to get the money from the State, and to save your own; but in my own case I would be prepared to pay down if I had it.

5080. And you think it would be a desirable thing for the tenants to do if they had it?—They should do it.

5081. It would give them more of a feeling of self-respect?—Yes; and it is very much needed.

5082. You fixed this rent by mutual agreement—you say you were ejected—as a matter of fact you went into court—I did my best, although there was as clever a man as you opposed to me.

5083. At any rate you think now you rather made a fool of yourself on that occasion, but you did fix this by mutual agreement two years ago?—Yes.

5084. And supposing it to have been a fair rent then—supposing that you had not been so seriously ejected as you were, do you think it would be an unfair rent now, owing to anything that has happened during those last two years?—I think the rent fixed was not unfair at the time.

5085. Not unfair?—Not much unfair. I don't think of the mere matter of rent. The fall in produce is far more.

5086. Not so much for three years?—But I am speaking of two years before that.

5087. But do you think that if a rent was fair two years ago—do you think it would be unfair supposing the prices were to go up again?—I am bound to say it would not be too much.

5088. But would it be too little—do you think your partner the landlord might have made a very bad bargain?—Possibly. I would rather there were no landlords.

5089. I hope you are on excellent terms with each other, but I would just ask you this question—would the fact that one or two years were very bad years, when farmers found it impossible to make the rent, make the rents fixed for fifteen years unreasonably too high?—Decidedly not. I don't know what may be the future.

5090. Mr. Nelson.—That is an incidence of all rents?—They may be too high or too low.

5091. Mr. Knipe.—It is generally admitted that last year and this have been the worst for the farmers?—I don't know what has been generally admitted.

5092. From your own experience?—I don't know what the general admission may be.

5093. But in your experience, don't you think that last year and this year it is very difficult to pay the rents?—They have touched the lowest point of any of the years past—last year and this—the lowest of any of the years since 1850.

5094. Since the passing of the Land Act?—Necessarily since the passing of the Land Act. The years 1885 and 1886 have touched the lowest point, and I don't see why in 1887 they should not touch a lower point still.

5095. And consequently the tenants have found it difficult to pay their rents?—Yes.

5096. And you say next year may be worse?—Yes.

5097. And that the large amount of produce sent in from foreign countries will continue to be sent. You are a pretty large farmer?—Yes; I did farm in county Down as well as in Derry, but I have got too old for both, and I sold one.

5098. Beef, you said, was twenty per cent. lower?—Yes; I think I was liable.

5099. Is better lower?—I have no notes of prices. It has been as low as 8d. and 8d. a pound.

5100. Have the landlords in your district tried to insist you in any way this year or last year?—As the president of a Tenant-right Association the tenants have complained to me that they are always saying, "Pay up," "pay up."

5101. Have they given any reduction on judicial rents?—I know of no case.

5102. Mr. Nelson.—What county do you live in?—County Derry—three miles away. I have every advantage to be able to live, because I am near a good sea-board, and prices for beef are higher here. We

are not filled with American produce. It is too far up the Foyles.

5103. And you complain that it is unfair that you should have to bear all the loss?—Yes.

5104. Inasmuch as you are joint occupiers under the Land Act?—Yes.

Lord Milnes.—Not occupiers—owners.

5105. Mr. Nelson.—A sliding scale would be the only remedy, would you say?—No. I think the proper solution of the whole matter is that there should be no joint owners.

5106. But assuming there must be joint owners?—Assuming there must be joint owners, the sliding scale would be the only remedy.

5107. Mr. Knipe.—Do you think it would be possible to establish a court to fix a price between landlord and tenant?—No.

5108. You would not recommend that?—No.

5109. You don't think a compulsory sale would be an advantage?—It would. But I don't know how you are to arrive at compulsory sale. If the Commission takes the judicial rent as the basis I would have no objection to that, but if a Commission goes out again, and goes over it all again, I would not be in a position to say.

5110. Mr. Nelson.—Do you think there should be a revaluation of the country before purchase?—I say no to that. Let the judicial rents be the basis to go upon, and if there are places where they are not fixed they ought to be fixed in relation to the judicial rents on other farms.

5111. Do you think that if a court was established for the purpose I have mentioned, that it would be for the benefit of the country at large?—That question is so wide that I would rather not commit myself.

5112. You would rather that this Act should remain as it is?—I would rather that this Act was well worked, that the land was bought by the Government at such a value that the Government could not be losers, and that the tenants should not be beggared. I object to the working of the Act, so far as having no guarantee. Let the land be purchased at what is fair between the two parties, landlord and tenant. If the Government like to step in and see to that well and good, either by a commission, or in any other way.

5113. If the Government could see their way to establish a court of that kind to interfere between landlord and tenant, would you not confide your case to that court?—Would not you feel that you would be perfectly safe?—If the Government would send a Commission, but not to rip up the whole details again.

5114. Lord Milnes.—Would you be quite satisfied if your own terms were accepted?—No.

5115. And you would be quite satisfied if it was compulsory on the landlord?—No, I only wish that the Government would fix what they conceive to be a fair rent.

5116. And you think they should fix that on the basis of the judicial rents?—Yes.

5117. You would not rip up the whole thing again?—There would be no peace in Ireland for many years if that was to be done.

5118. Would there have been satisfaction with the judicial rents if times had gone on as you would expect they would?—Well, it is the next best thing to ownership.

5119. Mr. Knipe.—Are the farmers satisfied with the judicial rents?—Well, all the decisions immediately after the passing of the Act were extremely favourable to the farmer. After that there came a change—questions were asked in Parliament, and the Commissioners began to look about them and to think they ought not to fix the rents so low, and from 1885 to 1886 there was an increase on that, that was from 1881 to 1883. I would say they were all diminished from 1885 to 1886.

5120. Are there many leaseholders in your district?—There are a good many.

5121. I presume you think they should be admitted to the benefits of the Land Act?—Oh, decidedly.

The Rev. James Anderson, Bart, Londonderry, Messrs. Joseph Alexander, Cierigans, Londonderry, Robert C. Edwards, Bart, Londonderry, and James Smith, Bart, Londonderry, were called in. 1861, 21, 1861

Joseph Alexander examined.

Witness.—My Lord, we wish to speak upon the leaseholder's question.

Mr. Nelson.—Yes.

5131. Sir James Caird.—Are all the gentlemen who are on the deputation leaseholders?—Yes; as leaseholders I suppose, strictly speaking, we are not within the scope of the Commission.

5132. Lord Millicorn.—Oh, that is a mistake!—We think we labour under a grievance in not being taken into the Land Bill of 1881, and I think that under the circumstances and the time we took our leases, we are the highest rented parties of the tenant-farmers, because we got our leases—as far as I am concerned, and I think I can speak for the others—we got them mostly upon a premium upon the yearly rent.

5133. Sir James Caird.—An advance on the yearly rent?—Yes.

5134. Lord Millicorn.—You got them by agreeing to an advance on the yearly rent?—Yes. The times from 1850 were improving, and from the circumstances and not knowing what time our rents would be raised, and what time we would be turned out, we changed it. It was a matter of thought with us, but taking all things into consideration we changed it. I have got my thoughts in a few remarks here, but made them short, understanding that the case of the old leaseholders would not be taken into account.

5135. Mr. Nelson.—That is a mistake!—I must state that the prices of produce during my early years of farming—I commenced to farm upon my own account in 1837—were as low as now, but the cost of labour and the command of labour is so different that I am not quite out of the mark when I say that what we would have got for £1 an acre in labour then we could not get now for £2. I find in 1853 to 1860 the cost of my farm—the expenditure was about £250, and now it amounts to £450.

5136. Sir James Caird.—In 1835.

Lord Millicorn.—He says from 1853 to 1860.

Witness.—The increase is not altogether from day labourers, but other workmen, such as carpenters, masons, blacksmiths, and then there is machinery. Altogether the expense of the farm has got up from £225 to £450.

Lord Millicorn.—£225 to £225 to £450.

5137. How many acres have you?—I occupy 300 acres.

5138. You are speaking of statute acres?—Yes. I am taking up, perhaps, too much of your time, but commencing from 1838, I recollect quite well from

that to the present time, although I did not commence farming on my own account until about 1835.

5139. What is the date of your lease?—I took up a lease, the term was sixty-one years, and there is now thirteen years and one day.

5140. Mr. Nelson.—Is the life in being?—The life is in being.

5141. Is that thirteen years from the death of the life or whichever lasts the longer?—Whichever lasts the longer. That is one term. Another term is from a Mr. Smith of Colkesh.

5142. Lord Millicorn.—The date of the lease is forty-eight years ago?—Thirty-three years ago I took it.

5143. But the date is forty-eight years back?—Yes.

5144. Mr. Nelson.—You think it a hardship that while your neighbours who hold from year to year should get their rents adjusted upon you cannot get a similar advantage?—Precisely so. If the one is a contract the other is a contract.

5145. The leaseholders are not the most underserving class in the country?—They got their leases because they were considered to be persons of capacity, of means, and of energy.

5146. The President.—Do you know any leaseholders whose rents are lower than their neighbours who are under judicial rents?—I suppose not—I think not.

5147. Mr. Nelson.—Are you aware whether any landlords in your district have allowed leaseholders to take advantage of the Land Act of 1881?—I am not aware. I could not call them to mind at present. The leaseholders are very numerous.

5148. The President.—Do you know of any landlords in your district giving any abatement during the last year or two?—They have a little during last year, but I do not know of any before. I got ten per cent. last year.

5149. Lord Millicorn.—You are aware that you have got a benefit under the Land Act of 1881—that the covenant to surrender your lease at the termination of the term has been done away with?—I am quite aware of that.

5150. And then you are entitled to have a judicial rent fixed?—But the life under the lease is a young man thirteen years younger than I am.

5151. You have got a benefit from it but you want more?—It may be at a little distance, but if matters go on as they are we either will have to give it up or be turned out.

Robert C. Edwards examined.

Witness.—I wish to give you a few facts as to my own case. I am a tenant. About thirty years ago I commenced farming on my own account, and I farm altogether 245 statute acres. There are about fifteen statute acres of that that is not arable, and I purchased from five tenants who were not able to hold on—they were not able to pay the rent for it. The old houses, the farm-steads, was not of any service to me—old mud walls that were tumbling down—and I was obliged to build a new farmstead. Before commencing to do so I took a lease. My father advised me to do so, his rent having been raised three times for land he had spent £10 or £12 an acre upon.

5152. Lord Millicorn.—I do not quite understand that point?—My father advised me to take a lease. I surrendered the old lease and took a new one before I took possession.

5153. But the difference of rent—you say your father's rent had been raised?—Yes, and he advised me to take a lease.

5154. The President.—To prevent it from being raised in future years?—Yes, he advised me to take a lease. He had been raised three times.

5155. Lord Millicorn.—From what to what?—I am not able to say.

5156. The President.—What was the date when you took the lease?—1853—for thirty-one years; and I expended something like £3,000 in buildings, about £1,400 in draining and manuring the land. I was able to carry on in the good times and good prices. In good times flux was 68s. and 70s. and up to 43, and now it is 32s., 34s., and 36s. I was able to pay up them and pay my rent, but now latterly, since the reduction of prices, it takes £160 a year to keep me going and pay my present rent.

5157. Lord Millicorn.—How long would you carry it back?—I should say ten years.

5158. Do you mean to say you are paying £160 a year of your capital these ten years?—Yes.

5159. The President.—But having made £2,000 in your buildings you wish to hold on?—Yes, and paid £1,500 for the purchase money for the lease-right. I think it very hard that when neighbours who never expended one shilling in the improvement of their land are getting 20 per cent of a reduction, I that expended all my capital in improvements cannot get a penny.

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Mr Robert C.
Edwards.

except when it is wrong out of them. Rev. Mr. Anderson and myself paid a visit to Lord Templemore and we did not succeed. We got last year a reduction of 15 per cent. on the year's rent or 30 on the half-year for the first time. In 1860 we got 15 per cent. on half a year's rent; last year we got 30 per cent. on the half-year's rent, but not before having asked repeatedly for it and being refused a number of times. Strange to say we have been offered a reduction this year unasked.

5160. To what extent?—Twenty-five per cent. on the half-year. With regard to the price of cattle, I may state that I sold cattle in June was two years. I got £13 10s. for cattle rising two years old off the grass. Last year I could only get 29 2s. 6d. for the same class of cattle, and in June last 27 12s. 6d. That will show you the reduction.

5161. Lord Millican.—You said in June?—Yes.

5162. You would have got a good deal more in August?—If I could not sell in June I would not have got the same money in August.

5163. They fall off in June?—Yes, on the grass that I have.

5164. Sir James Caird.—Are we to understand that these cattle were the same age and same quality in each case?—Yes, they were half-bred short-horns.

5165. Lord Millican.—Do you remember 1861?—Yes. We have great difficulties if we had not got some little means, and that has got low.

5166. Sir James Caird.—Are cattle of that descrip-

tion which you have mentioned—are they the principal source by which you paid your rent?—Yes.

5167. Is there any other description of stock?—Sometimes stalls. But I will explain to you. The first fifteen years I farmed I could have fattened cattle on turnips and straw, but latterly I could not do it without giving them meal and cake. The turnips are not so nutritious as they used to be. I was able to fatten cattle on turnips and straw at that time, but now I cannot do so without giving them meal and cake.

5168. You attribute that to want of nutrition in the turnips?—Yes.

5169. You used to grow wheat?—Yes, but I have ceased to grow it. I used to grow wheat upon twenty-five acres. That crop would have brought me £150 to £180 a year more than it would bring at the present time sown with oats.

5170. When your rent was fixed in 1853 you were in the habit of growing wheat and fax?—Yes.

5171. And was it on these crops the rents were fixed?—Yes, and it was to protect myself from a rise I took a lease.

5172. Do you ever try ensilage in your district?—No.

5173. You grow rye grass, I suppose?—Yes.

5174. You make a little now threshing it?—No; we do not take the seed out of it.

5175. I thought that was the practice in the North?—No; we grow the rye grass, but we do not save the seed.

James Smith examined.

Rev. James
Anderson and
Mr. James
Smith.

Mr. James Smith.—My experience is, I came into my holding seventeen years ago, the lease was then in existence, and I had only to work from such information as I could get, but from what I can see there is a reduction of fifty per cent. in the price.

5176. Lord Millican.—Since seventeen years ago?—No, since the lease was signed.

5177. When was that?—In 1856, 1857, or 1858. It is for thirty-one years. The price of oats at that time—I find the average price during those three years averaged 13½d., and the present average for this year has been 9½d.

5178. Mr. Caird.—You mean 13d. a stone?—Yes. In the year 1857 the average was 15½d., and now the average for this year so far is 9½d.

5179. Lord Millican.—That is not fifty per cent?—It is, taking it for the nine months past.

5180. Sir James Caird.—Last year's crop?—The average price for the present month of October is 8½d. In the other articles of produce I don't think I can go any further than the last witness has gone, but there is a feeling on the estate that we ought to get relief. The idea is that we should buy it. We had a meeting on Tuesday evening, and I was chairman of that meeting, and gathered up opinions as carefully as I could, and these are embodied in the memorial.

5181. The President.—How many years' purchase did you agree to give?—The first question is whether the landlord will sell.

5182. Supposing he is willing to sell?—Then we are prepared to buy on the next Government valuation.

5183. How many years' purchase would you be disposed to give?—I think twenty years' purchase of the next Government valuation would be as much as they would give.

5184. Lord Millican.—Is the Government valuation under the judicial rents?—It includes the houses.

5185. But with the house?—It is a good deal under the rents—I suppose one-sixth.

5186. The judicial rents?—Yes. On the land I find the valuation is £5,354 6s.; on the houses £249 17s.

5187. Sir James Caird.—Is that for the houses attached to the farms?—Yes, sir.

5188. And the judicial rents would be perhaps about one-sixth higher than the £5,854?—I think so, leaseholders are excluded from that, they have got no reduction except the three temporary abatements. I once asked Mr. Bell what the rental was, he told me about £8,000. I made a calculation of the reduction he gave, added to the £5,769 it would make £7,714.

5189. Lord Millican.—What proportion of the tenants are leaseholders?—They pay about one-fourth of the rent. There are nineteen leaseholders and about 125 under judicial rents.

5190. They are the best men—the leaseholders?—I wrote to his lordship saying that these men had improved his estate and they simply took these leases to prevent their rents being raised. I know a lady who went to take a lease from him and he asked, her in a jocular way "What improvement are you going to make next?" I pointed out to him that he was deriving his large rental in reality from the leaseholders.

5191. Mr. Nelson.—Assuming you got the right to buy your holding, would you deem it necessary first to be got through the Act of 1851?—I don't think it necessary, if I could purchase under Griffith's valuation.

5192. If you could purchase under Griffith's valuation?—Yes.

The Rev. J. Anderson.—I would like to have my rent fixed under the Act of 1851.

Mr. Alexander.—I know the particulars of a farm—it is now held by myself—from 1814 to 1878. The rent in 1828 was £34; in 1835, £31; in 1845, £28 4s.; and in 1857, £22 9s. I may mention also a neighbour of mine. I happened to be examined on a case in connection with the Land Act of 1861, the tenant's rent in 1832 was £43, in 1877 it was £71 10s. The judicial rent was reduced by the Sub-Commissioners to £42 10s. The Head Commissioners increased it to £45. There is another case in which the rent was £23 9s., the Sub-Commissioners lowered it to £26, and the landlord, by agreement, lowered it to £24.

5193. The President.—I suppose I may take for

granted that the great majority of the leaseholders whom you represent would wish to come under the Act of 1881?

The Rev. J. Anderson.—Decidedly.

5104. Mr. Knipe.—Did the landlord lay out any money during those times of rent?

Mr. Anderson.—Not a shilling.

The Rev. J. Anderson.—The rule was that as the tenant improved, the landlord raised the rent.

5105. Mr. Knipe.—Would you not prefer to have your case brought under the Act of 1881 and get a judicial rent fixed?—Yes.

5106. And afterwards to buy it?—Yes.

5107. Lord Millican.—Then I suppose we have heard very clearly the statement of the whole subject?—I laid out £3,500 on my farm.

Oct. 25, 1886.

Rev. James
Anderson and
Mr. James
Knipe.

TENTH DAY—MONDAY, OCTOBER 25TH, 1886.

The Commissioners met at Londonderry.

Present:—The Right Hon. Earl COWPER, Lord MILLTOWN, Sir JAMES CAIRD, Mr. NELIGAN, and Mr. KNIPE.

Andrew Sproule, Samuel Buchanan, Thomas Meehan, and Denis McLoughlin, all of Milford, Co. Donegal, called in.

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Andrew Sproule examined.

5108. The President.—You are a tenant of Lord Leitrim?—Yes.

5109. And there are other tenants who have come with you?—Three others.

5110. What is your holding, what is the extent of it?—I hold one farm of 112 statute acres.

5111. Do you hold under a judicial rent?—No. The other farm is under a lease from Lord Leitrim too. I think it is 39 acres.

5112. You hold 39 acres along with the other farm?—Yes.

5113. What is your tenancy?—I hold under a judicial agreement, agreed to by myself and Lord Leitrim.

5114. Lord Millican.—And registered under the court?—Yes, sir; about three years ago.

5115. The President.—You hold under a judicial agreement under Lord Leitrim?—Yes.

5116. When was the agreement made?—I think from three to four years ago. I am not quite sure of the time.

5117. Do you find that prices have gone down?—Oh, I do.

5118. Have you had any abatement lately?—Yes; we got 10 per cent. last year.

5119. All round?—Yes. But this year we have been denied the 10 per cent. The estate that we live on is held by Lord Leitrim from the College, and the College has not granted Lord Leitrim any abatement, and the abatement he granted us last year he has withheld now. He is not going to give it on the College estate but he is going to give it on the Manor estate. That is our grievance. And if we wanted to take advantage of the Purchase Act, we would have the College to settle with besides Lord Leitrim.

5120. You wish to take advantage of the Purchase Act?—Well not just at present. But supposing that times were favourable for doing so, we would be very glad to take advantage of it.

5121. You have not at present any wish to do so?—We are not prepared to buy at present, and I suppose they are not prepared to sell. But I am sure if we were in a position we would be very glad to buy on favourable terms.

5122. But the College would be an insuperable obstacle in the way as things stand at present?—Yes; the two landlords would be in the way.

5123. How many years purchase would you be willing to give?—I could not tell you.

5124. You have not contemplated that?—We could not buy at anything that would come up to the present rent under the present prices.

5125. You find it difficult to pay your rent?—Very difficult.

5126. Lord Millican.—What is your rent?—My rent is £80.

5127. For 112 acres?—For 112 statute acres. That includes roads and rivers; and some of the lands are subject to floods.

5128. Would you go back before the agreement?—had you been there before?—I had been there 15 years.

5129. And was your rent reduced?—In a peculiar sort of way. We borrowed money from the Board of Works, and that was £15 a year, and we got that off.

5130. Sir James Caird.—You had been in the habit of paying that?—Yes; I pay the rent, but I have the benefit of the improvements made by the Board of Works loan.

5131. The President.—It is the old rent that you hold under?—Yes; but we got the ten per cent.

5132. Do you know what Lord Leitrim is paying the College for your farm?—He will be able to explain that. The bulk sum is £3,600; and I believe that was a very great drawback when he was settling with the tenants.

5133. When he made the abatement was he actually out of pocket?—He was that much out of pocket.

5134. He had not to pay more?—He had always the old rent to pay, and the Commissioners cut down the tenants' rents.

5135. And it diminished the profits?—Of course it diminished the profits to that extent.

5136. Have there been many sales in your district of tenant-right?—Not very much. There is very little demand for land at present. In fact I would say of all our neighbourhood, when I went there, over nineteen years ago, nearly every third or fourth person had some deposit in the bank, and that is all swallowed up.

5137. Mr. Nelson.—What part of Donegal?—Near Milford; between Milford and Kilmacrumma, on the leading road, nearly at Lough Fern.

5138. The President.—Do the most of Lord Leitrim's tenants hold under judicial agreements?—Nearly all. Some by agreement, and some by applying to the courts. Fully as many by agreement.

5139. Sir James Caird.—Is the lease which he holds from the College of very old date?—I could not tell the date.

5140. Lord Millican.—It is a fee-farm grant?—Yes.

5141. The President.—Is there anything about the general subject, independent of the College rents, that you wish to say to us?—The only thing is the change in the prices of produce. They are very much reduced. Everything is down; butter and flax and everything.

5142. Have you been taking your rent out capital?—We are trying to get on as best we can.

E 2

Oct. 25, 1902
Mr. Andrew
Spence

5232. Mr. Neffgen.—Your principal grievance is that Lord Leitrim's hands are tied?—That is our principal grievance.

5233. And that he has not been able to meet his tenants as he otherwise would have done?—That is the principal thing.

5234. Lord Millican.—Do you propose that the College should make him a present of their property?—I don't know that.

5235. The property belongs to the College, and he is a middleman, and he complains he cannot make as much profit as he used to do?—The landlords have

had to come down with the times, and the College should do the same.

5236. Do you know that the College have got only six shillings an acre?—I don't know.

5237. Taking into consideration that the College have only been receiving in some cases a small part of the value of their property for 100 years on the very ground that in the bad times they should get no less, don't you think they stand on a very different footing from the landlord who has been getting the full rent all the time?—I don't know.

Summit Business examined.

Mr. Summit
Business.

5238. The President.—Have you anything to say?—I remember when this land was put up 25 per cent. by the College. At the time the College put up the land 25 per cent. we were getting from 20s. to 23s. and 24s. and 24 10s. for free.

5239. Sir James Caird.—Had the College anything to do with you directly?—No.

5240. Do you mean that the rent was put up against Lord Leitrim 25 per cent.?—Yes; I remember the time that was done.

5241. Mr. Neffgen.—Do you remember the date of that?—Somewhere about thirty years ago, as well as I could recollect.

5242. Sir James Caird.—Thirty years ago?—There were two rises after that.

5243. Mr. Neffgen.—There have been two rises since that?—Two rises.

5244. The President.—What is the head rent now?—I believe 2s. an acre or 2s. 1d.

5245. Lord Millican.—I suppose you would not object to have the land at that?—I don't mean that. There is one individual on the townland that I live on and when Lord Leitrim pays his rent and taxes he has just one six-pence on him. His name is Stephen Duffy.

5246. But he has an income out of it?—Yes; possibly he has some income out of the good lands. I was getting 10s. and 12s. for corn, and cattle was a good price and butter was a good price.

5247. What time was that?—Between twenty-five and thirty years ago.

5248. Were your prices then better than they are now?—They were.

5249. Are you quite sure of that?—I am quite sure.

5250. The President.—You have nothing on any other subject to say, except these head rents?—Suppose we were able to purchase, we could not purchase from two landlords—both Lord Leitrim and the College. At the present time we are not able to pay rents and working expenses.

5251. When were your rents fixed? How many years ago?—It was not fixed at all.

5252. You don't hold under a judicial rent?—He gave me a reduction and I am not satisfied with it, and I am threatening to go into court.

5253. You don't hold under a judicial rent?—I do not.

5254. Why do you not apply for a judicial rent?—I expected that his lordship would give me a greater reduction.

5255. You could apply to have it fixed?—I don't think much of the court.

5256. You think it would put it higher?—I don't think I would get fair play from them.

5257. Lord Millican.—Is there a general feeling like that in reference to judicial rents?—Have tenants no confidence in them?—No.

5258. Amongst you and your neighbours is that the general feeling?

5259. Mr. Spence.—Certainly. The opinion is that it was the best plan to settle with Lord Leitrim. That they who did so would get better off with him than with the court.

5260. Mr. Neffgen.—At the time those rents were

reduced did the landlords lay out any money on the property?—In some cases they did. Lord Leitrim has laid out money. On the lands where I live there was not a farthing expended.

5261. How many times was your rent raised?—Twice.

5262. Did the landlord expend any money on the property at that time?—He never expended a shilling on it.

Mr. Neffgen.—But Trinity College did take advantage of the good times to raise their rents. In Kerry the judicial rents leave some middlemen largely at a loss.

5263. Lord Millican.—You don't mean that there is a loss?

Mr. Neffgen.—The judicial rents on some estates are, I understand, lower than the rents paid to Trinity College.

Mr. Spence.—It is a mountainous estate.

5264. Sir James Caird.—What proportion of Lord Leitrim's estate is held under the College?—I don't know what proportion.

Mr. Spence.—I think it is about one-half.

5265. Lord Millican.—You said that twenty-five years ago prices were better than now?—Yes.

5266. Taking the returns of the Belfast market from 1850 to 1880, what do you suppose beef was per cwt. in 1850—30s. to 32s.—you get more than that now?—I could accurately tell you what we get.

5267. Mr. Neffgen.—You don't fatten any cattle?—No.

5268. Lord Millican.—What do you get now for your two year old cattle?—24 10s. a head.

5269. And for one year old?—We seldom show one year olds.

5270. I see that in 1850 24 to 25 was the price for two year olds, and 21 2s. for yearlings?—You will get nothing for that price with us.

5271. It seems to me that your complaint is that Lord Leitrim won't give you a reduction because the College are demanding a slightly higher rent from him?—Yes.

5272. But all the time they are not demanding from him anything like the rent that he gets from you?—I don't know.

5273. What do you think ought to be done?—I think one landlord is quite enough.

5274. More than enough perhaps—but which of them should go—the middleman, or the head landlord?—I don't know. It is not my business.

5275. You would not force the College to sell their property under its value?—I would prefer Lord Leitrim to them.

5276. Of course he will take more interest in the estate than the College?—He spends some money on it.

5277. Mr. Neffgen.—And you believe that all concerned in land should lose a little?—I have paid for the same holding 240 a year. I have paid during the last seven years 2140 that never was made on it during that time.

5278. Suppose the times minded now, would the rents be still too high?

Mr. Spence.—I would not say that they would.

5279. But if they were to go on as they are now you can not pay your rents?

Mr. Spence.—That is it.

Andrew Sprague further examined.

Oct. 26, 1893.

Mr. Andrew Sprague.

5280. Mr. Knipe.—25 cattle are just what 28 cattle were four years ago?—Yes.

5281. Would it be true that 24 or 25 cattle have not reduced in price at all? Have they not suffered as much as cattle of a higher price?—I think far more. I think the inferior cattle have suffered most.

5282. And cattle that were worth from 25 to 40 three years ago would be worth how much now?—I would say from 55c. to 65c.

5283. Does the price of wool affect you?—No.

5284. But over the country does it affect the people?—It does—those who keep sheep.

5285. For the last couple of years it has been exceedingly low?—Yes.

5286. It is a little higher now?—It is.

5287. Lord Milltown.—Do you know that it is a shilling a pound now?—There is no such thing here.

5288. Mr. Knipe.—But it would not affect the country much if there was a rise in the price of wool?—No.

5289. You spoke about fax. There was a good deal of fax cultivated?—Yes; and it is nearly as bad as anything. We will take a 10-acre farm. It would require a barrel of fax seed on a little more than an acre. That barrel of fax seed ten years ago would produce something like from 215 to 230.

5290. Lord Milltown.—How much is a barrel?—It would sow a little more than an acre.

5291. David McLaughlin.—About twenty-six gallons.

5292. Sir James Caird.—Tell us the story?—That barrel would be supposed to pay the tenant's rent. It would pay for the seed and nearly all little outstanding accounts he would have, and he could live on his potatoes and oats, and not have to sell them, and he would get on nicely, whereas fax has gone down nearly a half.

5293. You say the acre of fax at that time could pay the rent and pay the seed?—Yes; and some other little debts that he would have to pay.

5294. And he would have the rest of the produce of his farm to maintain himself and his family?—Yes.

5295. What would be the difference now between the full produce of an acre of fax and what it was at the time you speak of?—It would be a half less, because we were getting 24 a cwt. then, and now 22 is the top price, and less than 22, and in some cases there was even 25 a cwt. got.

5296. Mr. Naligan.—Is the fax as good—are you growing as good an article?—Not near so good. The fax is not so good, nor have we the same weight.

5297. What do you attribute the deterioration in the article to?—I think there is a change in the seasons. Ten or fifteen years ago we sowed our fax the first week in May. We would have it out of the way of the oats, but now it does not ripen or come on till the oats, both come together.

5298. Mr. Knipe.—And the farmers in your part of the country depended very much on fax to pay the rent?—Yes; particularly the small farmers.

5299. Is grass seed generally saved?—It has come down so much that it is not worth saving.

5300. Have you been saving grass seed?—I save some every year.

5301. Could you tell us how much you saved per acre, and how much it has come down in price?—I have sold it at 18s. a cwt.

5302. How long ago?—Four years ago.

5303. And this year for how much?—4s. 3d.

5304. Lord Milltown.—Is that the same kind of seed?—Yes.

5305. Sir James Caird.—And in equally good condition?—We did our best with it.

5306. It was not the same article in quality?—It was the same breed of grass seed, grown on the same land. But not quite so well sown. I would say that 6s. would be the top price this year.

5307. Lord Milltown.—Then it has gone down from 18s. to 6s.?—I got a pound one year.

5308. How many years ago?—Five years ago.

Sir James Caird.—But was 18s. an average price before that?—I would say 17s. was the average price for two or three years.

5309. Before then?—Yes.

5310. Mr. Naligan.—17s. or 18s. would appear to be an exceptional price?—It was high for a year or two. They were sending it away to the Continent, I think.

5311. Sir James Caird.—And what was the average price before that?—It never was much lower than 16s. or 17s.

Mr. Buchanan.—As a general rule they don't attempt to move grass seed.

Lord Milltown.—I see that the average price of grass seed in Belfast market, over thirty-one years, was 11s. 10½d.

5312. Mr. Naligan.—You will find that after the Franco-Prussian war they sent over a large quantity to the Continent?—There was tremendous competition for it here.

5313. Sir James Caird.—I suppose we may take it that the 18s. was an exceptionally high price?—I suppose you may.

Mr. Buchanan.—Grass seed is not saved at all except by one man in fifty.

5314. Sir James Caird.—It is an exceptional crop?—Mr. Buchanan.—It is.

Mr. Sprague.—It is grown a good deal about Ramelton and Derry.

Mr. Buchanan.—And whatever fax is in Belfast they will get no such price for it here.

5315. Mr. Knipe.—I suppose it costs a little more to produce these crops.

Mr. Sprague.—The work on the farm is nearly unchanged higher. The labourers are paid more for it. It costs a good deal more than it did a dozen years ago.

5316. Do you ever remember butter being so low as it was this year?—It was as low as 4d., but I never got so low as that.

5317. The President.—How many men do you employ on the 112 acres?—We have two men and a couple of boys living with us.

5318. Two men and two boys permanent. And I suppose you take on others in the summer?—We take on other men occasionally just as we want them.

5319. What are you paying in wages?—Is it to the constant men?

5320. Yes?—I am paying 8s. a week to one man and very liberal privileges, and 7s. to another man with liberal privileges. He gets a cow kept the year round, and the man who has 8s. has sweet milk and butter-milk. That brings it to about 10s. a week. And then we have to supply them with potato ground and turf. Six shillings a week was the price twelve years ago.

Mr. Buchanan.—I think it is about thirty-four years ago since butter was so low.

5321. Lord Milltown.—What is it at now?—8d. to 9d. and 10d. But what is the matter about it now now when we have not got it?

5322. It does not matter to you now because in the summer you sell it as you make it?—Yes.

5323. Mr. Knipe.—What months do you sell it in?—All the year round.

5324. You have not much to sell now?—I was milking last week.

5325. Lord Milltown.—You sold last week?—Yes.

5326. What did you get?—11d. That is about 32. a pound less than three years ago.

5327. The average for thirty years was a shilling?—I could not go back for that time. But we were selling at 8d. during the summer, and then it got up gradually to this.

Oct. 29, 1882.

Mr. Thomas
Mason.

Thomas Mason examined.

5325. The President.—Have you anything to say—anything that has not been said by the other tenants—I occupy seventy-three acres of land that, forty years ago, in my own memory, was 27. I was raised from 27 to 29, from 29 to 213, and from 213 to 214 in the late Earl's time, and from 214 to 221. I had to pay that for twenty-two years.

5327. Mr. Nelson.—Do you hold under a lease?—No.

Witness.—I went into the Land Court, and I told Lord Leitrim how I had been treated. He offered a settlement. I was not satisfied with the offer. It was put off then, but before the time came to go into the Land Court his lordship sent for me, and before I would face the court I consented to £14. I think it is still too high.

5328. Lord Millican.—And it is still too high?—Yes.

5329. You have got a fair rent fixed by mutual agreement?—Yes.

5330. Registered by the court?—No.

5331. Then you did not go into the court?—No; it was with Lord Leitrim.

5332. If it is not registered you could go into the court to-morrow?—I believe it is. His lordship allowed us ten per cent. last year. We did all we could to pay the rent. I know the neighbours well, and I believe that in the locality I live in there with three-fourths of the tenants it would take up the crops; they have to pay the rent.

5333. Mr. Keigo.—Did his lordship ever lay out any money on the land?—Never. I am not complaining of the present amount, but of the price of stock that is raised on these mountain farms. They are not more than a half what they were five or six years ago. The stock raised on good land is not so far away in the price.

5334. Lord Millican.—You say you cannot pay your fixed rent now, and it was fixed a year ago?—About three years ago.

5335. And it was not registered in the court?—I think it was not.

5336. Mr. Nelson.—You must be under a mistake! Oh, yes; I did sign.

5337. Sir James Caird.—What time was it that you made the agreement?—I think it is four years ago since I agreed.

5338. Mr. Nelson.—Has the landlord allowed you any abatement?—He allowed us two shillings in the pound last year, and then he said he would give none. He said he was paying £3,000 a year, and it was more than it was worth, and he would give none this year. We had talked about the purchase of the land. He said we could not purchase our land either from him or from the College. He could not sell separate from the College, nor the College separate from him, and he said that if we went to purchase it would be at a loss in that way. I meant to purchase my land if I could get it.

5339. Sir James Caird.—You say you have seventy-three acres?—Yes.

5340. How much of that is arable land?—I could labour nearly twenty acres, but it is of bad quality, what I do labour homes could not do half a day's ploughing in. It is all rocks.

5341. Of what quality is the fifty-three acres?—It is quite mountainous. A good deal of wood and heather, if you understand what heather is.

5342. It is mountainous land? I would not call it mountain, there is bog on it.

5343. Mr. Keigo.—Can you tell us what the tenancy value of the land is?—The tenant-right?

5344. Yes, if you desired to buy?—I do not, for

I was going to put up my ferns, and the auctioneer told me it was not worth while putting it up.

5345. Mr. Nelson.—What do you say the present rent is?—£14.

5346. And what do you say it was before that?—£7.

5347. Sir James Caird.—The reduction you got was about thirty-three per cent.?—Yes, from the present landlord.

5348. And how long did you pay £21?—About twenty-two years.

5349. Mr. Nelson.—Do you know that if you gave twenty years' purchase for the farm at the present rent the payment would be about £11 a year?—It would not be worth that at all.

5350. Would it be worth £21 when you could after forty-nine years, purchase it out and out?—Could we purchase now between Lord Leitrim and the College? Lord Leitrim says that we could not purchase now. He told us that we could not, the three of us being connected.

5351. Lord Millican.—You could purchase from him, and the land would be subject to the head-rent?—Yes.

Mr. Bealson.—I have known several places, within a mile and a-half, where the tenant-right being put up for sale there were no offers at all.

5352. Mr. Keigo.—Would they have sold ten years ago?—They would.

5353. For how much an acre?—For between ten and fifteen years' purchase.

5354. Lord Millican.—Of the same rent as they are paying now?—They are levered now.

5355. You say that when the rents were higher you could sell the tenant-right of a holding for fifteen years' purchase and you could not sell it now?—It would not sell now.

5356. Mr. Nelson.—I don't think the Land Act of 1883 is understood.

Mr. Spruce.—It is believed that the rents would be higher.

Mr. Nelson.—That is not so.

5357. Mr. Keigo.—(to Mr. Mason.)—Are you aware, or can you tell us the value of the tenant-right of your own farm?—At one time I would have got £250 for my farm.

5358. You were offered it, or you would have got it?—I would have got it, but it did not suit me to dispose of it; but I do not believe that I would get half the money now. I expended a good deal of money on it myself.

5359. The landlord never expended any—you made all the improvements?—Yes.

5360. Tenant-right has gone down very considerably in your neighbourhood?—Yes. If we were forced to sell to any of our neighbours we would get half the money this present year that we would have got a few years ago. Stock on mountain farms are not half the price they were, but those raised on good land, are not so much down—they went down about a third. The small cattle have to be three or four years' old before you can do anything with them, they are not half the price they were. Small cattle raised on this kind of land are not worth the rearing at all.

Mr. Spruce.—There is one thing I omitted—if there could be any change—any sort of change—any sort of protection keeping out American cattle, it would benefit us very much.

The President.—I am afraid that is beyond our scope.

5361. Lord Millican.—What would the man who ate the beef say to that?—The butchers have more profit than anybody else.

Denis M'Loughlin examined.

Oct. 25, 1846.

Denis M'Loughlin.

Witness.—I come from the mountains, and I would wish to say something about the land that I occupy at the present time. I don't know whether it would keep the pair of horses that works it.

5362. Sir James Caird.—Are you one of Lord Leitrim's tenants?—I am.

5363. And you labour among the mountains?—Yes.

5364. What kind of land have you?—It is all cut-away bog.

5365. The President.—When was your rent last fixed?—By the late Earl of Leitrim—about thirty years ago.

5366. And you can apply to the court?—I could apply to the court, but I don't think I would get any justice.

5367. You don't think the court would reduce it?—I don't think the court would do me any justice. The amount of rent I was paying before that, and that my father before me paid, was £5 12s., and the late Earl raised me to £11.

5368. Mr. Keble.—Did he expend any money?—He did; he squared the farm and did some small buildings. I believe at the present time if I was to shrub all the corn and sell it, I do not believe I would be able to raise the rent out of it. I believe half of the corn has to be gathered out of it yet. I believe that all that is cut at the present time would have to be "loosed" out on a crop and let out again.

5369. Sir James Caird.—Are there any tenants on the estate in the same position as you are?—There are on the more townland.

5370. How do you pay rent?—Out of the stock.

5371. Lord Milnes.—They live on the corn?—Yes.

5372. You need to make the rent out of the stock?—Yes.

5373. Did you do no good with poultry?—No sir.

5374. There is a good deal of money made out of that in the North?—There is, I understand, a good deal of money made out of that.

5375. Sir James Caird.—Do you get any labourers?—No; there were three or four of us living together, and we did all the work ourselves, with the exception of a small portion in harvest time.

5376. What is your chief article of food during the year?—Well, our chief article of food, as long as the potatoes last, is potatoes.

5377. Not potatoes alone?—No, we get a little beef as long as the oatmeal lasts, and then we have to turn to Indian meal.

5378. Lord Milnes.—Don't you eat meat at all?—We seldom eat meat.

5379. Not all the year round?—No; except at Christmas.

5380. Is that a common thing in your neighbourhood. Do the people never eat meat?—No; except on Christmas day, or the like of that.

5381. Sir James Caird.—You say that as long as the potatoes last you have potatoes. Have you anything with the potatoes? Milk, if we have it, but when there is no milk we have to apply a grain of oat.

5382. Do you mean that that is the sole food of yourself and your brother and your family?—Yes.

5383. Potatoes and salt?—Yes; when we have no milk.

5384. For how much of the year will that be the case?—Sometimes our potato crop must be out before March.

5385. The potatoes last till March?—It does.

5386. Well?—Afterwards we have a supply of rishbrock.

5387. That is meal?—Porridge.

5388. And then?—Till the potatoes come again.

5389. About half a year?—Yes.

5390. A little meat on Christmas Day, or some other great occasion?—Exactly.

5391. And is that the common course of a good many people in that part of the country?—The most part of it.

5392. Can you say how many families live in the district?—According to the townlands.

5393. A great number?—A great number.

5394. What part of the country?—On the leading road between Dundermagh and Letterkenney.

5395. Dundermagh?—Yes; on the leading mail road.

5396. What county?—In Donegal.

5397. Is it near the Killybegs district?—Oh no; it is on Lord Leitrim's estate.

5398. The President.—What is the extent of your holding?—50 or 52 acres. It is principally bog.

5399. And what do you pay?—£11.

5400. Sir James Caird.—Are the people generally healthy on that diet?—They look well enough—something similar to myself.

5401. Well, you are a very good specimen?—Something similar to myself.

5402. The country is a healthy country?—Yes.

5403. You have no fevers or illness of that kind?—No.

5404. The President.—Were people better off when you were a young man in that country?—They were better off, for we would have more grain off an acre of corn than we would have out of three at the present time.

5405. Lord Milnes.—Are the potatoes keeping sound?—No, they are about half rotten.

5406. Is this rather an unfavourable year?—Rather an unfavourable year—about half of the potatoes are rotten.

5407. Mr. Nelson.—Are you sowing champions?—Yes.

5408. Sir James Caird.—Don't the people of your neighbourhood go to Scotland or England for harvest work?—A good many.

5409. Do they bring back any sort of means to help them in the payment of rent?—Of course they do.

5410. And is it for the payment of rent that that is done?—It is for that purpose they generally do so.

5411. Lord Milnes.—Is there any emigration to America or Australia?—There is.

5412.—Would the people like to go if they were helped?—There are plenty of people going from our neighbourhood, but I think the old people would not like to go.

5413. But to such a place as Canada?—I have been there.

5414. What part of Canada?—Michigan.

5415. Did you stay in the town?—About 20 miles out of it.

5416. Did you work on a farm?—I was at a tavern, and I was manager of the stables there.

5417. Very few of your countrymen take farms when they go to America?—Very few.

5418. Do you think that the people of your neighbourhood, who seem to be in a very miserable way, would they like to go to some of our colonies where there are lands enough?—I could not say.

5419. Sir James Caird.—Why did you return yourself?—I returned in 1878.

5420. Did you not succeed?—I did not. All I possibly could. I had some little money with me, and when I came I found the place leaving me—every year getting worse.

5421. In America?—In Ireland.

5422. The President.—Would you like to be an owner?—If I could manage it.

5423. If you could do it at less rent than you pay now and get it for your children?—I would like that.

5424. Mr. Nelson.—If you were to buy your land and give twenty years purchase your rent would be reduced to £5 16s. I think that twenty years purchase would be very high.

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Dues
McLaughlin

5425. But all you would have to pay would be £8 16s. 1.—Twenty years is too much.

5426. Nineteen years would be even less.—But when I see the return that land is giving at the present time I would think that very high. I think the seasons are every year getting worse.

5427. What instalments are you willing to pay?—I would think one-half would be about near enough.

5428. The President.—Supposing your labourers could buy the lands would it stop emigration?—I do not think it would.

5429. If a man wanted to go he would go all the same?—Yes; in the cases in the congested districts the families would have to go.

5430. Sir James Caird.—Do you think the seasons are growing worse?—Yes.

5431. And that is one reason why you hesitate to buy at present?—Yes.

5432. Tell you have more experience with regard to the seasons?—Yes; I blame the seasons for everything that is bad at the present time. We have no vegetation at all until about the end of June in our district.

5433. Mr. Keise.—Do you think that foreign produce has something to do with it?—Yes; but when you do not sell anything off the place it has not much to do with it.

5434. Have you not to sell cattle?—I have to sell cattle. The only thing I had to sell last year was one little cow and I only got £2 3s. for it. It was newly calved. I sold a little bull on the 23rd of July, I think he was more than two years old, and all I got was 37s. 6d. The bull was bred from one of Mr. Sproule's and I do not think Mr. Sproule keeps a bad bull at any time.

5435. The President.—Have the holdings got smaller in your recollection, has there been much subdivision since you came in?—Of course there was a good deal of sub-division amongst families, not in the late Earl's time, but in his father's time.

5436. The late Earl stopped it?—Yes.

5437. And they do not do it now?—They would divide if they were at liberty to do so.

5438. Lord Milnes.—Are the people still inclined to split up their farms?—I do not see any splitting up of the farms in any neighbourhood.

5439. But they are not allowed?—They are not allowed.

5440. But if they were allowed it is likely they would?—It is very likely they would. We used to have sheep when we had lots of the mountain and so on. The late Earl of Leitrim paid these mountains in and deprived the people of the use of them.

5441. You got it in common for nothing? You granted in common?—Yes.

5442. You had the right of grazing so many animals on the mountain?—Yes.

5443. Was there any difference made in your rent for that?—At the time the late Earl of Leitrim took these mountains into his own hand, at that very time he raised the rents.

5444. He raised the rents?—Yes.

5445. After taking the mountains and the grazing away?—Yes.

5446. That was very extraordinary?—Yes.

5447. Mr. Keise.—What year was that in?—I think it was in the year 1848 that he was building those side ditches running round every man's holding. The first and foremost would charge three pence for a sheep going on it. Every tenant was helpless in those days. They had to give 1s. 6d. a head for small beasts. After a time he raised it and would charge 7s. 6d. for a cow or beast on these mountains and 1s. a sheep. The present Earl paid in the mountains.

5448. Is there any grass on them now?—Yes.

5449. Does he let it for sheep?—He has sheep on it himself I suppose.

5450. Lord Milnes.—He has got it on his own hands, I suppose?—Yes.

5451. And you say that in former days the tenants had the right to graze upon it?—Yes.

5452. That was part of their holdings?—Exactly.

Mr. Sproule.—Mr. McLaughlin represents the mountainous districts altogether. I myself came from a better part of it. He is completely a mountainous district, and I believe he has given you the exact state of the country. The people and their children out to service down to Derry.

Mr. Buchanan.—What the people look to is a fair Commission, that the landlords should appoint one man and the tenants another.

5453. Lord Milnes.—They have Commissioners appointed to fix judicial rents—the landlord does not appoint any one of them—it is done by Government.

James Harkness examined (John Stephenson accompanying him) both from Ramelton, Donegal.

James
Harkness

5454. The President.—I think you are both leaseholders?—Yes.

5455. And you have come here to express your wish to come under the Act of 1881?—Yes.

5456. What rent do you pay now?—I pay £28 for my small holding.

5457. What is the size of the holding?—26 acres.

5458. And you think it should be reduced?—The Government valuation is only £20, and I pay £8 over the valuation.

5459. And it is your wish to come under the Act of 1881?—Yes.

5460. Have you any wish to purchase?—I would like to purchase if I could purchase at a fair rent.

5461. And you think if a fair rent was fixed it would facilitate the purchase?—Yes.

5462. What was the date of your lease?—1805.

5463. Mr. Nelson.—For how long?—61 years.

John Stephenson examined.

John
Stephenson

5464. The President.—And what was the date of your lease?—It was not taken in my time, I purchased my lease from the former occupier.

5465. What is the size of your holding?—63 acres.

5466. What is the valuation?—£40 3s.

5467. And what is your rent?—I pay £63 rent.

5468. How long ago is it since you bought the lease?—I purchased about 50 years ago.

5469. And what did you give?—I gave £250.

5470. Mr. Nelson.—I suppose your lease is a long one?—It was taken a long time ago.

5471. Sir James Caird.—How long has it to run?—There are lives in it and there are years after it to expire yet.

5472. Do the years come after?—The years come after.

5473. Lord Milnes.—They may or may not?—They were bankrupt on it.

5474. That was a mere commercial proceeding of years?—The times were good.

5475. If they were bankrupt on it, it did not look a good thing to give any money for?—Times have changed considerably in the price of produce.

5476. The President.—Do you think you could sell now if you wanted?—I think it would be for very little; and my neighbours under the Act of 1881 who have no lease have all got a reduction by consent, without going into the Land Court.

5477. Lord Milltown.—The men who have got reductions, are their rents higher or lower than the Poor Law valuation?—I think it would be about the same thing. I cannot state exactly, but I think it comes pretty near the Government valuation.

5478. Mr. Nelson.—Are you in the County Donegal?—Yes.

5479. The President.—What is your rent?—£45.

5480. And what is the Poor Law valuation?—£40 6s.

5481. Is there anything you would suggest with regard to facilities for purchasing beyond coming under the Act of 1881, as a preliminary step?—We would wish to purchase our holdings if they could be purchased on a fair valuation.

5482. Are you acquainted with the Purchase Act of last year?—I cannot say that I am.

5483. You don't know that if you could arrange for the twenty years' purchase on the rental that you would have a considerable reduction, and it would be your own in the end?—We would certainly prefer that.

Mr. Harkness.—It is a great pity Lord Ashbourne's Act is not made compulsory with obstinate landlords.

5484. Lord Milltown.—Then your neighbours do know about the Act?—They do.

Lord Milltown.—Because this gentleman says they do not.

Mr. Stephenson.—I don't know much about it myself.

Mr. Harkness.—But there is a general impression that it should be made compulsory.

5485. Mr. Nelson.—Made compulsory all round, that the landlords should have the right to make their tenants buy?—Well—

5486. The President.—How many years' purchase would you be willing to give?—I would be willing to give twenty years' purchase on the net valuation of the land. Of course I spent a great deal of money in building houses.

5487. Mr. Nelson.—If the rent was fixed under the Act of 1881 there would be no rent fixed on your houses?—Of course not; I expended nearly £1,000 on the buildings—the whole standing.

5488. Lord Milltown.—You would be willing to give twenty years' purchase on the Government valuation?—Yes.

5489. Would you like to put down part of the money?—I would be prepared to do that.

5490. The President.—Even without any advantage, having the money by you, you would be glad to pay part of it off?—Yes.

5491. Lord Milltown.—Is there a general desire among the tenants of your neighbourhood to buy?—There is.

5492. Quite apart from getting a reduction?—Yes.

5493. Mr. Knipe.—Do you think the landlords would be willing to sell?—Some are selling and some are not. My landlord has only two leaseholders. All the others went into the court and got good reductions, and it was scarcely worth his while leaving out his two best tenants.

5494. Mr. Nelson.—The tenants on the same estate got substantial reductions?—Yes.

5495. Lord Milltown.—Then you have confidence in the Land Commission?—Yes.

5496. (To Mr. Stephenson).—Is that your impression too?—I think the reductions were not sufficient against the times we have now.

But suppose the times were to mend again, do you think they would be fair?

Mr. Harkness.—I think so.

Mr. Stephenson.—We have had a number of disastrous seasons now, and they don't seem to be getting improved much.

5497. Mr. Knipe (to Mr. Harkness).—Don't you think the rents fixed from 1881 to 1885 are too high now?—Well, I think so.

5498. Do you know of any landlord in your locality who has given a reduction of rent on the judicial rents?—I don't know of my own knowledge; but I have heard they did.

5499. Mr. Stephenson.—I know that landlords have given a reduction on the judicial rents.

5500. This year?—Last year.

5501. Mr. James Caird.—But you have got to abstinent, being leaseholders?—No abatement.

5502. Mr. Knipe.—And would you be satisfied if a court was established to interfere between landlord and tenant?—I think the Land Court would act fair between landlord and tenant. Respectable tenants do not want anything unfair, nothing but what is reasonable. I may state that my landlord made a liberal allowance on account of the depression of two seasons. He made an allowance of ten per cent., and he gave to some others.

5503. Mr. James Caird.—Then you have got some allowance?—Yes; it was temporary.

5504. Mr. Knipe.—Your rent is £60?—£65. My neighbour is a leaseholder. He holds at £50 rent and the Government valuation would be about £38, and another with a Government valuation of £37 10s., his rent is £38.

5505. Did all those tenants get reductions from the landlord?—They did.

5506. When?—Last year.

5507. For the first time?—No, he gave it before that too.

5508. How much?—Well, ten per cent. He gave it on two or three occasions. Not regularly.

5509. Do you expect to get a reduction this year too?—We would ask it, but we have no means of compelling them to do it.

5510. And looking at the judicial rents in your locality, you think your case a very hard one?—A very hard one.

Mr. Harkness.—The fact is, the leaseholders are the most hard working people in the country. The reason they took leases was to save their property from being confiscated.

5511. Mr. James Caird.—If you could have anticipated the Act of 1881, you would not have taken the lease?—No; it is the busy people that have got all the benefit of this Act.

5512. The President.—Could you tell me what you have sunk on your land since you got the lease?—I had to drain the whole over and subsoil it; and make a new road through the fields, and I had to stub out the hedges to put these fields in shape again.

5513. How much did that cost you?—I spent £150 on draining and fencing.

5514. Mr. Knipe.—Did you spend anything on buildings?—I spent £1,000 on buildings.

5515. The President.—The grievance you have is that you cannot get away from it—you could not by selling it get back anything but a very small portion?—The place would sell. But it would be a very small sum I would get for it.

5516. Mr. Knipe.—Is land in very great demand in your district at present?—No, everybody seems to have too much land.

Mr. Stephenson.—I laid out a good deal of money on land, in reclaiming bogs and quarrying stones, and in buildings as well, and I never got a shilling from my landlord to assist in any improvements that I have done.

Mr. Harkness.—My landlord never gave me anything.

Mr. Stephenson.—I am sure it could not be done for £400 what I spent in draining and buildings.

Mr. Harkness.—A person who travelled over my farm when I got it and would travel over it now, would not know it.

5517. Mr. Knipe.—And you made all the improvements?—Yes.

5518. And you never got a shilling from your landlord?—I am sure the houses cost me over £1,000.

5519. The President.—Have you been paying rent out of your capital?—There is the capital sunk, and I cannot get away from it.

5520. Mr. Nelson.—Under the Act of 1881 every building you put up suitable to the holding, you will get credit for?—My buildings are very suitable to the holding—substantial, solid buildings all.

Charles McCollison examined.

On 25, 1846.
Charles
McCollison

5521. *The President*.—You hold a farm in this county?—Yes.

5522. Where is your holding?—In the island of Inch, under Lord Templemore.

5523. Do you hold on judicial lease?—Yes.

5524. When was it fixed?—I suppose about two years ago I got the judicial rent.

5525. *Mr. Neligan*.—How much is it?—It is £18 now.

5526. *The President*.—What is the size of the farm?—Thirty-one statute acres, and very indifferent land.

5527. *Mr. Neligan*.—What was the old rent?—The old rent was £18 13s.

5528. *The President*.—What do you pay now?—I pay £18.

5529. *Lord Millicoma*.—What is your Poor Law valuation?—£14 10s.

5530. *The President*.—Do you think it is more difficult to pay now?—I think £10, according to the markets, would be enough for it, and I am certain I could not pay the rent only for I had two sisters in America. They send me sometimes £8 and some times £20. I offered to leave it altogether if he gave me a fair sum. They said, "What would you think would be fair," and asked me would I take £10 and leave it. I said, "Lay down the money," and I went over the following morning, and he told me his lordship would not buy his own land. I said, "Send me two honest valuers and I will strive and do it." The valuations was made by Mr. Robinson, and the land was valued at £10 6s. 3d. Ultimately the landlord said he would leave it to me at the old rent.

5531. Would you like to become the owner of your holding?—Yes; if I could.

5532. If you could get it without paying more rent than you do now or paying a little less?—About £10 would be plenty for it at present. Even before that they took the farm from us that my father bought at £70 and gave us no compensation for it.

5533. Your complaint is that your rent is a good deal more than you can pay?—It is.

5534. *Lord Millicoma*.—And always was?—And always was.

5535. What do you grow on your farm chiefly?—Grain and potatoes.

5536. And you rear stock?—Yes.

5537. *Mr. Neligan*.—What is the poor rate?—£14 10s.

5538. How much in the pound do you pay?—I could not tell you.

5539. If you gave nineteen years' purchase of your present rent, your payment would be considerably under the present valuation?—Yes.

5540. *Mr. Knipe*.—Would the majority of tenants in your neighbourhood buy if the landlords would sell? I am very sure they would all do it.

5541. *Sir James Caird*.—Were not all your neighbours put on the judicial rent at the same time?—About fifteen.

5542. All at the one time?—Yes.

5543. Do they complain that the rent is too high?—They do.

5544. The same as you do?—The same as I do.

5545. *The President*.—Have you had an abatement of rent?—No.

Mr. Neligan.—Because some of Lord Templemore's tenants, we were told, had.

5546. *Lord Millicoma*.—Have the people generally confidence in these rents. Do they think they are fairly fixed?—I don't think they do. On the first day of April in the court before the Commissioners, I got £6, and I was not content, and I appealed and I got £8. That was £8 altogether.

5547. You did not go before the Commissioners?—I did.

5548. *The President*.—In most cases tenants under judicial rents would like to have them lower?—Yes.

5549. And the landlords higher?—Yes.

5550. *Mr. Knipe*. You appealed to the Chief Commissioners?—Yes.

5551. And you got £8 more off?—Yes.

5552. *Lord Millicoma*.—I thought it was £18 13s. 1.—That was my old rent first.

5553. *Mr. Knipe*.—Was not your old rent £18 13s. 1.—Yes. At the time I went into the Land Court I was paying £25 15s. for rent.

5554. *Sir James Caird*.—How long were you paying £25?—About twenty-three or twenty-four years.

5555. *Lord Millicoma*.—Did you realise much of this land of yours?—No, I did not.

5556. Did you do anything to it?—No. On the land we gave up to him that my father bought—eight acres of it for £10, and the day it was given up by him it was worth £100, and he did not get a penny compensation for it.

5557. And did that prevent you doing anything on the new land?—No, but it is land that you cannot improve.

5558. *Mr. Knipe*.—You exchanged land with the landlord for this?—Yes.

5559. And you had improved that considerably?—Yes. My father was an old man, and we thought it a pity for him to be put out on the world.

5560. *Mr. Neligan*.—Was Mr. Colquhoun agent at one time?—Yes.

5561. What rent was it then?—£18 13s.

5562. He was a very good agent, and a very good judge of land?—I don't know. Some people said he was not good, although I had nothing to say to him.

5563. *Sir James Caird*.—Did you pay £25 15s. for a good length of time?—Yes, under Mr. Bowman.

5564. *Mr. Neligan*.—At one time you paid £18 13s. 1.—Yes.

5565. When Mr. Colquhoun was managing the estate?—Yes.

5566. And when Mr. Bowman came in he raised it to £25 15s. 1.—Yes.

5567. *Lord Millicoma*.—Did it cost you much to appeal?—About £5.

5568. How much in the first court?—The first court about £3.

5569. So the whole thing cost you about £8?—Yes.

5570. Did you pay it to an attorney?—Some of it to Mr. Todd, and some of it to Mr. O'Doherty.

Samuel Haslett, accompanied by *Mr. John Reid Norris*, both of Coleraine, called in.

Mr. Haslett examined.

Mr. John R. Norris and
Mr. Samuel
Haslett.

5571. *The President*.—You reside near Coleraine?—Yes.

5572. You hold 200 acres?—Yes, rough and smooth. A good deal of it is unenclosed land.

5573. And you hold 116 acres?

Mr. Norris.—Yes.

5574. And some of that unenclosed?—No. It is all arable.

5575. And what is your rent?

Mr. Haslett.—My rent is £91.

5576. You are leaseholders?—Yes.

5577. And what is the date of your lease?—It was taken out in 1845.

5578. For what term?—For 21 years and a life. It is out this year, but there is a life.

5579. Your wish, of course, is, I suppose, to come in under the Land Act of 1861?—Yes, we should like that.

5580. And is it your wish also?

Mr. Norris.—Yes.

5581. What rent do you pay?—I hold two farms—

116 acres.

5582. What is the area?—116 acres, and the rent is £150.

5583. Lord Milnes.—Is that on lease too?—Yes.

5584. The President.—What is the date of the lease?—On one of the farms there is two years to run. I had it for twenty-two years.

5585. And the other?—Twenty-two years and a life. On one farm there is a life, and on the other there is none.

5586. You have three years and a life on one, and three years on the other?—Yes.

5587. Are the judicial rents lower in proportion than yours?

5588. Mr. Harist.—The judicial rents are lower than leasehold rents.

5589. You have every reason to believe that if you came in under the Act your rent would be lowered?—Yes. Farms here, not higher rented than we are, have had rents reduced twenty per cent., according to the state of their holdings.

5590. Have you any wish to purchase your holding if you could make pretty good terms?—We would like if we could get the same benefits as others—as tenants at will. The reduction that took place in the Land Court showed that there should be some relief given in their case, and why should there not be relief to the leaseholders.

5591. If you wished to buy your holding yourself what would you think would be fair terms?—I have been talking with some of the farmers, and they would be willing to give eighteen years' purchase on the Government valuation. In the case of leaseholders, in the case of some of them, their present rents are ten per cent. to fifty per cent. over the valuation.

5592. But the judicial rents?—They come pretty near to it.

5593. Lord Milnes.—What is your Poor Law valuation?—I think it is £78.

5594. And your rent is £150?—Yes. Of course I don't lay very much stress on the Poor Law valuation. It was taken at a time when wheat was cultivated considerably, and the soil heavy—very heavy. And heavy soils are the worst soils at present.

5595. But you would be willing to give eighteen years' purchase?—If rent was fair we would be willing to give twenty years' purchase. But on the Government valuation we would be willing to give eighteen years.

5596. Do you think your rents would be reduced below the Government valuation?—We think they would if any improvements were allowed for. But it is very possible that if I did not get the value of the improvements I would not get any reduction at all.

5597. Mr. Nelson.—You would be certain to get them all?—I would not be certain.

5598. Lord Milnes.—Your improvements were made subsequent to the Poor Law valuation?—They have all been made since 1843.

5599. And the Poor Law valuation was made before that?—But you may take it that Griffith, when he valued, valued all improvements.

5600. Do you think your landlord would be willing to sell?—That is just the difficulty.

5601. Mr. Nelson.—Who is the landlord?—The Rev. Mr. Lyle. He is an excellent landlord, but he may not be willing to sell. At one time we thought we would get some relief through the Land Purchase Act, but if the landlords are not willing to sell, or will only sell at a very high rate, then I suppose we must remain as we are, and be attached to the ground.

5602. The President.—Twenty years' purchase is what you would be willing to give?—Yes.

5603. More than that?—No.

5604. Lord Milnes.—If you were a landlord would you be willing to sell at that?—I never was a

landlord, and I suppose if I was in the position of the landlord I probably would change my mind.

5605. Mr. Nelson.—Do you think that all concerned in land should lose a little?—Yes.

5606. Mr. Nelson.—You would extend that to incumbrancers on land?—I think it would only be fair that they should lose something too.

5607. Mr. Nelson.—Do you believe that landlords in the North of Ireland would be willing to sell?—I believe not, unless they got too much for it, such as would lay a burden on the tenants, and would oppress them in the future.

5608. Would you be satisfied, or would the tenants be satisfied, to allow the Chief Land Commissioners to fix the price between landlord and tenant in the event of the parties not agreeing as to the price?—I think that would be a very unjust thing.

5609. And you would not be in favour of establishing a Court to fix the amount?—I think that might have to be the case, for when the landlords think they ought to get such a thing for it, and that they gave such a thing less for it, there is a difficulty in bringing the two together.

5610. Do you think that the Court appointed to fix a fair rent have done fairly or otherwise?—I would not like to answer that question. I have been a witness in the Land Court myself. I thought they did not on the whole do unfairly, but the general opinion was, that the tenants did not get the value of their improvements.

5611. I only want your opinion as to whether if a court was now to be established to fix a price it would be workable?—I think that might work as well as any.

5612. Mr. Nelson.—If you compel landlords to sell you never would allow the man that bought from them to sub-let?—No, I would not.

5613. You would render the sub-letting illegal?—Yes.

5614. And for all time you would not allow a man to sub-let?—You would be starting a new race of tenants.

5615. Supposing that you bought your land, you would think it a hard thing if it was said that you should not let any part of your land?—I think it would be.

5616. Suppose that you got your farm on the understanding that the relationship of landlord and tenant was to disappear, and that you never were to be allowed to sub-let?—If a tenant got the permission of the Government afterwards I think he might be permitted to let a part of it.

5617. Then the relation of landlord and tenant would exist again if the Government approved of it?—Yes.

5618. Is not that exactly what exists at present?—If the Government official fixes a fair rent I think it would be much better just to say that there should be no such thing as sub-letting.

5619. Not if you bought; when the landlord is the owner, if he lets, it is not sub-letting?—I would be in the position of landlord myself.

5620. Would you allow the man who bought to have tenants under him?—I think I would not.

5621. Suppose that a man, from any circumstances, found that he had more land on his hands than he could well work, what would you do with him?—I don't suppose that if a man had purchased his land under the Act that that would happen very often.

5622. But if it did happen it should be always sold?—It should be always sold.

5623. Then the holdings in the country might be enlarged, but they could not be reduced?—Not without Government sanction.

5624. Then there should always be a paternal Government sanction in every individual case of buying and selling through the length and breadth of the land?—Well, as long as there would be a Government interest to buy I think it would be right that there should be Government sanction to anything of that

Oct. 17, 1884.

Mr. John R. Norris and Mr. Samuel Harist.

On 28, 1846
Mr John R.
Norton and
Mr Samuel
Haslett.

kind. The same evil would return again if you would allow sub-letting.

5624. Sir James Caird.—Is there no combination among the tenants in this part of the country with regard to obtaining from landlords a reduction of rent?—No; the rents are as well paid as in any country.

5625. Nobody interferes between the landlord and tenant?—No, nothing of that kind.

5626. Mr. Knipe.—Have the landlords given any reduction this year or last year?—Not in my neighbourhood—perhaps I am speaking too rapidly. I was told that Lord Robert Montagu has given some reasonable reduction.

5627. This year has been worse than last year?—Yes.

5628. Lord Milltown.—How do you make that out?—I went to the editor of the local paper, and he extracted for me the prices paid in October, 1835, and the prices in October, 1836. In 1835 oats were from 3d. to 9½d., this year it is from 7d. to 8½d.

5629. Mr. Knipe.—Is there any wheat return in that?—No, there is no wheat return, because we don't grow it. The Americans prevent us from growing wheat.

5630. Potatoes?—The potatoes balance much the same as last year—in 1835 from 1s. 4d. to 2s. 1d. in 1836, 1s. 3d. to 2s. Last year the crop was a very abundant one, and this year it hardly amounts to an average.

5631. Have you no fax?—Yes; in 1835 fax was from 48s. to 54s.

5632. Lord Milltown.—But this year, in 1836?—40s. to 54s.

5633. Mr. Knipe.—Butter?—The price I get for butter—in June I took butter into the market and extensive dealers said it was good enough for a show yard, and I sold it at 7½d. a pound.

5634. What did you sell it for last year?—Last year the difference between butter of the present time—it was then 11d. to 1s., and now it is 11½d. to 11¾d., but the difference was the price in the early part of the year.

5635. Lord Milltown.—But you have not told us what the difference was in the early part of the year?—I could not answer that question; I never sold butter at 7½d. per pound till this year.

5636. But there is a rise now?—But unfortunately it has risen when we have little to sell.

5637. You had a fine crop of grass?—It was a fairish crop of grass.

5638. You were very unfortunate?—I could not say I was unfortunate. I thought I had a good crop.

5639. Because many witnesses told us that there was a fine crop of grass?—But there was too much rain on some lands, and the grass was not so good.

5640. Is your land tillage or pasture?—Tillage.

5641. Have you any pasture?—I have no permanent pasture except low-lying ground on which I would not put my cattle.

5642. There is greater stir in the sale of young cattle now than last year?—I think they are higher.

5643. They could be well?—Yes; the price of stores being lower in the spring than they were last year enables the grazer to make a greater profit. I had

to sell young stock in the spring of this year and I had to sell one-third less than in the preceding year.

5644. I mean those who bought stores and grazed them—would it not be a better year for them?—Yes; I believe it is.

5645. Mr. Knipe.—Is it your experience that cattle are lower this year and rents more difficult to pay than for the last seven or eight years?—They are lower.

5646. How much?—£3 and £4, according to quality.

5647. Have you no grass seed returns in that?—We grew grass seed at one time, but we have given it up.

5648. Lord Milltown.—Why did you give it up?—For the simple reason that it would not pay.

5649. Did it pay once?—It paid once—I sold it at 24s. per cwt.

5650. When did you get that for it?—Seven or eight years ago. I had as good grass seed as that, and I sold it for 10s., and I thought it was time to give it up.

5651. Mr. Knipe.—How many cwt. to the statute acre?—Formerly we did not grow more than four cwt. and the hay was partially sown.

5652. Did you get 24s. a cwt. for grass seed?—Yes, this year we sold it for 6s. a cwt.

5653. Lord Milltown.—The returns of the Belfast market from 1836 to 1839—I have the returns of the Belfast market, and in no single year did it pay 24s.—the average was 11s. 10½d.—For this year?

5654. From 1836 to 1839?—Then grass seed was very superior.

5655. Sir James Caird.—And you found it exhausted the land?

Mr. Haslett.—Yes; I could not make better the following year.

5656. Lord Milltown.—And perhaps the loss would be greater than the profit?—Certainly.

5657. It is rather a new industry threatening the hay?—It is.

5658. Mr. Nelson.—How is the creamery going on?

Mr. Norris.—I stopped sending milk. I gave milk to it at first—they lowered their price from 6d. to 4d. when it was plenty.

5659. When did they lower it?—In June.

5660. The Imperial gallon?—Yes.

5661. From 6d. to 4d.?—Yes, 6d. was the first and they lowered it to 4d.; and we had to supply it twice a day—we found butter was better.

5662. Mr. Nelson.—Is it working still?—It is commenced again, they have raised the price again, but we did not join. The price is now 6½d., but they must take back any proportion of separate milk in order to get rid of it.

Mr. Haslett.—The difference between the price of milk sent to the factory and making the butter to sell in the market is very trifling. My brother was selling it in a great quantity, and in five weeks the difference was 18s.

5663. Sir James Caird.—And in making the butter you have the buttermilk to dispose of?—We have the buttermilk—not often.

George Bond White and Alexander Hall examined.

Mr. George
Bond White.

5664. The President.—Mr. White, I think you are a tenant farmer in the County Donegal?—Yes.

5665. You hold between 500 and 600 acres?—Yes.

5666. What is the tenure?—I have three leases, but there is a perpetuity.

5667. The President.—Give us the particulars of the leases?—In 1830 the man who held one was a farmer of the name of Dill.

5668. Lord Milltown.—What is the date of the lease?—I could not tell you the date of the lease.

5669. Mr. Nelson.—What was the term of the lease?—Twenty-one years.

5670. The President.—The three leases?—About six years to run of one. The others were farms that I got from tenants who were not able to hold on. I got these farms from the Sheriff's Court, but the first farm I spoke of was in 1830 held by a tenant named Dill, at the rent of £30. Mr. Dill applied to the landlord, Mr. Harvey, for a reduction of rent. Mr. Harvey refused to give him a reduction, and he had to leave. Mr. Harvey let it to M. Fraser,

Oct. 22, 1887.

Mr. George
Reed White.

the county surveyor; he remained for four or five years and then sold the farm to Mr. Crewell. The rent was advanced on him, and after remaining in it for thirteen or fourteen years he became bankrupt; his creditors put him into the Bankruptcy Court. Unfortunately I happened to be one of his creditors for £300. The Bankruptcy Court let the farm to Mr. Kelly from year to year. He took all that was in the farm and sold out of it from year to year, and then Mr. Harvey made an application to the Court and the landlady got the farm in her own hands. She put the farm up to whoever would give most for it. I thought I would try and recoup myself for my debt, and I paid £100 for the farm. This was in 1874.

5671. The President.—Is this the third or the first lease that you told us of?—This is the first lease I told you of. I got into possession and spent £700 or £800 in fencing, and when I got it there were about sixteen or seventeen fields on it, I have put them into five fields, and fenced and properly drained them. I reclaimed a portion of it. I applied for a reduction of rent. He said, "No, I can give you no reduction as long as your lease lasts." I said, "I will give eighteen years' purchase on the Government valuation which is £34 a year. I will give my interest in my farm." Mr. Lane wrote to me to say, "Your offer is rather low. Will you not say twenty years' purchase." But he did not write to me since, and I think the leaseholders in the country have been very improving tenants, and they have spent nearly all they have on their farms and buildings. They hold out nearly all the money they were possessed of, and they have not got the same privileges as the tenants from year to year. When I took these farms I commenced tillage, and I paid out £20 a week for wages. I then turned it to grazing land and I used to buy stock at £8 and sell them at £8 and £9. This last two years I have

wintered them and then sold them at less than cost price. I lost £120 last year, and I am sure I have lost £300 on the land.

5672. Then you would like to come in under the Act of 1881?—Either that or the other. I am the only tenant on the property, and if he would sell to me under Lord Ashbourne's Act, I would buy.

5673. How much did you offer?—Eighteen years

5674. Lord Milliken.—On the Poor Law valuation?—Yes.

5675. How much is that?—£54.

5676. And your rent?—£100.

5677. Nearly double?—Yes.

5678. Do you suppose that the judicial rent would be about the same as the valuation?—Yes.

5679. Would you be content to accept the judicial rent?—Yes. I would give twenty years' purchase judicial rent.

5680. Mr. Neligan.—Do you know that if the landlord accepted your terms, what you would have to pay would be £38 17s. 6d.?—I know.

5681. You would reduce your own annual payments from £100 a year to £38 17s. 6d.?—I know I would be making a very considerable reduction.

5682. The President.—But you would not be willing to give more than eighteen years?—I would give twenty years.

5683. Mr. Neligan.—If you took the agent's offer what you would have to pay would be £43 4s.?—He did not offer that. He said would I not increase my offer and make it twenty years.

5684. All you would then be paying would be £43 4s., which would be very advantageous terms?—I would be very glad to accept these terms.

5685. The President.—You would be willing to give twenty years' purchase on the judicial rent?—Yes.

Alexander Hall examined.

5686. The President.—What have you to say to us?—I hold a small farm under the Irish Society, within about two miles of Derry; we entered on the farm about 1857, it was then at the rent of £14 17s. 6d.

5687. Lord Milliken.—How many acres are there?—There were fifty-nine acres.

5688. At £14?—£14 17s. 6d.

5689. The President.—What sort of land is it?—The greater part of it was heavy bog, heath and bog, cut out bog and heath.

5690. Mr. Neligan.—At which side is it?—At this side right above the cemetery, about one and a half miles, it is two miles by the road.

5691. Sir James Caird.—But is there any mountain land within a mile and a half of Derry?—There is.

5692. What do you call mountain?—There is nothing above 400 or 500 feet?—It is more than 2,000 feet.

5693. Did you ask the Irish Society to admit you to the benefit of the Act of 1881?—Yes.

5694. Have they admitted any of their leaseholders?—Not that I am aware of.

5695. Did they admit you?—No.

5696. Mr. Neligan.—Did they refuse you?—We "swopped" another farm with Mr. Babington. He gave us £100 to boot, and I turned to business and I made a kind of house. When the lease expired in 1873, it was for Lord Londonderry's life, the Society valued the farm from £14 17s. 6d. to £36 10s.

5697. The President.—Not the farm you are holding now?—Yes.

5698. You are only paying £14 17s. 6d.?—That was the original rent.

5699. Lord Milliken.—What did they raise it to?—£35 14s.

5700. Have you given us the Poor Law valuation?—£26. I objected to pay the rent at that time. Sir Sidney Waterhouse went over the farm and he did

me a great compliment by doubling the rent to £30 on conditions that I would take a lease.

5701. The President.—You were willing to do that?—I had to do that. I have letters requesting the Society to let me hold as a yearly tenant.

5702. Sir James Caird.—What year was that?—1874. They considered they were doing us a great compliment not only by retaining me on the farm but by granting me a lease that I could not be changed for 31 years. Twice or three times I have applied for a reduction of rent. The last time was in August last, when they were over here, requesting them either to throw off the last rise of rent that they put on in 1874, or to allow us the liberty to go into the Land Court, or to give it to us at the Government valuation. They told us they would take it into consideration, but we haven't heard a word about it since.

5703. The President.—You have heard nothing since?—Nothing since.

5704. And you feel pretty sure that if you went into the Land Court that you would get it reduced to the Government valuation?—Yes, we are satisfied with that.

5705. Those of your neighbours who don't hold by lease have got reductions?—Yes.

5706. Mr. Neligan.—You say the leaseholders on other properties have got reductions?—They have got reductions.

5707. Lord Milliken.—How was it that your rent was originally so much less than the Poor Law valuation?—Have you no idea of it?—A considerable part of the improvements were made at the time of the last Government valuation—that I thought might be the cause.

5708. The President.—The rent was raised on your own improvements?—

5709. Mr. Neligan.—Do you recollect the time the last valuation was made?—I think it was made on

Mr. Alexander
Hall.

Oct. 26, 1886
Mr. Alexander
1886.

1852—1851 or 1852. We considered this very hard. If the landlord had made the improvements he would be entitled to the best farming that the farm would let for. But when I had made all the improvements, and no man would know it was the same land at all. I was making it a home.

5710. Whose is the next property to yours?—Lord Templemore.

5711. Am I wrong in saying that he has given twenty to twenty-five per cent. abatement?—Yes, and he has even given ten per cent. to those who have judicial rents fixed.

5712. Mr. Knipe.—Did the landlord spend any money on the improvements?—None.

5713. Lord Millican.—If this lease was forced upon you, why did you not try to break it?—It was only like a renewal of a lease.

5714. But when this low rent was paid, it was under lease?—Yes. When the lease expired, my father said "You are not to be valuing the improvements." He said that the Society were only tenants, and it would be no interest to them to increase the rent, and he gave Mr. Bakington instructions to value. He put £31 on the farm.

5715. Lord Millican.—Is that the ordinary way of dealing with other tenants?—The tenants are nearly all done with in the same way.

5716. Is there no rule that the Society deals on with the tenants?—No. The time that Mr. Plunkett became agent of the Society, he started on a new rule. He always went on this—that where there was a sale he would put on a valuation.

5717. Was that when there was a sale he would have a rise of rent?—Yes.

5718. Mr. Neligan.—Looking to your dates, you would appear to have been dealt with by Sir Sidney Waterlow, who was the Lord Mayor of London?—Yes.

5719. The President.—Have you had any statement during the last year or two?—No.

5720. Would you wish to purchase your holding?—Yes. I think there is rather an ill-feeling got up between landlords and tenants, and the best way to settle the thing would be to purchase. The tenant would rather pay more money in another way, and knowing what he is doing.

5721. Mr. Neligan.—You would rather pay a little more money buying the thing out?—Yes, more than I would like to pay to the landlord.

5722. Lord Millican.—Mr. Montgomery said there was no general desire on the part of the tenants to purchase?—So far as I know, the tenants would be desirous of paying the same amount of money to the Government rather than the Society.

5723. They don't like the Society?—No.

5724. They consider they have been unfairly dealt with?—They thought if the Society were only trustees they might have been more liberally dealt with.

5725. The President.—You think there is a greater wish on the part of the other tenants to buy?—There is, if they were able to do it. There is a great deal of the tenants who would not be able to pay. They are not able to do more than pay rent.

5726. Lord Millican.—But suppose they bought under Lord Ashbourne's Act they would pay less than at the present time?—I am sure they would be glad to do that and get rid of the Society.

5727. And they would rather pay the present rent to the Government than to the Society?—They would rather pay the present rate to the Government than to the Society.

5728. Mr. Knipe.—Did any of the tenants go into the Land Court?—They did. One tenant went in; he had a fifty one acre farm; his rent was £96, and he got £37 of a reduction.

5729. Would tenants holding judicial leases be willing to buy their holdings?—I think they would.

5730. And they would have no objection to buy on judicial rents?—I don't think they would.

5731. Lord Millican.—But do they wish to do that

—They do; but some of the tenants are so poor that they don't know what they could do.

5732. But if they could get it—it is the universal wish?—It is.

5733. Amongst the tenantry of the North of Ireland?—Yes.

5734. And on the lands of the London Societies?—On the London Societies' lands especially.

5735. The President.—Would you give a fair rent?—(No answer.)

5736. Mr. Neligan.—If your purchase-money was fixed on a basis of £35 on the whole rent, your annual instalment would be £38?—It is only £35 at present.

5737. If you gave him twenty years' purchase of £30, your annual instalments would be £34.

5738. Lord Millican.—The judicial rents that have been fixed by the Court—half by the Court and about half by the Commissioners—and that is, on the average, about the same as the Poor Law valuation.

5739. Mr. Knipe (to Mr. White).—Some landlords would sell and some would not?—Yes.

5740. Mr. Hall.—When there is no combination against the landlords and men are willing to pay the best farming the landlord is not willing to sell. There is no tenantry that I know of who pay their rents better.

5741. Lord Millican.—Have they dealt generously with you in other respects?—No, they may lay it out on the city but not on the estate.

5742. Do they not help the tenantry on the agricultural portions of the estates?—They do not spend any more; for instance, they build houses and then they charge the tenants the interest of the money.

5743. The President.—Do they spend much among the poor—among the labourers?—They don't spend any money among the labourers whatever. They go away and colour schools.

5744. You don't know of any money they spend in charity among the poor in the district?—Not amongst the poor in the district. I never heard of a penny they spent among the poor. There was one time when I went to the estate about a poor woman who was on the estate—I got a grant of £5 from Mr. Plunkett, and that is the only money I ever knew given.

5745. If the land belonged to the tenant do you think the labourers would be in a worse position than now?—I do not, for the tenant would have more heart to spend money than now. The feeling at present is that there is no use in a tenant spending money on his farm because he thinks that he will lose all the benefits of his improvements.

5746. Lord Millican.—You get them under the Land Act of 1881?—That is the impression—it is what is taking place in the office. So far as that is concerned you have absolute security.

Mr. White. For any permanent improvement?

5747. Lord Millican.—For any improvements?—They cannot raise the rent any more on your improvement. It is your experience that the tenantry generally know that?—I suppose they do. I don't know.

5748. Have they improved any more since 1881 when they got security, than they did when they had to arrange with the landlord?—They have not—the times are against them. They have not the money to spend on improvements at the present. The more respectable and intelligent part of the estate was able to push on better before than they are at present.

5749. Sir James Caird.—Supposing that a number of them became proprietors of their own share of the land, what effect would that produce?—A very good effect.

5750. Would they employ more labour?—Yes.

5751. But you do not believe that the landlords would sell if left to themselves?—Well, if they have a good paying tenant I don't believe they would.

5752. And where you said there was no combination against them?—No combination.

5753. Lord Millican.—If the tenants thought it necessary to combine to compel the landlords to sell do you think they would do so?—There is a portion

of the tenants who would not, and there is another portion it would be hard to say what they would do.

5734. Mr. Knipe.—Would you think that if a court were established to interfere between landlord and tenant—do you think that would do good?

Mr. White.—I think it would.

5735. Sir James Caird.—Are there any combinations in this part of the country among the tenants, or in any way advising that the tenants should adopt any particular course in order to prevent landlords getting full rents?—No in our part of the country.

Mr. Hall.—Only that the feeling is growing.

Mr. White.—There is in the western part of Donegal.

Mr. Hall.—But there is not any combination of persons, but there is a feeling growing against the landlords.

5736. Mr. Knipe.—Do you think if the tenants were enabled now to become owners that that feeling would die out?—Yes.

5737. Lord Millican.—Is there a greater feeling against the landlords now than before the Act of 1884?—I think there is.

5738. Can you account for that—because the Act took away a large slice of property from the landlords and gave it to the tenants?—I think in former times he was beholden to the landlord, and now he thinks he is more independent, and he thinks that if the landlord had it in his power he would not be a fair better than he was, and the feeling is growing against the landlords.

5739. Then the feeling before was a mixed feeling of liking and dread?—Between the two.

5740. Because there is no reason to dislike a man more because you have got some of his property?—No.

5741. Mr. Knipe.—Have they given any reduction to their tenants this year or last year?

Mr. White.—None at all.

5742. Were last year and this year the most difficult years to pay rents since 1881?

Mr. Hall.—They were.

5743. Have the landlords in your part of the North given any reductions to their tenants?—The only reduction I have noticed in Lord Templenoe's, and it is under pressure. He gave 25 per cent. to the weekly tennantry, and that creates the feeling that you have been speaking of. It creates a feeling that where there is a combination they will give a reduction, and where there is none you will get none.

5744. Sir James Caird.—Is that the general feeling in the country?—It is.

5745. And would that lead to a combination here?—Not if the people got what is fair, but they say, "Why should not we have a right to get what was fair?" If they get what is fair the combination would drop at once.

5746. You say the combination would drop at once?—Yes.

5747. Lord Millican.—Suppose the rent was fixed, a really fair rent, such a rent as a tenant could pay in good and bad years all through, taking the ups and downs together, do you think that because two bad years once the landlord would be bound to give reduction?—I think not.

5748. Then a fair rent is one that does not call for a reduction if it really is a fair rent, merely because there is a bad season or two?—Well, it will not call for a rise either.

I quite agree with you, the tenant may make a good deal in a good year, and the landlord gets nothing extra.

Mr. White.—It is a series of bad years we have had.

5749. The President.—I suppose if you thought next year would be good you would not complain?—If I had the money I put into the farm now I would soon lift the money and leave it on him.

5750. Sir James Caird.—Are there any sales of tenant-right in your neighbourhood?—No.

5751. Have there been any of late?—No, not for the last three years or four.

5752. And has any change taken place in the value of tenant-right?—Yes, a material change. I saw £500 offered for a farm, and lately it was sold for £300.

5753. When was the £500 offered?—About nine years ago.

5754. And when was the £300 offered?—About three years ago.

5755. Mr. Knipe.—Would it sell for less now?—Yes. I don't believe it would sell now at all. If there was anything like the tenant-right that was given eight or nine years ago, there would be no want of sellers.

5756. Sir James Caird.—They would sell and go?—Yes. They are not able to live.

5757. Do you mean that their circumstances are so much reduced they would be glad to sell if they could get a purchaser?—Yes.

5758. Is that the general feeling in your district?—It is. I know four or five families who would sell at once if they could get a purchaser.

5759. From what does that feeling arise?—They are not able to hold out.

5760. It is not that they are afraid of the future?—No, the capital is gone.

5761. Gone with the losses of a series of bad seasons?—It is.

5762. And diminished prices?—Yes. Within three miles of where you are sitting there is as bad land as there is between this and Lishaven.

5763. And that land used to sell for a good tenant-right?—It sold on account of its convenience to the town.

5764. And it has lost that quality of easy sale?—It has.

5765. Has the good land suffered in the same way in the fall of tenant-right?—It has, but not so much.

5766. There is a sale for that now?—There is, but not for the bad land.

5767. Mr. Knipe.—Would the increase of foreign produce have an effect?—It has, but not so much on the farmers here.

5768. Lord Millican.—You mean to say that you would be very glad to have the chance of getting back the capital they invested in the lands and to go?—I have no hesitation in saying that.

John Gamble examined.

5769. The President.—You are a merchant I believe?—Yes.

5770. In this town?—Yes.

5771. And you deal extensively with the farmers?—Yes, of three counties, Tyrone, Derry, and Donegal.

5772. You supply them with what?—With seeds, feeding stuffs, and cattle feeding, &c.

5773. Therefore your business would give you an opportunity, to a certain degree, of judging of their pecuniary condition?—Yes.

5774. Do you think their condition is worse than it was a year or two ago?—Certainly.

5775. It is?—Much worse.

5776. How long has that been so?—It has been getting worse since 1878.

5777. Ever since 1878?—Since 1878.

5778. Steadily getting worse?—Steadily going down in their credit, and the resources of the farmers getting exhausted. Ten or twelve years ago I was in the habit of making advances to farmers, and as their position went down, the advance of money has gradually been withdrawn.

5779. Lord Millican.—Ten or twelve years ago you advanced money to the farmers?—Yes.

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Mr. Alexander Hall

Mr. John Gamble,

SAT 21 1890.
Mr John
Gamble

5800. *The President*.—And did you lose money?—Unfortunately I have a good deal out that I cannot get in.

5801. You have a good many bad debts?—Yes, a good many thousands of pounds. That is one reason why rents are not being paid so punctually as in years gone by. Formerly, on rent days, I would advance to twenty or thirty tenants the amount of the rent on three months' bills. Within the last few years banking facilities have been withdrawn, and neither bankers nor merchants will give the advance. This route on the farmers' side makes them more straitened than they were before. The present depression is such that there is a great curtailment of credit.

5802. *Lord Millican*.—They never paid their rent without borrowing the money?—I don't say that, but a number of them did some ten or twelve years ago. A farmer paying £40 rent would on an average owe from £300 to £350. On an average for shop debts his credit usually, in the town in which he did business, extended to about five years' rent, due in shop goods. If he wanted £40, if he wanted £10, or £12, he went into a shopkeeper and got the money.

5803. Do you think that a large number of farmers about are in debt at the present moment?—A very large number, to my own knowledge and loss. The buying of tenant-right went to an absurd extreme. I myself bought several farms for customers in my own name for an extraordinary price. It was not the intrinsic value of the farm. Owing to a desire to get their families settled in the neighbourhood, a farmer would buy a farm for £800 or £1,500 with that view, often with borrowed money.

5804. *Mr. Neligan*.—And started that young man with a millstone round his neck?—Yes.

5805. *The President*.—The tenant-right is not selling for what it did?—It is not saleable at all unless in the case of a farm well situated, and where a man would want to get it, but a sale that would be found would sell. I have purchased dozens of farms, and I would be very glad if they could be sold.

5806. *Mr. Neligan*.—We have been selling a good many in the county?—There are sales here still, but you cannot force a sale against the opinion of the neighbourhood. They commenced then to think what it is worth.

5807. *Lord Millican*.—Do you say they are buying?—No.

5808. And how do you say you cannot force a sale?—People are beginning to come now. An old man ten years ago bought a farm. He had, say £500. He bought a farm at £1,300, and I gave him the loan of £300 or £350 on account of this farm. That farm must be sold. I have not been paid, and others have not been paid. His own capital is all there. It will go. We want to get our money, and if we wanted to sell the farm we could not get £500.

5809. *The President*.—If a man has sold for debt is there any feeling against the man who buys?—No.

5810. There is no feeling in the neighbourhood against the man personally?—No. It is only the neighbours' feeling that the farm is a bad transaction, and the want of courage to deal with the land in the future.

5811. I suppose you have dealings with other classes in the way of lending money?—Yes.

5812. Are the farmers worse off than the other classes of the people?—They are. I do business with country shopkeepers in general business, and I find that in this district of the country where cottage industries have been introduced—the shirt trade for example—a good deal of the work of shirt making is done in the cottage houses. It requires a number of years to get the girls of the district to be trained up to be good needle women—good sewers—and when the agent is established he gets some girls there. They earn very considerable wages—7s and 8s a week. Perhaps their fathers have land for which they pay about £4 or £5 rent. Two or three of the girls work

at sewing, and perhaps, two or three brothers work at fishing, and these families have very much improved their condition by their own labour, and although the lands may be poor, the rents are paid out of the labour of the females. In other cases part of the family may have emigrated and send money home. It comes in a peculiar way, the money is sent by the families in America on the express condition that it went go to the landlord.

5813. *Lord Millican*.—How do they pay the rent?—It is not paid at all sometimes.

5814. *Mr. Neligan*.—Does the American money go to pay the rents?—No, if the instructions of the giver are adhered to. I see many of these letters and they say "that it is to support their families, but not in any case to be paid to landlords."

5815. *The President*.—I don't think from the general evidence it appeared that the rents are not being fairly well paid, you appear to think that they are not well paid?—Some of the landlords appear to say that they are not being paid.

5816. *Mr. Neligan*.—That is your experience?—Yes.

What explanation would you give of the fact that there are £39,500,000 of deposits last year in the Joint Stock Banks in Ireland, as against £7,000,000 in 1849—how do you account for that enormous increase in the savings banks and other banks?—It is the industrious working classes were saving the money.

5817. Then the industry is good?—Trade is good; among that industrious class of people trade is no worse.

5818. And it is evidenced by people being able to invest more money?—The whole of the money in the bank is not on deposit receipt, but some of it is in cash balances.

5819. No, but money bearing one per cent?—Yes.

5820. There appears to be an enormous increase of money there?—There is. I knew a good many of my acquaintances who have money at one per cent, but it is the money of past generations.

5821. But it is after all a constant spring up. Take 1849, there was seven and a half millions only; last year it went up to £29,000,000?—But it went up gradually—take from 1852.

5822. From 1849 there has been a large increase?—I know there has been a large increase.

5823. What explanation would you give?—I would give this explanation—the class of persons who have had a deposit are not the struggling farmers.

5824. What class has increased so much in wealth?—Well, it is the industrious lower and middle classes—they have saved in fifties, hundreds and one hundred and fifties, and so on, and these are the class that have had no increase. I drew a different inference from the increase in the banks from what you would seem to infer. The inference is that there is less confidence held by those who have money; they want to lend it, and they want part with it; they put it in the bank and they leave it there; but they want to lend it to their neighbours, they want put it into an English investment. They are afraid of every sort of investment—it shows a want of enterprise in the agricultural industry of the country. It is money lying in the bank. There are fewer houses being built, and the savings bank here in Derry has doubled within the last ten years.

5825. *Sir James Caird*.—And in the Trustee Savings Banks?—I notice that a great many who had £100 and £200 lost, that they are now hitting that.

5826. The steady growth of deposit in the savings banks and other banks?—It is largely from sorrowful girls.

5827. You don't think there is in any way deposits by the farmers and the landlords?—Certainly not, their accounts are on the wrong side.

5828. *Mr. Neligan*.—The deposits in Joint Stock Banks in 1841 were £28,000,000, in 1862 £30,000,000—I was talking to the local manager of a bank the

other day. They say that a great deal of their deposits is money waiting for investment.

5829. But still there the money is, and increasing, and the number of deposits is increasing. In 1883 there was an increase of £51,000, and in 1884 of £32,000.—It is the working classes that are doing it.

5830. Somebody must be paying them that money!—Well, of course, they want work on credit.

5831. Then somebody is finding money!—Quite so.

5832. Then where is the money coming from?—Well, the farmers and the landowners are becoming poorer year by year. Their resources are melting away, and the labouring classes are getting it.

5833. According to the classes who need to employ labour—according as they are getting poor the labourers are getting rich!—Yes.

5834. That appears paradoxical, does not it?—It is one of those things that unless you come into close contact with the people you cannot understand. Food is cheap, and labour is dear.

5835. Would you account for it by saying that people are becoming more thrifty?—Certainly, those that are getting the money there.

5836. We are told that the class of living, and the style of living, are better, and every one seems to be glad of it; they clothe themselves better, and they lead themselves better!—Now you can get a stone of flour for 1s. 6d. Some years ago it was three shillings.

5837. The practical effect of the introduction of cheap food into the country is to increase the capital of the country!—Yes.

5838. It has a direct tendency quickly to increase the capital wealth of the country!—That is my opinion. It is the savings that tot up, but the losses of the hundreds tell heavily on the losses.

5839. Sir James Caird.—You think the gross total is improving?—It is.

5840. Lord Millicoun.—This habit you had of advancing money ten or twelve years ago—these advances of money took place after the Land Act of 1871—of 1881?—No. The Land Act of 1870. It gave them security.

5841. And they borrowed money on it!—They did—for too much.

5842. And they appear to have paid their rents in that manner, by anticipating their income on three months' bills!—Yes.

5843. And by giving rock-bottom prices for tenant-right!—Yes.

5844. Would you say that that habit of borrowing money has anything to do with the present poverty of the tenants?—It certainly has. Because the liabilities incurred then exist still.

5845. They can't get rid of them!—Not for a length of time.

5846. The reason that no more money is lent to them is that the security is now mortgaged for its full value!—That is so. When rents went high landlords thought that tenants could pay double the rent quite easily, and up went the rents.

5847. But the landlord could not have run up the rents if he had not found the tenants foolish enough to pay them?—Quite so. But the land crisis was so great at the time.

5848. And they are now paying the penalty for their recklessness!—Certainly.

5849. And all classes are suffering for it!—And all parties were to blame, and they should now bear a share.

5850. All parties were to blame!—Yes.

5851. You do not think that the innocent parties should bear a share of the loss?—I don't know who they are.

5852. Don't you think that a landlord who has been charging a fair rent is not to blame?—Well, I think so.

5853. Don't you think he is a perfectly innocent party?—I don't know of that class.

5854. You don't know any landlords who refrained

from raising the rent during that period?—None who had the opportunity.

5855. Are you prepared to say positively that all those who could raise their rents did raise them?—Yes.

5856. Mr. Knipe.—Do not the reductions given by the Land Courts prove that the rents were too high?—If there had been a rise put on recently they usually took the rise off. But I don't know of any landlord from the duke down to the smallest landlord that did not put on extensive rates.

5857. If the rents had been fair the Constatations!—I don't know of any tenants in which the rents were not reduced. There may have been a very few cases, but it is very few indeed. The economic value of a good deal of land of the poorer part of the country I look upon as very small.

5858. Mr. Neilson.—Bad land would bring a bad price, and good land a good price!—But a good deal of land let here for agricultural purposes is not much value for agricultural purposes—land that might do for game or for deer, and is not of any value for growing corn.

5859. Sir James Caird.—It leaves no economic value!—It would not pay for the labour.

5860. And therefore there is no use cultivating it!—No.

5861. Mr. Neilson.—What would you propose to do with it?—There are many parts where timber might be planted with profit.

5862. Lord Millicoun.—To get timber planted!—Yes.

5863. Don't you think it would be necessary to get it sold?—Yes. It would be sold.

5864. Don't you think there is a very poor market for timber at present?—I know of a friend of mine who planted timber thirty years ago, and it has paid him more than any rent he would have paid for it.

5865. It would depend enormously whether it would be near a port!—Or a railway.

5866. Mr. Neilson.—What would you do with the mountains of Denegal?—Denegal is not far from the sea. I think if it were dealt with in a paternal way by trying to utilize the peat and to construct railways it would have a large effect upon the economical value of land in the district.

5867. Sir James Caird.—Do you know anything of the condition of what is called the congested districts?—Yes.

5868. Could you say whether the people really make a comfortable living on their farms there?—Not off the land. Their farms are simply houses for growing a peasantry. They grow a very good peasantry on these houses. They are supported by money earned elsewhere—not off the farms.

5869. I suppose they are very much attached to these houses!—To my mind foolishly so.

5870. Would it be difficult to get them to emigrate?—I think it would be a misfortune for them to emigrate.

5871. You think it would be a misfortune for them to emigrate?—Not to themselves—to the country.

5872. Lord Millicoun.—Why?—It would raise the price of labour to the farmers here. The price of labour has been raised.

5873. Is not that a very good thing?—I say it is a very bad thing.

5874. Do you mean to say that the price is more than a man can live upon?—If a man is to pay a too long price for his labour he will not be able to employ it.

5875. What do you call a long price?—Two shillings a day.

5875a. Is that about the ordinary price?—Yes.

5876. All the year round?—If you count his privileges. The wages here are ten shillings a week; but a decent man would get a free house and half an acre of potatoes, and that makes his wages more than twelve shillings.

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Mr. John
Gamble

5877. Mr. Neligan.—Eight shillings a week is the highest we have with a free house and potatoes.

5878. Lord Milltown.—In these congested districts you would not lead a man anything on his holding?—I would not.

5879. Would it be a safe thing for the State to lend on it?—It would be risky.

5880. Because we have had evidence that higher prices are paid for these holdings than for larger holdings?—There are a few instances.

5881. Then it is only a few instances?—Yes.

5882. Is that because they don't want to sell, or because they can't get the money?—Unless in the case of some Land League treasure.

5883. Is not it a fact that all these poor people are always living within sight of starvation?—I don't think so.

5884. You don't think so?—I think the starvation is often made for visitors and for Royal Commissions.

5885. Do you think there is really any danger of periodical starvation?—I think not.

5886. Don't they depend a good deal on the potato?—They don't depend on the farms on which they live.

5887. What does grow on the farms?—A few potatoes.

5888. What happens if they fail?—They usually apply for relief.

5889. That means starvation?—It does; but they are not necessarily about to starve. They could work if they choose.

5890. Sir James Caird.—If any one would employ

them?—If they would only leave their own district they could get work elsewhere.

5891. You said it would be a misfortune if they emigrated, and yet you say the land would not support them?—It would be a misfortune for the country.

5892. But we are speaking of the people themselves?—I don't know that. But I speak of the community as a whole.

5893. But would it not be better that people, rather than be left there possibly to starve, should either migrate or emigrate?—I don't care whether you emigrate or migrate.

5894. Mr. Neligan.—How would you migrate them?—They got lodgings somewhere. There is plenty of roomness. I think we should employ our peasantry in remunerative work. I hold that the remedy for all is purchase. These farms have no value on which people can live. Farms from £30 and upwards—the remedy for that class of farms is to purchase their holdings under Lord Ashbourne's Act. There is a very general desire by farmers to take advantage of that Act. But the men that want most to buy are situated in this way unfortunately—the landlords want sell. And what is most desirable is to give facilities to men who wish to buy from landlords who refuse to sell. I would say that (say a farmer is prepared to pay one-fifth of the money down) and to have the value of his farm to the Land Commission) that the landlord should be compelled to give him his farm at the valuation placed on it by the Land Commission. You would then have substantial farmers as peasant proprietors.

Mr. George Collier, of Carrickfergus, Londonderry, continued.

Mr. George
Collier.

5895. Sir James Caird.—You have prepared a statement in writing of the evidence you wish to give. Kindly read it.

Mr. Collier then read.—In this county there have been no combinations to resist the enforcement of legal obligations. As to an exceptional fall in the price of farm produce prices at the present time are much about the same as in 1882, and with the exception of that year are generally lower than they have been for the last forty years. It is a question whether these low prices are exceptional or will become permanent. Mr. V. Street, in his pamphlet, takes a hopeful view of our position, and thinks the time of depression will pass away and give place to a period of prosperity as in former years. He ascribes the fall in prices more to the depression in trade at home than to high foreign imports. This, so doubt, to some extent is correct, but he seems to overlook the fact that the enormous development of food production now going on in America and Australia in far advance of the increase in population of those countries, that a large surplus will become secure and be available for export, and the cost of transit being reduced by the improved facilities of rapid communication, large supplies can be thrown on our markets in a little more than a week's time. In former years a short crop at home went to some extent compensated by higher prices; but this can no longer be counted on in the face of large shipments from abroad. There is another phase of this question to be considered in connection with the large import of wheat which seriously affects the position and prospects of the Irish farmer, and it is this, that since wheat has ceased to be a paying crop in the United Kingdom, the English and Scotch farmers have taken to grow oats and potatoes on a large scale, these being the two staple crops of this country; hence the English demand for Irish oats and potatoes has fallen off to a like extent, and the price has suffered accordingly. In this connection I may observe that while on the one hand the receipts of the farms have become less, on the other hand the charges have increased, and in many cases rents have been paid out of tenants' capital. The cost of labour has

more than doubled, and the style of living has become more pretentious. With reference to the Act of 1883 I do not think there is any general desire among tenants to avail themselves of it. This is owing—First, to the protection, judicial rents, and free sale provided by the Act of 1881; second, to the reduced prices of farm produce; and thirdly, to the want of confidence and security brought about by the agitation for Home Rule. Were confidence fully restored, I should expect tenants would go in for the purchase of their farms, provided the terms of sale were such that the annual instalment would be a substantial reduction on the judicial rent—this is a *sine qua non*. I am of opinion that Mr. T. W. Russell's proposal would meet that requirement, viz., that the interest on the loan should be reduced to three and a half per cent, and the time extended for repayment seventy-two years, but I should recommend that there should be three periods for repayment, say for thirty, sixty-nine, and seventy-two years, the last named would allow the smaller and poorer tenants to purchase with great advantage and at the same time enable the landlords to get a fair price for their property. I would strongly urge the Government to make this change; it might entail a small financial sacrifice, but that should not stand in the way of effecting a fair settlement of this vital question. As to the guarantee of one-fifth required under the present Act, I believe that in Ulster the Government would be perfectly safe in advancing the whole of the purchase money without any deduction, the value of tenant-right affording ample security. I cannot say that in this county we have congested districts as the term is understood in the South and West of Ireland, but in the mountain districts the holdings are small and the tenants very poor—they have special difficulties in the way of climate, soil, &c., to contend with, which we find to overcome, but they have one advantage over their lowland neighbours, in being always able to command a good farm. As to providing security through the intervention of local authorities, it would be stoutly resisted by the ratepayers and is a thing not to be thought of.

ELEVENTH DAY, TUESDAY, OCTOBER 26TH, 1886.

WHITE HART HOTEL, OMAHA.

Commissioners present:—Right Hon. Earl COWPER, President; Right Hon. The Earl of MELLTOWN; Sir JAMES CAIRD; Mr. NELIGAN, Q.C., Recorder of Londonderry; and Mr. KNIFE.

Mr. James Pringle, of Ann House, Augadsey, examined.

5896. The President.—Are you a landlord, Mr. Pringle?—I am not directly, myself.

5897. Will you tell us how you hold your land?—I hold one farm under a lease in perpetuity—that is, the larger farm.

5898. And the other?—I hold one under a judicial lease and one under a lease for lives—that is, I have one farm under a judicial lease, one under a lease of perpetuity, and one for lives.

5899. When was the judicial rent fixed?—It was fixed by consent about three years ago, I think.

5900. Have the prices of produce fallen at all since then?—Yes, a good deal.

5901. And it would be difficult now to pay the rent out of the produce of that farm?—I am granting it, and I fancy even with grading it would not pay.

5902. And was it a fair rent at the time it was fixed?—I considered it a fair rent. In fact, the landlord asked me himself, or rather the agent. I live under the Earl of Caledon, and I said what I thought would be a fair rent.

5903. You find it difficult to pay that rent now, in fact impossible?—Most decidedly it is impossible to pay it.

5904. And you see no prospect I suppose, as far as you can judge, of paying it?—I really do not, my lord.

5905. In your case you think if you have not some abatement, or some alteration, you could not be able to get on?—I would not, my lord, if I were living solely by the farm.

5906. Has your landlord given you any abatement?—None since the fixing of the judicial rent.

5907. The Earl of Melltown.—What is the date of the fixing of the judicial rent?—'83 or perhaps '82. I am not certain about the date.

5908. The President.—Do you hold all these farms from the same landlord?—I do not. There is one, the perpetuity farm, in Chancery, and the other is under Mr. McCabe of Armagh.

5909. Is the perpetuity farm highly rented?—So, 6d. the Irish acre.

5910. If it was under a judicial rent it would be much lower?—It would be lower.

5911. The Earl of Melltown.—Is that considered a high rent in these parts?—Except for really good land, it is. I took this perpetuity directly from the landlord, and gave him a heavy purchase.

5912. What was the date of that?—It is 15 years ago.

5913. That would be in 1871?—Yes.

5914. After the passing of the Land Act?—Yes, it was after the passing of the Land Act.

5915. The President.—Have you had it all that time?—Yes.

5916. You considered it fair then?—Yes.

5917. The Earl of Melltown.—I suppose you considered it more than fair?—I gave £10 an acre for it.

5918. Mr. Neligan, Q.C.—That is for the tenant right?—Yes.

5919. The President.—You must pay something always for tenant right, I suppose?—You pay off the arrears into the landlord's hands before you get it.

5920. If you sold it now would you get what you gave for it?—No.

5921. Then with regard to the third lease, the lease for lives, is that highly rented?—It is £1 the Irish acre, and it is bad land, not worth it at all. I would be glad to hand it over to the landlord to-morrow if he only gave me the same as I gave for it—about 45 an acre.

5922. The Earl of Melltown.—Whom did you buy that farm from?—From the tenant. I should get the

same money for it, because I have improved it in the meantime. Mr. James Pringle

5923. The President.—Would you like to come in under the provisions of the Act of 1881?—I certainly would.

5924. The Earl of Melltown.—What was the date of the lease for lives?—I am not certain.

5925. Is it 20 years ago?—It is more than that.

5926. 25?—It is about that.

5927. The President.—You would like to come under the Act of 1881?—Yes.

5928. Do you consider it would be an injustice to the landlord if you come under that Act of '81?—Well, I do not see that it could be, my lord. Of course, there is a question about the perpetuity lease which I do not understand. There is a question with reference to it which I am not certain about.

5929. I am talking about the lease for lives?—Certainly; I do not see that it would be an injustice any more than if it were an ordinary tenancy.

5930. There is nothing you think in the one case that would not apply to the other?—I think that possibly there might be something different in the perpetuity lease.

5931. Are there many tenants holding under leases in your district?—There are a good many scattered over the country.

5932. And they are all the best of the tenants—the most improving men?—I have always looked upon them as that.

5933. And the men would be most reluctant to deprive of the benefit of any legislation that was passed?—The lease holders are the most deserving class of farmers.

5934. I do not intend to ask you to go into details with reference to the price of produce?—I suppose it is hardly necessary, and that you have had sufficient evidence of that before you already.

5935. Is there anything you wish to say particularly with reference to that subject?—I am sure you have had quite sufficient evidence about it already, I may just say that I think there is a very material decrease in the value of every sort of produce.

5936. You think that the case of the perpetuity lease would be different from the other?—I think there might be something to be said on the other side, but I am really hardly in a position to say. But I think there is some slight difference. Of course, as far as I am concerned, if you take my own personal case, I do not see why it should be evicted, but I know there are strong arguments on both sides.

5937. You think it would be a little more like a head rent?—I do not myself see any injustice in it.

5938. With regard to the general question, are there a great number of perpetuities in Ireland?—No, I think there are very few. I think this is rather exceptional. I know that in my own part of the country it is.

5939. Mr. Knipe.—Are you aware that there was a change made in the *Tierney Quinlan* leases?—Yes.

5940. Are you aware that tenants under the Church Temporalities Act were compelled to take out perpetuities?—I am not aware of that.

I will be able to produce evidence about that. Mr. Pringle does not seem to understand this. The Witness.—If they were compelled.

5941. Mr. Knipe.—It did compel them, and the landlord insisted on compliance with the Act. The Witness.—Then I think they should be entitled to the benefit of the Act.

5942. Mr. Knipe.—And in many cases there was a good deal to pay in costs.

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5943. The Earl of Milford.—There is no evidence of this. It will be more regular to have it on the notes from a witness. I would be very glad to hear about it, but we should have it in the regular way. The witness—I think if that were the case they should be admitted to the benefit of the Act.

5944. The President.—Now with reference to the sliding scale. Have you ever thought that if there was to be a re-entitlement of rent, that the sliding scale would be a good method to adopt?—I do not see that it may not. There may be an objection, but I think on the whole it might be very fair.

5945. In the last few years prices have been getting lower, and, of course, it would then do very well for the tenants—it would suit in their favour. But if the prices got up again would they then be willing to pay more rent?—I think that if there was a material rise in the value of produce, that it would be fair that he should do so.

5946. And if he knew that it came by a self-regulating process, and not by the will of the landlord or the agent, do you think that he would look upon it as a matter of fair dealing and not complain?—I think he would not really, if it was some temporary cause, such as a foreign war; but I do not think he would be willing to pay it if it was a permanent thing.

5947. Do you think there would be any great difficulty in settling the matter?—There might, of course, have some difficulty; but I do not think it would be so great that it could not be surmounted.

5948. What you wish, if you were able, to purchase any of your farms?—Yes, most undoubtedly.

5949. And how much would you give on the judicial rent?—I think all round on my farms, I would be willing to give between 17 or 18 years purchase.

5950. Not more than that for any of them?—I do not think so.

5951. I suppose that means on the existing rent—or on a fair rent?—On what I would consider a fair rent.

5952. The Earl of Milford.—What would you consider a fair rent?—What the Court considers a fair rent.

5953. Would you fix it at what the Court considers a fair rent?—Yes.

5954. On the judicial rent?—Yes.

5955.—The President.—That would be lowering the income of the landlord?—I don't say it would, my lord. But if it was inserted in anything else, he would be liable to it.

5956. It would be a considerable gain to you, because even at 20 years' purchase it would mean a reduction of your rent?—Well, I think that unless the tenants got some relief they cannot go on.

5957.—You never entered into communication with the landlord on the subject?—I believe the tenants on the estate upon which I live would be willing to purchase, but the estate is in Chancery. They would be willing, but the estate is mortgaged to its extreme value and beyond it, and then there is a deposit of a quarter, or rather one-fifth, of the purchase money. And who is going to allow that fifth to remain, we do not know? I think there would be quite sufficient, with 18 years purchase to pay it.

5958. The Earl of Milford.—You say that there could be no deposit?—When the estate is mortgaged to its full value, the question is, which of the mortgages is going to allow this amount to remain. That is the very thing which prevents the sale in many cases. I do not know whether the Government could find some means of changing this deposit of one-fifth, or of creating some local body that will find the security for the fifth.

5959. In fact, that there may be a power of discretion about this?—I know, myself, it is preventing a good deal from selling.

5960.—Where the estates are mortgaged?—Yes.

5961. With regard to the mortgage, you say you cannot tell me what you would recommend?—I really could not tell how you would arrange.

5962. It is an obstacle in this particular case?—It

is a great obstacle. You cannot arrange with the mortgagees. You cannot say which of them is going to allow this fifth to remain, and, as a rule, the tenants want the full money advanced.

5963. And you think that if it were not for this there would be a possibility of making terms?—I think so. I will just give you an instance, a case which I think is a very fair one. There was a perpetual security, and he was seeking to capitalise it, and he said it could be done, but that it could not be purchased for less than 25 years' purchase. He wanted that, but he might take a little less.

5964. The President.—I do not suppose he will take 17 or 18?—I do not believe he will.

5965. The Earl of Milford.—Do you think that he ought to?—He ought to take what would bring in as much as would be a fair investment.

5966. Sir James Caird.—Could you not give a few years more purchase?—If we purchase at too high a rate we will become bankrupt, we will not be able to get along at all. We might be induced to purchase too high, and put ourselves in the same position as those who purchased under the Church Act.

5967. The Earl of Milford.—The purchase which you mention would be a considerable reduction upon your present rent?—Yes.

5968. Do you think it would not be reasonable that you bear a part in the loss that you seem so ready to place upon the landlord, or upon the mortgage? I do not ask to place any loss upon the mortgage, I think he ought to get as fair a return as for any other safe security.

5969. Sir James Caird.—There is one alternative—increases the number of years' purchase?—But if we do that we pay too high a rent. It won't pay too high a rent.

5970. The President.—But you would not expect the landlord to sell at a loss of income? I do not know that. I really do not know that, my lord.

5971. You would have all the loss to fall upon the landlord?—I do not see that the landlord can perfectly escape. I think the landlord's property is depreciated as well as everything else. My father-in-law gave twenty-two years, and he would be willing to take eighteen years to-morrow.

5972. For the purchase of the land—not the tenant right?—No. He gave twenty-two.

5973. And now you say he is willing to take eighteen?—Yes, he told me so last week.

5974. Has tenant right any value here?—Yes, my lord, it has still.

5975. Do you know any recent instance of its being sold?—I do not know any in my immediate neighbourhood. It was tried lately.

5976. Was there any offer?—It was very bad, my lord.

5977. Would you consider the tenant right a part of the security upon which Government might advance money?—Certainly.

5978. If there is no price for it at present, can you state to what extent it would be security?—If things would at all look up a little better, there are no people more anxious than the farmers, and they would come to give something for it.

5979. The Earl of Milford.—I just want to ask you one or two questions. You say that you have three holdings—one a perpetuity, one a judicial lease, and one for lives?—Yes.

5980. With regard to the perpetuity lease, you say your rent in it is £1 per Irish acre?—No, £1 10s. 6d. the Irish acre.

5981. In the perpetuity?—Yes.

5982. Which did you say was £1?—The lease for lives. That is only £1. I said the perpetuity was £1 10s. 6d.

5983. Is that a fee farm grant?—Well, it is a lease in perpetuity. I suppose it is.

5984. And you paid a considerable sum of money to obtain it?—Yes.

5985. How long ago?—I think it is 15 years ago.

5986. How much did you pay to obtain this perpetuity lease?—£10 5s. the Irish acre. It was at the time that you purchased only a lease for thirty-one years. I was going to do some banking and make some further permanent improvements, and I agreed with the landlord by paying him that, to change it into a lease for perpetuity. I paid him £300.

5987. So you paid a premium of £300 to obtain this lease at 30s. the acre?—Yes.

5988. So you did not think 30s. an acre the full value of the land?—Except by paying interest on that money. I thought by allowing 4 per cent. on the capital invested, that the rent was worth it.

5989. What is the fair value?—Do you mean of the land?—

5990. Yes?—30s.

5991. The President.—Was the £10 that you paid given to the tenant or the landlord?—It was direct to the landlord. The landlord had this piece in his own hands; he had drained and improved it to a great extent, and, if you remember, land was selling about its very highest at the time I purchased.

5992. The Earl of Mifflin.—How many acres was it?—218 statute acres.

5993. Did you give him £10 per statute acre?—No, the Irish acre.

5994. What was the lump sum?—The first lump sum was over £1200—near £1300.

5995. You paid £1300 for the purpose of becoming his tenant in the way you mention?—Yes.

5996. And do you think you would get that rent reduced by the Land Commission?—I say so, I have made improvements, and spent a lot of money on it.

5997. But the land is not an excess of the Poor Law Valuation?—It is about the same.

5998. That valuation was made before the improvements?—I do not think it was a standard at all, because at the time that Griffith's valuation was made and was valued much higher than it ought to be.

5999. But do you think, apart from any improvements that you made, that the Commission would reduce the rent?—I do not think they would reduce it much.

6000. Then your proposal is this, that having made what has turned out to be a bad bargain with the landlord fifteen years ago, it is he and not you who should suffer?—I think we should suffer mutually, my lord.

6001. You have just now said that there is no reason why the landlord should not lose?—And so reason why the tenant should not lose.

6002. Do you not think it rather a pity to allow a lease to be broken when on the one hand things happen to have gone badly for a year or two?—I think we must include more than two years. I think for three or four years things have been gradually going to the bad.

6003. But you took one of your own leases only three years ago?—Yes, but that was the judicial lease.

6004. You fix the period of depression three or four years back?—You said a year or two, and what I said was that it was for a longer period.

6005. But I understood you to say just now three or four years ago?—Well, you know 1890 was a very bad year, when you said a year or two I said that I considered it was going on for a longer period.

6006. And you suppose that the landlord who, under a perpetuity lease has what he considers to be too small a rent reserved to go into the Court to have it raised?—I think it would be perfectly fair. I do not see why it should not apply to both.

6007. What is meant for the gross income for the landlord?—Yes.

6008. Because you know there is a great amount of land held in fee farm grant?—We ought to treat the one the same as the other. The Land Act enabled the landlord to have the rent fixed as well as the tenant, and if you break the lease, I do not see why you should not do the same.

6009. You clear yourself at any rate by saying that the landlord should be admitted the same as the tenant;

in fact, that all leases should be done away with?—Virtually so. I have said that this question would be very hard to decide.

6010. I thought that was what you meant?—A perpetuity lease is a thing very difficult to deal with.

6011. Now let us go on to the second lease—to this judicial lease. When was that fixed? Three years ago I think you said?—Yes.

6012. And at your own suggestion?—Yes.

6013. Was it at that fixed the rent?—I did.

6014. What do you propose now?—I really do not know. I am not very much inclined to revise the full rent at present, but would be more inclined to create peasant proprietary, and get the dual ownership—I have not mentioned it before—to cease. It would be a needless thing to go on in this way, raising the rents.

6015. Quite so, and it would be a monstrously unfair thing?—I think so.

6016. That after the rent is fixed upon the tenant's own valuation, and he has two very bad years, that he should alter it again for fifteen years?—I do not think it can be argued in that direction.

6017. You would give what you consider a fair amount of years' purchase on the judicial rent of that holding?—Yes.

6018. With regard to the lease for five, it was fixed when?—I suppose about 1890.

6019. It was fixed then at £1 the Irish acre?—Yes, it is not good land.

6020. Do you think you would get that reduced by the Court?—Yes.

6021. Did you pay a premium for it?—Yes; £5 an acre. It was in the same hands as the perpetuity holding.

6022. The President.—Did it belong to the same landlord?—No, but the landlord who had this property was putting out three tenants out of this farm, and he got this farm, with the lease, transferred to same tenants, and he took another lease from this landlord and improved it a little.

6023. Therefore, you paid £5 purchase to the tenant, and not to the landlord?—Yes.

6024. The Earl of Mifflin.—1890 was not a prosperous agricultural year; it was very much the same as this?—Yes, it was more prosperous before that.

6025. You paid £5 an acre?—Yes.

6026. If you cast your eye over the prices of agricultural produce in the year 1890 you will find that it was a very bad year; much the same as now. It was a very bad year?—I cannot give the exact year. I said it was about then. However, I do not think things were very prosperous at the time that I took it.

6027. At all events, in the years 1861, 1862, 1863, and up to 1866, prices seem to have ruled very much the same as now. You will find that if you look at this return?—I think you are going too far back. That was not the time when I took it from the landlord.

6028. How long ago is that?—Between twelve and fifteen years ago.

6029. Well, of course, that is a very different story?—You were making a mistake.

6030. I am making a mistake as far as you are concerned, but I am not making a mistake as far as the prices are concerned?—Just so.

6031. Or the then tenant?—Yes.

6032. He got it at a rent which, as far as the prices were concerned, was about the same as now?—Yes.

6033. You think you might get a reduction upon that farm if you went into the Court now?—Yes.

6034. Now, I understood you to say that you are rather disposed to doubt the value of the sliding scale?—I have not said that, my lord.

6035. What basis would you form it upon?—On the prices covered by a certain number of years.

6036. And would you have a period for which they would be reduced?—Well, perhaps so.

6037. About the same arrangement as now?—Yes, it would be a more easy way to do it.

6038. Are you aware that under the old perpetuity

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leases—under the Church leases there is a provision which has never been acted upon?

Mr. Knipe.—That is in the College lease.

6039. The Earl of Milford.—And the church lease (to Wilkes). Would not that security prove that the tenant would rather have the rents fixed to have done with it?—I am firmly convinced that you will never settle the land question in Ireland by fixing rents on a sliding scale, or by any other way except by peasant proprietary. That is the only way I believe.

6040. And to carry that out in the quickest and most satisfactory manner—so far as anything can be satisfactory, would you advocate a new valuation or the purchase money being fixed on the basis of the judicial rent?—That is a question that I could hardly decide. I think it might be really better to have a new value. The only thing is that it would delay things and make it much more expensive. I mean to go all over that again. They could come to terms on the present judicial rent.

6041. With regard to the expense, I am supposing that the Government would undertake the expense or on the previous occasion of fixing a fair rental?—I dare say it would be more satisfactory, but I do not know why the price could not be arranged at present, although I think the judicial rents very unfair at present.

6042. Is there general satisfaction with the way in which the rents are fixed now?—There was general satisfaction with regard to the Land Act at the time they were fixed, but there was general dissatisfaction in the fixing of the judicial rent by the Land Court.

6043. Do you mean on both the part of the landlords and the tenants?—I think the tenants were moderately well satisfied with the rents under the Land Act.

6044. The President.—And the landlords also?—I think so also. In the first year they were satisfied, but afterwards they were not.

6045. The Earl of Milford.—Were both parties dissatisfied with the fixing of the rents in other years?—Yes, I have heard landlords say that there was not a bit of difference made when it was a low rent or a high rent.

6046. Was there a belief that it was difficult to understand the principle upon which Land Commissioners proceeded?—Yes. The people said they could not understand upon what basis they went upon in fixing the rent.

6047. That has been the opinion of practical men? Yes; it has been a great deal discussed, and it seems very difficult to understand it.

6048. Were there periods when they constantly fixed them too high, and periods when they fixed them low for no particular reason?—I think so, but they did not differ very materially. I often asked them how it was they did not consider the cases of bad and good land, and they said the reason was that the reductions they were inclined to give upon the bad land would look too glaring. I told them that the bad land in Ireland is worth nothing. We have no land in Ireland except mountains that is not valued. I know places that I would not take a penny of, and they are all valued.

6049. Except for sporting purposes?—We cannot preserve them perfectly in our part of the country. The only thing would be to reforest them.

6050. That should be undertaken by some public body?—I do not think it could be taken up by the tenants.

6051. It would be a great improvement to the country?—It is a thing I think the country should take up. There are tracts of land that appear to me to be perfectly worthless for anything else.

6052. And that would do for this purpose?—Yes, I think, if the tenants had capital to carry it out, that it would pay them.

6053. Is there any general desire amongst the people in your neighbourhood to purchase their holdings?—Yes.

6054. Quite apart from any other desire to get an immediate reduction in their rents?—There is a desire amongst them to become their own landlords.

6055. They wish that?—Yes, and allow me to explain further that they would be more anxious still, if

the time could be extended, so that it would give them more immediate relief.

6056. Would it, in your opinion, be a desirable thing to extend the time?—Yes.

6057. You do not think that it would tend to reduce the security to the State?—I do not.

6058. And you do not think that it would be a good thing to get it over as quickly as possible?—I think it well that the next generation should have something to pay.

6059. Do you think many of the tenants would be desirous to put down one-fifth of the purchase-money?—Yes, if they had it, but very few of them have.

6060. Under the condition of getting a longer time to pay?—I think those who could would do it.

6061. But very few of them have it?—Very few.

6062. You do not think that the money in the savings banks and on deposit comes from the tenant farmers?—Not from the tenant farmers generally. They come from a few tenant farmers, who are embarked in something else. They do not come from the majority of the tenant farmers.

6063. But take it for granted for one moment that some of it is in the possession of the tenant farmers. Would it not be well to encourage them to invest it in their own land?—Yes, and I would try to encourage those who have it to do so. I would encourage them to invest it.

6064. It is a great misfortune that in a country like Ireland, where the expenditure of capital is required so urgently, that 30 millions should be locked up in the savings banks and deposits bearing a small rate of interest?—It is a very great mistake and a very great pity. I think the extension of the time and the giving to the tenants immediate relief in the direction in which the tenants would most wish to go.

6065. Mr. Knipe.—Speaking of these judicial rents, you say it would be unfair to interfere with them until the expiration of the fifteen years?—His lordship said it would not be a good thing to interfere with them every three or four years, and I said that it would be a most injudicious thing.

6066. But the same principle would apply to the leases that have been taken out and were in existence before the judicial leases?—The leases have been longer in existence, and probably the people who have them are suffering more.

6067. Are not they bound to pay the rent in those leases?—Of course, there is no question about that.

6068. And notwithstanding that fact you would recommend that the old lease-holders should be admitted to the benefit of the Land Act, and you would not give the judicial leaseholders the same privilege?—I did not say that those paying the judicial rents must necessarily pay for fifteen years, no matter what happens, but that it would not do to have a change every two or three years.

6069. Are you aware that the Sub-Commission has found it necessary to give 10 to 15 per cent. additional reductions?

The Earl of Milford.—We have no evidence of that.

Mr. Knipe.—We have it from the Commissioners themselves.

The Earl of Milford.—No Commissioner gave these figures.

6070. Mr. Knipe.—We have them 7 to 15 (to Wilkes) at all events the Commissioners have been giving additional reductions?—Yes.

6071. And in some cases the landlords have given reductions upon the judicial rents themselves?—Yes.

6072. Well, taking all this into account, would it lead you to believe that the rents from 1881 to 1885 were high rents now?—Yes, but you could not revise them every three or four years. I would rather have something more definite.

6073. At all events, as a practical farmer, do you think that it is more difficult to pay rents last year and this year than it was in the year 1881, or down to 1885?—I should say so most decidedly. I think that is the general opinion. I certainly say that the rents fixed three or four years ago are now too high.

6074. The Earl of Milltown.—For the present year?—Yes. I think there should be something more permanent.

6075. Mr. Keppel.—What great prospect is there in the future that prices will go up?—I do not see it. I think that the Legislature should go in the other direction of peasant proprietary.

6076. Now, with reference to the lease-holders—Don't you think in the case of leases, when a tenant holds at a low rent, that he or his predecessor had given some consideration for that lease at some time past?—I take it that would come before the Court—that the evidence would bring that before the Court, if he had done so.

6077. Would it be fair to throw upon the landlord the onus of proving that he did not give a fine, and, in the absence of proof, that it should be taken for granted that there had been a consideration given?—It certainly would.

6078. Your father-in-law I believe is a landlord?—Yes.

6079. And you had a conversation with him lately?—Yes.

6080. He gave 22 years' purchase for his land?—Yes.

6081. He has quite a number of tenants, I suppose?—Yes.

6082. Is he willing to take 18 years' purchase for it now?

The Earl of Milltown.—I think this is pure hocus, and we should always get these things as evidence from the person who knows it to be a fact; not that I doubt Mr. Pringle's word for a moment, but you see we know nothing of the circumstances. These might be a sensible set of tenants that a man would be glad to get rid of. What a person told him would not do as evidence.

The Witness.—Well, you need not take the name. If you wish you can take it that I know a man who purchased at 22 years, and who is willing now to take 18 for it.

Mr. Keppel.—His father-in-law could be got in the meantime.

The Earl of Milltown.—I will be very glad to see him. There are, of course, different circumstances which greatly bear upon a case.

6083. Sir James Caird.—(To Witness.) When did he make that purchase?—I am not sure of the date. I think 26 years ago.

6084. Mr. Keppel.—Perhaps it may be a little less?—I do not know.

6085. There are one or two items here about which we have not yet got much evidence. For instance, flax and grass seed. Do you know anything about the cultivation of flax and grass seed?—I know nothing about grass seed, but if you take the average for the last four or five years in flax, I think you will find that between the price and the yield, it would be reduced about 30 or 35 per cent.

6086. The Earl of Milltown.—What average do you take?—Take six years.

6087. Mr. Keppel.—Was flax extensively cultivated in your neighbourhood?—Yes, and is still.

6088. The farmers depend a great deal upon it?—Yes, they will find it very much this year. Some of them were in the habit of paying their rents out of it. There was a pretty good yield last year, but it is very bad this year.

6089. The Earl of Milltown.—What do you say the prices are now?—Well-scutched, about 5s. 3d. in our neighbourhood.

6090. 5s. 3d. for how much?—14 lbs.

6091. The President.—That would be about 50s. on the quantity stated in this list?—Yes, there are 8 stones in the cwt.—about 50s. per cwt.

6092. Mr. Keppel.—Do you know anything about the prices this year?—It was of this year I was speaking.

6093. I thought that was the average for a number of years you mentioned?—No, this year.

6094. The Earl of Milltown.—Last year it was 55s. 1

—it was a little higher. It was a better article, and there was a better yield.

6095. In 1852 it was 42s. 1.—Yes.

6096. That was the year of Griffith's valuation?—Yes. I remember selling flax myself at 15s. 9d., but I cannot remember the year in which that was.

6097. Mr. Keppel.—Has it gone down for the last few years?—Yes, and there is not a good yield, and I believe the people all sowed flax, because they were calculating upon making the rent out of it.

6098. Do you know much about grass seed?—No, I do not. I will hand you in this table of prices in Omagh:—

Average Prices of Farm Produce in Omagh Market, taken from the Tyrone Constitution.

5 Years ending 1879	5 Years ending		
	1884	1885	1886
Dec. Oats per 14 lb.	54d.	6d.	74d.
" Flax —	6s. 9d.	5s. 12d.	5s. 74d.
" Potatoes —	5d.	4d.	3d.
June. Butter, per lb.	11s.	16s.	74d.
Dec. Pork, 112 lb., 4lbs. 6d.	4s.	28s. 6d.	37s. 6d.

6099. Have store cattle gone down badly?—Yes, very much.

6100. Do the farmers in your locality depend very much upon young stock?—Yes; the small farmers have the pull over the large farmers. They had the advantage over the large farmers, but now they seem to be all on a par.

6101. Are they considerably reduced in price?—Yes.

6102. How much?—They are down to £6 or £7. I should say about 35 per cent.

6103. The Earl of Milltown.—You are now speaking of two-year-olds?—About that.

6104. What are they now?—The price of two-year-olds now depends upon the district of country. Of course, cattle from the mountains would be £5 to £7 10s.

6105. Mr. Keppel.—Would the difference between last year and now be £3 or £5 a piece?—Not within the year, but for a longer period it would be.

6106. You say that in your opinion the proper thing would be to establish a peasant proprietary?—I am thoroughly convinced of that.

6107. Have you thought how that could be effectively brought about?—I have not thought about the working machinery; but I say that the time should be extended from 48 years to 70 or 80.

6108. Do you think that the landlords would be as willing to sell in the north as they are in the south or west of Ireland?—I know a number of landlords who are anxious enough to sell at present.

6109. Do you think they would take the same price as in the other parts?—If we are to judge from the sale on the Derry property, I think they would.

6110. And do you think there would be a necessity to create any court or legal body to interfere?—I should not go on for compulsory sales. The only sales I would have compulsory would be those mortgaged up to three-fourths of their value, and all public companies. I mean estates mortgaged or with annuities or payments up to three-fourths of their value. These are virtually out of the hands of their proprietors at the present time.

6111. Sir James Caird.—What with regard to the companies' estates?—Well, of course, as regards the companies, they are in the way that they always were; but estates mortgaged to three-fourths of their value are practically out of the hands of their real owners, and there is no one to see that the tenants are fairly treated. They are in the hands of a receiver.

6112. That is not the case with the companies?—No, but still I think the companies should be compelled to part.

6113. Mr. Keppel.—Where the landlord was willing to sell and the majority of the tenants willing to buy, would you compel the minority to buy?—

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I think that, under Lord Ashbourne's Act, when a certain number of tenants agree, the estate can be sold, and an outsider can buy the remainder.

6114. The President.—Is that compulsory?—Where a certain part stands over. Another thing I would remark is this, that although not going in for compulsory sale, I think it is only fair that the tenants living on properties not sold should be allowed to have their rent revised.

6115. In order to prevent jealousy?—Yes. If I live on a property which is sold at 16 or 20 years' purchase, there is a material reduction in my yearly payment. My brother is living on a property where the landlord will not sell, and he is compelled to pay the judicial rent.

6116. Lord Millicom.—What is your proposal to remedy it?—To allow those on a property where the landlord won't sell to have their rents reduced.

6117. That is to say, that they should have an opportunity of the same kind?—Let them come into the Court to have the same thing.

6118. That you should have a judicial rent fixed instead?—Yes; upon those estates where they will not sell.

6119. Would that not be uncommonly like compulsion upon those landlords to sell?—It would be like a side-wind. But I do not see how you will get out of it. It would not be fair to tenants who were paying the full judicial rents for fifteen years, to have others who were living just across the march differently circumstanced, and not paying so much.

6120. The President.—Supposing a plan of compulsory purchase passed, would you consider it any hardship to the tenants if the value were settled by Commissioners?—I would be quite willing. I am convinced that that will be the final settlement of the question.

6121. You would pay whatever price the Commissioners would say was a fair price?—I would. I would go in strongly for extending the time, and for advancing the money at as low a rate possible, so that there should be as much relief as possible.

6122. Sir James Caird.—You mentioned, I think, that the decisions of the Commissioners with regard to the value of good land did, but that their decisions with regard to the inferior land did not?—Yes, it was considered fair in my part of the country. Of course, I am only speaking with regard to my own district, so far as the good land was concerned.

6123. But on the inferior lands the tenants were not satisfied with their decisions?—Not at all satisfied, and I do not see why they should be.

6124. Has that in any way affected the proportion of tenants on good land and on inferior land who have made application to the Court to have their rents revised?—I could not say.

6125. Would the effect of that becoming known be likely to result in this, that the tenants on inferior land would hesitate about going before the Court?—Well, I think they would go into Court to get some relief.

6126. But they would not go in the same large numbers as if the land they held was good land?—No.

6127. The fact is I suppose that good land can scarcely be undervalued, and good land can hardly be put at too low a price?—Well, that is the extreme of the principle.

6128. It is, in fact, you think, hardly possible for the value not to make an error of that kind?—They put a very unfair rent on bad land. How they arrived at it we never could understand, and we do not understand it.

6129. You speak of the impossibility of making a profit out of poor land even with capital?—Yes.

6130. Have you any experience of that kind of land?—Yes. I live in the so. Monaghan, and I reclaimed some land.

6131. Was that the case with some other people there?—Yes. I could not make anything out of it.

6132. The money was thrown away trying to improve it?—It was.

6133. Would you suppose that the same thing would apply to a great deal of the congested districts as they are called?—Yes, with the present prices and the foreign competition you cannot make it pay. I think there could be a lot of good done by the reforestation of Ireland, and perhaps there could be something done by letting it in allotments to labouring men, where they would try to reclaim it, without any rent, and without investing much capital.

6134. Then I suppose you conclude there would be a safe security for the government to invest in the land for that purpose?—I do not see what security they would have for the very bad lands of Ireland.

6135. Have you knowledge of whether or not the people living upon such lands have any wish to emigrate?—I do not know.

6136. The President.—Are rents being pretty well paid in your neighbourhood?—I suppose they consider them fairly paid. I do not think there is any unwillingness to pay if the people had the money, but I am afraid this year there will be a good number who will not be able to pay.

6137. Sir James Caird.—Is there any combination against the payment of rents?—Not much. There is of course the National Party, but there is not much combination against the payment of rent.

6138. The President.—Is there any boycotting?—Very slight. I am aware that the National Party—or the Roman Catholics, I might say—were not favourable to purchase, because they got the impression that they were going to buy at seven or eight years' purchase.

6139. Lord Millicom.—Are they getting to believe that?—Yes.

6140. Is that since the rejection of the Home Rule Bill?—Well I do not know.

6141. The President.—With regard to the labourers—how many do you employ?—I do not cultivate very much. I only keep about six permanent men.

6142. With regard to the conditions of the labourers in general—do you think it would be affected if the tenants became owners of their farms?—Would they be any worse off than at present?—I do not see why they should.

6143. Do they not at present receive employment from the landlords?—I do not know that they do except those in the immediate vicinity. I do not believe that the labourers in the country, personally, would be very much affected.

6144. The labourers on the demesnes?—Yes, it might be a loss to these people.

6145. But not with regard to the mass of the labourers in the country?—I do not think so. Labourers in my part of the country are better off now. Wages are better and things are cheaper.

6146. What are the wages?—I give 9s. a week all the year round.

6147. Lord Millicom.—Is that with or without a house?—Of course, the carman and groom, &c., have a house. The ordinary labourer has none. He gets 9s. without a house.

6148. Wages with you are less than in Derry?—I do not know.

6149. It was 2s. with a house there?—I do not know. 6150. Sir James Caird.—Compared with twenty years ago, what is the condition of the agricultural labourer generally?—I commenced to farm about that time, and I must say I think he is now in a much better position.

6151. His wages are better, and his means of purchasing greater?—Quite so. Of course, there are congested districts, where the labourers have some difficulty in finding employment; but in my own district there is no difficulty at all.

6152. Are you aware whether they feel themselves neglected in any way in the course of land legislation?—Not at all in my locality.

6153. They do not in any way participate in the results of the change in the relations between landlord and tenant?—Do you mean that they do not care for the change?

6154. I mean that they did not get any benefit from it—I must say, for my part, that they do not seem interested in it.

6155. They do not feel so if they had been left out of consideration?—I never heard them say so.

6156. Do you think they are anxious to have these changes carried out?—If they are not anxious, they are at least indifferent. I think they believe that in consequence of these changes the farmer would be able to employ them better.

6157. Lord Milnes.—Have you any resident gentry in your neighbourhood?—Not many now.

6158.—You say there is no difficulty in the labourers getting employment?—Yes.

6159. Then, so far as your district is concerned, they are not dependent upon the gentry?—No.

6160. Mr. Knipe.—Would the farmers, in the cultivation of their lands, be likely, do you think, to employ more labour if these changes were made?—I think the general impression amongst the labourers is that the farmers would be able to pay them better, and would be in a more prosperous condition. But I am aware that some farmers have cut down the number of their labourers recently—they could not afford to keep them.

6161. The President.—Have you been a member of the Board of Guardians?—Yes, but I did not attend very well. I am an ex-officio member.

6162. How far do you think the working of the act

would be expedited by providing security through the intervention of the local authority? Do you think the local authorities should intervene in the way of giving security?—Well, unless there was some means of giving security for the one-fifth of the deposit in the charge I have mentioned.

6163. But do you think they would be willing to intervene?—That is a thing with reference to which I could not give an opinion.

6164. Mr. Nelson.—Can you form an opinion whether, as a rule, the Commissioners sitting under the Land Act of 1881 commanded the confidence of your district?—I cannot say they commanded confidence, because I think their decisions were open to criticism.

6165. Were many of them appealed from?—Yes, a good many.

6166. What was the result of the appeal?—The majority of them, I think, were confirmed. A percentage of them were reduced.

6167. As a rule, the decisions of the Sub-Commissioners stood the test of appeal?—Very fairly, I think.

6168. Lord Milnes.—Is there confidence in your neighbourhood in the Court of Appeal?—That is just it. There is no extraordinary confidence.

6169. I suppose it is just as hard to understand the principle upon which they act as it is in the case of the Sub-Commissioners?—I think very much the same indeed.

Mr. James Brown, of Donaghmore, Tyrone, examined.

6170. The President.—I believe, Mr. Brown, you are a tenant farmer?—I am, your Lord.

6171. Where?—Donaghmore, near Donaghman.

6172. How many acres do you hold?—About 250 acres.

6173. What is the nature of your tenure?—I hold it every way. I am owner, and I am also tenant under a judicial lease for a portion. I am owner, principally.

6174. Are you a leaseholder besides?—I am a perpetuity leaseholder.

6175. Do you farm your own land or have you tenants under you?—I have no tenants—or at least, practically none.

6176. When was your judicial rent fixed?—It was fixed about four years ago, I think.

6177. In the year 1881?—About that.

6178. Did you think it was a fair rent at the time it was fixed?—I did.

6179. Are you able to pay it now out of your earnings?—Well the portion of it which I hold in that way I look upon as accommodation land, which I would continue to hold, even if I did not pay. I do not hold it so much for profits as for accommodation, so that it is scarcely a fair illustration of the value of the land itself. It is only a small portion of my own holding, and it was fixed at what I consider a fair rent, but at the same time it would be here a very high rent on account of being an accommodation. It is close to the village in which I live.

6180. You are willing on that account to pay more than usual for it?—Yes.

6181. Then with regard to the perpetuity—how long ago was that created?—It was created about 1815, I think. I think it was so far back as that. It was at the time of the French war, in which prices were very high. The landlord then granted perpetuity leases to his tenants.

6182. When did you buy?—Part of it we held back 60 or 70 years. My father bought.

6183. Is it much higher rented than the rest?—Yes, it is what we look upon as excessive. It is £24 0s. 4d. English.

6184. Lord Milnes.—You bought this 60 years ago?—My father did.

6185. The President.—Of course, if it was adopted within the operations of the Land Act, the rent would be reduced?—Yes it would.

6186. Looking at it fairly, do you think there would be an undue interference with the rights of the landlord by admitting you to the benefits of the Act?—Of course that opens up a question with regard to the men who have bought on certain terms on the faith of its being perpetual—whether the landlord or he should be a loser. In the case of some tenants it is held at reasonable rents at present.

6187. The tenants have not got any greater advantages on that property than they have got on any property that is held under judicial rents?—None whatever.

6188. Do you see any difference between a perpetuity and an ordinary lease as regards the justice or the injustice of the tenant being allowed to go into the Land Court?—Well, I can hardly see the justice of breaking a lease, the rent of which a man has undertaken to pay. At the same time the circumstances of the country may be such as to create a necessity for its being done.

6189. You do not consider it fair in the abstract to allow any outside party to interfere between the landlord and the tenant?—I think that is an extreme case, although my sympathies are with the tenant farmers; I think the Land Act of 1881 was going outside what we understand by political economy. At the same time I quite see that it was wise to do it.

6190. And would it be going still further outside those limits if the terms of a lease were regulated by an outside party in the same way as the ordinary yearly rents are regulated?—I do not think there is any difference, and I think that the leaseholders deserve consideration more than any other class of tenants, because they were really the cream of the Irish country. They were the men who tried to get on and improve their position.

6191. And of course they wish to come under the Act?—Yes.

6192. Would you yourself wish to purchase? Yours, of course, is an exceptional case. Yours is accommodation land?—That portion of it is.

6193. Do you think the tenants, so far as you know, would be glad to purchase?—No; they would not as a rule up to the present be glad to purchase.

6194. You do not think they would?—No; but I think the time will come very soon when they will be desirous to purchase. I do not think they show any great desire at present.

6195. The tenants in your neighbourhood?—Yes.

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Mr. James
Fongle.

On 25, 1890
Mr. James
Brown.

There are, of course, reasons for that. There was a good deal of land near us sold under the Church Act, and I myself advised the tenants—up to that time it was difficult to get land in the tenants' own right—I advised them to buy, and it has turned out so disadvantageously that it has greatly affected the other tenants, who now could buy upon safe terms.

6194. But perhaps when they got to know Lord Ashbourne's Act better they may change their opinions?—I would hope so.

6197. Sir James Caird.—In what way were these purchases which you have mentioned disastrous?—Generally speaking, they borrowed a portion of the amount. They got into the hands of local money-lenders, and then there were the wet seasons of 1875 and 1879 which came upon them, and they were not able to pay the interest on the money they borrowed from these money-lenders, and the upshot of it was that they got into very bad ways altogether, and some of them got out of their farms altogether.

6198. And the money-lenders have them?—Yes.

6199. The President.—That was the result of making it compulsory upon them to pay the quarter?—Yes, and also that the value was too high. The glen lands were set above the average. They were held by men who had only a life interest, and when they were at all grasping the tenants were charged more than on the large properties.

6200. Mr. Keble.—Do you know how many years purchase they gave?—Twenty-two and a half.

6201. And up to twenty-six in some cases? Yes, from twenty-two and a half to twenty-three on the rental was about the figure in our district.

6202. Sir James Caird.—Was the rental considered high?—Yes.

6203. Twenty-two and a half years on a high rental?—Yes.

6204. Lord Milnes.—And that perhaps was fixed by the Church Commissioners?—Yes.

6205. And they refused to take less than a certain thing, which generally was about the amount you have mentioned?—Yes.

6206. And if the tenant refused, it was put up to public auction?—Yes, and it was the fear of it coming into the hands of some small buyer that caused the tenants to buy.

6207. Mr. Keble.—They gave more than they would otherwise have done?—Yes.

6208. Sir James Caird.—And you say the experience of that time prevents tenants from purchasing under the new Act?—Yes.

6209. One-fourth of the price then had to be paid down?—Yes.

6210. That was one of the conditions?—Yes.

6211. And the need for raising that money put the tenants into the hands of the money-lenders?—Yes.

6212. They could not help it?—No.

6213. Mr. Nelson.—If a certain proportion was paid, the Church Commissioners themselves took a mortgage for the balance?—Yes.

6214. The President.—Have you looked into Lord Ashbourne's Act?—I have not looked through the Act, but I have considered the subject of it.

6215. Are you anxious to buy yourself, at this moment?—I would personally be glad to buy up this high-tenanted perpetuity.

6216. But of course only at a fair price?—Yes, at a fair price.

6217. Is there anything in the Act which you could suggest ought to be improved?—Well, I have heard the idea suggested of lengthening the time of payment, that is, to give down the rent still more, and give the tenant a greater interest in buying by allowing the present amount of the payments to be lowered.

6218. That is what you heard some people say would be desirable?—Yes; so I have heard them say. I have considered the matter myself, and I think it would be wise to do so. My idea is that Lord Ashbourne's Act has been a success, although it may not have been swayed of so much as it ought. Still I think it will be.

6219. Lord Milnes.—But it has been swayed of?—So I have heard.

6220. There was a published return that you may have seen?—Yes, I think the desire to buy will increase.

6221. The President.—You think the more people hear about it the more they will think of it?—Yes.

6222. Sir James Caird.—Do you think that the time for repayment should be extended?—I think it would be more induce them to become purchasers. I have recommended small farmers about me to become buyers, and suggested that, even if they paid a little more rent, they would be becoming purchasers. That was prior to Lord Ashbourne's Act, when the arrangement was in force which did not reduce the price very much. I said to them that in thirty-five years they would become the owners of their holdings. But if the arrangement to lower the rents had been in existence, they would have agreed to it.

6223. The repayment has been extended to forty-nine years, and the amount of the annual payment has been lowered?—Yes.

6224. And you think there should be a further extension of the time?—I think it would increase the desire to buy.

6225. On the grounds that men will say they have no right to do everything for their successors—that those who come after them should bear, at all events, a portion of the burden?—Yes; it should be arranged in some way that he will gain himself, and also his successor bears some part of the burden.

6226. The President.—I suppose that if some tenants were allowed to buy, and others were not, there would be great dissatisfaction on the part of the latter, when they saw their neighbours getting an immediate reduction of rent, and, at the same time, with the prospect of becoming the possessors of their holdings at the expiration of a certain number of years?—No doubt that would raise a feeling of that kind.

6227. And the more you lengthen the period of repayment, the more powerful that feeling will become?—It certainly would; but I do not know whether that would take any greater form of dissatisfaction than a desire to become purchasers.

6228. What would you suggest in the case where the landlord would not sell?—Of course that would be a difficult matter of the programme, and I would a great deal rather myself that the matter should be so gone about, that the one should be willing to sell and the other to buy, than that there should be any compulsion.

6229. You do not like the idea of compulsion? I do not like the idea of expatriating the landlords. I do not think that Ireland is in such a state as to lose some or most of what ought to be its most valuable members. I think we have too few of that class. The great outcry used to be that the landlords did not live at home, but now it would seem as if they should not be allowed to live at home at all. I do not go in for that.

6230. Do the tenants about your neighbourhood share that feeling about the landlords?—I presume that the Nationalists—

6231. I am talking about the ordinary tenants, who are not Nationalists?—I think they would rather that the landlords remained.

6232. They would?—I do think so.

6233. On the whole?—Yes.

6234. Lord Milnes.—Do you mean as individuals or as landlords? Do you mean that they would prefer that the resident gentry should remain in the country, leaving to own their estates, or continuing to own their estates?—I think, if the arrangements about the rents were satisfactory, that they would be glad they remained as owners of the estates. I do not believe there is any wish to get rid of the landlords so much.

6235. The tenants would prefer to remain as tenants than as owners provided they got equitable terms? At the present moment they are not so anxious to buy as that they would desire to get the rents lowered. If, perhaps, as I have explained to you, has been such as

to deter them from that. But I think that if Lord Ashbourne's, or some more liberal Act, was in operation, they would certainly fall in with the idea of buying.

6236. But I understood you to say, in answer to the President, that you thought the tenants were not desirous that the landlords should go. Do you mean they wish the landlords should remain as landlords, or as individuals simply?—I think that they would like them to remain in either capacity, but if they got the opportunity of buying, they would like them to remain as individuals.

6237. That I thoroughly believe; but would they rather be their own landlords, and abolish landlordism? I believe they would rather become owners on such reasonable terms as have been suggested.

6238. But they would wish to retain the country gentlemen, and would be glad to have more, if they were of a good sort?—I quite believe that.

6239. The President.—Would the position of the labourers in the country be very much altered if the landlords left the country? Would they suffer much if the landlords went?—Well, I do not think it would operate very much in either way, except as far as the landlords are employers of labour. Of course, the landlords as a rule would be more kind and liberal to their workpeople than the farmers.

6240. But not to the people who did not work for them—those people would not find any difference?—I do not think they would.

6241. Lord Milltown.—One of the reasons given, I have always understood, for not allowing the leaseholder to apply to have a fair rent fixed was the supposition that they were better able to take care of themselves when they were asking their landlords than the smaller tenants, who were compelled to accept whatever terms were dictated to them. That was then asserted, and it is still in a certain sense asserted by those who say that the leaseholders should not be allowed to come in under the Act. Is that your impression?—No, I think that the time the leases were taken out practically the landlord was master.

6242. As much as in the case of the other tenants?—Yes; it was just that way—you might either take the lease or leave it.

6243. And I believe that it was not unusual to demand an increased rent for the privilege of getting a lease?—Precisely so.

6244. And even that the tenant paid ready money to the landlord or agent to get a lease and obtain security in possession?—No doubt that was the case.

6245. Are there many leases in your neighbourhood dated from 1815, or the time of the war?—I do not know of any except this particular property.

6246. The rents then fixed were enormously high?—Yes.

6247. They believed then that the good times were going to last for ever?—Yes.

6248. Just as the farmers now believe that the bad times will last for ever?—I hope in this case the change won't be so long coming as it was in the other.

6249. Mr. Keape.—Do you think that the leaseholders should be admitted to the benefit of the Land Act?—I do think so.

6250. Have you known many landlords in your locality who have given leaseholders reductions in their rent?—Yes.

6251. Have you known some who have allowed the leaseholders to go into Court to get their rents fixed?—I do not recollect. I believe there are cases of that kind, but I do not know them of my own knowledge. But I know of cases in which they have reduced the rents on the basis of what the Commissioners did for their neighbours, as far as I can understand.

6252. Of course your experience is that this year and last year it is very difficult to make up rents?—No doubt about that. I should explain that personally I do not live by farming. I am engaged in other occupations. Land has always been my employment, living as I do in a country village; but I have other occupations, so that, as far as the paying of the rent is con-

cerned, it does not so much signify. Therefore, I am not speaking as much on the distress portion of the question, as others will do who have felt the pinch.

6253. But you have known the Commissioners giving reductions upon the judicial rents last year and this year?—Yes.

6254. Is there a considerable reduction in the price of cattle, which affects the small tenants?—Yes, I could not give the date, but I am sure they have fallen very greatly. I have taken my own recollection and that of some others, and I think the reduction in the price of cattle for the last four or five years has amounted upon beef cattle between 40 and 45 per cent., and upon store cattle to between 35 and 60 per cent. That is it as near as I could reckon.

6255. But it is principally store cattle that they have to do with here?—Yes; they do not fatten much.

6256. Lord Milltown.—What period do you take?—I would take from 1881.

6257. To the present time?—Yes. Take that time, and the reduction in cattle amounts to almost 40 per cent.

6258. But you know it is considerably higher now than it was at the time of Griffiths' valuation?—Yes.

6259. From 35 to 50 per cent. higher than they were in 1882?—I could scarcely at the moment go as far back as 1882.

6260. That was the year of Griffiths' valuation?—In Tyrone?

6261. Mr. Nelson.—That was the year in Derry. I do not know if it was the year here?—Armagh was the latest.

6262. I think you were valued before Derry?—I think so.

6263. Lord Milltown.—I find here that the price of two-year-olds is 35 per cent. higher in 1885 than in 1882; that the price of year-olds is 50 higher, and the price of hams 50 per cent. I—I demand that is quite so.

6264. Mr. Keape.—But the price of produce is lower in the past two years than it was for some years previously?—Yes; I can give you a return of the price of produce here in Armagh. I give two periods of two years each.

6265. Do you know this return taken from Purdon's Almanac?—No.

6266. You know that Almanac?—Yes.

And it is a trustworthy authority, I think?—It is.

6267. You see it gives the years from 1879 to 1886?—Yes. There is no item there of grass seed, which I have not taken into account; but the depression upon it must amount to about one-half.

6268. Lord Milltown.—How many years has that industry been in existence?—It has only extended to Dungannon about seven or eight years.

6269. Is it considered good farming amongst you?—Some people look upon it as very deteriorating upon the land, and that it leaves the hay with very much less feeding power in it. At the same time it is very useful, for it brings in the small farmers a little money at the time when they are very much in need of it. But now it has got to such a very low price that I think they will stop it.

6270. Mr. Keape.—Before the police was brought down, was it cultivated largely?—Yes.

6271. Lord Milltown.—How has it gone down so much, Mr. Brown?—I do not know exactly. I suppose it is over-production perhaps, but it may simply have gone down with everything else.

6272. Foreign competition has nothing to do with it?—No, because in fact we exported it.

6273. Is the article itself worse now than it was formerly?—No; I think there is greater care taken with it now than before.

Mr. Keape.—I think the probable cause is, that the cultivation has extended over a larger area, and that there is a greater supply than is required.

6274. Sir James Caird.—Over-production?

Mr. Keape.—Yes.

The Witness.—As to what causes all this about

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prices, my idea is that it is the depression of gold. If we got another good supply of gold, the change would come.

6275. Lord Midleton.—And also the great depression of trade all over the world?—Yes.

6276. Particularly amongst our best customers, the English people?—Yes; the effect of that is felt all over the world.

6277. Mr. Neligan.—I understand you to say, Mr. Brown, that the result of the experience in regard to their Church purchases rather damps the people's energy with reference to the question of purchase under Lord Ashbourne's Act?—Yes.

6278. Following up that, I should say you think that if any class of landholders were admitted to the benefits of the Act of 1881, those men who held under Church leases would be the men above all others who should have that privilege?—They made a worse bargain.

6279. Lord Midleton.—They are not landholders.

6280. Mr. Neligan.—I am speaking of those who bought the glebe lands.

6281. Lord Midleton.—You have used a wrong expression.

6282. Mr. Neligan.—Yes; I should not have said landholders. They appear to be a set of people who suffered very grievously.

6283. The Witness.—No doubt about it.

6284. Do you know whether in the village near which you live the rule about town pacts applies?—It is only a small village.

6285. You cannot speak about the operation of the Act upon town pacts?—No, beyond what I read.

6286. You were speaking a while ago about the resident proprietors. Am I right in supposing that the result of your answers would be that you think it desirable there should be some resident gentry in the country who, by means of education and capital, would continue to take an interest in the people around them, as the result of the relationship between landlord and tenant?—Unquestionably.

6287. And you think it would be an advantage that men of education and capital and enlarged ideas should be encouraged to stay in the country?—They could not but be useful.

6288. Sir James Caird.—For that reason would you say that it is not desirable to make compulsory sale of land?—That is just the question. If the landlords won't sell, and you want the tenants to become proprietors, how are you to do? One suggestion is, the sale of estates heavily mortgaged—for instance, estates mortgaged up to three-fourths of their value—and which are practically of no use to their owner.

6289. He would be ready to sell?—Well, I do not think it would interfere with his interests; and I think it would be for the interest of the country that he should sell. I think it would practically set as the old Encumbered Estates Act.

6290. Do you think the resident landlords could be induced to remain; do you think they would have the same inducement to remain if the land was sold away from them?—I would only compulsorily sell in the case of men who were practically already out of the country and whose interests were gone into the hands of mortgagees.

6291. And you would make the operation of a compulsory Act exceptional?—Yes; I would not like the idea of universal compulsion, and besides I do not think in this country you can bring a change of that sort rapidly. I look upon it as a thing that must grow; that the men who are thereby should be encouraged to become the owners of their land, and not every drunken thriftless fellow who happens to have a farm in his occupation.

6292. In the meantime, you think the judicial rent principle ought to be acted upon?—Yes.

6293. And you seem to think that the farmers are satisfied at present?—Yes, except from the pressure of the present fall in prices.

6294. They are in a better position than formerly?—I think so.

6295. And, therefore, if the sale of the land from the landlord could not proceed so very fast as some people seem to desire, the farmers themselves are really in a second condition, having got the judicial rents?—Yes; I think they are in a second position.

6296. Lord Midleton.—I am sorry you would be inclined to say that those landlords who have their properties encumbered to the extent of three-fourths their value should be compelled to sell, and that it would be no great loss to them. They now have a margin of one-fourth, and if it happens that they were compelled to sell at twenty years' purchase, would there not be a great danger of that margin disappearing?—I look upon a property mortgaged up to three-fourths as one that, with the present non-payments and the abatements that have to be made, is practically already gone.

6297. But it might be a property whose the rent is fairly paid. The landlord and his family may just have that to live upon, and that margin upon which they are enabled to live may just leak away by a compulsory sale at twenty years' purchase?—I would not like to do that. I refer to the case of men who should have got into such a position that the property was gone from them. It would be just like the Encumbered Estates Court. They would have to part with it.

6298. One of the great difficulties of working the Purchase Act are those very class of proprietors who have a small margin which would disappear if they sold at twenty years' purchase, or even more?—That is a difficulty; but I look upon it in the light of men who have not a margin.

6299. Well, but the Encumbered Estates Court is open now?—Yes.

6300. Mr. Neligan.—The real chance for men?—Like that would be the chance of selling to the tenants, because sales in the Court have stopped?—Yes.

6301. The President.—Is there any boycotting or intimidation in this part of the country for preventing the tenants from fulfilling their legal obligations?—Not that I know of; certainly not in our neighbourhood. I think the tenants are fairly inclined to pay their debts.

6302. No influence of any kind is used against them?—They are disposed to pay their rents.

6303. Mr. Keble.—Speaking of the interest of the landlord and the mortgagee, do you think that the Land Court could be used as a medium to settle the various interests in the land?—Yes; I think it could.

6304. Do you apprehend that there would be a good deal of difficulty between the landlord and the tenant before any arrangement would be made in a case of that kind?—If the intermediate people could prevent it, you might never get a sale.

6305. Would the Chief Commissioner be a proper tribunal?—Yes, I should say that they would be the best party to deal with those matters.

6306. You would have no objection to the creation of a court of that kind, or the using of the Court that is already established?—No; I just made out this return with reference to a farm of land which I bought in the year 1871, and I kept a record of the estimated value of the produce from it since then.

6307. Sir James Caird.—Did you say the estimated value?—Yes.

6308. Not the actual value?—No; I had no means, or account of our other business, of bringing out the actual value. This is the return:—"Estimated gross annual produce of 60 acres of land in Aughranary, co. Tyrone, farmed by James Brown, Donaghmore; 46 acres arable, 14 acres meadow and permanent pasture:—1872, £188; 1873, £171; 1874, £408; 1875, £473; 1876, £681; 1877, £439; 1878, £503; 1879, £560; 1880, £339; 1881, £395; 1882, £365; 1883, £376; 1884, £524; 1885, £577; 1886, £331." My first object was to see how much I could increase the actual produce from this 68 or 68 acres of land.

6309. By improvement?—Yes; it was a farm which was looked upon as being very well farmed at the time

but I thought it was not as good as it ought to be, and so I kept an estimate of the crops since the year 1872. You see it was £188 in 1872, the year I began, and in 1880, £399; in 1885, £597; and in 1886, £331. It was from £188 to £331. That was the gross estimated produce.

6310. Mr. Knipe.—Have you any idea of the expenses, or of the outlay upon the farm, during the period covered by these figures?—Well, the expenses for the improvements were larger at the earlier stages; but I could not go into the expenses.

6311. Does labour cost more than it did at first?—Yes.

6312. The President.—Was this a farm upon which you were paying a rent?—It is a perpetuity farm, bought at a very small rent. It only cost 3s. an acre.

6313. Mr. Knipe.—Have you any idea of what you expended on the farm in the first years for labour?—Do you mean including the improvements?

6314. Yes.—I could scarcely estimate, but I should say that I spent £500 a year.

6315. £4 or £5 an acre?—Yes.

6316. Mr. James Caird.—You seem to have got, at all events, that sum of £500 a year for several years?—Yes; if I had kept the farm in the state it was when I got it, it would not have paid me 2 per cent. It was only by the outlay of money that I could get an income.

6317. Mr. Knipe.—Do you think that the tenants would cultivate their lands, having become the owners, better than they do now?—Yes.

6318. And make similar improvements to what you have mentioned?—Yes.

Mr. Thomas Davidson, of Lirioden, Moy, Tyrone, examined.

6319. The President.—Mr. Davidson, you, I think, are a tenant farmer?—Yes; beside Moy.

6320. What is your holding; you hold one farm?—Do you mean the extent of the holding?

6321. Yes?—I have two or three farms—in the aggregate about 160 acres.

6322. Are they all under the same tenure?—They are not. Some of them I hold in fee. Portions of one of them is set to tenants, and the rest we hold in our own hands.

6323. Is there any part under a judicial rent?—One was fixed by consent between the landlord and myself.

6324. And was that rent confirmed by the Court afterwards?—No.

6325. It was merely a private agreement?—Yes.

6326. Lord Millican.—Do you say some of your land is held by tenants?—Yes; by small tenants.

6327. The President.—It is subject?—Yes; a small portion.

6328. Then is all the land which you hold by mutual consent under lease?—It is not a lease.

6329. Is it from year to year tenure?—Yes. After the passing of the Land Act of 1881, Lord Charlemont and I entered into a mutual agreement, and with a certain sum fixed what we considered a fair rent. He said there was no necessity for going into the Court.

6330. Do you consider that it is a fair rent now?—I am afraid it is not a fair rent now.

6331. Was it a fair rent in 1882?—Yes.

6332. You could pay it then, but you find a difficulty in paying it now?—Yes.

6333. Do you think that if you applied to the Court now you would get a reduction?—I really could not say, for this reason, that there are no judicial rents on that part of the property. There are very few judicial rents in the locality that I live in.

6334. Now, with regard to this part, would you desire to become a purchaser?—Yes, I would. I would be most anxious to become a purchaser.

6335. How many years would you give?—That would

—6319. And that it would improve the general state of the country?—Yes.

6320. The President.—You are in favour of the tenants largely availing themselves of the Purchase Act?—Yes.

6321. You would not like to see the lands expropriated?—I believe that if the landlords long ago had sold one township out of every ten, that would have saved them from a good deal of trouble since.

6322. Mr. Knipe.—Do the landlords in your neighbourhood reside there?—50 per cent. do. I think there are more at home now than there used to be.

6323. Is it your experience that they take a great interest in the tenant, in the education of the children, and so on?—My experience is that that is so. Latterly I think that interest has subsided, as is only natural.

6324. And you have the national schools now, by which education is brought to the doors of the people?—Yes; I wish we had compulsory education.

6325. You would compel the parents to educate their children?—I would compel them to send them to school.

6326. Perhaps you would see your way also to compulsory sale?—If the landlords would fall in with it, I would like to see that managed in some way; but I do not like a universal compulsion to compel the landlords to sell. I do not think that that is wise. I believe still this can only be carried out through time—that it is a thing that must grow.

6327. But through the intervention of the Land Court a great many sales could be made?—Yes; and I think, without being compulsory, they will come on.

depended greatly upon the length of time that would be Mr. Thomas Davidson.

6345. Have you read Lord Ashbourne's Act, or heard it explained?—I understand a little about it.

6346. Do you know the number of years you would give?—I think fifteen years would be a fair purchase.

6347. What is the present rent?—It is about £1 6s. 3d. per statute acre.

6348. How many pounds is that?—£61 for that portion.

6349. Lord Millican.—That is something over £1 the statute acre?—Yes; 3d. over the statute acre.

6350. Even at twenty years' purchase, you know you would get an immediate reduction of about 20 per cent., and it would be your own land after forty-nine years?—Yes.

6351. Are you aware what your instalments would be on the land per year?—Yes.

6352. Mr. Nelson.—The amount would be £66 16s. at what you say.

6353. The President.—And yet, even with these advantages, you would not give twenty years' purchase?—I do not believe that I would be justified in doing that in the face of the times. We have a great fall in the price of all farm produce in the last two or three years especially, and I am afraid that we have not seen the worst of it yet.

6354. Are the rent of your neighbours anxious to buy?—I have no doubt they are. But they are very indolent class of people about me, and they always paid their rents very well, and so the landlords do not seem to be disposed to sell.

6355. Lord Millican.—At fifteen years' purchase?—I do not know.

6356. You say that?—Very well.

6357. Are you surprised that they won't sell at fifteen years' purchase?—I think if they want to get rid of it at present they should.

6358. Mr. Nelson.—£36 13s. would be all you would have to pay then.

6359. The President.—You can hardly expect the

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landed to jump at that—I do not know. I would like to see my way to get it. I would take fifteen years' purchase, and be glad to get rid.

6360. Lord *Milltown*.—Fifteen years for what?—For my interest.

6361. Sir *James Caird*.—Your interest in the tenant right?—Yes. Some years ago it sold up to twenty-two years' purchase.

6362. The *President*.—The first farm is in fee-simple; is it your own property?—Yes.

6363. Lord *Milltown*.—Will you take fifteen years' purchase for that?—I would not like to, but I will take sixteen.

6364. You would?—Certainly.

6365. How many acres is it?—About fifty-two acres.

6366. And you are ready to take sixteen?—Yes.

6367. On the Government value?—I will take fifteen years' purchase on the rental.

6368. Have you made that known amongst your friends?—I have on two or three occasions.

6369. The *President*.—Do you mean sixteen years on the Government value?—We pay a pretty fair rent for it although we hold it in perpetuity.

6370. It is not a freehold at all?—It is simply a leasehold.

6371. You would take sixteen years' purchase for the perpetuity, is that what you mean?—Yes.

6372. What do you pay? what is the perpetuity rent?—The part we hold under Lord *Charlemont* is £61.

6373. The part in perpetuity?—There is some of that we hold at £1 an acre.

6374. How many acres of that?—Thirty-two at a gallop.

6375. Are those English acres?—Statute acres.

6376. This is about the same as you pay for the rest of it?—Yes.

6377. You told us that the rest was about £11?—Yes.

6378. Lord *Milltown*.—He pays more for the perpetuity. (To *Witness*) You would take sixteen years' purchase?—Yes.

6379. What would you take for the tenant-right of the rest?—Just what I would allow to the landlord—fifteen years' purchase.

6380. And you think that the tenant-right is about equal in value to the fee-simple?—That is my impression.

6381. Are your under tenants quite small people?—One of them holds nine acres and the other three.

6382. There are two people?—Yes.

6383. Would they like to buy?—I have offered to sell to them both.

6384. Would they buy?—They did not seem disposed to buy. I have offered to sell repeatedly.

6385. What rent do you charge them?—There is the one of nine acres who pays £12 18s. I think that is the correct figure.

6386. And the other one, the three acre man, what does he pay?—I am not exactly sure of the second one. It is something about the same rate per acre.

6387. How much is it per acre?—It is about 30s.

6388. You get it for £1 0s. 3d. yourself?—Yes. We got that small property under mortgage some few years ago. I would be very glad to sell.

6389. How much are you asking them to give you?—I want them to make me an offer. It never went as far as that. I never asked a price.

6390. Will you let them have it at fifteen years' purchase?—I would be inclined to give it at that.

6391. Will they have to pay the rent still to Lord *Charlemont*?—This property is not under Lord *Charlemont*. It is under Mrs. *McDonnell*.

6392. Would they still have to pay the rent to Mrs. *McDonnell*?—Yes. Then, of course, I would have to recompense her for whatever I get. I pay her a large rent, and of course I must buy out her interest and arrange with the under tenants again.

6393. The *President*.—I suppose they only held

from you from year to year?—That is all. But I may say that that is a portion of the question I have not looked very much into. What I want to show is the fall in the price of farm produce.

6394. Lord *Milltown*.—What do you adduce from the fall in prices for the last two years?—I can give you a quotation of the prices.

6395. Granting that there has been a fall for the last two years, what does that prove?—It proves that the farmer is getting into a worse state.

6396. It proves that he has lost a certain amount of money, perhaps?—Certainly.

6397. But why may not prices rise?—I hope they will.

6398. Is there anything to make you think they will not?—I think that the foreign competition is only perhaps in its infancy.

6399. Are you aware that the importation of foreign cattle is decreasing?—I am not.

6400. Then you had better look at the figures and see. Are you aware that during the past fifty years prices have been at a lower price than they are now?—I have heard it.

6401. Do you know that?—I believe it is a fact.

6402. And that they were 50 per cent. lower when Griffiths' valuation was made?—Fifty years ago we had not the same facilities.

6403. Well, I tell you that thirty-four years ago prices were 50 per cent. lower than they are now?—I do not think so, taking them all round.

6404. Have you ever looked at the tables to see? However, supposing that I am right in saying that—and I refer you to the tables—supposing I am right in my proposition that the average price of produce was 50 per cent. lower when Griffiths' valuation was fixed than it is now, is there any reason why farmers should despond?—We may have now reached the lowest point. Prices have risen considerably since then. I am not of a very despondent nature. I simply take things as they come, and make the best of them.

6405. You are making the worst of them now?—Well, from my own standpoint personally I do not like to put a gloomy face upon it. But I do not see that when Griffiths' valuation was made that there were the same facilities for bringing foreign cattle into the country that there are now.

6406. Prices were a great deal lower than now?—A great deal lower.

6407. More than 50 per cent.?—I cannot account for that. I recollect them a good deal higher.

6408. Yes, up to a few years ago they were very high, and I say that although they are lower now they are still largely in excess of what they were at the time of Griffiths' valuation; and is there any reason to suppose that they should not go up again?—I do not see the probability of their going up again.

6409. Judging from the ecology of the past?—Well, it is not impossible; but as far as I can see, in my humble way, I can see no probability of it in the near future.

6410. If you do not judge the future by the past I do not see in what way you calculate?—I believe the supply in many cases exceeds the demand.

6411. Now I put another proposition. At the time of Griffiths' valuation rents were very much higher than now?—Yes.

6412. They have been considerably reduced by judicial rents and in other ways, and they are, I suppose, 20 or 25 per cent. lower than in 1823?—At the time of Griffiths' valuation the linen trade was at its height in Ulster. Land was then only looked upon as a kind of accommodation.

6413. Well, however it was looked upon, the land of Ireland was higher rented?—So long as the linen trade kept up there was no difficulty in paying the rent, but they have since had to fall back upon the reserve in order to be able to pay the rent.

6414. Did the linen trade affect all the holdings?—It was the great work through all Ulster, especially in the

scarcities of Tyronne and Armagh, and Antrim and Derry.

6413. Did it affect all the holdings?—I may say it did. I had very little to do with it then.

6414. Apart from those advantages which you say you do not derive now, still rents were from 30 to 25 per cent. higher, and were better paid than they are now, and yet prices were on an average 50 per cent. lower than they are now. Now, how is it that, with that state of things, and with rents 20 or 25 per cent. lower, that the tenants cannot pay the rents now, although they could pay them then?—I think that that perhaps is a mystery to more than you.

6417. It is a mystery. I want to show you that you are wrong in despairing for the future agricultural prosperity of Ireland?—I hope it will improve again—for the sake of the old country.

After that reply I won't ask you any more.—What I have to remark is, that if the rents which were fixed in 1832 were then looked upon and fixed as rents which could be paid according to the price of produce at that time, that I am afraid they are rents which it is hardly possible to pay now.

Sir James Caird.—Yes; at this particular time. That is admitted.

6418. Mr. Knipe.—Is it not a fact that formerly there were looms in the farmer's houses?—Yes; we had a great many small farmers about Tyronne, and all those people had looms in their houses.

6419. Could they make the rent of the farm out of them?—Yes; a single loom could make from 15s. to £1 per week.

6420. And the rent was of little importance then?—They laboured the land simply as an accommodation.

6421. And those looms have now disappeared from the country altogether?—Yes; the trade is now concentrated in the mills in the towns.

6422. Do you consider that there is an increase in the cost of production?—Yes, there is.

6423. And have you thought about how much the additional cost in the cultivation of the land would be?—I could not exactly say with regard to that. But I know that since my father came to this place, forty-six or forty-seven years ago, wages have doubled. We pay about double now what we used to pay at first.

6426. Do you think that the landlords here will be willing to sell?—I would not say that they are willing to sell. They are getting their rents paid, and I would be sorry to see the old gentry go away.

6425. With reference to their willingness to sell, do you think they would be willing to sell on fair terms to the tenants?—I do not think so.

6426. Can you give us the reason of that?—Because they are getting their rents paid, although they are so high.

6427. But do you think that the landlords in the north and west of Ireland would be willing to sell?—I think, judging from the reports we see, that they would be only too glad to sell.

6428. Are there many leaseholders in your locality?—Yes, a few.

6429. Should they be admitted to the benefits of the Land Act, do you think?—I think they should.

6430. Generally?—Yes.

6431. Mr. Nelson.—Could you say whether the leaseholders' rents are as high as the rents paid by the men who hold from year to year?—I think, taking them in the aggregate, that in our district they are slightly higher. I think they are not what we call exorbitant rents.

6432. As compared with their neighbours, you think they are a shade higher?—Yes.

6433. Higher than the yearly tenants?—Yes.

6434. The lease-holders, as a rule, are paying a shade more than the tenants from year to year, who have not gone into the Land Court?—Exactly; that is quite true.

6435. You are not living near a town?—We live near a village.

6436. Are there any town parks about your village?—I do not think there are such things as town parks recognised about the Moy, although it increases the value of land about there. There came one case before the Commissioners last March with reference to a town park, and they held that it was a town park being attached to the house of the man who had it.

6437. Sir James Caird.—Are these tenants who have gone into the Land Court satisfied with the judicial rents?—I think that the tenants in the locality in which I live do not like going into the Court, for this reason that they think they would not get the rents under which they are holding at the present time reduced. In the first case in which they brought it into Court to have the rent fixed, the Court fixed it considerably higher than a great many of the old rents.

6438. Was that fixed recently?—Immediately after the passing of the Act. I think it was about December, 1881, or the beginning of 1882.

6439. Did they arrange with the landlords, and then get it fixed by the Court according to the private arrangements?—That has been done in many cases. But they did not all do it in that way; they served originating notices, and went before the Commissioners, and gave evidence, and had the rent fixed in the ordinary way.

6440. And it was raised in those cases?—No; it was reduced very considerably, but still it is higher than some of the old rents.

6441. And have the tenants not availed themselves largely of the Land Act?—In the case of the Bonbrack estate, that of Mr Bruce of Belfast, who is now High Sheriff of this county, nine-tenths of them have. But none of Lord Charlemont's tenants have gone into Court.

6442. The President.—Because they are lower rated, I suppose?—I suppose so; they seem to think there was no use in going, because the rents on the adjoining estate are larger than theirs.

6443. Sir James Caird.—And they think they might be increased by the Court?—They think there is no use in spending money.

6444. Are they satisfied?—No; but I believe they think there is no way of redress.

6445. Would they purchase their farms?—Yes; they are most anxious to purchase if they had the opportunity.

6446. Would they purchase upon the present rent?—Yes; that is the question.

6447. It is not so much the question of the number of years' purchase or the present rent?—If they could get the time extended and the rate of interest lowered—that seems to be the prevailing idea. It would lighten the burden at the present time, and leave some to be paid by their successors.

6448. They are aware, are they, that even with paying more than twenty years' purchase they would get the land at a yearly fee smaller than they now pay, which would gradually make them the owners of their own farms?—Yes; they understand that.

6449. And that knowledge does not convince them that they ought to take advantage of Lord Ashburner's Act?—They know that it would be to their interest to a slight extent, but they think it would hardly lower their burden sufficiently, unless they got the time extended.

6450. To how many years?—Sixty-five or seventy-two years, according to the rate of interest.

6451. Is that a common opinion amongst the tenants?—Yes; it is a very common opinion amongst them.

6452. Mr. Nelson.—That is to say, they think that those who come after them should bear a share of the burden?—Yes; they think they ought to get their burdens lightened at the present time, and let their successors bear a portion of it afterwards.

6453. Sir James Caird.—You said that the time was so uncertain the tenants would be afraid to buy?—I speak personally for myself. Of course, I know that a great many of the tenants are a hard-working, industrious class of people, who have managed through the hard times to keep their heads above water and pay

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Mr. Thomas Davidson.

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Mr. Thomas
Davies.

their rents, and I think they are a class of people who ought to be encouraged.

6454. Is there any intimidation or boycotting in

your locality?—We have nothing of the kind in our district.

6455. It does not exist?—It does not exist.

Mr. John Bratton, of Fiskona, examined.

Mr. John
Bratton.

6456. The President.—You are a tenant farmer, I think?—Yes.

6457. What district do you come from?—About five miles from here; Bellabuck is the name of the place.

6458. How much land do you hold?—Upwards of thirty acres.

6459. All under one landlord?—I have a piece from another landlord, but this is the farm I reside on.

6460. What tenure do you hold under?—Is it a judicial lease?—Under a lease.

6461. What is the date of your lease, and how many years of it are there yet to run?—Thirty-one years from the lease.

6462. How many remain?—Thirty-one on two lives concurrently.

6463. When did you purchase your lease?—About twenty-seven years ago I purchased the place, but it was since then I got the lease.

6464. When did you get the lease?—Fourteen years ago, or less perhaps.

6465. What do you pay in the year?—Well, I have mills on this place besides the turn—bar mill and corn mill.

6466. It is all let in one holding?—Yes.

6467. You cannot say how much you pay per acre?—Yes; I have a small portion of land at £81 6s.

6468. The President.—Did you think this a fair rent at the time it was fixed fourteen or fifteen years ago?—I could not get it any cheaper.

6469. Do you find that it is difficult to pay it now?—It is nearly impossible. It is harder to pay one half of it now than the whole of it used to be.

6470. Do you think that the Commissioners would reduce it if you brought it into Court?—There is a farm on my march that has been tried by the Commissioners, and they did not reduce it.

6471. And it was rented the same as yours, was it?—Yes; it is a part of the farm that is the same as I have. It was the worst injustice that ever I heard of. Some of the tenants appealed.

6472. Then it would not help you to go into Court?—I think it would, because the mills now are not the value that they were.

6473. Were the mills bought by you from the landlord?—Yes; the parties in it at the time failed, and the landlord had to sell all the place himself.

6474. It was the tenant-right then?—Yes.

6475. Sir James Caird.—Is it value-power?—Yes.

6476. Is it a good one?—Except in wet weather, we were lately idle for ten or twelve days.

6477. If you sold your tenant-right, the buildings would come in?—There is a great deal of the buildings—about £700 worth—that I have put up myself. We got a loss from the Board of Works, and got up that £700.

6478. Who paid that?—I am paying my share of it. That was the agreement between the landlord and me at the time—that he should pay the half of the cost of whatever improvements were made.

6479. How many years' purchase do you think you would get for the tenant-right?—I do not think we could sell in our place at the present time.

6480. Would you have any wish to buy the free-riple of the holding?—Every wish, if it was at a fair rent.

6481. How many years would you be willing to give for it on a fair rent?—Well, I could not say. We would like it as low as possible. It would be a very bad purchase that would be worse than the rent we are now paying.

6482. The President.—Is the reason you would wish to buy because you would like to feel that it was your

own, or because you would like it for less money?—To pay less money; if we only had it fixed in some way that we would pay less money, it would be a great advantage to a great many others besides me.

6483. Is there a general feeling amongst the tenants in your neighbourhood in favour of buying?—Yes; I have been talking to a good many of them about things of that sort, and they understood I was coming here to give evidence.

6484. And they would like to buy?—Yes.

6485. To give a fair price?—Yes.

6486. What would they give?—I do not know.

6487. Would they be willing to buy at a price to be named by the Chief Commissioners?—I think they would.

6488. Have you had any negotiations with the landlords as regards buying?—None.

6489. Do you think your landlord would be willing to sell?—I do not think he would so long as he gets the rent the way he does now. He is very hard for his rent, and he has to get it.

6490. Lord Almon.—"Hard for it"—do you mean that he needs it very much?—He pushes me very hard up to the very day, and will give no abatement; and there are not many gentlemen but will give some abatement. There is not one but has given something.

6491. All the landlords give abatements except yours?—Yes; this last two years. Last year when we kept back a little we got writs.

6492. Do you mean kept back the judicial rent?—The rents on our estate are not judicial rents. It is the neighbourhood I was referring to. We did not get anything. They did not like to go into the Court on account of the attorney's expenses in the Court.

6493. Lord Almon.—I believe there are very considerable?—Yes.

6494. How much did the attorney's costs come to?—It would be a very small case in which they would not charge £5; and then, of course, there is the loss of time.

6495. Did you never try to get the judicial rent fixed without an attorney?—I did not try at all. I don't know if any one did.

6496. You know there is nothing to prevent you from doing that?—I believe not; but the lawyers wanted to make all they could out of them. I believe if there were a few more Land Acts the lawyers would soon have the land themselves.

6497. They made a good business out of it?—I believe they did. Between the excitement some had with the landlords, and the expense and the trouble, I believe the parties that did not go into the Court were as well in the end as the parties that did. That is my humble opinion. I do not believe that some of the farms are fairly valued. It was the greatest injustice that ever I saw in my life—a man pays £5 an acre for one bad bit of land on the one side of my farm, and they did not reduce it.

6498. Did they see it?—They did.

6499. £5 an Irish acre?—Yes.

6500. The President.—The landlords gave abatements?—To some.

6501. And some appealed, you said?—Yes, and the appeals are not heard yet.

6502. Lord Almon.—There is not much confidence in the way the judicial rents have been fixed about you?—No, sir, there is not.

6503. Do you understand the principle upon which the Commissioners acted?—I believe they went by the Government valuation, and they said, "This is so much above it, and we will reduce it so much;" and they went on in that way. Some people say they were

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Bentley.

influenced this way and that way. I was examined before them once or twice, but I wouldn't go again. In the case I told you about the tenant asked me to be examined, but I refused, and I was sitting in the Court listening to the trial.

6504. Lord Milnes. — £31 6s. you say you pay for this land? — Yes.

6505. Is it good land? — It is very good land now.

6506. Did you reclaim it? — I have spent more money upon some of that very land than any land in the world is worth. It was full of old ash trees when I got it, and I can prove to the satisfaction of any man that I spent £1 a perch upon some of it.

6507. Did you get anything for it? — Not one shilling.

6508. And you think it hard to pay for that? — Yes.

6509. Has his land been in the possession of your own family for a long time? — No, it was reared upon another property beside it. I was the eldest son, and I bought this place, and left my brothers in the old place.

6510. Were the improvements your predecessors? — Of course, they were made by the parties who were in it from time to time.

6511. It was not you who made the improvements? I improved this portion that I am telling you about. There is a greater improvement upon this place than any other in Ireland since the time that it was in a wild state. I have here an old deed of the very place I now occupy, and in 1724 the rent was £33, and the rent is now £224 14s. 7d.

6512. In 1724? — Yes.

6513. But you know the value of money was four times as great in 1724? — Yes.

6514. Well, then, of course that would be no guide? — It showed the state that the land was then in—that it was not worth much.

6515. £1 then was worth as much as £4 now? — I believe it was worth more.

6516. So that, of course, that would be no guide in fixing the rent now. Would you be prepared to give for this land a fair number of years' purchase, on its value before you improved it? — Yes.

6517. You would think it hard to pay on your own improvements? — Of course, I would.

6518. But you were willing to pay the value of it before that? — Yes.

6519. The President. — The Board of Works' money went to pay for the buildings? — Yes.

6520. Sir James Caird. — Do the Board of Works lend money for works which are not agricultural? — Yes.

6521. Mr. Nelson. — You and your landlord are paying that in addition to the Board? — Yes; that was under the agreement made between us. I gave him a certain amount, and he bonded himself under an agreement to certain terms. It was in a very bad state when I went there. The parties who were in it had failed, and the whole place was in a wreck.

6522. Lord Milnes. — If all the improvements were on it when you got it, I suppose you would not say that £310 6s. was too high? — The times were better then. It is a high rent.

6523. Mr. Keble. — There is a tax mill on the place? — Yes.

6524. Can you tell how far it is doing this year? — Yes; I have a return here of the Flax Supply Association of Belfast. I send them an account from our district, they write to me asking me to send it to them. They write to me and I send it to them every year. The quality of the flax is not so good, and the yield is not so good either as it was.

6525. Go back a number of years and compare the average price? — We have as cheap flax this year, but not so good. It was one-fourth better last year in every one way. It was say 6s. 6d. and 7s. 6d. last year, and the same flax is 1s. or 1s. 6d. a stone less now.

6526. It is less now? — Oh, yes.

6527. And there is not so much of it produced? — Not nearly.

6528. And the quality is worse? — Yes.

6529. What was it six years ago? — Six years ago it was very good, but four years ago it was worse even than it is now. There was a year or two since when it was very bad, but I think this is about as bad a year as we have had lately.

6530. Have you had anything to do with the cultivation of grass seed here? — Yes; I have a brother who holds the farm above me, and he sows his grass seed. I do not sow any myself, because I consider it injures the hay.

6531. Do you consider that the landlords in this locality will be willing to sell on fair terms? — I cannot say, but I think if they could get rents, still they would prefer to stay as they are. So long as they get their rackrents the way they are doing now, I don't think they will sell.

6532. Lord Milnes. — What would you do if you were in the position of a landlord? — I would give the tenants a reduction; and if I did, I would be the longer a landlord. I believe if they hold on in the way they are doing, they will soon have no tenants. I believe I would give them a reduction.

6533. Would you sell? — Well, I cannot answer that properly now; but I would have given a reduction if I had been a landlord.

6534. Mr. Keble. — If it was for the public good, and you were a landlord, would you not sell? — I would.

6535. Do you think that all who are concerned in land must make up their minds to lose a little? — I think they ought to do it.

6536. Will this be a difficult year to collect rents? — I think it is the worst year I remember. Cattle is the worst thing on a farm.

6537. What is your experience about farming? — Cattle have got cheaper.

6538. Take a 40 head. How much lower is it now than in 1861? How much lower would it be in price than five or six years ago? — I used to get from 26 to 28 a piece for calves in October, and I sold the same for £2 10s., and from £3 10s. to £3 5s.

6539. Mr. Nelson. — How long did those prices last? — We have had good prices for cattle for a good many years until lately.

6540. Mr. Keble. — Is the great reduction within the past few years? — Yes.

6541. And they have been going down gradually? — Yes.

6542. Lord Milnes. — I thought there was a tremendous sudden fall in 1855? — Yes; but they were going down before that.

6543. Was not that a sudden fall? — Yes; but they were going down before that.

6544. Mr. Keble. — And is that in the very class of cattle with which you have most to do? — Yes.

6545. We have been told, with regard to cattle which were originally worth £3, that there has been no change at all in that class of cattle? What is your experience with regard to that? — For the reason is my experience.

6546. What would cattle, four or five years ago worth £5, be worth now? — They would be worth £3; and perhaps they would not be worth that at all. In fact, I think I am over the mark.

6547. Better was very low this year? — Yes.

6548. Do you ever remember it so low? — About two years ago it was very low; but it rose.

6549. Lord Milnes. — It has risen again? — It rose, of course, when the poor farmers had not got it to sell. We cannot keep it at all now.

6550. Why is that? Is it because it is not properly packed? — It could be as well packed now as then. They don't use old butter now; and they tell me there is a thing called butterine which is putting it out of the market.

6551. Do you think that the Government ought to do something with reference to butterine? — Yes; it ought to be forbidden.

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Butcher.

6552. Banished altogether?—Yes; it never should have been made at all.

6553. The President.—Is it not wholesome to the people who eat it?—I have heard people who ate it say they did not like it.

6554. Sir James Caird.—But it is said to be the same thing as butter?

Mr. Neillan.—And very wholesome.

6555. Lord Milnes.—There should be, at all events, a placard upon it, Mr. Butcher?—Yes; I believe they were imposing upon some people.

6556. Mr. Keizer.—Are rents reduced in your locality?—Yes.

6557. Have any farms been offered lately for sale?—Yes.

6558. Sir James Caird.—And no buyers appeared?—Yes.

6559. Mr. Keizer.—Were these farms sold within the last five or six years?—Yes.

6560. And are now unsaleable?—Yes, I know a man who bought farms five or six years ago and cannot sell them now.

6561. Is that the result of foreign competition?—Yes. I think the result of the foreign cattle importation is the worst result for the farmer here.

6562. Looking into the future do you see any prospect of better times?—No. I was told by a man who came from Texas only a while ago that they were only beginning to send cattle from that part of the world. That is a bad sign for the price of cattle here improving. He told me, as a matter of fact, that they were only just at the beginning of what they would do in the way of sending cattle into these countries.

6563. Lord Milnes.—Do you make it a rule to believe everything that a man from Texas may happen to tell you?—It is not every day one gets the chance of meeting a man from Texas.

6564. You get better prices now for cattle than last year?—At present they are a little better.

6565. Perhaps last year you might not have been able to sell at all?—You are perfectly right. I had to keep them all winter, and I did not make very much, you may imagine, after keeping them all winter. We cannot keep stock very well into the spring and make money.

Mr. Matthew Anderson, of Drumore, Co. Tyrone, examined.

Mr. Matthew
Anderson.

6566. The President.—I believe, Mr. Anderson, you are a tenant-farmer?—I have been. I occupy at present between 300 and 400 acres—about 380, I think.

6567. Is that all?—Yes.

6568. How much is your own?—That is just what I possess.

6569. How much do you rent?—About 150 English acres out of that—and 60 broads. That is 180.

6570. Do you hold them under a judicial rent?—I hold it under a lease, from two parties.

6571. Is it an old lease?—1843 was the date of one. I held it for the life of the Prince of Wales and two of his sons, one of whom is dead.

6572. Did you buy this lease?—No; it has been in my family 200 or 300 years.

6573. Is the rent high compared with what the judicial rent would be, do you think?—I think it is higher. It is about the same rent since 1813, when land was high. It has been much improved upon, and when I took the lease in 1843, he put me at the same rent.

6574. The improvements have been made by the tenant?—Yes.

6575. Do you think it would be sale if you were permitted to come in under the Land Act of 1881?—Yes, I think it would. We have built walls and reclaimed a considerable portion.

6576. Do you think it would be a hardship on the landlord if it were allowed to come into Court?—If I were paid for my improvements it would be less.

6566. But last winter people would not even ask their prices?—Quite so.

6567. And now people will buy them at a small price?—Yes.

6568. Which shows that things are a little better?—Yes, certainly.

6569. And there was a chance of getting some land upon them?—Yes.

6570. And you had a very fair stock of grass on the land this year?—Yes, it was fair.

6571. In the south of Ireland it was said to be the best grass land they ever had. Is that your experience here?—No, the south is a different place from Tyrone.

6572. Still it was a good year?—Yes.

6573. So that this was not the worst year for the grazier?—No, but for every agricultural purpose. The worst for flax, and very bad for butter in the beginning of the season, and the worst for other purposes.

6574. Butter is higher now than it was this time last year?—Yes.

6575. And if it keep that rise next summer the small farmer will get the advantage of it?—I am afraid that next summer it will go down again.

6576. However, you see from produce is 50 per cent. higher than it was in that year 1882, the year when Griffith's valuation was made?—I mind it well, and I mind 1886 and 1887 too.

6577. Well, everything is now 50 per cent. higher than it was in that year 1882?—I do not know about that.

6578. Well, if you take the trouble when you go home to examine the returns you will find that is the case. I will pass them over to you with great pleasure?—It was shortly after that I was left to manage a farm.

6579. Mr. Neillan.—You are unfortunate in not getting an allotment. Is the property of the landlord under whom you live a large one or a small one?—A small one.

6580. I do not want the name of course?—I am not going to give names. I think there is about £1200 or £1350 from this property.

6581. The President.—Is there any of it mortgaged?—I do not know anything about that.

If I went into the Land Court it would have that result.

6582. If your improvements were taken into consideration you think it would be lowered?—Yes; on account of the improvements I have made.

6583. Do you mean that if the improvements were not taken into account the landlord would get his rent raised?—Certainly.

6584. If the improvements were included in the value of the farm?—Then I think they would raise the rent. If the improvements were not valued I would make something by it. Everything has been done to improve it. I have reclaimed a portion of those lands that was worth nothing when I went upon it, and that portion is now the best land on the farm. That, of course, would weigh materially against me if I was charged on the improvements.

6585. Why did you make those improvements?—Because I thought the rent was high, and I wanted to bring it up so that I could pay it.

6586. You could not otherwise have paid your way?—No, I could not have made the rent unless the land was improved.

6587. And you did that, feeling as you must, that after a certain number of years had passed they could take it up from you?—When I got the lease I had a long visit before me. The Prince of Wales was a young man, and his sisters were very young. It was a kind of fate that those were the heirs, for I went to the agent of the estate the names of those whom I wanted put in the lease, but he lost the names and he just put

in these instead. All the other people whose names I sent him are now dead, so you see, as I said, there was a kind of sale in it.

6629. Do you desire to purchase?—Yes, if the landlord was willing to sell at a reasonable price.

6630. How many years' purchase would you give on a fair rent?—Do you mean how many years on the Government valuation?

6631. On the Government valuation.—I would not hesitate to give twenty years' purchase.

6632. Have you ever entered into any communication with the landlord on the subject?—No; I never got any opportunity.

6633. Do you think he would agree to these terms which you have mentioned?—I do not think he intends to sell.

6634. Lord *Millsom*.—Why have you never made any approach to him on the subject? Is he inaccessible?—He comes here from Wexford. I do not think he is anxious to sell, and I think the offer should come from him. I am in no way anxious to buy, but if the offer came from him I would be willing. I am afraid that it would be of no use to ask him to sell.

6635. The President.—I suppose you know Lord Ashbourne's Act?—I do.

6636. Are there any suggestions that you wish to make to us with reference to it?—No; except to say this, that I think as the people come to know it they are most anxious to take advantage of it. But there is one thing I know, which is this, that parties are now told that if they only wait they will get better terms after a while. Now I think that is a fallacy. But I think there should be a bit of an amendment to the Act, giving a longer time, and one-tenth instead of one-fifth. I think if that was reduced you would sell more easily. They cannot afford to lie out of the money for so long a time. I am sure I do not make myself clear about what I mean.

6637. Oh, yes. A reduction from one-fifth to one-tenth, and an extension of the time for payment?—Yes. I do not think the extension is very likely to be granted. A great many of the landowners have nothing to do with their estates. They are in the hands of mortgagees, and they cannot be out of that amount.

6638. That is a difficulty?—I do not think it would be a great injustice if the mortgagees were allowed to offer something when the landlord and tenant were also suffering.

6639. Do you think there would be security for the Government?—The Government are very liberal. I saw a letter from the office, from the Secretary of the Land Court, stating that there were fourteen instalments of a loan now due.

6640. Lord *Millsom*.—Is that under the globe purchase?—No. They gave two-thirds of the money. I do not know under what Act it is.

6641. The Act of 1871?—I suppose so. It is a most extraordinary thing.

6642. The President.—Do you mean there were fourteen years due?—Seven years' interest—fourteen instalments. Now, whether that is an ordinary case or not I do not know.

6643. I thought the Government were bound to insist upon the payment?

6644. Lord *Millsom*.—So did I. I was told that these people had left fourteen instalments unpaid.

6645. If those in the neighbourhood knew that the Government would give them such terms they would pay nothing?—I think the land will be sold in a day or two, and if you wish I have no objection to give the same.

6646. The President.—Has there been much sale of tenant right in your locality?—Formerly there was, but there has not been much lately.

6647. There is less demand for it?—Yes; but still it is going on.

6648. Are there many leaseholders in your locality?—There are a good many.

6649. Are the most of them higher rated than their neighbours?—Most of them. Some of them are very

fairly rated. Most of them would like to come in under the Act. Some of them had leases at a very cheap rate, and if the landlord had the power to bring them in—which they propose to give him, of course—it might be found to cut both ways.

6650. Were these cases of low rents do you think owing to the tenants paying a sum of money when they got their leases?—I think it is because they were taken at a time when land was at a great depression. But I think they are falling out very quickly, and that now there are very few of them.

6651. But the leaseholders, as a body, would like very much to be put under the Land Act?—Yes.

6652. Sir James Caird.—Did I understand you to say that the leases were taken out at a time of great depression?—Yes. The leases about the year 1850 were not taken out at a very high rent.

6653. Lord *Millsom*.—When the money value was lost the tenants would suffer a great loss?—Yes; but I think most of them have already dropped out.

6654. Some of them were converted into fee farm grants?—Yes; there may have been a good deal of that.

6655. The President.—What burthens are there on the farm which is your own property that you would not have to pay if it was held from other people?—The only burthens is that I have a tithe to pay and the poor-rates.

6656. What percentage would that be?—I could scarcely calculate it just at present. For 125 acres I pay 45 tithe-cent charge in the year, and then I pay about 60s. poor-rates, and I lose 30s. of that.

6657. Mr. Nelson.—That is a very light poor-rate?—We do not pay more than 8d. or 1s. Except in 1847 or 1848, I never paid any more.

6658. The President.—That makes 1s. in the 21 difference?—Yes, about that. The poor-rates is not very high.

6659. Then the whole thing would not be more than 5 per cent. difference. You pay about 5 per cent. more on your own holding than on the others?—Yes.

6660. Is there any other evidence that you wish to give?—There is nothing that occurs to me. I am just disposed to answer any questions that you may wish to put to me.

6661. Lord *Millsom*.—Do you think twenty years' purchase on a fair value to be a fair rate of purchase?—Yes, where there has not been much improvement made, but in cases where there has been much improvement made, the tenants think it a hardship to pay such a high amount. They think it is paying double for the work that they have done.

6662. Mr. Kidge.—Is it common in your locality for tenants to have to pay on their own improvements?—It is common, decidedly.

6663. If they go before the Land Commission would the improvements be struck off?—If the Land Commission go on a farm that has been vastly improved, they cannot divert their minds of what they see before them. They are not able to go back to the time when the land which they see before them was not worth, perhaps, 1s. an acre.

6664. Lord *Millsom*.—So the tenants think they are paying for part of their own improvements?—Yes, that is the thing that vexes them most.

6665. But it is equally provoking to have to pay the rent?—In this part of the world we have set a very good example in the way of paying rent. All I can say is, that all the errors that have been lost on that property since 1837 you might carry in your eye. I do not think there has been a halfpenny lost. There may have been a little delay, and so on, but that was all.

6666. Do you attribute that to the honesty of the tenantry, or the value they had in their farms?—A good deal depends upon the cleverness of the agent. The land is dear enough, yet the rent is paid. Perhaps there may be some errors on a farm occasionally where there has been sickness or losses, but I think it is always all paid.

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Mr. Matthew
Anderson.

6637. That seems a very gratifying state of things?

—Yes.

6638. Are the people satisfied?—They think it is too dear, and that the times are bad. The produce won't come to the money that they expect.

6639. The times have been much worse?—Yes.

6640. And yet they managed to pay?—Yes.

6641. And paid higher rents?—Yes. Four years ago they could have paid it more easily.

6642. But that was an exceptionally good time?—Yes. I think if the times continue as they are the tenants must go to the wall.

6643. But supposing that there are exceptional years, and that things take a turn upwards again?—If things take a turn upwards, of course the rents will be paid.

6644. These gloomy forebodings are on the supposition that the two years will form the rule?—But they have the facts before them that the years are bad.

6645. We have had worse years?—Yes.

6646. How long ago do you say?—In 1837 or 1838.

6647. But let us go back; say, to 1850 only. Things were a great deal worse than then now?—I do not think they were better at all events.

6648. They were worse then? They were 50 per cent. worse than now?—But you do not take into consideration the cost of labour.

6649. But the price of produce was 50 per cent. less?—Yes; but labour costs now 300 per cent. more. I just want to explain. There was the difference in wages; and, besides that, a labourer, it is acknowledged, would do more work then than two labourers would do now. And now they must be fed better than the farmers themselves.

6650. Do you think that is a fact?—I found it to some extent myself. You see they are more independent.

6651. What does that independence arise from?—From the extra pay that they get. They must now get money wages—it was not so formerly—and so they are masters of the situation.

6652. You think that is a very good thing?—Of course I would not like to see the misery I have seen, but they won't work as strong or as hard as when they were dependent. Now they are masters of the situation, and they work I might almost say just as they like. I know that I saw find that my labour bill comes to an enormous sum. Then I did not feel it at all. I know that formerly men were too hard wrought.

6653. The only conclusion I ask you to draw from that fact about prices is, that times are not so very desperate; and so they were very low before, yet went up higher than they are now, so they will go up again in the next ten years to prices as high as before?—I hope they will. If they did we would have very little reason to complain. I think it is the depression in prices that causes all this misery.

6654. That arises from the universal industrial depression all over the British Islands?—I should say so.

6655. And if that industrial depression comes to an end, and if times begin to mend across the water and elsewhere, probably our prices will go up again?—That will be very acceptable and very desirable.

6656. I was going to ask you with reference to the depression of the value of gold?—I do not understand much about that.

6657. Do you remember the times of the Australasian and Californian gold discoveries?—Yes. It cost up the prices of everything. Gold became cheaper.

6658. I dream you have seen that they found gold in South Australia, and that it might have a similar effect now?—I hope so.

6659. So that although it is hard work to make even the judicial rents, would you go so far as to say that it passes that the rent fixed two or three years ago is not now a fair rent?—My impression is that where the land is of good quality the judicial rent has not been too great; but I do certainly say, no matter how the times go, it is in many cases too much on poor land.

6660. Quite so; that is because it was unfairly fixed at first?—By the judicial valuers.

6661. But supposing they had fixed it fairly on poor land, would you go so far as to say that that rent would have become an onerous one, say for the next fifteen years, because these two years have been so bad?—I should say it would be cheap enough.

6662. Although there might be a difficulty in making up the rent for those last two years, there might not be a necessity for lowering it?—I have been on poor land where it was hardly worth the farmer's while to pay taxes for it.

6663. There is plenty of bad land that is not able to pay its rent these years?—Yes; I think it was a great mistake when rents were made, that in the north of Ireland, where the land was so poor, that the rents should be so high as compared with the south, where the land was better.

6664. Now you said you think that the mortgagees should bear some proportion of the loss that the landowners has to suffer owing to the change in the times. Would you say that it would be fair that the mortgagees who have advanced a certain amount of capital on the security of land should bear some proportion of the loss which the man who has also advanced his capital for the purpose of buying the land has to suffer?—Exactly.

6665. And if the law said, for instance, that the extreme amount of interest to be paid to the mortgagees should not exceed 4 per cent., which we know is above the rate that you will get on good securities, that there would be any hardship?—He would not be worse off than the landlord.

6666. He would be in a better position?—Yes.

6667. And you would enable the landlord, who has only a small margin to live on, still to retire with something?—Of course, that is it.

6668. He might be in a worse position, because if he has only a small margin now, he might lose it entirely by taking twenty years' purchase?—That is what I mean—that the mortgagee ought to sacrifice something also.

6669. And ought to be made to sacrifice something?—Yes.

6670. That is, that a just rent, as it were, might be fixed on it?—Yes.

6671. Mr. Nelson.—Would you be willing to purchase if you saw your way to getting it at a fair rate—one which would not charge you upon your own improvements?—Yes.

6672. As I understand you, you consider that such legislation would be desirable or would secure that result?—I really think so. I do not see that this Act of Lord Ashbourne's meets the case.

6673. But the Act of 1881 says that no rent shall be made payable in any proceeding in respect to improvements made by the tenant or his predecessor in title. There can be nothing clearer than that?—The only difficulty is to put that in practice. I think that the most of the tenants would be anxious to purchase at a moderate rate, but I think there is some idea in their heads that after a while they will get better terms.

6674. Mr. Enge.—Are you aware what reductions the tenants got by the Land Act?—I saw that when they held at a low rate they got less.

6675. Would it amount to 25 per cent. on an average?—About 30 per cent. would be the average; but I think that in some cases it went to 50 per cent.

6676.—Have the landlords been giving any reductions?—They are not inclined to give anything.

6677. They are not disposed to give any, you think?—I think so.

6678. Do they insist upon the judicial rent?—They insist upon the payment of every farthing.

6679. And you think that the present rents are high?—I think they are high.

6680. Do you think that the landlord as a rule does not consider the case?—The landlord as a rule is anxious to consider the case, but he has an agent to

assist him, and that agent has a deputy agent, and down to the bailiff, and so on.

6481. And consequently you would wish to get rid of these?—Yes.

6482. Would the tenants be willing to give a fair price, do you think?—Yes; but they are disposed to think a little bit about the future, and to want to get better terms.

6483. And do you believe that if they become the owners it would cause them to cultivate their farms better?—Yes.

6484. And that they would employ more labour upon their farms?—Yes. Of course, if they improved their farms, they would employ more labour.

6485. Do you think that the landlords are willing to sell?—I do not think they are.

6486. Can you suggest here what you think ought to be done?—I have no suggestions to make. You cannot compel them to sell.

6487. Lord Ashbourne.—Why not? Do you mean that you cannot compel them by the existing law? Would you be in favour of a compulsory law?—I never said that there should be such a law to compel men.

6488. No?—It would be a very hard thing to know where that operation was to stop.

6489. Mr. Knipe.—Provided that the majority of tenants on a property were willing to buy, don't you think it would be desirable that the Court should have the power to compel the minority?—My impression is that there would not be a minority at all.

6490. Do you think that if the landlord was unwilling to sell that there should be power to compel him?—I have not thought of that.

6491. It is very difficult. Nevertheless, the State did interfere and fixed rents?—And it was loudly called for.

6492. And do you think there is no great necessity to interfere now?—Looking at the ownership, perhaps there is.

6493. Sir James Caird.—Is there any reason why the landlords should refuse to sell?—I think there is a great deal of them could not complain about the way in which the rents are paid.

6494. But in some parts of the country that is not the case?—It is not.

6495. And you would not compel them to sell when they do not wish to sell?—Unless under peculiar circumstances, I would not.

6496. Have you any knowledge of the western parts of the country, where the land is what is called congested?—No; unless that they are very bad.

6497. You stated that you did not think, except that on land of good quality, it would be possible to fix the value—that some bad land was not worth anything?—On bad land it could not be put too low.

6498. Then the Government could not at all events advance money upon these districts?—Perhaps they are not all bad.

6499. But where it is of an inferior quality?—Except at a very low rent.

6500. At a very low purchase?—Yes; I think the number of years' purchase should be very small.

6501. Are you aware that the population of the County Tyrone has diminished 36 per cent. since 1841—more than one-third?—I think it has diminished a great deal.

6502. Well, that is the fact. And the fact of that diminution ought to make a greater demand for the labour of the people?—Yes; and so it has.

6503. And has brought them into a better position?—Yes; and they are in a great deal better position.

6504. They are?—They are far better off than the small farmers, and they live better.

6505. And are more independent?—Yes; they are more independent than the men who are working their own land.

6506. They are men of employment?—Yes.

6507. And get good wages?—Yes; and the best food. When the farmer feeds the labourers, he must feed them better than his own family.

6508. You said a while ago that the tenants would buy, but that they are advised to wait a bit till prices go down?—That is the feeling that some of them have, that if they wait they will get better terms.

6509. If they had higher prices for the produce of their farms, that would stimulate them in the direction of buying, I suppose?—Yes; the tenant right on farms would start, and the price of land, and we would have something out of it. We are staying, no doubt, but we are making nothing of it here, and we may as well go to some other part of the world. But we are not consoled here the way you are in some other parts of the country.

6510. Mr. Nelipen.—I think it is a favoured part of the country? But there is a good deal of emigration from this part of the country.—The very last party I knew going away, I said, "I think you are going to Australia," and they told me they were. But the change in the law has made a difference, and they are not always going. A man told me that his two sons were in Australia, and had written to him for him and his wife and the rest of his children to go out, but he said, "Now, since I have got this, I'll stay at home."

6511. What was it that he had got?—A purchase from Lord Rothdown. And that man is now building a house.

6512. Is that under Lord Ashbourne's Act?—Yes; he had been an old labourer of my own. It was £19 a year, and then there was the judicial rent and arrears that were made a present of by Lord Rothdown. And it is now £9 a year, and so he said he would not emigrate.

6513. He now pays £9 a year instead of £19?—Yes.

6514. And he is growing into a proprietor?—Yes, and he seems most contented.

6515. Lord Ashbourne.—Has Lord Rothdown sold?—He has sold all about my neighbourhood, and the tenants are well satisfied.

6516. How much did they pay?—It was very good land. Some of them paid seventeen years' purchase, and some sixteen, and twenty-two, and twenty-three years. One was thirty-nine years.

6517. One paid thirty-nine years' purchase?—Yes, and got a good bargain.

6518. That is from the rent he was paying?—Yes.

6519. That would show that a hard and fast line would not be fair?—Of course it does. There was a gentleman named Major St. George in my neighbourhood who took a house and farm, but I cannot give you the number of acres. He sold it, and got £700 for it. The tenant rebuilt the house after paying £700 for it. He then went to the Land Court, and said, "It is now too dear, and I must have a judicial rent."

He came before the Assistant Barister—for certain reasons, so that he would have a better chance before him. When the Assistant Barister heard that he paid £700, he only reduced it £3. Well, that reduction was nothing. He pumiced about it. He has now got his purchase made, and I think it is something about twenty years' purchase, and it reduces him £11, paying 4 per cent. All he has to pay now is his poor rate, and now he says "I am content." He was never content before.

6520. Sir James Caird.—Speaking of the rent being well paid upon the property you were referring to, you said that it was owing very much to the cleverness of the agent?—Yes.

6521. In what way do you mean that it was owing to his cleverness?—I suppose he would keep an eye on the rent, and, in fact, not let them get into arrears.

6522. You mean that he would look after them pretty sharp?—Yes; and if they were only a year or two behind, he would send out gentlemen, &c. If they could not pay, they would have to get from their friends in America or some other place. I knew two cases where they could not pay, and they got ajacments; and I knew them to get their friends in America to pay the rent. Others had friends at home who assisted them to pay it. Still, all the time the agent made sure that he got the money.

Mr. John Love, of Castledy, examined.

Q. 20, 21, 22, 23.
Mr. John
Love

6723. The President.—Are you a tenant farmer at this moment, Mr. Love?—No, sir; I hold in perpetuity under the Duke of Abercorn.

6724. You were an assistant Land Commissioner, I believe?—Yes.

6725. When was your perpetuity fixed, can you say?—It was after the Church Act was passed. They were Church lands.

6726. How was that?—He bought the perpetuity first, and gave us the same title that he had himself.

6727. He bought it from the Church Commissioners?—Yes.

6728. He bought the fees from the Church?—Yes: what the Church received.

6729. That would be the head rents, I suppose. You remained as you were?—We paid two sums—one that went to the Church, and one to the previous Duke; and the one to the Church was called a fine, and they were joined with the head. We pay the same sum. I have never heard of any cases that are the same as ours. We believe that we were done out of our rights at the time. We always got two receipts for the sum that we paid. One was called for a fine and one for rent, and the rent, I think, was comprised of tithes. It is so far back that probably I do not make the thing clear. Possibly I now forget it, or else never understood the thing properly; but previous to any time—I have held since 1806—there were two receipts given for the payment.

6730. It is an old arrangement between the Duke and the tenants?—Yes; it began before my father purchased the fees.

6731. Mr. Nelson.—I think the probability is that the Duke paid the head-rent, and then he bought it up when the Church was disestablished, and that formerly you paid both, and that now he combines the two?—No; one was paid to the Church and one to him.

6732. And since 1806 you were only given one receipt?—No; since the Church Act was passed in 1801.

6733. It was *Three Quarters*?—Yes, like a Bishop's lease.

6734. The President.—Who receives the head rent now?—He receives it all from me. I believe he purchased the whole thing from the Church.

6735. It is a fixed payment from you now under a lease?—Yes, it is a perpetuity lease.

6736. Is it a very high rent?—No; it is not high, but we grumble at having to pay it all, and at not getting the benefit of the Church Act.

6737. Do you think that what was taken from the Church ought to have gone to you?—Yes.

6738. Lord Milnes.—He thinks he ought to have the right of purchasing instead of the Duke.

6739. The Witness.—Yes.

6740. The President.—To have had the right of purchasing which the Duke exercised?—Yes.

6741. Would you have exercised the right of purchase?—Yes.

6742. If you could have done so, you would have bought?—Yes.

6743. And I suppose you would like to buy now?—Yes, certainly.

6744. At how many years?—I had to pay a certain sum in perpetuity, and we thought that should buy the whole thing out.

6745. When had you to pay that?—About 1875, before the Church Act was wound up.

6746. You had to pay the landlord?—Yes.

6747. Lord Milnes.—How did you hold before?—We held by *Tenure Quota*.

6748. That was in perpetuity also?—Yes.

6749. Mr. Nelson.—The Duke held under the Church with a covenant for perpetual renewal. He sublet to Mr. Love. Then Mr. Love paid every year

his rent to the Duke, and paid to the Church a fine on each renewal?—No; we paid two sums.

6750. That is what I say—two were paid, one to the Church called a fine?—Yes.

6751. What was paid to the Church was always recorded as what was called a renewal fine?—Yes.

6752. Lord Milnes.—And there was a covenant on the part of the Duke to renew to you so long as the Church renewed to him?—Yes.

6753. Mr. Nelson.—Then the Church disappeared, and it became transferred as between Mr. Love and the Duke, the Duke receiving the two payments.

6754. The Witness.—It was represented to us that we could not buy unless we made a perpetuity agreement.

6755. Mr. Nelson.—You were compelled by the Act?—We were compelled to make a perpetuity by paying some sum under the head of rent.

6756. And the fine was added to your rent?—Yes, we paid yearly, and both went together. The annual payment was £12 15s. 6d., and when the two were joined it was made £12 15s. 6d. There were two-thirds of that went to the Church and one-third to the Duke.

6757. Lord Milnes.—How many acres?—Eighty-eight statute acres. £12 15s. 6d. was the rent.

6758. The President.—Is it a fair rent?—It is; I reclaimed over 40 acres of it since 1856.

6759. Mountain land?—No, it was cut out land.

6760. What was the Government value?—£47 10s.

6761. You got it cheap because you reclaimed it; and your rent is £12 15s. 6d.?—Yes.

6762. You do not complain of the rent?—I do not complain of the rent, but I consider that I should have had the whole thing purchased. I consider that I was in a position to purchase instead of the Duke.

6763. Lord Milnes.—You were not unless he surrendered to you.

6764. The President.—The Duke was the immediate tenant?—But we believe, after reading the Act, that it was the occupying tenant who had the right to purchase.

6765. Except this old grievance is there anything you wish to lay before us?—I have nothing to complain of so far as I am concerned in any way.

6766. You would not like to come in under the Act of 1861?—I would.

6767. Now, how many years' purchase would you give?—I never went into a calculation for the years' purchase, or the rent would not amount to very much. But I have already paid to make the perpetuity.

6768. That is the reason you got your rent so low?—But before I did that the rent was the same. I paid £78.

6769. And you paid £72 that you got no benefit from?—I got no benefit at all.

6770. Mr. Nelson.—I believe that in a great many of these cases there was a possibility of joining the rent upon averages, and that it was bought out in that way. That right was purchased out and disappeared in consideration of such a payment as we have made.

6771. The President.—It was to prevent them from raising your rent that you paid this money?—No; it was in conjunction with the Church Act, and we thought we had the right to purchase.

6772. Mr. Nelson.—I am explaining why you had to pay the bulk sum?—I understand that.

The President.—And the Duke had a right as being the actual tenant?—

6773. Mr. Nelson.—They complain that they, as the actual occupiers, had the right to purchase.

The Witness.—That is the way we read the Act. It stated distinctly that the occupying tenant had the right to purchase.

6774. The President.—I understand the transaction as far as it bears upon our inquiry. Can you make any suggestion with regard to these two Acts of 1861 and

18851 Would you like to take advantage of those two Acts?—That is a very important consideration for me, because if I purchase it will cost me as much, and I have the perpetuity already.

6775. Mr. Neligan.—You could not purchase without raising your rent?—I could not.

6776. Lord Milford.—He would be just the same.

6777. Mr. Neligan.—Because you see his rent is very low.

6778. The Witness.—I believe, at the same time, that we have made our purchase by the payment for the Duke—that is to say, paid for his title.

6779. Lord Milford.—How?—Because we pay every year.

6780. But he paid twenty-five years' purchase?—But our annual payments are paying up his instalments for that. He bought over what the Church got, and gave twenty-five years' purchase. Our 45 a-year is paying up that for him.

6781. Well, I do not understand that.

6782. Mr. Neligan.—He paid a capital sum as you paid your capital sum in 1872?—Of course, but we still pay on.

6783. Of course you do?—We pay his instalments.

6784. The President.—But you are in possession?

6785. Mr. Neligan.—Did you ever inquire into this?

6786. The Witness.—We employed Cecil Moore, and he said that I could compel the Duke to sell to me.

6787. Lord Milford.—You are under the wrong impression that the Church Act gives the power to the occupying tenant?—It read that way. The whole thing lay in the administration of it.

6788. A great many of the tenants were under that impression. It was the actual tenant. The landlord did not acknowledge the occupying tenant?—The occupying tenant was specially mentioned in the Act.

6789. Not in the Church Act?—I beg your pardon.

6790. Did you read the Act?—I did.

6791. Mr. Neligan.—It is a question.

6792. The President.—However, that is your only grievance so far as I can understand—this difficulty about the construction of the Irish Church Act?—No; I have no grievance any further than this that I believe I lost my rights.

6793. Lord Milford.—I do not think you read the Act rightly?—Then it must have meant something different from the wording of it.

6794. The President.—You are not inclined to go into the Court to have a fair rent fixed?—I am in that position now—I am my own landlord now.

6795. There has been a proposition that perpetuity leases should be brought in under the Land Act of 1881, so as to enable either the landlord or the tenant to go into Court and get a fair rent fixed. Would you be in favour of that?—Not so far as my own position is concerned, but there are a great many people in the locality who purchased globe lands, and who are suffering very much at the present time.

6796. But the proposal is that both the landlord or the tenant should have the right to bring it into Court?—Yes, I agree with that.

6797. You would not have any objection to the Duke of Abercorn going in to have a fair rent fixed upon you?—Not if I got credit for my improvements.

6798. You are only paying £12 a year?—It was not worth more than the half of that when I got it. There were about twenty-five acres under cultivation, and the rest was cut out bog and heathen. I have drained it, and subsoiled the part not in cultivation, and I would cheerfully give it to any person to-morrow who paid me what I put into it.

6799. You are in favour of perpetuity lands being placed under the Land Act?—Do you mean the Purchase Act?

6800. I am talking about the right of having a fair rent fixed?—I hold in perpetuity, with the land cheap enough.

6801. I know.—Any that would be too high for the tenant to pay?—

6802. You will have them lowered?—I do not know.

6803. I suggested that they should be lowered by the Land Commissioners if they are too high?—I suppose that would be if the law allowed.

6804. That is what I am asking about. You do not seem to understand me.—Oh, I beg your pardon; I did not understand you at first.

6805. Are you in favour of that?—I think that would be best just.

6806. If you allowed one, would you allow them both—the landlord as well as the tenant?—Yes.

6807. But that might be a hardship upon some tenants, who pay low rents and give high prices?—I would not have the slightest objection to standing the valuation as well as another.

6808. Mr. Keefe.—Do you think there was a consideration given at some time previously by some of your predecessors for this land?—My father bought this from the previous tenant at £200.

6809. And that tenant probably gave some consideration?—No; I do not think they did.

6810. Or his predecessors?—Perhaps so.

6811. You made all the improvements?—Yes; I laid out £200 or £500 on houses, and I suppose I laid out as much more on the land. I do not see why the landlord should ask to raise the rent in that case, unless he could prove that he ever did anything.

6812. Mr. Neligan.—Suppose he paid money for it.

6813. Mr. Keefe.—Do you know any case similar to your own?—Yes.

6814. And where they should be allowed into the Land Court?—Yes.

6815. Do you think the rents are too high?—Yes. I know a lot of cases in which purchases were made, and in which the rents are higher than the judicial rents are at present. The question is, if the thing will pay. But it does not pay even at my small rent, for I am losing money at the present time.

6816. What is that caused by?—The low price of cattle, and the wet seasons. The land is not in the same condition at all. We have not the same crop from it.

6817. Mr. Neligan.—As far as you know, the judicial rents were honestly fixed?—They were.

6818. Mr. Keefe.—How many years were you a Sub-Commissioner?—I was nineteen months.

6819. In what year?—I commenced in 1882—in January 1882—and went on to August 1885.

6820. Mr. Neligan.—And the rents were honestly fixed?—Yes. But, if I were to do it again, I would fix them less than that, on account of the prices.

6821. Mr. Keefe.—Are you aware that the Commissioners are now giving increased reductions?—I am aware that they are going over land that the tenants would not go on with then, and they are giving more reductions of rent. I would now fix the rents 15 or 20 per cent. lower.

6822. And that would be in consequence of the low price of cattle and produce?—Yes; while I was on the Commission I sold horses at £8 the, and I would not get 46 for them now.

6823. Have the 24 and 25 cattle suffered very much?—They are the worst; they have suffered more.

6824. That is the kind which the farmers about here have to sell?—Yes; it is the exception to have well fed cattle. There is more of the store cattle than of any others.

6825. Do you know of any landlords giving reductions?—No, I know of none in our locality. We are all surrounded by the Duke of Abercorn's property, and there are no small landlords.

6826. The landlords do not, as a rule, give any reductions?—No; I believe that, so long as the northern tenants go on paying their rents as they are doing, they will not be bothered with any reductions.

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6827. Now, referring to the Land Purchase Bill, do you think it is capable of being improved?—I think it would be well if the time was extended and the rate made small.

6828. Do you think the landlords in the north would as willingly sell at a fair price as they would in the south?—Oh, no; the rate is too well paid for that. I do not think they will sell until they get the full value.

6829. Lord Millican.—Do you think that they ought to sell until they get it?—I do not think so; but if they were treated in the north in the same way that they are in the south and west, they would. I have been there, and I see a great difference in the state of affairs there and here.

6830. Mr. Keipe.—You think that the landlords in the south and west would sell?—From all that I can hear I think so.

6831. What effect do you think their doing so would have upon the tenants in the north of Ireland?—It would affect them in this way, that they would try the same game, and try and take as much as possible.

6832. Mr. Nelson.—The effect of the legislation has been demoralising?—I believe myself that the laws passed are not properly carried out.

6833. Lord Millican.—What do you mean by that?—I mean that when an Act of Parliament is passed and brought into force, that it should be carried out properly.

6834. I know; that is an abstract proposition. Do you say that the laws about purchase are not properly carried out?—No, I cannot say that.

6835. What do you say?—I said that the laws that had been passed lately.

6836. What laws do you mean?—I mean the Land Acts and the Church Act.

6837. Mr. Nelson.—You were a judge under the Land Act yourself?

6838. Lord Millican.—Did not you carry out the Land Act fairly?

6839. Witness.—Yes.

6840. Who did not?—The law is carried out by those who have to administer it, and not by those upon whom it is administered.

6841. Mr. Keipe.—A large number of cases were appealed against by the landlords?—Yes; and when there was no necessity for it.

6842. And they put the tenants to additional expense?—Yes.

6843. Mr. Nelson.—I suppose that the judges who heard the appeals gave costs in each case?—Yes; but where they could not have an opportunity of judging; where they failed to carry out the law.

6844. Do you think the best Commissioners failed to carry out the law?—I think they did. They had not an opportunity of knowing the land as well as the Sub-commissioners; but speaking of the costs of the appeal, I am afraid that we can never get everything perfect.

6845. Lord Millican.—So that everybody but you failed to carry out the law?—No; there were others who carried it out as well as me.

6846. Mr. Keipe.—Looking at the present prices, you would not fix the rate at the same figure now that you did that?—If there was no other means of keeping both parties right, I would give a further reduction; but, at the same time, I do not think that the landlord has any right to lose his rights in the property any more than the tenant.

6847. Sir James Caird.—Since 1882 you considered that the judicial rents were reasonable and proper?—I did. So long as I was in the Commission I thought they were proper.

6848. Since 1883 and 1886 you think that the state of prices would warrant a reduction?—Yes; if that was the way to correct the matter.

6849. Of course you know that they are fixed for fifteen years?—Yes.

6850. Mr. Keipe.—And there are still ten years to run?—Yes; and no one knows what will happen in the ten years.

6851. Sir James Caird.—If you put on an additional decrease, would you put it on again if things improved?—I would have made the rents from 15 to 20 per cent. lower if I had found them in the same state as they are in now.

6852. But you would be acting on the experience of five years, three of which warranted the original amount, and two of which you think would justify a reduction, whilst there are ten out of the fifteen still unexpired, and in which, of course, there may be an increase of prices?—I mean that if I was going to fix rents now I would fix them from 15 to 20 per cent. less. The rents already fixed would not be interfered with.

6853. You do not propose to interfere with those already fixed?—No; I do not. You would need to go on shopping and changing constantly if you went on in that way.

6854. Is there a combination of any kind in this part of the country?—There is no combination, except the combination on the part of the landlords to defeat the Act, as far as I can see.

6855. I think you said a while ago that in the South it was different?—I did not say anything about the South. I do not know anything about it. I said that from what I saw there, and the system that was at work amongst the tenants, that if the same thing existed here the landlord would be very glad to sell.

6856. What is the system there which would make them glad to sell here?—There is hoarding, and they are not paying their rents.

6857. Did not you go on to hint that something of that kind might spread to this part of the country?—No; I was asked what would be the result, and I said what it would be if that existed in this part of the country.

6858. Do you think it will come to this part of the country?—I do not think that amongst a Presbyterian population you will ever see anything of that sort. The Presbyterians are the hosts of bachelors.

6859. Sir James Caird.—They hold their engagements?—They do in most cases.

Mr. Charles Pringle, of Caledon, examined.

Mr. Charles Pringle. 6860. The President.—You are a tenant farmer, I think, Mr. Pringle?—Yes.

6861. And you hold under Lord Caledon, I believe?—Yes, my lord.

6862. Do you hold under a judicial lease?—Yes.

6863. Fixed by the Court?—Yes. It was fixed by the Court in 1883.

6864. Was it a fair rent when it was fixed?—It was fixed in December 1883, and I think it was in fair proportion to the other rents that were being fixed at about that time being fixed by the Commissioners at the same time.

6865. It was as fair as that of any one else?—I must assume that it was fair.

6866. You would rather that it was lower?—Yes.

6867. Was there a large reduction of your rent, may I ask?—It was £33 on the rent.

6868. What was the rent?—£144.

6869. There was £33 knocked off?—Almost.

6870. It is now about £113?—Yes.

6871. Do you think if it was fixed now that it would be the same? Do you find it difficult to pay? How many acres are there in it?—There are 150 statute acres. It is in two farms.

6872. Is it sufficient to pay it?—I am not making it off the land at all.

6873. Did you make it off the land last year?—I did not make it last year.

6874. Would you like to purchase your farm if you could?—Yes; I was always a great advocate for tenant-proprietors.

6875. And do you think that the other tenants would like to purchase their holdings upon that estate?—No doubt they would, if they could so as to reduce the payments to something that they could meet, taking one year with another.

6876. Would they like to purchase for the purpose of reducing the amount of their payments simply, or would it be for the sake of becoming proprietors of their own holdings?—Both.

6877. How many years' purchase do you think they would be willing to give for their farms?—Well, I really do not know; but, for my part, I would not be willing to give more than twelve years' purchase of this land. That, of course, is owing to the great fall in price, and to the character of the prospect.

6878. Lord *Malmesbury*.—What is Griffiths' valuation of your farms?—£146 5s. gross.

6879. And the rent, how much is it?—£137 5s. I might mention now that before I served an originating notice I asked the agent to reduce the rent. I said to him that it was impossible for me to pay it any longer; and, owing to the fact that it was just about the same as Griffiths' valuation, he would not consent to give me any reduction. He regarded that as his standard. I was most anxious to make a settlement with him.

6880. The President.—You say you would not give more than twelve years' purchase if it was a question of buying?—I said I would not like to give more than that with the prospect of this increasing foreign competition.

6881. Mr. *Nelson*.—What would be the actual amount of your payment at twelve years' purchase?—I calculate that, with the additional rates, it would reduce the present rent about one-half—about 50 per cent.

6882. The President.—You would not be willing to buy and have the rent to be settled by the Land Commissioners?—I would, certainly. I would have confidence in the Court that they would take everything into account.

6883. Do you think they would be likely to fix the number of years' purchase at so low a figure as 12?—My calculation is that the fall in the price of produce has exceeded 50 per cent. on all kinds of farm produce, and that fall of 25 per cent. on tillage points to a reduction of 50 per cent. in the rent. To illustrate: the effect of a fall of 25 per cent. in the price of produce, I will take a farm of fifty acres, the gross produce of which amounts to £150, at 25 sh. the acre; cost of labour, taxes, seeds, manures, &c., £75, leaving a net profit of £75, which, divided equally between landlord and tenant, gives £37 10s. to each. A fall in prices of 25 per cent. reduces the gross amount to £112 10s. As there is no corresponding fall in the cost of labour, taxes, &c., you have to deduct £75 from £112 10s., which leaves a balance of £37 10s. to be divided between tenant and landlord, giving to each £18 15s., a reduction of 250 per cent. in the rent. To give another example: I take my own farm of 150 acres. The gross produce amounted some years ago to £450; actual cost of labour, taxes, seeds, manures, &c., £325, or half the gross produce; the other half, divided between landlord and tenant, gives to each £112 10s., just 10s. less than the judicial rent which was fixed in 1883. 25 per cent. reduction in prices of produce will cause a reduction of 50 per cent. in the rent. If we have a continuance of low prices (and I see no prospect of any improvement), the great bulk of small farmers paying rents of £10 and under cannot continue to do so. Now that the Canadian North-West is being opened by railroads, there will be an inexhaustible supply of wheat and cattle from that country. The railway at present under construction from Lake Winnipeg to Port Nelson, in Hudson's Bay, will shorten the distance to Liverpool by 2000 miles. I visited Manitoba and the North-West in the spring of 1881, and can testify to the fertility of the soil and its great productive powers. As regards the Land Purchase

Act of 1885, I am not aware of any desire on the part of tenants to avail themselves of its provisions. Before the Land Act of 1881 was passed, I was strongly in favour of peasant-proprietors, and of the Government advancing the whole of the purchase on the security of the land. Except tenants can purchase on such terms that the annual payments would be 50 per cent. less than judicial rents fixed before 1885, I would not advise them to do so. I would not give more than twelve years' purchase for the fee-simple, and would expect the same number of years' purchase for my tenants-right. Where the tenant has made all the improvements on the farm, and brought the land from a state of nature with only a few shillings per acre, I hold that his interest should be at least equal to the landlord's, who never expended a shilling on the land. According to the "Conditions of Plantations" issued by the Crown in the beginning of the 17th century, the original "undertakers" or Ulster landlords, were required to let the lands to settlers at "half the rack-rent value of the soil." This arrangement established in behalf of plantations tenants a beneficial interest in the soil, with which all the improvements added constituted "Ulster tenant-right," which existed as a custom until legislated by the Acts of 1870 and 1881. In order to preserve the tenant's interest in the soil and improvements, rents must be lowered to meet the fall in prices. I can produce leases of one of my farms, which will show how rents have been raised. The first lease was taken out in 1735, rent £16 14s. 3d., including duty days, &c.; second lease taken out in 1800, rent raised to £31 1s. 3d. This lease expired in 1841, when a portion of cut-out bog was added to the farm, and the rent increased to £73 6s. 10d., and continued till reduced by Land Court in 1883 to £53 10s. You will observe the rent is still higher than it was in 1800, when war prices were obtained for produce, and when labour cost only one-fourth what it costs now. It was stated by some member in the House of Commons that the Commissioners when fixing rents, made allowances for a fall in prices which had not taken place. I have been in three Sub-Committees, and such a thing was never anticipated; we fixed rents on an average of past years.

6884. Mr. *Nelson*.—You would pay £54 4s. at twelve years' purchase. That would be the amount of your instalments?—I calculate that there would be 50 per cent. reduction.

6885. Your instalments to the Government would be £54 4s. How much was your past-rent?—About the interest on half a year's purchase would cover the difference in the rates. As regards the great fall in the price of produce since 1883, I copied from a Belfast paper the report of the prices in the Cookstown market in June 1883. Then there is there wheat 5s. 6d. per cwt., now 3s. 6d. But I do not say that that is sold there. I think I had to take that from another market.

6886. Lord *Malmesbury*.—Do you grow much wheat on your farm?—No, my lord; it had to be given up.

6887. Then it does not affect you?—Not very much; there is a little grown still.

6888. Mr. *Nelson*.—If it was at a higher price would you cultivate it?—Yes; it was the rent-paying crop in the old times. Potatoes and turnips and hay and butter are all greatly reduced in price.

6889. What years do you compare?—The month of June 1883 with the October of this year. I am comparing the top quotations for both times.

6890. You are not considering an average?—No, I have in my mind the top quotations in the reports, and the figures are taken from the newspapers. The grass seed is greatly reduced; it was an important crop in part of the north of Ireland.

6891. Have you any idea of the average price for sixteen years or so?—Of grass seed?

6892. Yes?—No; I have been selling it every year during that time, but at the same time I would say that it would average 12s. per cwt. up to the last year or two.

6893. Mr. *Nelson*.—It is very strange that the prices

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we have here are not the same as the top prices I—I can produce the newspaper from which it is taken, and I am sure it is correct.

6894. Well, of course, that is, as you say, for a particular market, and this is for all over Ireland?—As regards the value there does not seem to be much difference, but I may mention that in my neighbourhood this year that crop has been a complete failure, owing to the wet cold season. As to the yield, I took an average of six—three of the parties live in the same townland as myself—and the produce was 12 stooks per statute acre, with an average price of 5s. 4d. per stook, which would make £3 4s. per acre. That, I may say, will barely cover the cost of production, leaving nothing for rent or taxes.

6895. Lord Millicott.—All that tends to show that this is a bad year?—It is a very bad year.

Quite so, but it does not necessarily show that the rents are too high for fifteen years.

6896. The President.—Have you received an abatement of rent this year?—No, my lord, we never applied to them after the judicial rents were fixed.

6897. Mr. Knap.—It has been given in a good many places?—They won't make any concession in the north as far as I am aware of. But of course I have seen that they have done so in the south.

6898. The President.—You have not known it to be done?—No.

6899. Used there to be abatements before the rents were fixed by the Court?—No, I do not know of any case.

6900. How has the tenant-right sold on that property?—Now I have just inquired if there were any sales for the past two years, and I could not find any whatever, and I do not believe there could be a farm sold at present.

6901. Mr. Neligan.—Are you speaking now of the county Tyrone?—I have not been much through the country for the last two years. I am speaking of the lower part of the county.

6902. Have there been any proceedings in the County Court to sell farms at all?—I have not heard of any.

6903. Because in Fermanagh and Derry there have been.—I have not heard of any recently.

6904. Lord Millicott.—Can you account at all, Mr. Pringle, for the poor low valuation of your farm being so much higher than what you consider a fair rent?—Yes. The way that I account for it is this: At the time the valuation was made, wheat was a very considerable crop. In fact, it was at that time the crop that paid the rent. My father had always a certain proportion of wheat crop that was sure to pay the rent. It was valued as wheat-growing land. That is the only way in which I can account for it.

6905. The President.—Why has the growth of wheat been given up?—Because the price is so low, and in wet seasons we could not grow it.

6906. Mr. Neligan.—Cannot a man serve notice, and get his farm valued?—Yes.

6907. Did it ever occur to you to do that?—I thought it was only on the buildings.

6908. Lord Millicott.—Are you aware that all produce is 50 per cent. as a rule over what it was at the time of Griffiths' valuation?—I believe the scale shows that there were very low prices then.

6909. Even wheat was not much lower than it is now?—But we have no evidence that the scale was adhered to. The evidence goes to show that they went on another scale.

6910. However, as a matter of fact, prices are now greatly over what they were in 1852, and it is a strange thing that that valuation is no less than £21 over your present judicial rent, and yet you say that the judicial rent is altogether too high?—Well, I do not know about the valuation. I say it was not intended at the time it was made as a standard for rent. It was made for the purposes of taxation.

6911. And it was made 25 per cent. below the letting value, bearing that very circumstance in mind?—It did not signify, so long as it was not uniform—so long as it was made for the purposes of taxation.

6912. But it was considerably below the letting value of the land?—That was the assertion of those who made the valuation.

6913. You are perhaps aware of that fact?—I have heard that stated, and I have heard the very opposite stated. I have also heard it stated that in some cases it was over the letting value.

6914. Did you ever hear it stated that it was not the intention of the valuers to make it below the letting value?—As far as I can learn of the valuations, it was made in a very hasty way, and that they were not at all particular, but went on the lands and compared with the books in the rent office, and that here in the north, where improvements were effected, that they had put them down at their full value, and buildings erected by the tenant.—

6915. I am talking of that. The valuation of your land in 1837, and your judicial rent is £115—that is £24 less than Griffiths' valuation, which was said at the time to be less than the letting value, and which was fixed at a time when prices were at an average 50 per cent. lower than they are now?—That rent was paid from 1831 until it was reduced by the Land Court. Of course, it had been very much increased. In 1775 it was only 5s. the Irish acre.

6916. How much do you pay now?—It is 24s. the Irish acre.

6917. Your land is a tillage farm?—Yes, it is better suited for tillage than pasture.

6918. Have you not any pasture?—Yes.

6919. Permanent pasturage?—Yes.

6920. How much?—One of the farms is in pasture.

6921. How much is that?—It is almost the half of it. It is seventy-four acres, or almost the half of it.

6922. One half of your holding is in permanent pasture?—Yes.

6923. What do you keep upon that?—Well, I have let the grass for the last year or so. When I was from home I let it.

6924. Have you any objection to stating how much you got for it?—Certainly not.

6925. How much, then?—The highest was 27s. 6d., and the lowest 17s. 6d.

6926. How much is that for?—Per statute acre.

6927. How much of it was at 27s., and how much at 17s.?—Take an average, by adding the two and dividing them, you will get an average. There was some at 25s., and some at 20s. It would be about the average between the two.

6928. Lord Millicott.—For how many months was this?—Six months.

6929. You got from 27s. to 17s. 6d. per statute acre?—Yes.

6930. And what is the rent that you pay Lord Caledon?—The rent of that farm, which is a little lower by the acre—the rents were fixed separately—in 14s. 6d., and 2s. per acre for taxes, which makes 16s. 6d.

6931. Which you pay to Lord Caledon?—Yes.

6932. Well, you did not lose upon that transaction, at any rate?—No; but that is a very slight profit, perhaps 5s. an acre.

6933. But it is to be taken for granted that the man who had it through you had a fair profit?—No; he lost money. It is let in pieces as accommodation. I calculated that in that way I would get more than I could make myself.

6934. Have you got no stock yourself?—Yes, I have.

6935. Where do you graze them?—I have a great portion of my own in grass also.

6936. Then that is not all you have in grass?—No.

6937. Will you just tell me how much of the rest of the farm you have in grass?—Perhaps about one-third in grass and meadow.

6938. One-third of the balance do you mean?—Yes.

6939. How many acres?—We have already one-half of the whole in pasture?—Yes.

6940. How much of the rest?—Perhaps one-half of the rest.

6941. That would leave how much in tillage?—That

would leave about one-quarter of the entire farm in tillage.

6941. One-quarter of the entire holding is in tillage?—Yes; that would be about the proportion.

6942. And it was a particularly good year for grass this year?—Well, yes; it was far better than last year.

6943. Was it not a very good year for grass?—There were very fair profits, which—

6944. Just stick to one thing at a time. Grass was very good?—Yes, you mean that it grew very well.

6945. Yes.—It grew well.

6946. It was a very good year for grass?—Yes.

6947. Stock thrived on it?—Yes; the land was in good condition, and as a matter of course they ought to.

6948. The men who bought their stock at reasonable prices—and they were extremely cheap—and sold them out fairly for made a profit?—They are complaining very much now. This is a better year than last year. I believe there will be more made out of grass.

6949. And, in fact, many gentlemen have made a good deal of money this year?—I am not aware.

6950. But you think they should, at all events if they bought judiciously?—We have not much pasture land in the north, except along the rivers, and here and there a spot that will pasture.

6951. But years seems to be an exceptional case—you seem to have a good deal of pasture?—Yes, of course; but I was losing money by it.

6952. Of course, you were quite right to leave it in pasture?—Yes.

6953. But looking at the facts which we have heard, are you still of opinion that the judicial rent which was fixed in 1883, supposing it to have been a fair rent then for fifteen years, is an unfair one now?—Yes; decidedly.

6954. You do think so?—Yes; I am quite willing, after paying all taxes and cost of labour and everything, to divide profits with the landlord, and that will bring me down to one-half.

6955. That would be a bad year, of course?—Yes.

6956. And if there was a good year?—Yes.

6957. Would you divide the profits?—Yes, one year with another.

6958. Your labour bill, considering that you let out half and graze the rest yourself, would not be a very large one?—Supposing for a moment that the rent fixed in 1883 was a fair rent, and that is a fair rent now, looking at the number of years that has to run, would you say that twenty years' purchase for such land would be too much?—Not if it was a fair rent.

6959. A fair rent?—A fair rent that could be paid.

6960. I take it that is what it means—that could be paid and leave the tenant a fair profit?—Yes.

6961. Mr. Keble.—It was in consequence, I take it, of this land not paying in tillage that you let it in grass?—Yes; labour is very high. Wages are getting up every year, and the lands are getting scarce.

6962. The profits that you get out of it as a grazing farm do not amount to very much over the rent and taxes?—Not more than the statute acre, and pay taxes and a cowkeeper, and keep up fences, and so on.

6963. Do you think that would be a very small margin to support a family upon?—I think it would be.

6964. Has there been any tenant right sold lately upon farms in this part of the country?—Not that I am aware of lately. It was a good tenant-right district.

6965. Have there been any farms offered for sale that came under your notice?—Yes, there have been some, but there has been a want of buyers; and there are a number of farms that Lord Caledon has in his own hands, and they were advertised for letting in the spring, but he did not succeed in getting any of them let, although he was willing to make a large reduction on the old rents. He lets them now by auction to the tenants.

6966. These were farms that the tenants lived upon and occupied?—Yes.

6967. And which they had to give up?—Yes; some large farms are still that way.

6968. The President.—They have been thrown on his hands by his tenants?—Yes.

6969. Or evicted for not being able to pay their rents?—Certainly, for no other cause.

6970. Mr. Keble.—You were a Sub-Commissioner under the Land Act?—Yes.

6971. For how long?—For eighteen months.

6972. And you were at the fixing of a number of rents?—Yes, some thousands.

6973. Where was that?—In January 1883 I commenced, and continued till July 1884—first in the county Derry, then in Antrim and Derry (two counties), and last in Donegal.

6974. Looking at the price of produce now, do you think that those rents which were fixed then are fair rents now?—Certainly not; they require to be revised.

6975. And on the same farms what alteration would you now make in the rents?—A great many circumstances would have to be taken into account. I am sure it would take 20 per cent. off to make them fair rents at present.

6976. Mr. Nelson.—Would you advocate a revision of the rents?—Up to a certain date.

6977. And would you revise the rents every two or three years?—Every five years; and if prices came up, the landlord would get the benefit of it.

6978. You think there should be a revision of the rents every five years?—Yes, that would be frequently enough.

6979. That would keep a large number of Sub-Commissioners at work?—I think there might be some nearer way than going over the land and inspecting it. They might be revised on evidence.

6980. It would keep the mind of the country very unsettled, these every five year revisions.

6981. Mr. Keble.—How much reduction would you now give upon those farms?—I should say it would take at least 25 per cent. to do.

6982. In addition to what was taken off before?—Yes, I should say so.

6983. How much would that be?—The average former reductions were about 23½ per cent.

6984. And 25 now would make it 47½ per cent.?—Yes; there are farms which I think won't produce rent at all.

6985. Lord Alffens.—What would you do with those farms?—I really do not know. The landlord could do nothing with them, and I think I would allow the tenants to remain at a nominal rent, and pay the taxes that he paid.

6986. You would reduce them to nothing at all?—It must come to the same thing ultimately; you could not pay rent out of such bits of mountains as we saw in Donegal.

6987. I can quite understand that it should be worth nothing at all, or less than nothing at all; but will you tell me what right has the tenant to it more than any other Irishman?—He has this right, that he was placed there, or his predecessor was placed there, at the time of the Ulster plantation.

6988. Was that always the case?—It was the case in Ulster.

6989. But the unfortunate Cliffs of Donegal were not placed there by the Ulster plantation?—They were driven there by the Planters after they came to Ulster. They were driven off their own lands to the mountains.

6990. Mr. Nelson.—Would it not be retribution to bring them back to their own patrimony, and drive the Planters out of Ulster?—No; I do not wish the Protestants driven out of Ulster, or interfered with either; but I would like to see them the owners of the soil.

6991. Sir James Caird.—Do I understand you to say, in the hope that they might be able to pay the taxes and obtain a living?—Yes, and I think there should be industries started. There is a great deal of water power; and if there were industries started to keep them employed, it would be a great matter. I do not, in fact, see how they can live without it.

6992. What class of holdings would you deal with?

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in that way? What would you exclude?—I should say AIO and upwards.

6995. In other parts of the country or that part only?—I refer to Ulster. I have not the same experience of other places.

6996. Mr. Nelson.—In those three counties you would abolish all under £10?—No; the inferior lands.

6997. Sir James Cusack.—In the congested districts?—I cannot say they are congested districts.

6998. You say poor mountain lands?—Yes; they may have fifty acres for the £10, and only a few acres of that may be fitted for tillage at all, and that is worked amongst the rocks with the spade, and not ploughed with horses. It would be of no use to the landlords or any one else.

6999. If there is no rent possible out of that description of land, would you consider such land good security for the Government to advance money upon?—It should be at a very low rate, so that the instalments should be a very small thing.

7000. But would the Government have any security at all where there is no surplus for rent?—I think there would be very little indeed.

7001. So the Government should be very cautious about making any advances for such land?—I think so.

7002. Do you think the probability is that if the population upon these lands go on paying taxes and owning the lands, that they would be able in the course of time to make a profitable speculation of it?—I think, if they were encouraged by the starting of some industries, they would. But it would be necessary to do that.

7003. With such encouragement you think they would be likely to get on?—I think the people are most industrious, on the whole.

7004. With the present prices of produce they cannot get on?—Certainly not.

7005. And if there is no prospect of a rise, would it not be better that these people should be assisted to emigrate to a country where they could do something better?—Well, sir, there has been a great deal of emigration from every part of Ulster.

7006. From the poor districts?—Yes, and it is still going on.

7007. Is that voluntary or assisted emigration?—Well, the Canadian Government gave assistance. There was a low rate of passage at £3 to Canada, and in 1881 I visited Canada with the view of emigrating myself and encouraging others.

7008. Did you go to Manitoba?—Yes, and the North-West.

7009. What was your impression about the advantages of assisting emigration to those places from these poor districts in Ireland?—I was very much in favour of it, and am still, where the population is too numerous, and where they cannot see their way to earn a decent living.

7010. Would you think that by assisting emigration to those places you would benefit the people?—A great many of them would be benefited; but I do not think that at present the country is over-populated.

7011. Not in those districts to which you have referred?—I have not seen much congested districts in the North. As to the country which I visited, it is a magnificent country. I gave a short report of my visit to the authorities at Ottawa.

7012. The authorities at Ottawa?—Yes.

7013. The Government of Canada?—Yes. They afforded me every facility for seeing the country; and I got a guide and horses, and drove over the prairie. It was only the want of time that prevented me from going as far as the Rocky Mountains.

7014. Did you see any cases of people settled successfully there?—Yes, a neighbour of my own, whom I called upon there.

7015. Is that west of Winnipeg?—Yes; I went by the rail to Emerson. I crossed the Missouri river.

7016. What month was that in?—The month of May.

7017. Just about the time that they were beginning

to sow the crops?—Yes; but the crops, except the potatoes, were mostly in.

7018. And were there any difficulties of any kind that an emigrant who was accustomed to the management of land could not overcome?—No difficulty, but, of course, he would require some capital. It would not, at the same time, require a very large capital.

7019. Supposing a shanty was provided, and ten acres of land prepared and seeded when he arrived, do you think he could get on?—That was just what Mr. Stephen, the President of the Synodists, who was over in this country at the time, proposed. I travelled with him back; and that was what the object of his mission to the British Government was—to assist in that way.

7020. And you think that in the more distressed parts of the west of Ireland assisted emigration of that kind would be very useful?—Yes; there must be either emigration or migration.

7021. Not forced emigration, but assisted emigration?—Certainly not forced.

7022. Mr. Nelson.—Could you get some places in Ireland to migrate them to?—I believe there is plenty of land in the south.

7023. Then the Government should buy up that land?—They would require to buy it.

7024. Lord Milltown.—What would they do with the people who are on it now?—I do not know.

7025. How are you going to get rid of the present occupants—are you going to exterminate them?—You could compensate them.

7026. But if they decline to be compensated or go?

7027. Mr. Nelson.—Was it your intention to go to Canada and live there yourself?—Yes.

7028. And you do intend to go?—I do intend to go, or to send some of my family, or sons, out there.

7029. You would have gone now if you had been able to dispose of part of your land here?—Yes.

7030. Was that what kept you back?—It was.

7031. Could you not get a purchaser for the place you live in?—I might have got a little for it, but not what I thought would compensate me for it.

7032. You said, in reply to his lordship, that the tenants were disposed to deny and to become the owners of the land?—I have no doubt they would be very glad and anxious to purchase, if they could buy at such prices as would give them relief.

7033. Do you think that the landlords will be willing to sell?—I think not. They have shown no disposition at all to sell, so far.

7034. Can you account for that indisposition to sell on the part of the landlords?—I do not know. I suppose that most of them are not in a position to sell yet.

7035. And the rents have been so pretty well secured that they have no desire to sell?—They would not, if they were sure of getting the judicial rent.

7036. But what I want to know is this, do you think the landlords here in the north would be so willing to sell as the landlords in the south and west of Ireland?—I think not. They have not shown any disposition to sell up to the present.

7037. And you do not know any reason for that?—I suppose they consider that the northern people are more long-suffering than the people in the south and west, and that they can still manage to get their rents from them. There is no combination of any kind against the payment of rent that I am aware of in the north. The tenants do not meet together and come to an agreement, saying, "We propose that we will pay a certain amount, and if that amount is not accepted we will pay none." There is nothing of that kind here that I know of.

7038. The rents are fairly well paid in the north?—Well, I think they are just paying them as well as they can. But I think there must be a good deal of arrears.

7039. Do you think it would be a hardship to any one to give the Land Court the power to interfere between the landlord and the tenant, with the view of facilitating sales?—I think we will never have an end

to the land war, or a final settlement of the land question, until the tenants become proprietors.

7088. Lord Melbourne.—Do you think we shall have an end of it then?—I think so.

7089. What are you going to do with the labourers who have no land?—I think if not three acres and a cow, there should, at all events, be half an acre and a cottage, and there will be a great deal more labour done on the farms, and a great deal more employment given. The farmers will employ more labour when the farms are their own.

7090. Do you think that these men (the labourers) will be glad to see these men (the farmers) getting their land for nothing?—These men have been paying rent so long so it was possible to do it, and I think they have more than bought it out. Here is land which is not worth a shilling in the possession of the landlord. The landlord could not make what would pay the taxes out of it.

7091. Would you give the landlord the choice of making it out of it?—I have seen in Devon that the present Lord Leitrim is spending a good deal of money in fencing and giving employment, and so on, on the mountain, but I am satisfied that it won't do. The sheep won't live there in the wet seasons.

7092. You propose to take this land from the landlords, and give it to the tenants for nothing?—Give it to them at a nominal rent.

7093. On the ground that he cannot make anything out of it?—Yes.

7094. Would you give him the chance of trying?—I would. Landlords have tried farming in other places, and they were very anxious to give it up again. They found it was a losing game, and they have all given up farming, so far as I am aware.

7095. But putting aside the landlords, do you think that the rest of the population who have got nothing, and who are just so much Irishmen as the men who would get a present of their holdings—do you think that those men would not feel a little dissatisfied? They would say, "You have had this long enough, we have no good right to it as you"—I think that in the north of Ireland the labouring man would be satisfied with the cottage and plot of ground, and constant employment.

7096. Mr. Keble.—Did you apply those principles that you have enunciated here when you were fixing the rents?—I think so.

7097. Upon that principle you fixed the rents?—Yes.

7098. Then I do not think that they could have much to complain of.

7099. Mr. Keble.—Would you sell your farm, Mr. Pringle?—I would be very glad to sell.

7100. Would you take £10 an acre?—I will take twelve years' purchase gladly.

7101. And looking to the changes that have taken place since the passing of the Land Act, do you think you have as much interest in the land as the landlord?—Yes, where the tenants have made all the improvements, and have brought the land from a state of nature into its present state, I think that their interest should be equal to the landlord's. And we have had instances of that in the co. Down, and on an estate where the tenant right sold for more than the fee-simple.

7102. Mr. Keble.—You are prepared to take ten or twelve years' purchase from Lord Caledon, and leave the country altogether?—Yes. I would be quite willing to give him half the profits, or give twelve years' purchase or take twelve.

7103. With reference to Griffiths' valuation, it seems that it is very much higher than your present judicial rent?—Yes.

7104. Have you any reason to believe that the valuation was made upon your father's or your predecessor's improvements?—No doubt; that is admitted, I believe, by Sir Richard Griffiths and the other valuers.

7105. Mr. Keble.—Did you read that circular which Sir Richard Griffiths published and sent round to his valuers in the country, containing his direction to them at the time?—No, but I heard references made to it.

7106. In that document he directed them to make their valuations 25 per cent. below what the producing power of the land was. That was his direction.

7107. Mr. Keble.—They were those years making that valuation?—We found in fixing rents that it was not an element that could be taken into consideration. In some cases it was far below the letting value, and in other cases considerably above it.

7108. Sir James Esdaile.—It was never intended to be the foundation of the rent. It was for taxation purposes?—Quite so. Any purchaser buying out the land, and taking Griffiths' valuation as the foundation, would find it unworkable.

7109. Lord Melbourne.—Yet it is not uncommon to find tenants complaining that their rents are fixed so much above Griffiths' valuation, as if it was any criterion?—We have fixed rent above and below, it both, and we found it very irregular—not at all uniform.

Oct 25, 1860
Mr Charles
Pringle

[Inquiry Answered.]

Oct. 25, 1886

TWELFTH DAY, WEDNESDAY, OCTOBER 27TH, 1886.

WHITE HART HOTEL, OMAGH.

PRESENT.—Right Hon. Earl COMBER, President; Right Hon. the Earl of MALLTOWN; Sir JAMES CAIRD; Mr. NELISMAN, Q.C., Recorder of Londonderry, County Court Judge; and Mr. KNIFE.

Mr. R. W. Lowry, of Pomeroy, examined.

Mr. R. W. Lowry

7059. The President.—Mr Lowry, I believe you are a large landed proprietor in this county?—I am, my lord.

7060. Are any of your tenants applying for judicial leases?—No; I made an arrangement with most of them instead of going into the Court. I thought I would make a very large reduction, and after considering it I thought I should agree with them as to the terms, for I wanted to avoid the expense—the fact is, that only one man applied to the Commissioners to have a fair rent fixed upon him.

7061. Have you any leases upon your property?—I believe I have one, and I am quite sure that the man won't give it up, because it is at a very low rent.

7062. And you have no wish to get him into Court? No; I do not think so.

7063. Do you think it would increase his rent?—Of course; I would expect that it would increase it, because it is a very low rent which he pays at present.

7064. Were these agreements which you made with your tenants confirmed by the Court?—Yes.

7065. Can you tell me, if you have considered much or thought much about the Purchase Act, do many of your tenants wish to purchase?—Well, so far as I understood, some of them think they will get it for nothing eventually; and I think these persons who try to make 9d. do instead of the solid shilling that they are doing a lot of harm, because there are lots of men who cannot be farmers, and after a time their property will be sold, and these people say, "We will wait, we will compel the landlords into taking lower still."

7066. Would you, Mr Lowry, be willing to sell?—Yes, I would, if I got a fair price.

7067. Will you tell me what you consider a fair price?—I consider a fair price would be twenty-four years' purchase at the present rental.

7068. How much would that leave you?—£26 instead of the £100.

7069. I suppose the amount of the rates and the cost of the management of the estate will more than make up for that 4 per cent.?—Yes, I could have said after I came into possession after my father's death. I thought of selling the incumbrances which were only £6000, and some of them offered me thirty-two years' purchase. Of course, I need hardly say I cannot get that now.

7070. Lord MILLHAM.—When was that, Mr Lowry?—I think it was in 1870.

7071. You say you were offered thirty-two years' purchase?—Yes.

7072. At the present rents?—The old rents.

7073. And those were higher?—They were higher.

7074. The President.—Is there anything in the Act which prevents its operation?—My brother did not wish me to sell. I am opposed to selling in large quantities. I think myself that you cannot deal properly with them, and it was easier to deal with tenants formerly.

7075. You say you would take twenty-four years, but you are opposed to selling in large quantities?—Yes.

7076. I think, Mr. Lowry, you offered to give us evidence here; perhaps you can give us the information which you think it is desirable we should have upon points which you think it right to bring before us?—Since the introduction of the poor law the tenant right has decreased.

7077. Sir James CAIRD.—When was that?—About the year 1847; at present they are a good deal lower.

7078. Is the tenant right lower now, do you mean?—Yes, a tenant of my own sold a farm, and he said he had lost over £130, and that shows it; another tenant who had given £50, sold for £36.

7079. The President.—Is there anything else you wish to give evidence about—any other point which you wish particularly to bring before us?—Only this, that it was better before it, and that the introduction of the poor law had the effect of reducing the value of the tenant right, because you see then they got something for their labour. I mean that the value of the tenant's goodwill has decreased.

7080. I do not know what you mean by saying that the poor law had this effect; do you mean because they have the expense of having to pay the poor rates?—I mean that the men who would have to pay it found that they had something to fall back upon, and therefore that they did not give such prices as formerly.

7081. I must say I do not understand that?—The reason is this—the men wanted to get twofold when they had something else to fall back upon.

7082. Do you mean that men wanted to get more wages for their labour?—Well, I mean that too.

7083. But the men who had to be paid for their labour had nothing to do with the paying of the poor rates?—They sold their labour, and they wanted to get certain wages, and therefore they gave high prices because they found they could make it. There is no doubt that the land in Ireland will not let the way it did.

7084. I don't understand that at all; will you kindly explain what it is you mean?—I am quite convinced that if the tenants had taken the advice of wise people they could have been supported now. If they had followed the advice of their friends, who told them the mistake they were making, it would be different. They must depend more upon manuring and cropping, and feeding cattle; and they acted on a bad system.

7085. Sir James CAIRD.—You do not mean to say, if I can understand you at all, that the price of tenant right before 1847 was more?—It was a great deal more.

7086. Or that it was higher than it has been during the recent times of the high prices of produce?—Yes, it was higher; and what is more, land was higher, labour was lower, and the produce of cattle was lower. You see it was the want of something to fall back upon made the price of the goodwill.

7087. The President.—Is this what you mean, that the farmer felt that unless he put his son and family into the land they must starve, and that now they may take advantage of the poor law?—No; farmers will not put their sons into the workhouse, at least not in this part of the country, and the more they become peasant proprietors the less the price will be.

7088. Lord MILLHAM.—Do you say that you attribute the falling off to the passing of the poor laws?—Yes; that is the first cause; the next cause is the sales under the Landed Estates Court, and the judicial leases.

7089. Kindly explain that if you can?—The sales which were made under the Encumbered Estates Act.

7090. If you mean this, it is quite obvious that the added liability to pay their poor rates would lessen the value of their farms, but only to that extent?—My idea was, that when persons had something to fall back upon they knew they were not to starve, and the landlord was in a very different position to deal with them; for he had only to say, "We can get another tenant."

7091. The President.—Let us leave this; and let us

ask you, Mr. Lowry, with regard to abatements, have you given abatements lately, or last year?—No; I refused to do so, with an agreement for fifteen years.

7092. You stopped with the agreement?—Yes.

7093. Had the tenants difficulty in paying their rents?—There has been a sort of conspiracy.

7094. Has there been a conspiracy against the payment of rents?—Yes.

7095. Do you mean in the nature of a combination? Yes; I may say that in some cases I found it impossible to deal with them.

7096. Have you got many farms upon your hands?—Five or six.

7097. Sir James Cook.—That is, farms that the tenants have been evicted from?—There are five or six that the tenants have been evicted from.

7098. The President.—Were they able to sell?—No; they did not sell.

7099. Lord Milnes.—Why didn't they sell?—Because they could not do so.

7100. Do you mean they could not get a purchaser?—They could not do it somehow; they thought they would be supported by the Land League.

7101. Is this what you mean, that they would not sell though they could sell?—Yes.

7102. The President.—Has the Land League, or the National League, any influence in your part of the country?—Well, I live in two baronies, and the Land League is strong. Why, you can see it in the papers.

7103. Do you believe that these men who left their farms could have paid if they had wished?—No; I think neither of them could have paid.

7104. Is it owing to the bad times that they could not pay?—I believe they were of a sort of loafers, a class of men who never can be farmers.

7105. Lord Milnes.—Are the tenants in your neighbourhood rented on their own improvements?—No, they are not rented on their own improvements.

7106. You say that in cases where the tenants made improvements themselves they are not rented for them?—Never.

7107. Are you positive of that?—I am; it is a small valuation.

7108. But was the valuation made on the tenant's improvements?—No; the improvements are not counted in the valuation. Of course, the men have reared their families out of these farms, and have supported them, and have lived on them. They have been paid long before.

7109. Do you mean the length of time they have occupied the farms has fully paid them?—Yes.

7110. At the same time they are obliged to pay rent for it?—No; they are not. The farms are of the valuation; they have cut out the bogs and used them. Besides any improvements that were made were made under agreement for a certain number of years, and for these years they lived there. My father used to say, "You pay me the same rent," and they paid him the same rent.

7111. Then, if I understood you aright, what you mean is, that they had these farms on what are called improving leases?—No.

7112. Well, under agreements to that effect?—Yes.

7113. In consideration of their making certain improvements they would have the land for a certain thing?—For nothing.

7114. How many years was that agreement for?—Three, I think.

7115. Well, that was not very long to recoup a man for his improvements?—No; but the improvements were not worth much. He might build a house, but the whole house he built might have been built for £5.

7116. But after the expiration of three years they have had a rent over the house they built?—They had to pay a fair rent.

7117. A rent which included a rent on the house they built?—A rent on the farm.

7118. How many cases come under your knowledge where the tenants had to reclaim waste lands or moun-

tain lands without any assistance from the landlord?—No; I do not believe they did; certainly not on my own estate.

7119. But have there been any in the neighbourhood?—I cannot say that; I do not believe on any of the estates it is the case. They got it for a certain number of years free, and they were to make improvements, and if they built a house, £5 worth, my father supplied them with stone and timber, and so on, and lime.

7120. Was that the only improvement made?—Except breaking up the land.

7121. No reclaiming waste land?—No, the land was cut up generally.

7122. Do you mean they pursued the ordinary course of the cultivation of the farms?—Yes.

7123. Did they do anything more than that?—No.

7124. And it is not within your knowledge that they reclaimed waste land, and had to pay rent on the improved value?—No; the land was let for twenty-one years, and for a certain number of years they would have it free.

7125. How many years did you say?—Three; they had to build the houses on the farm.

7126. But supposing they made the rocky and mountain land—land which was only growing heather—capable of cultivation?—Very often they cleared it too much.

7127. Do you think that the rents which were fixed three years ago have now become impossible of payment?—No.

7128. This is a very bad year?—No; it is a fair year now. It is a fair year generally.

7129. You consider this a fair year, do you?—Yes.

7130. At any rate, it is a much better year than last year?—Yes.

7131. Do you think that things are likely to improve in regard to prices?—I cannot say that, but I hope they will; and I believe that if the tenants had taken the advice of persons who were wise, that they would be much better off.

7132. Do you think the prices of produce are likely to rise again—do you think we have reached the lowest figures in the price of produce?—I think we have.

7133. And you know there have been very bad times during the last thirty years?—Yes.

7134. And when prices in the past have been very low, they have risen again?—Yes.

7135. And do you think they probably will do the same thing again?—I think it is very probable they will; but I think myself those persons—tenants who are not fit to be farmers—must sell out eventually.

7136. Who must?—Many of these persons who have bought—like those who have bought the Desperes' and Sulten's Company's land—many of these are people who cannot be farmers; but I believe there are plenty who are good farmers, and, as some have to sell out by degrees, they will buy; probably they will buy altogether from the bad farmers eventually.

7137. That would lead you to believe in the gradual consolidation of farms?—I do.

7138. Do you know whether the gentry in your neighbourhood are anxious to sell?—I think most of them would be willing.

7139. Do you think they would be disposed to take twenty years' purchase?—No; I think they would not.

7140. So you have said already. You say twenty-four years?—Yes; I think that would be a fair thing.

7141. Are the outgoings less on your property than on the others?—I have this charge of £5000 on my own property.

7142. I am not speaking about mortgages; I mean such charges as allowances for poor-rates?—I do not think they are.

7143. Such things as bad debts?—I do not think they are.

7144. What is the average reduction the landlords have to make upon their gross rental; would it be the net rental be 6 per cent?—I think so.

Oct. 17, 1890.

Mr. E. W. Lowry.

Oct. 27, 1886.
Mr. R. W.
Lacey.

7143. Would it be 20?—No.
7144. Fifteen per cent. would be about the figure?—Yes.
7147. Well, then, at twenty years' purchase, they would not lose more than 5 per cent., even investing at 4 per cent.—I do not think they would.
7158. Then you would rather make a good thing of it selling at twenty-four?—Well, if I only got 3 per cent. for my money—
7149. But if you got 4 per cent.?—I do not expect to get that—I do not suppose I would.
7150. Do you think it would tend to the improvement of the country and of the farming classes generally that they should be made the owners of their holdings?—Certainly, because the tenants have been too much petted by their landlords in the old time.
7151. Do you think it would tend to the stability of the institutions of the country?—Yes; I think so—that there should be peasant proprietors.
7152. Do you think that it would be advisable, that the period for paying off the instalments should be lengthened, and the instalments reduced?—If I could, I would make it fifty-four, and only at 3½.
7153. Do you think that would be an advantage?—I think it would be fair.
7154. Why?—The farmers would be more careful in the working of the land.
7155. You know that the result of the purchase, say at twenty years, would make it very much less than the present fair rent?—Yes.
7156. He would pay 20 per cent. less than he paid at twenty years?—Yes.
7157. That might give him some capital?—Of course it would give him some capital, but I do not think you should hurry the thing; it would take many years to get things all right again; perhaps some of us will be allowed to see the country in the same state again that it was in 1845.
7158. That is, you say it is not so good now?—Not nearly so good.
7159. *See James Caird.*—That was before the potato disease?—Before the potato famine. I do not expect to see it in so good a state again.
7160. Lord Midtown.—Don't you think there would be some difficulty in a case like this: where there is a landlord who has not consented to purchase, and who insists upon getting the judicial rent, and an adjoining estate upon which the tenant has paid under the Purchase Act, and in consequence whose tenants have got a reduction under it; and in addition so getting that reduction are gradually purchasing their land?—My idea is that eventually the good farmers will buy out the bad ones—the bad farmers must go; there are lots of men who, if they got the land for nothing, would expect you afterwards to buy their seed for the land.
7161. But I am not asking you that—I am asking you, do not you think it would be the cause of a still greater difficulty than that which exists now in the collection of the rents, if the state of affairs which I have described existed on two adjoining estates?—I do not think it would. I think the men who became the purchasers would assist the landlords.
7162. But I am not speaking of that. I am speaking of a case in which the landlord would not sell, while the tenants on a neighbouring estate had bought, and had got the advantage of it.—I cannot say about that.
7163. Do not you think the tenants would be discontented, seeing the better side in which their neighbours were placed?—Of course, if some of the estates took twenty years' purchase, or even eighteen years', then, of course, those who had not bought would grumble. If you got honest men, who would be improving tenants, they should buy.
7164. You cannot see my point. I am suggesting to you a case in which one landlord consents to sell—and in that case all his tenants get an immediate reduction of 20 per cent., and also year by year buy their farms—do you not think that the tenants adjoining of a landlord who will not sell would be discontented?—If you have a bad class of tenants they would only be

- ruining the country—that is what that class of men would do—that would be the result of selling to them, or of their getting possession of their farms in that way.
7165. I thought just now you were in favour of a peasant proprietary?—Yes; but it cannot be done in a hurry. If there is a great quantity of money in the country it must be invested in some way, and some of it would be lost in speculation.
7166. With regard to these farms which you hold in your own hands, are you inclined in any way with regard to them?—Very much.
7167. In what way?—I had sheep killed on one of them. I have seventeen fattened wethers killed.
7168. Killed ruthlessly?—Yes.
7169. Mr. Nelson.—How long ago is that?—Some time ago.
7170. Lord Midtown.—Is there any boycotting in your neighbourhood?—Yes.
7171. What is your neighbourhood?—Pomeroy.
7172. The President.—And if any tenant pays his rent, is he ever subject to any annoyance?—No; I do not think that he is—still there have been many attempts to boycott men who voted for certain politicians—men like Mr. Brown, who was examined before you.
7173. Who is Mr. Brown?—He is a gentleman who was examined yesterday. He is a gentleman who originally voted for Mr. Dodman in this country, but he changed his views and voted for Mr. Russell, and then persons did not deal with him. He was held up by them—they would not deal with him—and, as fact, he is boycotted now.
7174. Lord Midtown.—He is boycotted in consequence of having given a vote against the Land League candidate?—Yes. I myself was driving the other day with a man, and he said, "I will shoot you," and I looked him in the face, and said, "You dare not shoot me; you are too good a coward. I will have no conversation with you."
7175. What kind of man is he?—He is a son of one of my tenants. Because I did not give him a character when he was sent to prison.
7176. And you describe the country as being in a peaceable and orderly condition as your neighbourhood?—No; I should say any day there might be disturbances.
7177. Is the power of the Land League increasing?—Yes; I believe it is very much.
7178. Do they interfere actively between landlord and tenant?—There may be sometimes an understanding about withholding rents.
7179. Is that in consequence of the influence of the Land League organisation?—I believe it is owing to the influence of the Land League organisation. Sometimes a Protestant or Presbyterian pays something to the Land League. I know a very respectable man who pays the Land League a shilling a year.
7180. Why does he pay it if he is a respectable man—is it something by way of insurance?—Yes.
7181. And you think it is necessary sometimes to pay something to the Land League by way of insurance?—Yes; it is getting on in this country, I am sorry to say.
7182. And in your judgment its power is rather on the increase?—Yes; no doubt.
7183. Is it confined to any particular class of religious?—No; though it is confined generally to Roman Catholics, but sometimes the men paying are Protestants.
7184. Then the Protestants belong to that organisation?—No; they pay when they do not belong to it.
7185. But if they pay, it looks very like belonging to it?—They pay. I know that in the south of Ireland there are many people who pay in that way. I believe it is not from sympathy but from terror.
7186. Have there been any prosecutions in your neighbourhood for intimidation?—No; I wanted Mr. Brown to do something. He said he would treat the man with contempt. I said I would treat him with

contempt, but I would swear information against him.

7187. Do you think the man who talked about shooting you was in earnest?—He would do it if he could, but he is too great a coward, as I told him.

7188. Do you think that a prosecution for intimidation could be carried out successfully against him?—I would not make a martyr of him.

7189. Would you have any difficulty in obtaining evidence?—Well, of course there would be my own evidence, and the evidence of the man who was there; but I do not want to make a martyr of him.

7190. Would that be the effect of it?—Yes; he would be held up as being bullied by me; and, when I tell you that he is the son of one of my richest tenants, you will understand how I feel about it.

7191. Mr. Knipe.—What was the average reduction you gave?—About 27½ per cent.

7192. Were the tenants satisfied with that?—Yes; all but one, and he went to the Commission, and they put a higher rent, and afterwards all the others did not go.

7193. In what year did this take place?—About two years ago.

7194. Did they serve originating notices upon you before that?—I do not think they did.

7195. They did not serve them?—No; I do not believe that they did.

7196. Did they ask you before that for a reduction in their rent?—Not that I know of.

7197. Was it then a voluntary act of your own?—Yes; I said to them, "I will make to you such reductions as I think you will accept, and it will save me the expense and costs," &c. I will make such reductions as that it would not be necessary for them to go into the Commission.

7198. You would not have given them those reductions but for the Land Act?—No.

7199. How many farms have you in your own hands?—Five or six.

7200. There were tenants upon them, and were they capable of paying their rents?—Yes.

7201. Did you eject them?—I was obliged to eject them.

7202. You are cultivating them now yourself?—I am.

7203. Do you find it a profitable business?—I do. I made as much on one farm as will pay me the expense.

7204. And you find it profitable to cultivate it?—I do.

7205. Did you invest a considerable amount of capital in it?—Yes.

7206. Perhaps the tenants have not capital themselves to make these improvements?—They ought to have it, because there have been years when they did not pay me, and I was obliged to eject them.

7207. Did they offer their farms for sale?—One man came to me and said, "Will you give security to Peter McKee, and I will get a year's rent to pay you?" and I said, I will do nothing of the sort; he has not paid me any rent since. He depends upon the League.

7208. In reply to the Lordship, you said you would sell?—Yes; twenty-four years' purchase.

7209. Do you think that that is fair?—I think it would be a loss to me, of course.

7210. You believe that it would be your interest in these lands?—Yes.

7211. What interest would the tenants have?—The tenants would stand at a great deal loss.

7212. Would this give him a reduction of rent?—Yes; £98 instead of £100.

7213. But you are aware that the tenants should pay poor-rates if they purchase from you, and in many cases half of the county cess, and if any taxation for outdoor relief is added, they should pay that also, and that may cause the rents very considerably in the future?—Well, that is so; and I believe if the country goes on and employment is given to the poor, there would be less poor-rates than anything. There is no

doubt that the opening of the country and the formation of ports, and things like that, are going on and doing good.

7214. Will you be kind enough to tell me how you make this large profit out of the lands in your own hands?—I get some turpentine and £40 worth of coals, and I rubbed out the whine.

7215. Did you keep a regular account of what it cost you?—I did.

7216. And allowed a fair rent for it?—Yes, it was more than I got for it.

7217. And the cess and poor-rates?—Yes.

7218. And you had a large profit over and above all that?—Yes; I had a profit—not a large profit.

7219. Can you tell me how much you made—how many acres were there for this £40 to which you refer?—About thirteen, I think.

7220. Was that on the five farms?—No, on the one farm. I have another farm for sheep-foddering.

7221. Do not you think this year and last year have been very bad seasons for the tenants to make up their rents?—It is not produce very low?—I remember it much lower.

7222. But were not last year and this year the worst years that have been for the last six years?—I cannot say it was. I do not believe it was.

7223. Is not the price of produce very low at the present time, and the price of cattle?—Yes.

7224. With reference to the combinations against the payment of rent, do they exist generally in your locality?—Yes.

7225. Can you mention any landlord who suffers?—Sir John Stewart.

7226. In what way did he suffer?—Men have been sent to prison about that.

7227. Is what you mean this; that there were a number of tenants who applied for reductions of rent?—No; they would not pay at all.

7228. They would pay none?—Yes.

7229. Did they ask a reduction of rent?—They would not pay.

7230. Were you waited upon by a deputation to give a reduction?—They wanted to come, but I would not see them.

7231. And is that what you call a combination?—Yes; they have not paid me.

7232. Is that the kind of combination that you refer to?—Yes.

7233. A combination to wait upon you and get a reduction—and as there are other combinations?—The secretary of the National League wanted me to have an agreement with him about it, but I said no; I said the agreement is for fifteen years.

7234. But you are on very good terms with the tenants?—Yes.

7235. They are paying their rents fairly?—They are not. I don't know what they will do in November.

7236. But they paid their rents last year?—No, I am very nearly reduced to beggary with the way that I do not get my rents.

7237. Have you many arrears owing to you at the present moment?—Yes; a great deal.

7238. Mr. Knipe.—Don't you think that if you gave a reduction of rent they would have endeavoured to pay you?—You would be breaking their agreements. You fetter the land with poverty and ignorance, and give the greater part of your country up to men who are incapable and undeducated.

7239. Don't I understand you to say that you and your tenants are on very good terms?—Very good terms.

7240. I believe many of them would rise at twelve o'clock at night to oblige you?—I dare say a great many of them would.

7241. Are you not on very fair terms with them as a rule?—Yes.

7242. And you have no quarrel?—No; but I have not received my rents.

7243. Perhaps that is owing to the bad season?—I do not know; but I think it is because the League is

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telling them not to pay their rents, and they are carrying out that design.

7244. And you think it is more difficult to pay rent now than six years ago?—I do not. You are giving the country into the hands of uneducated people and people of no capacity, and yet you expect the country to improve. I tell you that it won't.

7245. Don't you believe that there are a number of landlords in the country who would sell for a less number of years' purchase?—Yes; men who want money to do instead of the solid shilling, and who are doing harm to the country, I believe.

7246. Do you think they would sell for less?—I dare say they would; but I think myself, because they are obliged to do it from a combination against them.

7247. At the present there is no general desire to sell?—They are willing to sell fairly if they get a fair price—what I consider a fair price.

7248. You consider twenty-four years' purchase a fair price?—Yes. I could have got it. The men told us that they wanted to take the land, and that they would borrow money from the Government.

7249. You say you had concluded an arrangement with some of the tenants?—I understood that if they should pay half they would borrow the other half from the Government.

7250. Did you say the half?—No; I mean the quarter.

7251. That was a proposal to sell under the provisions of the Act of 1881?—Yes.

7252. You say that this arrangement was progressing when the Land League interfered, and told them not to give twenty-four years' purchase?—Gave them the order not to buy.

7253. The President.—But your agreement for thirty years' purchase was in 1870?—Yes; after I succeeded to the estate.

7254. You very nearly concluded it?—Yes; only my brother objected to it.

7255. Mr. Knipe.—What year was that in?—In 1871.

7256. Now, with reference to this threat that was used to you by the son of one of your tenants, what was the general conversation about at the time?—He was rather impertinent, and said that I should promise not to ask for any rent this November, and he said, "If I was a tenant farmer in the south or west, I would shoot five or six men like you." I laughed, and then he looked me in the face, and said, "I will shoot you."

7257. Of course he did not intend this seriously?—I am sure he would if he could, but he is too great a coward. He has been in jail before, and if the case

came before the Court, he would be on his trial for manslaughter.

7258. You did not believe he was serious in what he said?—I am quite sure he is a man who is wicked enough, but he is too great a coward to do it. It is not the men who boasts in that way will do such a thing.

7259. You are not the least afraid of him?—I am not the least afraid of him.

7260. The President.—How long ago did this happen?—About a week ago—on last Wednesday, on the harvest festival. I spoke to his father before that, and his father said, "You gave a character to the other man," and I said, "I do not think I did."

7261. Mr. Knipe.—Speaking of this twenty-four years' purchase, did you make a calculation how you would invest the money that you received?—I expect to pay off the purchase.

7262. The President.—Would you be willing to sell at the price fixed by the Commissioners?—I do not think the Commissioners have any right to fix the price; they have fixed the tenancy, and are we to break all agreements?

7263. You have not confidence in them?—I have not.

7264. You would not leave it in their hands to fix the fair price as between the landlords and the tenants?—No.

7265. How many tenants have you upon your property?—I have 4000, I believe, upon the estate.

7266. That is including labourers and everything?—Yes.

7267. And how many tenants of the same class as those whose farms are vacant?—I mean leasehold tenants?—I had an immense number, five or six hundred, I suppose.

7268. These are only those farms vacant out of that number?—Yes.

7269. And there are many others obliged to sell in order to pay their rent?—I suppose those who sold four years ago were obliged to sell. They sold at over £80.

7270. How many of them had to do that?—I only know two.

7271. Lord Midleton.—What is the size of the holdings upon your estate?—Some about thirty, and from thirty to two or three acres. I am sorry to say some are as low as that.

7272. Can you give me the average; is thirty the highest?—Forty would be about the highest.

7273. And the majority much smaller?—The majority are much smaller.

7274. The President.—The farms that you have vacant, are they not forty acres?—They are farms under thirty acres. I have one about twenty-two acres.

Mr. J. W. Ethon Macartney, of Clagbor Park, Co. Tyrone, examined.

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Ethon
Macartney.

7275. The President.—Mr. Macartney, I believe you are an extensive land proprietor in this county?—I am a proprietor in this county. I hold, through my wife, two properties, one near Fintona and one near Clagbor, also some of my own; then I hold property in Antrim, and in Armagh, and in the county Down.

7276. Very well, I will ask you about South Tyrone, which is nearest to this place. Some of your holdings are under judicial rents?—I must state that at the moment the Land Act passed I went over every farm and over every field on these properties with my second son, who is to be the owner, and Mr. Buchanan, who was agent of this estate, and we settled the rents for the tenants, and out of seventy-two tenants all except three agreed, and did not go into Court.

7277. And the agreements were afterwards confirmed by the Court?—Of course they are judicial rents; and in the property near Fintona I think some of the tenants, with the exception of five or six, went into the Court.

7278. And did they get a greater reduction?—Some more and some less.

7279. These were fair rents for the time?—Yes.

7280. Do you see any difference in the least in the power of the tenants to pay the rents then fixed?—Not much; I think that each year there has been a little more hanging back in the payment of the rents.

7281. Did you get your rents?—Yes; an allowance was made last year of 15 per cent.

7282. You made the allowance?—Yes, on the judicial rents, and they are again asking for an abatement of 25 per cent.

7283. Did you give the 15 per cent.?—We have not settled as yet.

7284. And the rents have been paid without anything beyond a little grumbling?—Well, I think they have been pretty well satisfied with the reduction.

7285. I suppose there is nothing in the way of combination or intimidation there?—No.

7286. Nor in the neighbourhood?—I do not know of any.

7287. Sir James Caird.—Does that apply to the other counties in which you have estates?—All, except the county Down. I think we have a little more difficulty to contend with there.

7283. The President asked you about combination, is there any there?—I think there is a little more combination in South Down, where my estate is; there has been none in Antrim, where my tenants are all under perpetuity leases—what we call fee-farm grants.

7284. The President.—The combination in Down do not go the length of intimidation?—I do not know.

7285. They rack in a body?—Yes; and they wrote rather severe letters.

7286. Is the sale of tenant right on your property at all keeping up its price?—Tenant right varies very much in different countries. I think the tenant right in some instances has been pretty high. I may mention a small holding, as an instance, of a woman whose land was a bit of moorwin near Clogher; it had been £3 10s., and was reduced to £2 10s., and was immediately sold at almost £80.

7287. Was there any peculiar circumstance in this case?—None, except her immediate neighbours were anxious to have it. She previously refused £50 from me. I wanted to lead it over to another tenant.

7288. Mr. Nelson.—When was that £80 paid?—Immediately after the fixing of the rent. The Act was passed in 1881, and the rent was fixed early in 1883. I think the transfer took place in the same year of 1882.

7289. The President.—I suppose if the bad times came on it will be difficult for them to pay the judicial rent?—I think it depends most upon the competition with America.

7290. Has your attention been been at all called to the idea of fixing rents on a sliding scale—a scale fixed upon the price of production?—Yes, I have seen all that has been written about it. I do not know that it would be a fair thing, but at the same time, I do not think it ought to come in before the expiration of the fifteen years, the present arrangement.

7291. But if things come to a deadlock before that, would it be a way out of the difficulty?—I think it might be an excellent way.

7292. And would it be possible for the old judicial leases, fixed in 1882, to come under the sliding scale, finding out what the price was at the time the agreements were made?—Everything that Parliament undertakes is possible in that way.

7293. Would it be possible to find out what the sliding scale value would be?—I do not understand to what way you propose it should be done.

7294. I am thinking now whether it would be possible to make the rents fixed in 1882 into a sliding scale by taking the price of produce in 1882?—A periodical thing.

7295. And having the fair rent fixed on such a basis that it could vary every year, according to the average of the five or seven preceding years?—The same way that the original tenement valuation was made, upon the basis of prices for ten or fifteen years.

7296. But that it should vary in the same way as the English tithes?—That would be in effect a Government valuation for seven years.

7297. But it would work itself without any one interfering?—I advocated that when I was in Parliament. I put it before the election, and it met with great approval.

7298. Well, perhaps you could give us a little more information upon the subject?—I believe the only difficulty would be the expense; the Government might do it and give all the expense of making the valuation every year for the previous seven years, but it would be an expensive operation.

7299. Sir James Caird.—Would it be welcome?—I think it would be very satisfactory to both landlord and tenant.

7300. It would not be necessary for the Government to interfere—it would be a sliding scale?—I presume that they would have always something to go on. In each year the average would be settled.

7301. Mr. Nelson.—The average would be struck for that year?—Yes, for the previous seven.

7302. You would have all the figures to work upon?—Yes, from the agricultural returns.

7303. The President.—It does not require a valuation for the English tithes every year?—I do not know anything about the way in which they make it.

7304. Sir James Caird.—It would be a sliding scale, and you must bring in the produce of cattle, and the produce of oats perhaps, and so on?—Well, the chief thing in Ireland is cattle, and one thing that is left out in England I suppose is butter.

7305. Butter, and cattle, and oats?—Butter, and cattle, and oats, and fax (in the north of Ireland), turnips, which is a pretty large crop.

7306. Turnips are included in the cattle?—Are they?

7307. The cattle eat them, so you get them in the cattle?—If they are large crops, it would make a considerable difference in the year; many farmers sell them.

7308. Turnips are not sold, as a rule, from the farm?—No. They are considered always necessary on the farm; but we have not the same advantage in Ireland as in England, where they consume all the produce of the farms on the farm; that is not the custom here.

7309. The President.—One objection to the sliding scale is, that so long as the rent went on falling the tenants would be delighted, but so soon as the rents began to rise again the tenant would not be so willing to pay?—I do not think any measure that the Government could pass would give general satisfaction; men will grumble one way or another.

7310. Do you think the sliding scale has a great deal to recommend it?—I do certainly, but I think the chief advantage would be to avoid constant irritation. We have had the Land Act passed in 1881. We are now in 1886. The work is not yet completed. It may last for several years longer. We do not know exactly how long, and at the end of fifteen years we will have the whole thing to begin again.

7311. At the present time you see no reason why the judicial rent should not be paid?—I think, when there is real injury done to the tenant by the season being very bad, or by a loss sustained by other causes, that any man who has a proper feeling will make in that case an allowance to the tenant.

7312. Are other landlords, as far as you know, giving abatements?—There are, of course, hard men, who won't give anything. They consider that the law, being passed, must be carried out, and that the tenant must take the bad with the good. In a good year the tenant would not like to have his rent raised.

7313. And therefore in a bad year he should not expect to have it reduced?—Yes.

7314. And, of course, if there was plenty of capital, the thing would be very simple, and the tenant could get over a bad year?—Yes.

7315. But not having capital, I suppose some of them would find it difficult?—Yes.

7316. With reference to the Purchase Act, are you in favour, as a public policy for the good of the country, that the tenants should become to a large extent the owners of the soil?—If a man is an industrious well-doing man, I think it would be for the benefit of the country; but I do not think, with others, it would work so beneficially as is expected, and I think, if it was taken advantage of by the proprietary of Ireland, and that they left the country, it would be a fatal blow. I think the expropriation of the landed class from this country would be anything but an advantage.

7317. Do you not think that many of them would keep their demesnes and houses?—I doubt it very much. It would be difficult, in the first place, to resist the force of public feeling as to the propriety of selling your property. You would be considered acting contrary to the law and the feelings of the tenants.

7318. Lord Ashbourne.—You mean in the case of an Act of that kind being passed?—Yes; an Act for empowering the purchase by tenants of all estates.

7319. Compulsory selling?—I did not say compulsory.

7320. But even in the case of Lord Ashbourne's Act?—If the tenants were anxious to buy, then any man who refused on the tenants declaring that they

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were prepared to purchase, that man refusing under such circumstances to sell, would be in an unpleasant position.

7328. But that is the position now?—Well, I do not know about that.

7327. The President.—But it would be the same thing in the case of Lord Ashbourne's Act becoming popular?—I think that would be somewhat different, if an Act was passed advancing the whole purchase money.

7328. Lord Milnes.—But that is what Lord Ashbourne's Act does?—But then there is an amount retained for a number of years.

7329. Yes; from the landlord. That is out of the purchase money. There was one-fifth of his money retained?—That is the difficulty in that Act. I think it would be a great advantage to have a number of small proprietors, who would feel that they had a stake in the country.

7330. Sir James Caird.—I think you did not finish your remarks with regard to the landlords, who might refuse or not be inclined to sell, while others were selling?—I was coming to the point where proprietors would not feel themselves bound to remain in the country holding their private lands, but having parted with their property. It might be shown that some of them would, but I think an agitation might perhaps arise in the country after the farms were sold to the tenants, and that it might be said that those owners were still holding 800 acres or so, which ought to be divided amongst the farmers in the country, and that people here with land in the country should cultivate it, and that those gentlemen were not cultivating it themselves. I am only speaking, of course, of a possible agitation, and such owners might be compelled to leave Ireland. Speaking for myself, I would like to remain in the country. I do not wish to emigrate.

7331. At the same time, if your tenants, or those upon neighbouring estates, become proprietors, and had their rents reduced, the tenants upon a neighbouring estate would be discontented if they were not in the same condition?—That would certainly be the case on estates where landlords refused to sell; the tenants would be discontented in cases where the neighbouring property was sold.

7332. And if the lands on a neighbouring property were reduced 20 or 30 per cent?—Yes.

7333. The President.—It would make it very uncomfortable for the landlord who refused to sell?—I say, although optional, it would be in reality compulsory.

7334. Then under Lord Ashbourne's Act it will have that effect if it becomes widely taken advantage of?—I do not know that that will have a very slight effect, but it might ultimately come to that. I do not wish to speak strongly against peasant proprietary.

7335. Do you think the most of the landlords see of your opinion, and that they would cling to the country and be sorry to leave it?—I believe the men who are very much embarrassed would be glad to get rid of their property under any circumstances at all.

7336. It would not be any hardship, under that circumstance, to be obliged to sell?—Not at all; they would jump at the chance at anything like a fair price.

7337. I suppose you have enough experience, as a landlord, to be able to say whether the labourers would suffer very much if they were left entirely without any one to look after them, and with no one to deal with except the present tenant farmers?—If the proprietors remained in the country, I presume they would employ labour; they would be obliged to do so, because the land they labour now they would continue to labour, unless it was taken from them.

7338. Is a proprietor able to do much good now towards the improvement of the condition of the labourer, beyond those whom he personally employed on his estate? Will the labourers who were employed by the farmers suffer from the change?—Of course, if there are a good number of proprietors in the country that affects the rate of wages.

7339. With regard to the question of education, that is of course now paid by the State, and the proprietors do not support the schools?—A great number of them do. That is they do not support them, but they subscribe—pay a portion of the salary of the master, which goes towards obtaining for him the rental fees. Some proprietors have schools that they maintain altogether independent of the board.

7340. All these are not shut out?—Well, some of them are; the proprietors built all these; they built labourers' cottages, and of course that has a tendency to improve the style of building that the labourers will live in.

7341. On the whole, then, on your different estates there is a very good feeling between landlord and tenant?—There is a good feeling between landlord and tenant, so far as I know, except when there has been a difference about rent. Of course, they grumble, but I have never known any bad feeling.

7342. And when they see the landlord willing to make an abatement, they are grateful at the time?—I do not think that lasts very long.

7343. Is it your experience, Mr. Macartney, with the district you are acquainted with, the tenants are obliged to pay rent on their improvements?—No; it is not so on my own property.

7344. And it is not so on any property you are acquainted with; is it so?—I do not know very much about that. No one certainly in my own neighbourhood. On my own property in Down and Armagh the rents have been the same for a number of years, so tenants could not have been made to pay for improvements.

7345. But tenants have come here and stated that they have been compelled to pay rent on their own improvements?—That is where the rent has been increased.

7346. They complain that if they are now to purchase upon that rent, they will be paying for what they themselves created?—Yes; if the increase were more than the diminution by the Land Act, certainly they will.

7347. That is what they say; are you aware whether there is general satisfaction or dissatisfaction with the manner in which the judicial rents have been fixed?—I think there has been an expectation that the judicial rents would be brought down more, and they are disappointed.

7348. On the part of the landlord?—Well, on the part of the landlord; a good many thought that they were reduced too much.

7349. Is it the opinion also, they were dealt with on an intelligent principle?—In some cases where the Commissioners knew what they were about.

7350. Were there instances in which the decisions of the Commissioners varied a good deal? Were there a good many instances in which the Commissioners apparently did not know what they were about?—Yes; I think so.

7351. Can you say that fair rents, that were fixed and were actually fair rents three or four years ago, have now become unfair? I am not putting it to you whether it is difficult to pay them in the present year, but whether they are necessarily unfair for the next ten or twelve years?—I do not think that they could be; there may be a series of good years; there is a great deal of difference between the results of the years and the produce. If you look at the tables you will find that.

7352. And the supposition is that these rents were fixed on an average of years?—Yes; it is very difficult to tell upon what basis the Commissioners fixed the rents. If the rents were fixed upon the average of years, it would be much fairer to both landlord and tenant.

7353. You mean periodically fixed?—Yes.

7354. Lord Milnes.—Fixed on the prices of produce?—Yes.

7355. Lord Milnes.—Do you think the tenants would be desirous of having that?—I do not say so, because the prices would have to rise and fall.

7355. You think that they would rather take their chance of having the rent fixed, even if it should be occasionally high, than take the risk of having it occasionally raised?—Their idea is that if the rent runs to the end of fifteen years, that they will get it reduced then, and that there will be a perpetual reduction in fact.

7356. Are you acquainted with the Church leases?—I purchased two holdings under the Church, but they were held in the hands of clergymen.

7357. I am speaking of these perpetuities?—I know of some instances.

7358. Are you aware that under these there is generally a clause for fixing rents on a sliding scale, according to the price of produce in the neighbourhood?—Not under the lease granted by the Commissioners to the purchaser.

7359. Under the lease granted by the Ecclesiastical Commissioners and the bishops?—Formerly.

7360. Yes?—In the grant by the bishops there was a provision that they should rise and fall.

7361. That is what I say. As a matter of fact you may take it from me that there is such a clause in those old leases, and it has never been acted upon. Would that not show that such a provision would tend to become inoperative?—It might do so.

7362. You seem to have an idea of some Purchase Act being passed which would become almost instant in its operation?—No.

7363. Then what you mean is that Lord Ashbourne's Act will be extremely slow in its operation?—There were only five millions granted.

7364. But this could be very quickly got through?—Yes.

7365. And that will produce, in a limited area, the very state of things of which you have been speaking, disaffection on the part of those who had been unable to purchase?—Yes.

7366. That will be the inevitable result?—I think so.

7367. If that were the case, there would be no injustice in making purchase compulsory under certain equitable conditions. Suppose now you would make purchase compulsory where a number of tenants were willing to purchase, and put down a fifth of the purchase money, do you think, looking forward to the position in which the landlords must be placed who refused to sell, that that would be a fair thing to do?—I think if the tenant were fixed in a satisfactory way, it would be the fairest thing to do.

7368. Leaving the terms to be fixed by the Court in case of failure to fix them by agreement, and fixing under the Act the minimum rate of purchase. I understand from you that universal purchase all over Ireland would not be a desirable state of things?—My idea is that if there was a universal purchase the proprietors would leave the country.

7369. For fear that their relations would suffer?—I do not think that most of them would agree to live here.

7370. Do you think that their interest in the place would be gone?—Yes.

7371. But the landlord has no power nor influence left since 1861 but the power to collect his rent as well as he can?—Well, he has influence left still, I think. I know the tenants come to me very often, they do not seem to consider me a stranger; they ask me to interfere from time to time in various ways.

7372. Do you think they would cease to do that if he ceased to be the landlord?—I think so.

7373. That duty is not the most agreeable one in the world, I believe?—It is not a pleasant one.

7374. And a good many landlords would not be sorry to get rid of it?—Quite so; but I am still looking to the fact of the lands remaining in the hands of the landlords being pretty extensive, and being considered as lands that should be in the hands of a reproductive people, and there might be an unpleasant form of partition to make them part with them. Then, if these classes leave the country, I believe a great number of the professional classes would have no occupation, and

a great number of the country shopkeepers and tradespeople would be very badly off.

7375. Mr. Nisgoss.—You allude, I suppose, to the craftsmakers, the joiners, the brickers, the architects, and so on?—Yes, all that class of traders who are generally employed in gentlemen's houses would feel it greatly; domestic servants, and all that class, also would feel it.

7376. I suppose it can hardly be contended that the expropriation of the gentry would be otherwise than a national calamity?—That is the opinion I entertain.

7377. The President.—In the north?—In the north.

7378. Would it be the same elsewhere?—Yes, there are other parts of Ireland in which there are a great number of gentlemen residing.

7379. Lord Ashbourne.—I do not see why they should leave the country, because they get rid of those estates, which are no longer their own property?—I do not say that it is a thing which will necessarily occur.

7380. What would be your own feeling, Mr. Macartney?—I must say, if I was restricted to the place that I occupy, I would very soon try to dispose of it and go away.

7381. You would?—Yes. I think there was a question which was mentioned in connection with my coming here which has not been spoken of, that is with regard to the making the local authorities liable for the delinquencies of persons purchasing.

7382. What do you think of that?—I am strongly opposed to it.

7383. Have you ever found any one in favour of it?—Not one. It would put upon the magistrates of the district the responsibility of paying for the delinquencies of others.

7384. The President.—I was tired of putting the question, and getting the same answer; that is why I asked it?—It would be unpopular with gentle and simple folk, so they say in this country.

7385. Mr. Nisgoss.—It has almost ceased to be a matter of inquiry with us.

7386. Mr. Anspie.—You have great experience, I believe, in the price of cattle?—Yes; I was a large cattle trader.

7387. And had quite a number of short-horns, I believe?—Yes; I kept a number of them all—short-horns, Alderneys, Kerys, Ayrshires, and Drovers.

7388. I suppose you know that there has been a considerable reduction in prices?—I do not know it of my own knowledge, because I gave up farming when I went into Parliament in 1874.

7389. And you are aware that there is a general depression?—I know there is a reduction owing to American competition. I have a short statement here which I wish to be allowed to read. It is taken from the tables contained in a very excellent book, *Essays on Commerce*, which is published in Dublin. It is this:—"The United States sent to Great Britain—in 1874, 125 head of cattle; in 1875, 71,794 head of cattle; in 1884, 169,357 head of cattle. The United States sent to Great Britain—in 1875, 49,210,990 lbs. of beef; in 1884, 118,401,557 lbs. of beef. The total value of cattle and beef products sent to Great Britain from the United States for the year ending June 30, 1884, was estimated at £7,391,111. Estimating the cattle of all kinds from Ireland—that cattle, store cattle, calves, &c.—at £15 per head, the total value of the 715,843 animals exported to Great Britain from Ireland in 1884 would be £10,737,645, showing that the United States are running Ireland very close in the supply of the British market."

7390. Mr. Anspie.—You are speaking of American cattle?—I am speaking of American cattle sent to Great Britain.

7391. For Irish cattle £15 per head would be a high average?—I take it at that.

7392. Lord Ashbourne.—For which year?—The same year. I want to compare it with the American.

7393. The year 1874 and the year 1884?—Yes. In

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the year 1884 the total value of cattle and beef products sent to Great Britain from the United States was estimated at £7,291,111. Estimating the cattle of all kinds, the total value of Irish cattle sent to Great Britain at £15 a head, would be £10,737,645. That £15 is what Mr. Keble says would be a high estimate. The total exported to Great Britain is 715,843 in 1884, and the value £10,737,645. The American, as compared with Irish, imported 7 to 10. That is roughly what we have to contend with.

7394. Lord Milltown.—These figures are only up to 1884—Yes.

7395. The President.—The Irish being 10 to 1—Yes, as against 7 American.

7396. You have no figures for the last two years—No; I have none for 1885, and you could not have 1886. We shall have the return of 1885 made at the end of this year.

7397. Do you know anything about the quantity of sheep?—Yes; I have the sheep here. I gave you the returns of the exports of live stock from Ireland to England—of fat cattle, store cattle, sheep, and lambs, the total sheep, and so on. This is the return which I have prepared:—

Exports of Live Stock from Ireland to England.

	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.*	1884
Fat Cattle,	254,401	279,134	305,893	348,944	347,897	328,905	270,125	391,777	328,903	355,925
Store Cattle,	295,178	285,512	348,249	414,729	335,244	317,201	280,299	427,794	379,518	387,352
Total Cattle, including Calves and Bulls, . . .	549,579	564,646	654,142	763,673	683,141	646,106	550,424	819,571	708,421	743,277
Sheep, Lambs,	641,307	674,871	621,139	648,808	608,821	592,803	415,793	583,548	512,508	595,485
Total Sheep,	917,979	939,565	883,374	942,956	878,871	714,783	577,237	688,404	685,729	833,285
Swine,	602,416	528,505	562,427	470,547	629,653	371,839	382,845	583,906	603,917	626,875

* Foot and
mouth disease
in 1883.

* This includes
all cattle of
whatever kind.

Estimated Total Produce of Crops for a Series of Years, 1874 to 1884.

Year.	Hay	Potatoes	Oats.	Wheat	Barley.	Turnips.	Mangel.	Cabbages.	Fine.
	Tons	Tons	Cwt.	Cwt.	Cwt.	Tons	Tons	Tons	Shew.
1874,	3,364,008	3,683,000	19,319,800	1,970,990	3,987,000	4,488,000	517,000	323,000	3,775,000
1875,	3,465,000	3,688,000	20,907,800	2,582,420	4,075,000	4,468,000	545,000	388,000	3,855,000
1876,	4,524,900	3,513,000	22,295,000	3,218,000	4,915,000	5,983,000	717,000	425,000	3,589,000
1877,	3,188,900	4,184,000	21,415,000	3,023,000	3,550,000	4,541,000	595,000	341,000	4,343,000
1878,	4,301,300	3,753,000	17,847,000	1,931,000	3,908,000	3,564,000	655,000	384,000	3,554,000
1879,	4,617,300	3,598,000	18,645,000	2,334,000	5,215,000	4,655,000	582,000	402,000	3,248,000
1880,	5,598,900	3,114,000	25,023,000	1,739,000	3,861,000	5,084,000	408,000	314,000	3,083,000
1881,	3,798,933	3,985,550	19,454,470	2,927,777	3,444,444	4,336,400	504,421	508,326	4,083,173
1882,	3,959,184	4,602,500	20,710,074	3,397,121	3,233,816	3,208,945	971,799	379,548	4,083,000
1883,	4,116,282	3,994,581	18,584,486	2,975,443	2,753,214	3,302,361	409,075	342,906	3,329,228
1884,	5,937,359	3,651,000	23,523,207	1,298,713	3,821,187	4,995,217	598,786	340,577	3,988,719
1885,	3,822,773	3,946,900	18,169,446	291,484	2,675,789	3,507,324	439,477	362,905	2,645,024

7398. Are they included in the sum of over £10,000,000 which you gave us just now?—No; that is only cattle; as to sheep, there is a great reduction. The highest point was reached in the year 1875, when there were 917,979 sheep exported to England; and in 1884, there were 593,285; so you see there were up and down. The lowest year is 1883, which is 460,729. These figures, of course, relate to the entire exports of live stock from Ireland to England. I have prepared here a table showing the crops for a series of years. They are taken out of the same tables. The average price of wheat, oats, barley, and oatmeal sold at the Dublin Corn Exchange. I give the prices from the year 1864 to the year 1884, and the comparative total value of the harvests for a series of years—1879, 1880, 1881, 1882, 1883, and 1884. In the year 1879 the total value was £21,389,375; in 1880, £20,944,985; in 1881, £32,637,616; in 1882, £26,938,395; in 1883, £31,197,837; and in 1884, £28,544,797.

7399. Mr. Keble.—1879 was a very bad year?—Far the worst, so I only took the figures as I found them in *Nassau's Almanac*.

1880. You only go that far back?—I could not go back further. 1878 was a bad year too. This is a return which I have prepared of the estimated

Produce per acre of Principal Crops for a series of Years.

Year.	Hay.	Potatoes.	Oats.	Wheat.	Barley.	Turnips.	Mangel.	Cabbages.	Fine.
	tons.	tons.	cwt.	cwt.	cwt.	tons.	tons.	tons.	cwt.
Average, 1864 to 1869	1.9	4.7	13.6	12.6	16.4	13.5	15.0	12.5	36.4
Average, 1864 to 1870	1.6	5.2	12.0	11.6	12.9	11.1	11.5	9.8	22.4
Average, 1871 to 1880	2.0	5.0	10.2	13.7	13.1	12.2	10.5	9.9	20.6
1875	1.6	5.0	12.6	11.7	12.6	12.7	13.5	9.9	24.8
1876	1.4	5.3	12.5	15.4	15.2	12.7	14.6	10.9	27.0
1877	2.2	3.9	12.6	14.3	13.5	12.5	16.6	12.4	25.5
1878	1.9	4.7	14.9	17.0	17.6	13.8	14.4	10.2	30.7
1879	3.3	3.8	12.1	13.0	12.5	13.7	12.9	9.5	22.0
1880	2.2	3.8	13.5	15.4	16.1	14.5	15.0	10.2	31.7
1881	1.9	3.8	11.7	11.4	12.8	14.6	13.6	10.4	25.5
1882	2.6	3.8	14.2	15.6	15.8	14.5	14.6	9.9	30.9
1883	2.0	4.0	10.1	14.9	15.6	12.9	13.4	9.6	30.6
1884	3.1	3.4	13.1	14.3	14.7	13.6	13.6	9.8	29.1
1885	2.6	4.6	10.6	13.7	12.4	14.0	13.6	9.6	30.6

You will see that the number of cattle brought into the London Metropolitan Cattle Market in 1885 was 294,634, of which 151,733, or 51½ per cent., were

foreign; in 1873 it was 288,530, of which 165,600, or 56 per cent., were foreign. The number of foreign sheep brought to the same market was—in 1863, 600,040, or 41 per cent. of the total supply; in 1883, 803,341, or 65 per cent. of the total supply. The total number of cattle imported into the United Kingdom from foreign countries was—in 1874, 193,802; in 1883, 474,850. Total imported into Great Britain from Ireland was—in 1874, 551,398. Total imported into Great Britain from Ireland was—in 1883, 556,367.

7403. And looking to the quantity of the cattle we get from America, do you think we are likely to have higher prices for some time to come?—I do not see much prospect of it at present.

7404. Lord Midleton.—Of course, we are aware that the importation of foreign produce has fallen off.—I believe one of the reasons that fooded us in Ireland with both cattle and beef was the low rate of freight, and that, of course, has been owing to the commercial depression that has existed.

7405. And the low rate of freight would appear to have had its own results if, as you say, the *Irish Live* has come to grief?—But they carried at a very low rate, and it would be only fair to suppose will not be so bad always; and when these freights rise again, cattle and beef cannot come here at the same rates; and, consequently, with the increased difficulty thrown in this way, the quantity imported will be diminished.

7406. Mr. Keipe.—Looking at the prices of produce and the increasing cost of producing it, you gave your tenants a further reduction?—I do not say that.

7407. I think you said you gave 15 per cent.?—Last year I did not give any in Armagh.

7408. Where did you give it?—In Tyrone. Both my Tyrone properties are peculiarly circumstanced. They are half mountain land.

7409. But if it was a good season?—Last year was not a bad season.

7410. Do you think it was a better one than this?—I think it was an average one. I think the crops are very good this year.

7411. And do you believe that the rents were too highly fixed at the time?—No; but the tenants asked me, and made a very poor mouth.

7412. They complained that the times were bad?—They said that they were not able to pay their rents.

7413. Do you know that the last two or three years have been the worst out of the past six?—I do not know that. I think some of the years before were worse so far as the produce of the crops was concerned.

7414. Do you know that a number of landlords have given reductions as well as yourself?—Certainly.

7415. Upon judicial rents?—Yes; I believe it is very well known.

7416. You say there are some of the landlords who have not given?—There are always a hard landlords, who raise the rent so long as they can. That was the case of the agitation in Ireland; and in some cases good landlords suffer more than bad ones.

7417. Are there many leaseholders on your estate?—Only on one property, and these are all fee-farm grants. My Antrim estate is immediately outside the municipal boundary of Belfast.

7418. Is the rent reserved in the leases a low one?—No; they were made in the time of the agitation about thirteen or fourteen years ago at a fair rate.

7419. Did you give these leaseholders any reduction, or did they apply for any?—They did, but I could not think of giving it to men who had fee-farm grants, the same interest as I had myself.

7420. Was the rent higher or lower than the judicial rent?—It was fee-farm grant land.

7421. Is it higher than the judicial rent?—I cannot say what the judicial rents are in that neighbourhood. It is immediately outside Belfast.

7422. That is not in the neighbourhood of Clogher?—No; the model farm is on it. Of course it is not a model farm now, but the place is there.

7423. Mr. Wiggins.—It would be almost a town park?

—You may say it is. I believe they want to bring some of it into the municipal boundary of Belfast. The People's Park is on it and a burying ground.

7424. Mr. Keipe.—Do you think that leaseholders paying high rent should be admitted to the benefits of the Land Act?—I thought there was a provision that if the leaseholders had taken the lease under unfair conditions that they were allowed to go into the Court and get their leases broken, and a good number applied, and some were broken and some were not.

7425. They were not able to say that they were compelled to take the lease?—No.

7426. Mr. Wiggins.—Certain unreasonable conditions with regard to the lease enabled them to get the lease set aside?—Yes.

7427. Mr. Keipe.—Do you think it is a thing that they should do?—I think any man in Ireland will apply to get his rent reduced if he possibly can.

7428. Or anywhere else?—Yes.

7429. If he has a chance of succeeding?—Yes.

7430. It is natural for the landlord to try to retain his rents?—I know gentlemen holding houses in London who were delighted to see a Bill introduced which would have the effect of securing the property of the landlord handed over to them. They were gentlemen of large fortune. I know the tenants of Dublin University were very ready to reduce all rents that they paid to the University.

7431. Do you think that the landlords in the south of Ireland would sell if they got a fair price?—I think a great number of them would sell if they got a fair price.

7432. Will you tell us what you think a fair price would be?—I cannot possibly say that; it would depend on the circumstances of the estate, where it is, where the holdings are, what size they are, what the nature of the soil is, and the nearness of the markets.

7433. All that was taken into account in the fixing of the judicial rents?—Sometimes they were and sometimes they were not. I can give you instances of the difference in rents which have been put upon places in my own neighbourhood. Several farmers got their rents reduced about the neighbourhood, and one gentleman, a solicitor, got his, and he said that there was no acre of land about that was worth more than £1 per statute acre. I offered a man occupying a farm adjoining his, on behalf of the company of which I am chairman, £1 per perch, £160 per acre, and he refused.

7434. What part of Ireland is that in?—It is within a quarter of a mile of Clogher.

7435. It was for building purposes?—It was to add a bit to our station.

7436. That won't have much to say to tenants living away from any railroad?—That is what makes me attach very much importance to the position.

7437. But apart from solitary cases of this kind, take your own case. What do you think would be a fair number of years for you to receive?—I would not like to sell for less than twenty-five years, which would give me 4 per cent. I mean on the judicial rents.

7438. That would not give the tenants much?—It would give me 4 per cent. for my property. I have to consider myself as well as the tenants, of course.

7439. Certainly, and the tenants have a right to consider themselves?—Yes, and they can either buy or not buy, as they like, and I can either sell or not sell.

7440. But would this give the tenants a reduction from their present judicial rents?—According to Lord Ashbourne's Act I think it would; it ought to.

7441. Lord Midleton.—They will become the owners of their places at the end of a certain number of years.

7442. Mr. Keipe.—But is Mr. Macartney aware that they must pay the whole of the poor-rates, and in many cases cesses too?

The Witness.—I know that they would have entire ownership, and that therefore they would pay the whole poor-rates; but they would become proprietors as well as tenants, and they would have to pay for it. I have

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to pay the whole rates for that part of my lands which is not occupied by tenants.

7441. In some cases the landlord pays the half now?—Where there are new leases, but I think they contract themselves out of it.

7442. At all events, they would have the whole of the county cess to pay?—Not in the case of new leases. On my own property in Belfast I pay half the county cess.

7443. And in the event of your selling they should have to pay the whole of it?—Certainly they would.

7444. So that this twenty-five years' purchase would increase their rent?—I am not pressing twenty-five years as a general rule. I say that I would not like to sell for less than twenty-five years' purchase.

7445. Mr. Stokess.—That would leave you with your present income getting 4 per cent.—I do not say that twenty-five years' purchase would be a fair general rule, and I am glad Mr. Knipe thinks so.

7446. Mr. Knipe.—Would it be worse for the tenants or better?—It would leave them as they are, and leave them prosperous.

7447. I am afraid it would leave them worse when they had to pay their taxes and poor-rates?—A man becoming a proprietor, generally speaking, gives a little beyond the exact thing that he is to pay as tenant.

7448. And if you were a tenant, looking at the present prospect, you would not buy at what would raise your rent?—Whether tenant or landlord, in Ireland I would not buy an acre of land; that is my answer to that question.

7449. Do you think the landlords in this part of the country would be willing to sell at twenty-five years' purchase?—I think they would be glad—some of them.

7450. Do you think they would sell for less?—I think there are some landlords who would take a great deal less, I must say, in order to get away, they are so sick of the whole business.

7451. You have heard what the Salters' Company and a number of London companies have done?—I have heard that, but I heard nothing about the terms.

7452. They agreed, at all events, with their tenants?—They did.

7453. And a number of purchases have been made in the south and west of Ireland besides?—It is a very different thing in a case like this of a rich company in London, who happen to have a portion of their property in Ireland, which no doubt they would be glad to get rid of.

7454. Do you think, as a rule, the landlords in the north of Ireland would be willing to sell?—I never said that. What I said at the beginning was that men who were embarrassed, and who have heavy mortgages and family settlements, and whose rents have been reduced, would be very glad to part with their property on anything like fair terms—upon what they considered fair terms, or even less than that. I think the remainder, who are in an independent position some of them, are willing to sell and go away; others, perhaps, might remain.

7455. And if a landlord was willing to sell, and the majority of the tenants upon the property were willing to buy, and some were not willing to buy, would you think it unfair to compel the others to buy?—I think compulsion is always unfair.

7456. Would it be well for a man to sell the best to his tenants and to retain the most worthless?—I am opposed to compulsion in every way.

7457. But if it was for the general good?—It is said to be for the general good. I am opposed to compulsion—even to the shutting up of public houses by compulsion, and that is said to be for the general good.

7458. Did you give evidence at the Beauchamp Commission?—No.

7459. But you were opposed to the Land Act of that day?—I do not think I was. I brought in a tenant-right bill myself into the House of Commons. I don't know whether you are aware of that or not.

7460. I read it. But you thought it as doubtful an interference on the part of the State in the fixing of fair rents?—I do not.

7461. But you know that was compulsory?—I voted for it. I supported it in the House of Commons.

7462. Was there any compulsion there?—No; it did not compel a man to part with his property.

7463. It compelled him to take a lower rent than he desired to do?—It seemed to be then the only way we had out of the difficulty.

7464. And perhaps this is the only way out of the difficulty now?—You are asking me my opinion.

7465. Mr. Stokess.—You were speaking of the sliding scale as a mode of settlement. I understand you have devoted your attention to it?—I think it a fair way of settling.

7466. I would like to ask you a question with regard to its practical working. If we take the rent of this year, 1886—assuming that the sliding scale is adapted to it—you should wait for the averages of 1886 to be concluded, and then would you include the harvest of 1886?—I believe that the rent of one year would be based on the facts ascertained in the previous one.

7467. If, then, 1885 was a good year, and 1886 was a bad one, the tenant will have to keep his money in bank or somewhere from 1885, because he would have to reserve some of it for twelve months in order to meet the difficulty in 1886?—There is no doubt that a tenant would have to make provision for a bad year like that. The good year would have to provide for the bad year. The rent of a good year would form the basis for a bad year, and vice versa.

7468. And would there not always be the objection that if a bad year came after a good one you run the risk of a man being unable to keep his money, for, of course, there are a good many people able to make money who are not able to keep it?—It would certainly have this objection, that the rent would always be an uncertain quantity, and therefore the tenant would not know what money he could afford to spend.

7469. And of course there are people who make money and who cannot keep it?—Yes, that is so, particularly in this country.

7470. Then the receiver of the rent would have that risk to deal with, but I think he is exposed to so many risks now that it would not be so very important.

7471. That would be a lesser one?—Yes.

7472. Do any means suggest themselves to you for obviating such a difficulty as that?—I cannot say that I see any exact way at the moment. Of course, sometimes there are several good years and several bad ones.

7473. The President.—Would the effects of one year pull down the average?—At all events three would. This table that I have given shows the difficulty of estimating crops for a series of years, from 1874 to 1884. It shows what the fluctuations are. All sliding scales have that effect. At the time the sliding scale was proposed for all corn imported into England, Lord Russell, I think, opposed it. The objection was the uncertainty.

7474. Mr. Knipe.—The difficulty of expecting a man to keep his money over, and rent would be always payable by one payment instead of two?—That is the rule in the greater part of the north of Ireland. In Antrim and Down I receive the rents once a year. It is half-yearly in Antrim and half-yearly in Tyrone. I think most of the properties in Antrim and Down pay once a year, and the payment does not come so rapidly as to interfere with the sliding scale, because the year's rent due last year in 1885 my agent is about receiving now.

7475. Rent due on the 1st November 1885?—On the 1st May 1885, he is receiving it now in November 1886. That is one of the additional drawbacks since the Land Act, that a great number of the payments that used to be made with the year are made in that way.

7476. The President.—Are there labourers' cottages in this district?—I could only speak of the union of Clougher. Proposals have been made there to build labourers' cottages, and the Board has not entertained them all. They are not willing to build except in cases in which it is proved that additional labourers are required, and that farmers will employ them. Proposals

have been made for accommodating persons who did not belong to the class of agricultural labourers.

7477. With reference to the question of compulsory purchase, you say that while you approve of the extension of the tenant proprietor, that you would be sorry to see them created to such an extent as would eliminate what is called the resident gentry?—Exactly.

7478. You believe that it would not be well that that class should disappear?—Yes.

7479. And you think that the extension of this purchase would have that inevitable result?—If it was universal.

7480. I mean universal?—Yes.

7481. Sir James Caird.—You have been long a resident proprietor in those counties which you have mentioned?—I have been in this county thirty-three years, and before that I was resident in the county Antrim.

7482. Have you observed that the condition of the labouring class has improved or otherwise?—Very much; wages have increased very much.

7483. Of course, you are aware that in this county the population has diminished, and that the number of labourers is very much reduced?—Yes.

7484. And you say, in addition to this, the condition of the labourer has very much improved?—Yes; the wages used to be about 10s. a day, which was 5s. a week, and, in fact, it is quite double that now.

7485. And they are in a more comfortable position now?—Much more comfortable, and a great number of the things which they require are much cheaper than formerly.

7486. They live at less cost, and get better wages?—And they are better fed, and clothed, and housed.

7487. Supposing that some considerable change took place by the passing of the Purchase Act, and that they expropriated the landlords while the number of owners should be increased, do you think that with that change the labourer would continue to be in as good a state as he is now?—That would depend on the size of the farms.

7488. Take the farms as they are?—Then I presume that the farmers would employ just about the same. Of course, they employ as little labour at present as they possibly can.

7489. Would they be more anxious to improve their farms if they became proprietors, and also, for that reason, necessarily employ more men?—They ought to be.

7490. Do you think that that is a probable result?—I cannot say that a man always acts as wisely as he should do, because my experience in the county Antrim

with regard to what are called freeholders is that most of them want to be bad.

7491. As it is, the present condition of the labourer in your opinion is greatly improved?—Very much.

7492. Have you any knowledge at all of what are called the congested districts in the western part of the country?—No.

7493. Do you know whether their condition, as in the case of the labourers, is better?—I know nothing whatever of the congested districts. I know these counties I have mentioned, and I know also Fermanagh and Longford, where I was agent formerly.

7494. You have said as that you are a large breeder of shorthorns, and Ayrshires, and Alderneys, and several other breeds of cattle?—Yes.

7495. May I ask you what the result of your experience of these different breeds has been, and what would be the best that could be used in this part of the country as a profitable business?—I think a cross. Am I to speak of dairying purposes, or both?

7496. Take both, for dairy purposes and feeding?—I then prefer a cross between a shorthorn and Alderney for milk cows.

7497. Do they produce a very much enlarged breed?—Yes.

7498. And good milkers?—Excellent milkers.

7499. A good quality of milk?—Yes, and they fatten kindly.

7500. Much more kindly than the others?—Much more, that is than other milkers.

7501. Then for breeding purposes, which do you consider the best?—Durhams and the Devon. The first cross between the Durham and anything. The Devon I consider good for fattening, it is small undoubtedly, but that is no objection, for it is more easily disposed of to the butcher in this country.

7502. And perhaps it is better on poor land?—The shorthorn does not do well upon poor land at all.

7503. I said the Devon?—Oh, yes, better than the shorthorn.

7504. Is there anything you have to add about the most favourable produce to encourage in this part of the country?—In mountain lands I should say that a very good breed would be the West Highland for fattening.

7505. Have you tried them?—Never, but I know from the experience in Scotland—they were never introduced into this country.

7506. Have you anything more to say?—Just to hand in the extracts and the figures from the almanacs.

Mr. Bernard Campbell, of Coalbrookdale, examined.

7507. The President.—I believe you are a tenant farmer, Mr. Campbell?—Yes, my lord.

7508. Where is your holding?—Coalbrookdale.

7509. Lord Milnes.—In this county?—Yes, my lord.

7510. How much do you hold?—Five acres and a half.

7511. Is that all you hold?—That is all I hold.

7512. Sir James Caird.—Do you get a living out of it?—By other industry I do.

7513. Lord Milnes.—Five and a half English acres?—No, five and a half statute acres.

7514. Is that your principal means of livelihood?—That is not my only means of living. I sometimes act as agent in some capacities, and I sell things for my support.

7515. Mr. Nelson.—Are you a land agent?—No.

7516. A commission agent?—Yes.

7517. The President.—What is your rent?—The judicial rent is £5.

7518. When was it fixed?—In January 1882.

7519. Was it a fair rent when it was fixed?—I think not, sir; it is rather higher than a fair rent.

7520. What sort of land is it that you hold?—About a half reclaimed bog, and the other half upland.

7521. Do you find it more difficult to pay the rent lately than when it was first fixed?—I do.

7522. Have you been able to pay your rent?—Not without the additional support that I make from other sources.

7523. But it is paid?—Yes, sir; up to the present time.

7524. Would you like to become the proprietor of your own holding?—Would you like to purchase?—Yes, sir.

7525. How many years' purchase would you be prepared to give?—I would consider about ten years.

7526. Then that would reduce your rent very considerably?—I would hope so.

7527. Your chief wish, then, to come under the Purchase Act would be to reduce your rent?—It would be one of my greatest desires.

7528. I suppose there would be no chance of the landlord being willing to sell at that?—Have you spoken to him about it?—Yes, my lord, I have. I have written to him on one occasion, submitting that I would give or take a certain sum, representing about £10 per acre, for the interest of the holding I occupy.

7529. What was the answer?—He declined, or rather I never had an answer.

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Mr. J. W. Elson, Secretary.

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Mr. Bernard
Campbell.

7530. What would you be able to sell your tenant right for?—I consider it would bring in the market about £30.

7531. That is about five years' purchase?—Yes.

7532. And you think there would be no difficulty now in getting that?—I would expect not.

7533. Do your neighbours hold the same sort of small holdings that you do?—From five acres, but some of my neighbours hold as much as a hundred; from five to twenty is the general holding comprised in the district.

7534. I suppose it would be quite impossible for any one to live upon these five acres?—I consider it would be very difficult.

7535. I may take it that it is a kind of supplement to what you earn in other ways? You have never thought seriously that you would wish to leave that part of the world—to get rid of your holding and go away?—Yes, my lord; on the occasion that I wrote to the landlord that I would take or give a certain price—at that time I thought to get a price from the landlord, and leave the country.

7536. You wrote to the landlord, offering to buy?—Yes; I offered him £50 for his interest in my holding, and I intimated in my letter that I would receive that amount from him.

7537. Was that with the view of leaving the country?—With the view of leaving the country.

7538. You would have sold again if you had bought from the landlord?—No, I understood that he would take possession. I believe that he had a right that I recognise in the land.

7539. You offered to sell?—Yes.

7540. I misunderstood you; I thought you offered to buy the freehold?—Yes.

7541. Then you did both?—Yes, I did both; in the same letter I said I would take the same price from him that I was willing to pay.

7542. You were willing to buy or sell?—Yes.

7543. Sir James Caird.—Had you anything to sell?—Yes, my interest in the holding; perhaps not now, but I have known a holding in the district to sell at £10 per acre in the years that are passed.

7544. The President.—You are willing to buy, or willing to sell to the landlord, whichever he chooses?—Yes, and leave the farm in his hands—the dual ownership that I considered lay in the farm.

7545. Sir James Caird.—And you consider your interest equal to his?—Yes.

7546. The President.—You would become the proprietor, or leave the whole thing?—Yes, or.

7547. Now, let me ask you a few questions about your way of living. Are you ever able to eat meat? Can you afford yourself a meal of meat?—If you mean from the profit of the land, no.

7548. Well, it does not concern me what you do from other things?—Of course not.

7549. Lord Milnes.—What do you grow on the holding?—Principally oats and potatoes.

7550. The President.—And you cultivate these yourself?—The greater part.

7551. Lord Milnes.—Do you use the spade or the plough?—The spade only.

7552. The President.—Are there any other people near you who have no other means of subsistence but these farms?—Yes; in fact, all but myself alone are in that way.

7553. Is there anybody who really lives on a holding of five acres who has nothing else to fall back upon?—Yes; but at present I think that any who are now living in that way are considerably embarrassed and behind in rent, and have other debts. That is my opinion, but I am positive from my experience that I believe that to be so.

7554. Have these holdings got smaller during twenty years, or have they remained about the same as they were? Is the country overpopulated? Are the holdings divided amongst more people than they used to be?—My idea is that the farms are more consolidated than formerly.

7555.—Is the landlord opposed to subdivision?—As a rule.

7556. And has he some means to stop it?—Yes, viz. According to the existing law we understand so.

7557. And therefore the tenants, if left to themselves, would be likely to subdivide?—In some cases, yes.

7558. Lord Milnes.—How does the landlord stop it now?—He had it in his power, through, we understood, the Land Act, to break the judicial leases.

7559.—Has he ever tried that?—In case we did not do it.

7560. Then the Act was actually preventative?—Yes.

7561. The President.—If the land was bought by the tenant, you think subdivisions would be very much increased?—I know they are not allowed to do it, but is that case the subdivision would not be the same thing.

7562. You say you find it difficult to pay your judicial rent now. Have you had any abatement from the landlord?—None whatever.

7563. Are there any leaseholders in your neighbourhood?—There are.

7564. Small or large?—As a rule the leaseholders hold large farms. The holdings of the leaseholders are, as a rule, from twenty to fifty acres, and there are some up to a hundred. I think a hundred is the largest.

7565. Are the rents in those cases higher than those of their neighbours?—They are about the same.

7566. Lord Milnes.—The same as the judicial rents?—The leaseholders are now about the same as the judicial rents; but I do not refer to the estate on which I live, there are none upon that, but the district I was asked to represent and speak for. The leases are, about the same as the judicial rents at present. In fact we hold under leases which expired in 1873.

7567. You held this holding on a lease?—Yes; my ancestors did. The rent was then £4 9s.

7568. Less than now?—Yes.

7569. It was risen after you had the judicial rent fixed?—After the lease expired it was risen from £4 9s. to £7 12s.

7570. Was there actually then a lease of this little holding?—It was not a separate lease, it was one of six. They were all in one lease, and the names of the tenants were in it, and they paid jointly.

7571. Mr. Nelson.—It was not let?—No, it was given originally in the names of the several people.

7572. What was the reserved rent in the lease?—Collectively?

7573. Collectively?—I do not know that, but our rent was £4 9s., and I have the receipts; but, under tenancy, I did not anticipate that question, and did not fetch them. All the other rents on the property were raised in like manner.

7574. From £4 9s. to how much do you say?—To £7 12s.

7575. Lord Milnes.—Whatever improvements are on this small holding were made by yourself or your father?—Yes.

7576. Did the landlord ever do anything?—Never.

7577. Nothing?—Nothing whatever; the buildings were erected by us, and the improvements in general, in fact, the greater part of the farm was reclaimed out of a bog by the tenants who were under the lease. It appeared when the lease was given another gentleman had an interest in the farm. He had an interest in the turlough and used it, cut away the turlough and we retained that. They cut away the turlough for burning purposes.

7578. And you reclaimed the cut away bog?—Yes.

7579. In this case you did not cut away the bog?—No.

7580. Did you pay any other people any tenant right for it as cut away bog?—No; their interest expired when the lease did, at the same time, that cut away bog was used as pasture; we had that right before.

7691. The £5 which you now pay you do not pay on your improvements?—So far as we improved, which was considerable since the beginning of 1873 to 1883, when the rent was fixed. We were greatly depreciated when the turbarry was cut away, and then our rent was fixed, and we thought that the improvements should be discharged but they were not.

7692. Well, that would be illegal, if the Commissioners charged you rent on the improvements?—And we believed that that was the result.

7693. Do you represent that these were your own improvements?—Certainly.

7694. And notwithstanding, you are charged on your improvements?—Certainly, we are obliged; we submitted our evidence and shided the result, and certainly that was my evidence. I recollect distinctly stating what the valuation was, and mentioning the improvements. The valuation was £3 5s.

7695. That is the valuation for the land?—Yes; house and land.

7696. What is the rent for the house?—£1 5s.; the house is valued at £1.

7697. That would only be £2 5s.?—Yes; and I should say that the rent was £2 5s.

7698. Then you pay a rent double the poor-law valuation?—Yes, £2 is the rent.

7699. The *President*.—Of course, the Government valuation was fixed before the bog was reclaimed?—It was reclaimed from the beginning of 1873 to 1883.

7700. Mr. *Nelson*.—In fact, the bogs are not valued except as turbarry.

7701. Lord *McAlister*.—So that the land was not value in a reclaimed state?

7702. *Witness*.—I am not sure of that. We reclaimed it from 1873 to 1883, when the rent was made. In fact, when we began to be tenants from year to year at the expiration of the lease the bog was cut away; we then reclaimed it, and had it in a good state of cultivation, when the Commissioners came in 1883 and fixed our rents.

7703. You commenced to reclaim it when the rent was raised; it was in 1873 the rent was raised?—Yes; there were two tenants. We only had the right of pasturage. Colonel Deane Mann is only the landlord of the one on which I live. The tenants of the other part had a right to use the turbarry on this part, and in 1873 their right of turbarry ceased. We got the holding and improved it, and made those improvements up to 1883, and we believe we were charged with them when the Commissioners fixed the rent.

7704. Is it the opinion in your district that the tenant's right is worth as much as the landlord's property?—It is generally believed so; from my experience, I would say that I believe that it is so.

7705. Why?—I believe that it should be so.

7706. But why should the landlord's property be worth no more than the right which the tenant has, or I should say the privilege of paying a fair rent for it?—Our idea is that owing to existing legislation the interest of the tenant in 1870 was recognized as being a saleable article, and from experience we find that it is so, and also that it reflects as much as the landlord's interest in his estate would reflect.

7707. That is the small holding?—On some estates.

7708. Because I do not think that we have had any evidence that the tenants on large farms have come to that conclusion, that the tenant's right is worth the full value of the rent. You say that the tenant's right of these small holdings is so valuable that it is equal to the value of the landlord's interest?—Yes; in consequence of the improvements we made upon it.

7709. But if the landlord gets £5 a year from you, do not you think he would be entitled to get £50 at least if he sells?—Yes; but if he only got what he was justly entitled to receive that would not be the case. We believe that, owing to existing circumstances he is to get twice as much as he should.

7710. You think the fair rent is twice as much as it should be?—In our case.

7711. But it was fixed by Court?—Yes.

7692. And he would have a right to recover it?—Yes, unless the Government put such improvements into the Purchase Act as will make it worth his while Campbell to sell.

7693. What would you have them to do?—Well, if I have the privilege to make a suggestion to modify or improve the Purchase Act, I would enable tenants to have their holdings at a fair value.

7694. Mr. *Nelson*.—Who will value it?—That would be a matter for the consideration of the Government.

7695. Already there has been a tribunal established by the Government for the fixing of rent, and you say they have fixed it at a double value?—My experience is such that the Commissioners should, in the first instance, have the bringing together of the landlord and tenant under the Purchase Act for the sale of the farm. I think the tenant should be allowed the privilege of communicating with the Commission and to offer a fair price, and that if the landlord would not consider that a fair price, that he should be empowered—

7696. That he should be compelled?—No; empowered.

7697. You mean to say that he should take what the tenant offers him?—Yes; or else give the same amount to the tenant. The tenants would, under these circumstances, be induced to offer reasonable terms, knowing that if the price was insufficient, that the landlord could give him the same as he had offered to pay for it.

7698. What would he do with it?—According to law, he should cultivate it. If I had the making of the law I would compel him to cultivate it. I would consider that a very saving clause, that power should be given to oblige him to raise produce that would be required for the feeding of the people of the country. He could do that by putting a man in as a labouring man, or by amalgamating it with other farms.

7699. Your proposition is that the tenant's right is the value of the landlord's interest?—Yes.

7700. And not more than that?—Not more than that.

7701. Mr. *Kelce*.—Are rents fairly well paid in your part of the country?—Fairly well.

7702. Do you know what the average reductions were under the Land Act?—In our particular district?

7703. Yes?—In my own case it was from £7 12s. to £5.

7704. Your rent was fixed in 1882, you say?—Yes; in the beginning of 1882.

7705. And you complained that it was a very high rent?—The judicial rent?

7706. Yes?—It was.

7707. Do you think if they were fixed now, in 1880 or 1885, that this rent would be lowered?—I do.

7708. In consequence of the low price of produce?—Yes.

7709. Did you apply for a reduction of rent?—Since the fixing of the judicial rent?

7710. Yes?—Never.

7711. Do you know of any landlord in your locality who has given a reduction on the judicial rent?—I do.

7712. In many cases?—In our district there are a few cases only, but I believe that it has been the case in some other places, but in our district I know one farmer that has got a reduction on the judicial rent.

7713. At the time your lease fell out your rent was raised, in 1873?—Yes; I believe it was in 1873, or the latter end of 1872.

7714. Did the landlord make any improvements or expend any money upon it at that time?—He never made any improvements.

7715. You made all the improvements yourself?—Yes.

7716. And reclaimed the land?—Yes.

7717. And he raised the rent?—Yes.

7718. And the valuation is considerably lower than the judicial rent still?—Still.

7719. Do you believe the tenants are willing to buy?—They are most anxious.

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7630. If they were assisted by the State?—They are most anxious in every case.

7631. Lord *Milltown*.—At ten years' purchase?—At a fair price.

7632. Mr. *Knappe*.—Would the tenants in your locality be willing to leave the price to the Land Commissioners, and allow the Land Commission to interfere between landlord and tenant in order that the price might be fixed?—I believe they would be most anxious to have it so.

7633. But you do not think they could arrange with the landlords?—Yes.

7634. And that is the reason you prefer to leave it to the Land Commission?—Yes.

7635. And you believe if a court of that kind was established that they would buy, and give what the Commission said was a fair purchase?—They would endeavour.

7636. Lord *Milltown*.—That is not what is called a congested district?—No.

7637. Everything is peaceable and quiet in your part of the country?—We never had any annoyance.

7638. There was nothing else further than an application to the landlord for a reduction?—Sometimes we had not even that. Since the judicial rents were fixed our landlord was, I think, offended, believing it was an undue interference with his right, and he processes us when we have not got it, and takes the costs and the November rent when we have it. I have been possessed myself for a half-year's rent, and had to pay costs in November.

Mr. William B. Kelly, D.L., examined.

Mr. William
B. Kelly.

7637. The *President*.—You are police inspector of this district, I believe. I should like to know what condition it is in; is there any kind of intimidation being exercised by tenants in this county at this moment?—Well, my lord, I am acting in a dual capacity here; the county inspector has been away for the last six weeks, and I am acting for him. I can speak both for him and for my own portion of the duty. I am in a position, owing to acting for him, to speak with regard to the whole of it.

7638. He will take your own district first?—My district goes towards Enniskillen, Fintona, and Drogheda, and there is no intimidation.

7639. Sir *James Caird*.—No combination of any kind?—No; there are combinations of Orangemen and of the National League, but they are all for political voting purposes.

7640. The *President*.—Are the rents being well paid throughout the district?—They are fairly, considering the prices.

7641. I have nothing more to ask you about your immediate district. Now, with regard to the county at large, is there intimidation?—I could not say there is intimidation, but there is one district which I have a knowledge both as acting for the county inspector and as being on duty there. It is Sir John Stewart's estate, Carrickmore, and south from that to Ballygarvey; and I am able to say from my official knowledge, as acting for the county inspector, that there has been a combination to resist rent.

7642. Amongst the tenants?—Amongst the tenants.

7643. Mr. *Nelson*.—A combination against the payment of rent?—Yes, sir.

7644. What form has it taken?—I must mention that one part of the estate is worse than another.

7645. What form has the combination taken?—Abstention from attending the rent-office and paying.

7646. Is that all?—They won't go to the rent office; and when there were evictions going on, we were obliged to have a very large force of police.

7639. Did you only pay once a year?—Yes; until the judicial rents were fixed.

7640. Is that common here?—I do not know of any case except our own, where there is a half-yearly sale paid.

7641. And I suppose it would be an advantage under the Purchase Act if the instalments were only paid yearly?—Yes.

7642. Mr. *Knappe*.—Would this make the farmers in your neighbourhood more industrious if they were assisted to purchase their own holdings?—I think it would. It would be everything they desire, as a class, to be treated on reasonable terms. I believe it would have that effect.

7643. Do you think the tenants would cultivate their farms better?—Yes, and be law-abiding, peaceable citizens, as they ought to be.

7644. That is your opinion?—Yes; that is my opinion.

7645. And you believe the landlords will not be willing to sell at a fair price?—Under existing circumstances, I believe not. Some tenants are probably unreasonable in their expectations, and the landlords also; and I think it requires a third party to come in. If we were brought together, I believe the difficulties would be disposed of, and that we could sell and buy at a fair price.

7646. Mr. *Nelson*.—I understood you to say that your farm was about the average size of the farms there?—Yes, I understood me. There are only two as small as mine; some of the farms are up to twenty, and the general run of them is about ten.

7637. There have been evictions?—Yes; about a year and a half ago I was two days out.

7638. Lord *Milltown*.—A year and a half ago?—Yes, about that.

7639. Oh, well; we will not go into that now.

7640. The *President*.—Was there at that time a difficulty in carrying out evictions?—I will not say there was a difficulty, but we had a large force of police to do it, and there was great opposition.

7641. You found a difficulty?—Yes.

7642. Have there been any evictions since then?—There have been very few evictions in this county, and they are merely all mistaken as mistakes. I cannot exactly call to my mind cases; but if I had known that this would have been required, I should have ascertained it from the books.

7643. Do you know anything of Mr. Lowry's estate?—I do.

7644. At Pomeroy?—I do.

7645. It is out of your district?—I would have heard of anything, acting as county inspector.

7646. Do you know of seventeen sheep being maliciously killed in April last on his property?—I never heard of it.

7647. Do you think you would have heard of it?—I think I would have heard of it, acting for the county inspector; generally reports have to be made a couple of months afterwards.

7648. At any rate, you never heard of anything of that kind on his property?—I have not; I could tell you in three minutes from the records in the police barrack, if such a thing was reported as an outrage.

7649. You might find it for us. I will now ask you generally, if, with the exception of Sir John Stewart's estate, this place Carrickmore, has there been any combination serious enough to cause you to take any notice of it?—No; the county has been exceedingly quiet—that is the tenor of my confidential reports.

7670. Lord *Milltown*.—This combination on Sir John Stewart's property was not intimidation?—It simply

was a combination on the part of tenants to agree not to pay their rents?—Yes.

7671. Did you hear of any people who paid their rent being intimidated?—No; I do not believe there was any case.

7672. Is there any boycotting?—There were a couple of boycotting cases for giving drink to the police at the time we were at the evictions.

7673. I am not speaking about a year and a half ago, is there any boycotting now?—There is no boycotting.

7674. Mr. Neligan.—At present?—For what period would you say?

7675. Say three months?—Well, there is not; a fellow pretended he was boycotted for eating Captain Alexander's turf.

7676. Lord M'Alister.—I put it shortly to you, that there is nothing which would be described as an illegal combination to resist the payment of rent?—There has

been a silent resistance; there were a good many people who would pay, but for the existence of what they called an honourable feeling of resistance.

7677. Some of these would pay only that they have that feeling?—Yes.

7678. That feeling which arose from no intimidation?—No; it is not Land League intimidation. I was speaking to the sergeant, who knows the people in Carlowmore better than I know them, and he says so.

7679. Sir James Caird.—What did he say exactly?—Well, it is a good deal from his personal knowledge I am speaking.

7680. Has there been anything in the last three or four years—any intimidation or anything of that sort?—No; not in the county.

7681. Mr. Neligan.—No evictions at which the constabulary were present?—Nothing, except in the case of Sir John Stewart, where there was a number of men gathered together.

Oct. 21, 1886.
Mr. W. H. Jones
R. Kelly.

Mr. Andrew Spauls, of Brookhill, Omagh, examined.

7682.—The President.—I believe, Mr. Spauls, you are a tenant farmer?—Well, not exactly, sir; most of the land I hold is freehold. I have some small portion as a tenant farmer.

7683. And you are acquainted with the position of the tenant farmers?—Yes.

7684. You cultivate your own land?—Yes.

7685. Have you tenants under you?—Yes; upon one property, but not upon that on which I reside. I hold it by Leased Estates Court title.

7686. Would you find it difficult to pay rent supposing you had to do so?—It would certainly; it is very difficult to get the rent out the land at present, there is no question about that.

7687. With regard to this land which you cultivate yourself, and of which you are the owner, I do not think I have much to ask you. Is there any information you wish to give us?—I may say that I was also a Sub-Commissioner under the Land Act of 1881.

7688. Then you have fixed a good many rents?—Certainly; I was nearly two years upon it.

7689. When did you leave it?—When a general reduction was made at the end of July 1884.

7690. And if you had to value land now, the same land that you valued then, would you put a lower rent upon it?—I think I would put at least 10 per cent. less, perhaps in some cases more.

7691. Mr. Neligan.—But, as a rule, too?—Yes.

7692. The President.—When you valued it you generally kept in view the probability of a fall in price?—We rather thought times might improve for farming, however, unfortunately, it has turned out to be the reverse.

7693. And you think it would be rather difficult for the tenants to pay rent in these times—that is, to pay the rent that you fixed in those two years?—I thought it would, if times did not improve. They would have had enough times of it at present.

7694. Has your attention been called at all to the question of the sliding scale for rent?—I have heard it, but I would not give an opinion about it.

7695. You have not thought enough about it to know whether it would be possible to fix a basis by which to proceed?—I would not like to give any opinion about it.

7696. Well, we will not ask you then. Did you consider the Purchase Act at all?—I have. I think it is a pretty fair Act.

7697. Do you think there is much wish amongst the tenants to buy their holdings?—I think there would be, except, from the agitation some time ago, they were led to form the belief that they would get things much cheaper after a while.

7698. Then they are waiting to see?—Yes; if they

did not expect to get the lands lower they would purchase, of course.

7699. Do you think they would be willing to give such a number of years' purchase for the land as the landlord might expect without suffering?—I think they would in this part of the country.

7700. How much do you think they would give?—Twenty years would, I think, be a pretty fair price.

7701. Mr. Neligan.—Twenty years on the judicial rent, you mean?—Yes; I think that would be a fair rent to pay these times.

7702. The President.—The landlord would lose a little upon that in some instances, but where the landlords were paying 5 per cent. on mortgages it would clear off that; but if a man had to invest his money at 3 per cent. things would not be very pleasant?—That is true.

7703. Is there anything with regard to the working of the Purchase Act that you can suggest to us?—I think it is fair to leave that security to the landlord.

7704. And you think it is liberal as to terms?—I think the terms are very fair. I have no objection that they should be fairer.

7705. Does tenant right still sell in your neighbourhood as formerly?—No; I believe they are not anxious to purchase just now. I do not know many farms offered for sale.

7706. When you valued under the Judicial Act was it in this part of the county?—I valued in five counties in Ulster, and also in the west—in Galway.

7707. You never put any value upon the tenant's own improvements?—Certainly not, if we could possibly see them. We tried to avoid it if we could.

7708. Did you find it easy to avoid it always?—It was sometimes difficult to do so. It requires a great deal of practical knowledge to be able to do so. I have been farming since I was fifteen years of age, and I was able to draw the line pretty well. I may have made mistakes, of course. I do not say I did not.

7709. Do you think any of the Commissioners did put rent on the tenant's improvements for want of knowledge?—I could not say that.

7710. They knew the spirit of the Act was against doing it?—Yes; of course they did.

7711. Mr. Neligan.—You only speak, of course, for your own Commission?—I was on two Commissions. The first was in county Derry, and then it came to the county Down.

7712. Are the landlords about you giving abatements this year?—Not that I am aware of. On the judicial rents I do not think they are. The rent is not generally paid yet; it is generally in the coming month. I suppose most of the landlords think they have suffered enough without giving any further reduction.

Oct. 27, 1884.
Mr. Andrew
Spence.

7713. Were there many leaseholders in your neighbourhood?—Yes.
7714. And they were higher rated than the judicial rents?—Yes.

7715. And they complain, I suppose?—Yes; and the leaseholders generally were the cream of the community, and they made improvements on their lands when others did not.

7716. And they thought that they ought to get the benefit of the Act?—Yes; I did, certainly.

7717. Do you see anything to interfere with their doing so?—I think it is a great injustice in being left out, and also I think the town parks should be admitted to the benefits of the Act. I have seen judicial rent, and the rent slightly reduced, close to the town of Coleraine, which was most prosperous, because it belonged to a farmer living out in the country.

7718. Lord Millican.—And you think that that part of the Act requires amendment?—I am certain of it.

7719. It should be laid in the occupation of persons in the town?—They should act the same in valuing the farm; its position should be taken into account. It might be £23 10s. per statute acre at the town, whereas if it was out in the country it would be £15s.; but at the same time let them have the benefit of the Act.

7720. You mean to estimate the benefit of being so close to the town, but still to give them the benefit of the Act?—Yes. As to extending that to little gardens and with houses. You might not take into account less than the statute acre; I think the line should be drawn there.

7721. Land which might be used for building purposes, would you include that?—There is a difficulty there. People can always get paid for a town for building, if they are satisfied to pay for it.

7722. If a landlord had his judicial rent fixed, he never could resume for building purposes?—He could purchase back from the tenants.

7723. He would have to give a very large sum?—I don't think he would.

7724. And he should be given the power of resuming?—Yes; that would be quite just.

7725. Mr. Neligan.—That is what you propose?—I know people who sell the Act of 1881 confiscation. You will get thousands of people to say it was confiscation, but I think it was a very just Act.

7726. We are not inquiring into that now; you say you would admit town parks into the benefit of the Act with the reservation that you speak of?—Certainly. I think that would be fair and just.

7727. Mr. Keir.—You say that the tenants in your locality would buy under Lord Ashbourne's bill?—Yes; if they could be led to believe that there would be no better bargains to come afterwards.

7728. But they would expect to get a reduction buying from the landlord?—You know that they got the idea from the agitation that they would get the land for nothing.

7729. Would twenty years' purchase bring a large reduction?—Yes, of course it would. There was a small property sold lately in my neighbourhood, and I advised the tenants to purchase, and they could not see their way, and a gentleman bought it over their heads, and he won't sell it if he can help it.

7730. They would have to pay the poor-rates and county cess?—The poor-rates in this part of the world are not very serious. I do not know any tenant who gets any of the county cess. I do not know a single case in which they got half of the county cess.

7731. There are a number of landlords who pay the half of it?—Not in this part of the country.

7732. Sir James Caird.—Who pays it?—The occupying tenant.

7733. Lord Millican.—That is a rule all over Ireland.

7734. Mr. Keir.—No.

7735. Sir James Caird.—Do you mean that he pays the county cess already?

7736. Lord Millican.—Is it your experience that that is the rule all over Ireland?—Not in all cases.

7737. Of course there are exceptions; but is that not the rule?—I should say four-fifths do pay it. That was a point which came before the Commission, and in many cases the tenants did pay it. I am speaking for this district only, of course.

7738. Mr. Keir.—But there are quite a number of cases in which the tenants get the half?—Not here.

7739. And in the event of their becoming owners, they should pay the whole of it?—Yes.

7740. And that would raise the rents?—Yes.

7741. And if there was any additional taxation in future—if the poor-rates were higher, they should pay that also?—They should take chance of that.

7742. You would not have them to buy at a price which would make the rents. What effect do you think would follow from the tenants purchasing their farms?—I think they would be more contented, and far better.

7743. And do you think they would employ more labour?—Yes; and tenants about here are thoroughly industrious. There are isolated cases in which they are not so good, but as a rule they are very industrious.

7744. Do you think the landlords would be willing to sell at fair prices?—I think so.

7745. Can you give me any reason for that?—Be cause they would rather keep the property they have, except those who are heavily encumbered.

7746. They would rather keep their property and get their rents?—Yes. I think the landlord who is in the position of being encumbered will sell. That is my impression—some few may be disposed to sell.

7747. Do you think there should be a third party to interfere in order to bring about the sale between the landlord and tenant?—Do you mean compulsory sale?

7748. I have not mentioned that. In the event of tenants being willing to buy, and a landlord being unwilling to sell, or vice-versa?—You might fix some tribunal to fix it. I think it would be a hardship. I think it should be voluntary.

7749. Would it not be very hard for the landlord who is willing to sell on fair terms, and where there might be a number of unwilling or unreasonable tenants on the property?—It would; there would be a hardship, perhaps, on both sides.

7750. Do you think it would be fair to give power to the Land Commission to interfere between landlord and tenant?

7751. Mr. Neligan.—They have it already under Lord Ashbourne's Act?—I would rather that the bargain should not be compulsory.

7752. Mr. Keir.—Do you apprehend that the landlord and tenant will be able to come to an arrangement without the interference of some court?—Perhaps they would.

7753. Would it take a long time to bring that about?—It would in many cases; and a great number of the landlords here would not be disposed to sell.

7754. Sir James Caird.—Independently of the question of profit or loss?—Their rents are pretty well paid, and they are on very good terms, and they are not heavily encumbered; there may be a few encumbered, but I do not think that, as a rule, they would agree to part with their property.

7755. Mr. Keir.—I think you said you would fix rents 10 per cent. lower?—Yes; 10 per cent. of an additional reduction; and I would do that, because the times have got worse. I commenced in the beginning of 1883 on the Commission, and times were better then than now, and agricultural produce was higher.

7756. And in consequence of the low prices you would fix that rent now?—Certainly; the prices of labour have not fallen.

7757. The price of oats is lower?—Yes; and butter is lower; it has been very cheap.

7758. Looking to the amount of the cattle coming from America, do you apprehend that there will be higher prices?—Yes.

7759. Lord Millican.—Is that the reason?—On account of the depression.

7760. Is it not on account of American competition?—I think it is.

7761. Is that the main reason?—Yes.

7762. You know, of course, that it is falling off now?—I have heard that, I wish it may.

7763. Mr. Kege.—Has not the American competition affected the prices greatly?—Yes; cattle are not more than half the price that they were three years ago.

7764. And that is owing to the great importation?—Yes; and there might be other causes. Trade may improve, of course.

7765. And the low prices that the farmers have been getting has caused considerable difficulty in making up the rents?—Yes.

7766. You do not fatten many cattle?—No.

7767. It is generally stock cattle?—Dairy cattle is our principal system of management.

7768. You consider this year and last year worse?—Yes.

7769. Lord Althorpe.—Don't put the question to him in that way—ask him does he or does he not.

7770. Mr. Kege (to Witness).—Do you think that last year or this year the prices are quite the same as in the previous years?—We have had bad seasons during the previous years. 1883 was a worse season than most, and it was a cold summer.

7771. That is 1883?—No; 1883 and 1884 were very fair. I think this is a much worse season than the last. 1885 was a pretty fair season.

7772. That is the reason that you say the rents ought to be less?—Yes; that is the reason I say they should be brought 10 per cent. less than in 1883.

7773. I suppose rents are fairly well paid with you?—Yes.

7774. Have the landlords given any reduction?—No, they have not given any reduction on the judicial rents that I know of.

7775. Do they think they are low enough?—They have not given any in the previous years, whatever they may do in this.

7776. Mr. Nelson.—With reference to the town parks and the Act of 1881, you think at present that the Act works prejudicially?—Yes.

7777. Would you include in it, say, small allotments held by shopkeepers in the town for the convenience of milk and butter?—If they held any more than one acre, I would give them the benefit of the Act.

7778. I want to know from you what you would exclude in consequence of its being accommodation lands to residence in towns—what you would exclude from the Act of 1881—would you exclude everything up to an acre or two acres?—I would allow them to have the benefit of the Act up to an acre.

7779. Anything over an acre?—Yes.

7780. The President.—You would allow everything over an acre to go into Court?—Yes, an acre and upwards.

7781. Mr. Nelson.—Would not that depend very much upon the nature of the man's business in the town, or the size of his business? We have cases of men who have large shops in town, and who would have a couple of acres close by for the purpose of supplying their own tables with milk, butter, and so on?—Anything over an acre I would admit to the Act; the man who has two acres or those who have spent the most money in the land, and have it most highly cultivated.

7782. Would you make a hard and fast line on one acre?—I would not admit less than an acre.

7783. Lord Althorpe.—Would you make any limit with reference to the size of the town?—No; I do not think I would.

7784. I believe it is at the discretion of the Commissioners now?—I think there is something about 900 people.

7785. Mr. Nelson.—It is in the direction of the Commissioners now. Supposing land is let near a town, and that the building runs out in that direction, would it not be fair to give the landlord liberty to resume for the benefit of building purposes?—Yes; if

he paid the tenant ample compensation, that to be left to the Commission or some other tribunal.

7786. That compensation should be compensation Spoken calculated on the agricultural value of the land?—Yes.

7787. And not on the prospective advantage to be derived from the buildings?—No; certainly not; it should be a compensation that would cover all the tenant's expenditure and anything be paid for the tenant right, if he did pay anything.

7788. In the event of buildings running out from a town in any particular direction, the landlord should have power to resume for building purposes, paying the tenant the fair agricultural value?—I think so.

7789. Sir James Caird.—You said you would give ten per cent. on the judicial rents that were fixed in 1883?—Yes.

7790. These rents then were fixtures for ten?—Yes; I did not commence until the beginning of 1883.

7791. The rents were fixed for fifteen years?—Yes.

7792. Did you consider at all what should be done with those fixed at a low rate, and which now, if they were being dealt with, should be just in your estimation at the higher rate of reduction; say that the average reduction was 50 per cent., and if you were valuing them now you would pay 10 per cent. more reduction, which would make it 50. How would you deal with those which were only reduced by the 50 per cent.?—I could not give an opinion upon that point. I am only speaking from my own knowledge of agricultural produce, when I now say that I would now fix them at 10 per cent. less than I fixed them in 1883 and 1884, if I were fixing them now.

7793. That is to vary them with the existing price?—Yes.

7794. How would you deal with them?—I do not know how they should be dealt with.

7795. Have you ever considered the question of the sliding scale of prices?—I have heard it suggested, but I would not like to give an opinion about it.

7796. Don't you think that the people, who had their rents fixed at 50 per cent. reduction, would think that they were not fairly treated if they only got that reduction when now you think the reduction ought to be 50 per cent.?—I dare say they would.

7797. You have not considered how that is to be met?—I have not, certainly. The judicial terms might be shortened.

7798. You say you have only experience of three years, in which the reduction given would be sufficient reduction, and two in which it would not be a sufficient reduction?—Yes.

7799. That is five years out of the fifteen, and you have ten yet during which the prices may rise greatly?—It is quite possible that may be, but I do not see much prospect of it, because things are gradually getting worse within the last two or three years.

7800. I think you stated that you acted as a Sub-Commissioner in Galway?—Yes.

7801. Have you had much experience of the districts called the congested districts?—Yes; and I do not think there could be anything poorer.

7802. Where was that?—It was about twenty miles west from Galway city.

7803. On the sea-shore?—Yes; about twenty-five miles due west from Galway.

7804. Lord Althorpe.—That is a very badly congested district—a miserable land?—Yes.

7805. What is the name of it?—There is one portion of it called Spiddal, which belongs to Chief Justice Morris.

7806. Sir James Caird.—What is the name of it?—Spiddal.

7807. Is it a place that is easily accessible?—Yes; it is nine miles from Galway.

7808. Mr. Nelson.—It is a very agreeable drive?—Yes; but not very pleasant sometimes. I recollect driving along that road when the horses were blown round, and the spray was blown over us. There is a mountain about 600 feet high there.

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Mr. Andrew
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Mr. Andrew
Spinks.

7809. Sir James Caird.—Is it cultivated to the summit?—No; just a little along the side.

7810. Then the cultivation is at a low level?—It rises tier after tier.

7811. Not above 500 feet?—No.

7812. Is there a good supply of saw-wood?—Yes.

7813. Do they use it?—Certainly.

7814. What are the farms that they have there?—I do not remember meeting any more than fifteen or sixteen acres, and they were there down to these times.

7815. What is the character of the land?—Whenever you leave the limestone and go to the granite it is very poor, miserable land.

7816. When you pass the limestone you get the poorer land?—Yes.

7817. Are the people on the limestone doing moderately well?—They keep sheep, but when they come upon the granite it won't keep sheep, so they carry the saw-wood and place it upon the land, and they saw lumber upon it, which is made into potten whisky the next year.

7818. You mean illicit distillation?—Yes; there is an illicit distillery on every large farm; they say they could not pay their rent without it.

7819. Does the population increase on these holdings?—I cannot say; there seems to be enough of them there at all events; there seems to be more of them there than the land can bear.

7820. Did you inquire into how they managed to live?—I made the attempt once or twice to go into their places, but as I got to the door the pig ran out and nearly knocked me down, and I did not try it again.

7821. Are the houses wretchedly poor?—Yes; you might get a dozen houses without a pane of glass in one of them.

7822. Are there old people who are following their ancestors before them?—They are there for generations.

7823. Do they at all go elsewhere to earn wages?—Yes; they go to England and Scotland for the harvest.

7824. And do they pay rents?—I did not hear much complaint of that.

7825. What is it they pay them out of?—Out of the wages that they earn in England and Scotland, and out of the price of the potato.

7826. And do they desire to stay there, or do they wish to go any place else?—I do not think they have much desire to go any place else. They seem to be pretty well content, if they could only get the bit of land cheap enough.

7827. Still, in two or three generations the number of them would be increased?—Well, considerable numbers leave from time to time; some of them emigrate to America, and some to Australia.

7828. Is there no desire on their part for emigration or immigration?—I do not believe in immigration.

7829. You do not think there is a possibility of migration here?—I do not believe in it at all.

7830. As to emigration, are they anxious to emigrate supposing they were asked?—I do not know; they have got an idea into their heads that emigration makes them a kind of slaves. They have that kind of idea. They are afraid.

7831. Are there people the tenants of one landlord, as a rule?—The largest property I met there was that of Chief Justice Morris, and there is another belonging to Mr. Cameron, but I think, if anything, that of the Chief Justice was the better of the two.

7832. I suppose the houses on the holdings have been put up by themselves or their fathers?—Yes; I think that question was hardly raised, and the landlord claimed nothing. Twenty houses would not be worth £5.

7833. Did you act there as a Sub-Commissioner?—Yes, as a Sub-Commissioner under the Act of 1881.

7834. Sir James Caird.—Fixing rents?—Yes.

7835. How have you fixed rents there?—It was the most puzzling thing I met with anywhere.

7836. How did it turn out?—I think the reductions were about 25 per cent., and I think the landlord

offered them that much, and I think they both seemed satisfied.

7837. Was it conducted upon any principle, or was the reduction made because the times were not so good?—Yes; it was not a general reduction, some got 15 per cent. and some 30. I found on most estates that the land was not equally rented.

7838. Were the people anxious to keep their holdings?—They would fight to the death for a spade of it.

7839. Were the holdings much intermixed?—Yes; they were like a chess board.

7840. Good and bad amongst them?—Yes; an old man having three sons would try to divide it as well as he could, and give some of the good part and some of the bad part to each.

7841. Is there any tenant's right there?—I do not think there is.

7842. If a man wished to go, could he sell his holding?—I suppose he could, but I do not think he would get too much for it. That question was very seldom raised.

7843. It was stated to me that tenant right was paid for, and was very high?—These people could not give very much.

7844. I suppose it never could be great there, considering the quality of the land?—The poorest farmer in Tyrone would not take the land, if he got it for nothing.

7845. Sir James Caird.—It is the opinion generally that the condition of these people is so bad, that something ought to be done for them?—I was considering that question three days after day, and I consider if there was power to take one-half of them out of that, the other half might exist.

7846. You do not think it is possible to maintain the same number in comparative comfort?—No.

7847. And the only way would be to reduce the numbers?—Yes.

7848. And those who remained would be better off?—Yes; they would have as much more land.

7849. Do you know what the population of that place was since the potato disease?—I could not form the least opinion. There are little villages of from ten to fifty houses built close together.

7850. The population of Galway has from 60 to 65 per cent. diminished—nearly half. I suppose it would be quite as much there as elsewhere?—I think it is on the better grazing parts that the diminution has taken place.

7851. You think it is not so much upon this part?—No; I do not think these people have advanced a bit during the last two centuries.

7852. Lord Milnes.—And you think it is undesirable to the Empire to see it in this state at present?—I do not see how it could be remedied.

7853. You say if one-half of them were removed?—Yes; but that would be a very difficult proceeding.

7854. The people are unwilling to go?—That is the impression I formed there, and that is my belief at present.

7855. Can you make any suggestion upon this subject; it is an important and interesting question?—If they had the land for nothing, they would not have as much comfort as our day-labourers.

7856. They would be neither as well lodged nor as well fed?—They are neither half as well lodged, clothed, or fed.

7857. We had a witness who stated that he lived upon his potatoes and a little milk, and when the potatoes were done there was but oatmeal porridge, and so meat except perhaps upon Christmas day. Is that the case in this part of the county?—Would it be a fair representation of their condition?—Yes, except that these people do not get enough of anything—even of oatmeal.

7858. Lord Milnes.—They have no milk at all?—They have very few cows at all, and I don't see how they could. One out of every three might have a cow, but I believe there are two-thirds of them not able to keep a cow. Some of them have donkeys and small sties, and the saw-wood is carried on the backs of the

woman, and then it is spread on the land, and out of that they raise a small crop of potatoes.

7593. I remember driving along that shore, and I think I recollect that there was a coral sand that was very good—I did not see much of that; it was principally sea-weed.

7594. Mr. Nelson.—I heard a gentleman of much intelligence support the idea that if you had technical schools in these districts, and improve the ideas of the strong generation, you could do some good in that way—I think that would be a very good suggestion. They seem to attend the national school very well and regularly. They seem to attend the school there just as well as in this part of the country.

7595. I have heard the same gentleman advocating technical schools, upon the ground that they would teach the rising generation some mode of earning their bread by some trade or service, and he seemed to think the boys and girls so taught would afterwards strike out in the world rather than continue to live in the state of misery in which they are at present. Did that idea ever occur to you?—No, but when I hear it now, I think it would just be the thing. They have no possible way of learning anything at present. The boys have no trades.

7596. The girls at present only carry down turf from the mountain, and carry up the sea-weed on their basket.—Yes.

7597. Sir James Caird.—I thought you said some went to service?—No; I was saying that the little girls carry down loads of turf from the mountain.

7598. Mr. Nelson.—If you gave the people there the means of improving their condition and a knowledge by which to do it, do you think that that would be a tangible way of approaching the difficulty?—It certainly would, and it is the only one that I can

see—I think, of course, that the people are very intelligent.

7599. They are not wanting in intelligence?—No; they would be quite willing to learn, but the poor people have no opportunity of learning anything. You would not get a good farming implement there in the course of twenty miles; they use some old things that they have had for centuries.

7600. Sir James Caird.—Have you seen any other part of the country in which you have been engaged in the same state?—No; the smaller county of Cavan was the next place after Galway. The farms are high, and the land is stony, but it is a poor district and poor people.

7601. It is poor land?—Yes; it is generally poor land, covered with rushes. The people are in a backward state of agriculture. You might travel a long way and not see any agricultural bones or implements.

7602. In most other countries that land would not be cultivated at all?—It might be better cultivated.

7603. But could it be cultivated profitably?—I think in the county Cavan—

7604. I am speaking of the particularly poor district?—In the south except the county North, it is all poor that I have seen—cold, stony land. I think they must live for a time on fish, for there are that many lakes, and every man seems to have a fishing boat.

7605. And they live upon the fish?—I don't see what else they have to live upon. I was there in the springtime, and everything seemed very scarce. No manner of provision. There was nothing about the stock-yards.

7606. Were the farmers in a poorer condition than your labourers?—Some of them were, but not so badly off as the Galway people.

7607. I think you stated it was a place of a different character?—Yes.

Mr. Martin Patterson, of Tallahogue, examined.

7608. The President.—You are a land-valuer, I think, Mr. Patterson?—Yes, my lord.

7609. You have acted in several cases for the County Court Judge of Londonderry?—Yes.

7610. And as Court-valuer for the settling of judicial rents?—Yes.

7611. And you are also a farmer?—Yes.

7612. A tenant farmer?—Yes.

7613. How many years have you been engaged in farming?—I have been engaged for perhaps ten years, but principally since the passing of the Act of 1851.

7614. Up to quite lately?—Yes, up to the present time.

7615. Have you put a different value upon land now compared with what you did three years ago?—Yes; I put a smaller value on the land now than I did three years ago.

7616. What sort of difference did you make?—I believe I would put 15 per cent. less on land now than I would on the same land in 1851 or 1853.

7617. That is having regard entirely to the particular moment, but don't you look a little backwards to a certain number of years preceding the one in which you act?—Yes.

7618. How many years back do you look?—It would not be very easy to fix the number of years, the prices have been coming down since 1851. I remember the prices rose from about 1872. My recollection extends as far back as that.

7619. Had you ever your attention drawn to what is called the sliding scale of prices?—No; I do not know anything about it, except what I have seen in the newspapers.

7620. Have you thought about it at all?—I am afraid it would be very troublesome to work it.

7621. Do you think it would be very difficult to fix

a basis?—Yes, and that it would give a good deal of trouble in the working.

7622. Would it not work itself? It would be a mere question of figures; it would be almost self-working?—I do not know enough about the system as proposed to give an opinion, but I am afraid it would be very troublesome and cause expense. The idea of its being self-working has not come before me before. I do not think that this idea would take with the tenant farmers. I do not think they would like the idea.

7623. You told me you were a farmer yourself; do you hold under a judicial lease?—Yes; I hold judicial leases under two landlords.

7624. When were they fixed?—They were fixed by agreement out of Court after the passing of the Land Act. They were fixed about 1852 or 1853.

7625. Were they fair rents then at the time they were fixed?—Some of them were fixed by myself, so that I suppose I thought them fair.

7626. Except that now you find circumstances different, is it difficult to pay them?—My farm does not pay me at present.

7627. Have you ever considered the question of the Purchase Act?—Yes; I have been thinking about it for a considerable time.

7628. Do you think it would be a desirable thing for the tenants to buy?—Yes; I think it is the way that the land question will have to be disposed of eventually.

7629. You would be sorry to see it applied to the whole of Ireland?—I think it will be to the advantage of every one, except the land agent.

7630. You think that if all the landlords were bought out they would leave the country, I suppose?—No; I do not think so. I think a great many of the resident landlords would remain irrespective of that.

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Mr. Martin Patterson.

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7897. Would remain in their own demesne?—Yes.
7898. But if the rest of the lands were bought, would there not be a strong feeling amongst the people about the landlords keeping their demesne and residences, which would comprise a great deal of land?—As far as I know the country, there would be no feeling of that kind existing amongst the people.

7899. Do you think any influence exercised for good would be exerted just as well as if there was no change?—The influence of the landlords has been decreasing very much lately. The power has been taken from them by recent legislation. Speaking of that, perhaps I might suggest that there is one question which ought to be dealt with, and that is in the direction of selling to the tenants, and that is the question of arterial drainage. I think it would be desirable that something should be done to simplify the law with regard to arterial drainage, and make it possible, that where a farmer wanted to improve, that he could get a bill through his neighbour's land. The practice has been for the landlord to stop in and compel a man who would not care when a matter of this sort was being considered—to compel him to do this. Now, if the holdings were sold to the tenants, that is a question which would drop up, and I think the law should step in and make such provision that a man would be enabled to drain his land.

7900. What authority would you substitute for that of the landlord in looking after the question of the arterial drainage, and interceding in the way you mention?—I do not know; but I think it might be so simple that every farmer would take advantage of the law.

7901. Sir James Cowd.—And pay for any damage that might be done in the operation?—Yes, of course.

7902. Mr. Neligan.—The tenant would have to deal with the other man below him in level?—Yes, as far as the fall from his land is concerned.

7903. Lord Milnes.—That might be for miles?—Not in our part of the country.

7904. Mr. Neligan.—At all events, it is a difficulty that you think could be solved?—Yes.

7905. The President.—There should be some authority for supervision?—It might be desirable to have some inquiry to see what the state of matters really was. There is just another question which, perhaps, I might refer to, and that is the question of timber. It is at present in a very unsatisfactory state as between landlord and tenant. At present the tenant has no encouragement to plant any timber.

7906. There was an Act brought in with reference to the last year?—Yes; but I think it did not become law.

7907. Lord Milnes.—No. The Purcellites managed to squelch it for some reason of their own?—In one the land purchase is carried out, that of course disposes of it, because the tenant would plant as much as ever he liked, but at present the tenant cannot plant; in fact, I want to plant myself, but I cannot plant until I know my position.

7908. Why?—I have no authority to cut timber if I planted it.

7909. If you plant yourself you have?—I have not.

7910. Surely you have?—No.

7911. Sir James Cowd.—Certainly not in England?—I think not. I think you cannot register under the fifteen years' term.

7912. I thought the judicial term would have allowed him to register?—The provision prevents the landlord cutting timber; but at the same time it gives the tenant no power to touch it, and so it must remain untouched. Neither of them have power to cut it.

7913. Is that so?—It is a fact, so far as I know. I am speaking in the hearing of Judge Neligan.

7914. Yes; unless it is for a term of more than fifteen years?—He cannot register on a fifteen years' term, because that is not a long enough time to allow the timber to grow.

7915. The President.—You want protection for more

than fifteen years?—Yes; so that I might plant the worst places, and grow timber for my own resources. In a few years timber will be very scarce in our part of the country.

7916. Mr. Neligan.—Under our Timber Acts the tenant must have an unexpired term of fourteen years at the time he plants. If he has he can register his trees, and at the expiration of the term can cut them. The question, then, is what is the operation of the Act of 1881 upon that. Suppose Mr. Patterson, who got his rent fixed, has not fourteen years to run, he could not come under the Act. It is an Anti-Union Act—an Act of the old Irish Parliament.

7917. Lord Milnes.—I thought the Land Act protected him?

7918. Witness.—A great many tenants thought that too, but they are mistaken.

7919. Lord Milnes.—That is a most important suggestion. Nothing is more wanted than timber-growing. Perhaps some of these waste lands might be utilized?—Yes; banks and places that cannot be farmed at present should have timber growing upon them, and it would very much improve the places.

7920. Trees grow very well in Ireland?—Yes.

7921. You and that every year had been gradually getting worse since 1881?—Yes; prices are coming down.

7922. And steadily, I think you said. Surely you do not say that 1885, 1883, and 1884 were worse than 1881?—The prices of several articles of produce have been coming down since then.

7923. And are you aware that there was a great rise in produce in 1882, 1883, 1884 over 1881?—The rise has been more from 1882 than 1881. Since 1882 prices have been going down. Prices were lower in 1884.

7924. They were much higher than in 1881, at any rate?—The prices of cattle were not nearly so high, I think. I speak not from my own experience, but from the news that is published.

7925. Then, according to these tables, prices went better in 1882, 1883, and 1884 than in 1881?

7926. Mr. Kease.—You have got no profit yourself?—No.

7927. You lost money by cattle?—I have been making money in other ways, but if I had been depending upon the farm alone I could not live.

7928. I think you said that a settlement of the purchase question would be a settlement of the whole affair?—That is my opinion.

7929. Would the landlords be willing to sell in your locality?—Many of them.

7930. How many years' purchase would they take?—I think our district is the only one where sales have been carried out in this part of the country. Sales have been carried out as from seventeen up to close on twenty years.

7931. What part of the country is that?—The Cookstown district. Mr. Baile Gargan's property has been sold. The Saltire estate has been sold, and the Drapers Company's estate. The Skinners Company's estate is now offered in the county Derry.

7932. Where the landlords are willing to sell the tenants sell themselves of it?—I think the tenants would be willing to buy, and that it is only a difference between the landlord and tenant about price.

7933. Do you think that any other body could interfere between the landlord and tenant in cases where they cannot agree about the price?—I think it would be a desirable thing to have it in some cases. They are both standing off. The landlords are wanting twenty years' purchase, and the tenants won't buy at a less, and neither of them are willing to advance to each other.

7934. Do you think could the Chief Commissioners be utilized for that purpose?—I think it would be an advantage to make use of some court, or of some means to bring them together, but I do not know what would be the best way to do it.

7935. What effect would be produced on the tenants?

by the purchase?—I think it would make them more industrious and more contented.

1936. Do you think it likely that they would spend more money on the farms, and that they would employ more labour?—I think so; I think, with regard to purchases, that at present one-fifth of the money remains locked up with the Land Commission for eighteen years, and that would be all the money perhaps that would be coming to the present landlord, so that he has no inducement to sell compared with what he would have if the whole money would be paid him.

1937. Lord Millicom.—How do you get over that difficulty?—I do not know; I have heard suggestions.

1938. Mr. Neligan.—Do you know cases in which it operated as an obstacle?—Yes, I do; and the landlord looks at it in this way. He says if I sell there is only this one-fifth, of which I will receive only 3 per cent.

1939. Lord Millicom.—Do you think the land would be sufficient security to the Government without a deposit?—Yes; I think so.

1940. In this country?—Yes; in our district.

1941. Mr. Neligan.—I think you said the landlords were losing their influence year by year?—I say that it has been taken from them.

1942. Do you think they would take so much interest in the tenants as before the passing of the Act?—No.

1943. And consequently it would not be so amiable a loss now as it would have been before the passing of the Land Act?—I think not; I think it would be a loss if the landlords went out of the country, and a serious loss.

1944. But there are quite a number of landlords who do not reside in this country at all?—Yes.

1945. And it is only speaking of the resident landlords you are when you say that it would be a loss to the surrounding tenants?—Yes.

Mr. George Mills, of Carrhall, Clogher, examined.

1946. The President.—Mr. Mills, you are a tenant farmer?—Yes.

1947. Where do you come from?—From Clogher.

1948. What is the size of your holding?—About sixty acres.

1949. Is it under a judicial rent?—It is under a lease.

1950. What is the rent?—The rent is £73 13s.

1951. What is the peccol valuation, do you know?—Do you mean the house and all?

1952. Not for the house?—I cannot tell that; the valuation altogether is £92.

1953. You cannot tell how much of that would be for the house?—Well, I think there is £13 on the buildings, or something like that.

1954. Then the valuation on the land would be about £79?—Yes.

1955. What is the date of your lease?—Somewhere about the year 1840 or 1842. I don't exactly remember the date—about that.

1956. Mr. Neligan.—For what time is the lease?—There is one life living at the present time.

1957. The President.—Do you think it is a higher rent than other people pay for their holdings?—I believe if I went under the Act of 1881 the rent would be reduced.

1958. And do you wish to come under the Act of 1881?—I do.

1959. Have you asked your landlord to allow you to come under the Act?—I may say now that I believe the property is in the Incumbered Estates Court, and the landlord has no jurisdiction. I might say that last year the treasury applied for a reduction to the Court, and it had been adjourned by the Judge from one Thursday to another. The Receiver before that had appointed Tuesday to lift the rents, and he came there to Clogher to lift the rents, and the treasury thought that he had not a right, or that it was not fair to come for the rents until the Judge had given his decision, and they did not pay the rent to him, and he immediately had them all processed.

1960. He was not a free agent of course in this? He could not serve the process without the order of the Judge?—Well, I believe he was under the rule of the Court. I was not served with anything myself, because I sent him the rent.

1961. The President.—Would you like to purchase your holding supposing you had the power?—In what way?

1962. Under Lord Ashbourne's Act?—Yes; I would like to purchase, but not at the present rent.

1963. Would you like to have a judicial rent fixed first?—Yes.

1964. Well, if you had that rent fixed, how many

years of the judicial rent would you pay for the purchase?—My opinion is that the judicial rent, if fixed upon the present prices would do, but to fix it upon the price of 1885 would be quite a different thing.

1965. If it was fixed now it would be different to 1885 you say?—Yes; on the present prices of every kind of produce. I would give more years' purchase on that rent than in the year 1882.

1966. Would you give twenty years?—I think 30 per cent reduction in produce and stock has taken place from 1882. If it was fixed now I would give more than I would give then.

1967. Mr. Neligan.—As soon as the rent is fixed you will say what you will do?—Yes; I think that Act will never work, except there is a revision of the rental or a compulsory number of years' purchase. The landlord and the tenant I do not think will agree.

1968. You are having some tribunal to settle it?—Yes; to settle by the rental, and the years' purchase.

1969. And you would agree to that?—Yes; and the people in the neighbourhood, I believe, would be willing to buy also.

1970. The President.—What do you think your tenant right would be worth now?—I may tell you that I really cannot say; but I bought in the year 1876, and it cost me £600.

1971. Could you get that for it now?—I believe I could get the same if it was at a fair rent. I have made improvements. It is land upon which there is a great deal of whin rock and stone, and I have removed a great many of them. I believe I could get the same if it was at a fair rent; but I do not know what I could get. I have a statement made out here of what I got from cattle.

1972. You may just tell us what it is.—We generally live here by raising young stock; it is not by raising beef. I kept an account of what I got, and I find, on looking back in 1883, that I got £9 for calves, say from twelve to seventeen or eighteen months old. They were calved generally at about Christmas, and I found it was in April that these calves were sold, so that they may be fifteen or sixteen months old. I got £9 each.

1973. Sir James Caird.—What breed were they?—A mixture of shorthorn and Durham, and different others. What I mean to show you is, that I have always sold stock, and you can get the full in prices. In the year 1884 the average was £7 5s.; in the year 1885 the average was £5 15s.; and this year the average was £4 17s. 6d.

1974. They are coming down gradually?—Yes; this is the worst year we have had.

1975. They are about half of what they were in 1883?—Yes; I want to come to the sheep and lambs. In the year 1883 I got £3 6s. a piece for them; in

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the year 1884 I got £1 17s. each for them; I got £1 18s. a piece for them in 1883, and this year it was only £1 1s.

1776. Lord Milnes.—In these figures are you giving us the highest prices?—I am giving you the average; and then I say that better in that year—

1777. Mr. Neligan.—Is that the year 1883?—Yes; I believe better would average 1s. 3d. I got as high as 1s. 5d., and 11d. for the lowest; but there was more sold at 11d. than 1s. 3d., because at the time it is plenty it is cheapest. As far as I know, it would average 1s. 3d.

1778. Sir James Caird.—Is 2d. per pound?—Yes; while I sold it in the market at home. I send it now to a merchant in Liverpool, and I believe it will average 10d.

1779. You have not got the prices in the intermediate years?—No. I would also say that I have seen better in the Clogher market, which is the next market to me, sold at 6d. However, I believe I make a good article of butter, and always got the best prices.

1780. Lord Milnes.—What is the price now?—I got 12d. on Friday week.

1781. That was more than you got this time last year?—No; I think I got that price.

1782. The President.—You say that the average is 10d.?—I say that I send it to a merchant in Liverpool, and that I believe it will average 10d., that is about a month ago; but I sold a lot of it at 8d. in the months of June and July. We have more of it than there now, of course, and there was a great deal I got 8d. and 9d., and 9½d. for; but I think in the season it will average 10d. I am on the outside when I say that; and now with regard to flax, I may say that in the year 1883 I got 8s. 6d. per stone for flax, and this year I sold it for 5s. 6d. per stone.

1783. Mr. Neligan.—Have you got grass seed?—Yes; but we do not save it in our neighbourhood.

1784. Lord Milnes.—Is it your impression that the proper way to fix rent would be on the prices as they are sold?—Well, I am afraid that we are not going to have an improvement. I think it is the impression that it should be fixed on the present prices, because I see even lately in this town top hatches have advertised to sell meat from 4d. to 5d., and the best joints, and the best part of the meat for 4d.; I think it was a thing we never saw before.

1785. Suppose beef goes up within the next fifteen years, do you think the butchers will continue to sell at that?—No.

1786. But you should pay the same rent whether it went up or not?—No.

1787. But I thought you proposed that the judicial rent should be fixed on the present prices?—I do not see any way to believe that the prices will go up.

1788. So you say; but you say that for fifteen years to come they should be fixed on the prices which prevail at this moment?—My impression is that we want present proprietary in this country.

1789. That is another thing?—I am looking at the rent, and if you do not fix the rental to get that present

proprietary and reduce the present rents, they won't work, and you will have the country in a turmoil.

1790. Unless they get the land very cheap they will not buy?—They could not pay. I believe stock are reduced at least 30 per cent.; and I say the rents, unless they are reduced according to that amount, cannot be paid, and I believe if the country has not something done for it it will not be settled.

1791. And there is a general desire to buy on the part of tenants?—Yes.

1792. But they won't buy unless the rent is something further reduced?—They would not. I would buy myself if the rent was fixed on the present prices; at a reasonable rate, I would be glad to buy.

1793. Mr. Neligan.—Looking at these figures and the prices of cattle for the last four years, you must have found a great deal more difficulty in fixing the rent?—I could not do it except I had something past me.

1794. And produce is reduced as much as cattle?—Yes, I may say so. I may say that oats are sold for 6d. and 7d. per stone.

1795. You never remember them much lower?—I do not, and there is a great loss in the harvest owing to the late rain.

1796. Have the landlords in your locality given reductions on the judicial rents?—One or two of them have given reductions, but not generally.

1797. It is not general?—There are two, as far as I know.

1798. Are the rents fairly well paid?—As far as I know.

1799. And a good feeling exists between landlord and tenant?—I do not know anything of that. Upon the property on which I am they must be paid, or the receiver will serve a process and write for the half year's rent. In that particular case in which I told you about serving the process I know plenty of them had to borrow the money to give it to the landlord.

1800. They had not got it themselves?—No, they had not.

1801. Mr. Neligan.—That estate is in the Court of Chancery?—Yes; we thought it very hard that he would not wait until the Judge gave his decision before he got the rent.

1802. Mr. Neligan.—Looking at the quantity of cattle coming from America, do you think the prospect in the future is a very bright one?—I am rather afraid it will get worse. I wish the prices would get up. A little additional rent would not signify if we got the prices we used formerly to get.

1803. What effect do you think it would produce upon the tenants if they were assisted to become owners of the land?—What do you mean?

1804. If they became the owners would they become more industrious?—I believe if every man owned his little farm that he would take better care and improve the land, and that the country would be in a better state, and that there would be no eviction at all. That is the root and branch of all the difficulties we have—that is my opinion.

Mr. William Bichey, of Clogher, examined.

1805. The President.—Are you a tenant farmer?—Yes.

1806. Where do you come from?—From the south part of this county, Cloghermore is the townland.

1807. You, I believe, have some evidence which you can give us?—Yes.

1808. How much land do you hold? We hold about forty-five Irish acres.

1809. How many statute acres?—About acreage or upwards. It is all the Irish acres in our neighbourhood.

1810. Do you hold under a judicial rent?—Yes.

1811. And what is the judicial rent?—I will give

you the amount of the two holdings: the one is £27 10s., and the other £19 10s.

1812. Mr. Neligan.—What was the old rent?—It was very high; the £19 10s. one was £28.

1813. The President.—And what was the other?—The other was £31.

1814. When were they fixed?—They were fixed shortly after the Land Act was passed.

1815. And do you think they were fairly made?—There was one of them was very fair. It was left to arbitration between the landlord and tenant—that was the £28 holding—and we had to fight a battle in the other case. He made the terms himself, and we agreed

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to it. He left one to be arbitrator. It was not tried at the Commission Court at all.

8014. Did you go into the Land Court with the other?—No; it was left to the landlord himself.

8017. Was it confirmed by the Court?—Yes.

8018. You think on the whole that they were fair?—I think one was fair, but I think he dealt hardly with us in the case of the other. We did not like to go into law.

8019. Do you find a difficulty in paying the rent now?—Now, we do.

8020. Do you think that if they were valued, that they would be put so high?—I think not, especially the other farm.

8021. Lord Milnes.—Did you say what year they were fixed in?—It was in 1833, I think.

8022. The President.—Would you like to become the owner of the farm?—Well, I would not like to pay from year to year more than two-thirds of what I pay at the present time. I do not think I would be able to do it.

8023. Would you buy if you got the rent reduced to two-thirds of what it is?—Yes, if I thought I could manage it.

8024. Mr. Nelson.—Such a price as would leave you to pay about two-thirds of the present rent?—I would not like to engage for more than that.

8025. The President.—Do you think you could sell your tenant-right if you tried?—I do not know what the result would be about that.

8026. I mean, do you think you could sell your tenant right?—I might or I might not. There are some men who may have some money, and perhaps they might buy. If my farm lay into another, and the man had a little cash about him, I might sell; but if not, I could not sell to any advantage.

8027. Did you buy?—Yes; I bought one farm.

8028. Which?—The £28 farm.

8029. What did you pay for that?—I paid £240 or £245. The agent said at the time he would get the landlord to reduce the rent—that was at the time of the purchase.

8030. What time did you buy?—About ten years ago.

8031. The year 1876?—Yes.

8032. Is there any particular point upon which you wish to give evidence?—No; I do not think there is. It is only a couple of days since I had any knowledge that I was coming here.

8033. Lord Milnes.—Did you borrow money to buy this tenant right yourself?—Yes.

8034. What did you pay for it?—I got it off a man who did not charge me anything.

8035. Did he lend you the money without any interest?—He did. I have paid it back, but latterly I have found that it will be very difficult to make ends meet.

8036. Did you manage to pay £240?—Part of it I had, and I borrowed.

8037. Then you made something out of it?—There were a couple of years he held it over fairly.

8038. I suppose you thought it was a desirable thing to get the land at that rate?—I was buoyed up by the agent, who said he would make the landlord reduce it; but when I made the purchase he declined to do so, or until he had made him.

8039. You thought he would make a reduction?—Yes; the agent told me so; in fact, he was a very troublesome tenant who had it before, and he was possessed each year, and they were very glad to get rid of him, and I suppose to encourage me to do it he said that.

8040. What is the poor-law valuation?—£21 10s.

8041. On the two?—No; on one.

8042. On the £28 one?—Yes; that includes the house and offices belonging to the land.

8043. On one of them you pay £19 10s.?—Yes.

8044. And that reduction is £21, 10s. on the house and land?—Yes.

8045. Probably about the same as your rent?—There is not much difference.

8046. Would you like to purchase for the sake of being the owner, or for the sake of getting a reduction?—Well, both. I do not mind being the owner, if I can only live comfortably and pay the servants properly.

8047. If your judicial rent was a low one?—I do not mind when I give the money to.

8048. Is that the general feeling?—I think they would rather be the owner if they got it at a moderate price—if they got it at a price that they can pay—the landlords are asking twenty years' purchase, and extravagant demands like that.

8049. If instead of having it at a judicial rent, they had to pay some premium, would they give something over and above for becoming owners?—I dare say they might.

8050. They do not care very much about it?—In fact, a man under a judicial rent is practically the owner so long as he pays his rent. You would not gain very much from being the owner.

8051. What the people look for must be a reduction in the rent?—Yes; that is my opinion. That is the opinion about my neighbourhood.

8052. And you would not give more than two-thirds of what you are paying now, because you think you would not be able to pay more?—There is a backward tendency that is very discouraging.

8053. Of course, we ought to look forward; of course, we must remember that by-and-by when prices get up it won't be so easy to get land as it is now?—If prices do get up, it would be better than a reduction in the rent. But we have to sell our flax for a moiety; about 5s. is the average per stone, or 5s. 3s.

8054. Is that owing to the bad seasons, that the price of flax is not what it should be?—I do not know that the quality is so bad, but the produce is worse this year.

8055. But Irish flax can hold its own with foreign flax?—I have not seen foreign flax, but I have not seen flax so low before, and we had a little flax every year.

8056. Flax is rather an exhaustive crop on the land?—Well, if a man gives the land a proper rotation when the time comes round, it is fit to bear a crop again.

8057. Do you still your land?—Yes; we live by tillage, and we rear calves, and do a little of everything.

8058. You rear calves?—Yes.

8059. Your prices have hit you very hard?—Yes; prices are nearly 50 per cent. lower.

8060. They are not lower than thirty-five years ago?—I do not mind at all about that.

8061. But they got up after that?—It is well to hold out some comfort to us.

8062. Is that the result of American importation?—Yes; it is increasing every day.

8063. No; but it is falling off?—They have more facilities now than formerly; at least we hear so.

8064. Importation has fallen off to the extent of twenty millions a year?—It has no effect upon us so far.

8065. But there are good times coming; wait a little longer?—I hope so.

8066. Mr. Anker.—Do the tenant farmers depend very much on flax for making up their rent?—Yes; I remember my father going to Aughnacloy, going to the market there, and bringing home money enough to pay the rent.

8067. Is the same quality sold for 5s. or 6s. a stone now?—Yes; and I remember my father getting 13s. 6d. a stone for it.

8068. How many years ago is that?—Twelve or fifteen years ago.

8069. That is a very great reduction?—Yes, one year it rose to that price, and I believe that was not even the top of the market.

8070. And of course it is a serious loss to the farmers that great reduction?—In fact in our district we depend

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Mr. William Bickley.

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Mr. WILKINSON
Rush.

generally upon the fax and pags to meet the landlord's claim.

8070. It is said that the fax is very severe on the land?—Yes, it said that the fax is very severe on the land.

8071. Is that your opinion?—I do not know; I think there is more talk about it than anything else.

8072. Speaking of the cattle that you rear on the farm, can you give us any idea of what reduction there has been on that class of cattle for the last six years?—About a third of the price lower than I have seen them for the last few years. It was that way last year, and this year is worse than last year. On some classes of cattle it is a half.

8073. And with regard to oats?—We always use up our oats with feeding.

8074. You have no wheat?—We do not grow.

8075. Prices are so low that it would not pay?—Yes.

8076. Potatoes are low?—Potatoes do not vary so much as other crops. I have seen them very cheap before.

8077. It is more difficult to make up rents this year

than before?—Yes; the farmers are on the verge of bankruptcy if something is not done.

8078. The people in your locality would buy?—Yes; if they got something to encourage them they would—some little stimulus.

8079. Do you think the landlords would be willing to sell?—I think they would. So long as they are able to hold their own, they will do so. That is my opinion.

8080. That is what you would do in their place?—I suppose no better could be put in their place.

8081. Do you think it would be any greater grievance to the landlord, if the Commission should interfere with regard to the price to be paid by a purchasing tenant than it was in fixing his rent?—It is just the same. I know the men are willing to pay if they can, and I know landlords who give of their own accord 20 per cent. reduction.

8082. On the judicial rent?—Yes.

8083. And there is a good feeling between the landlords and the tenants?—Yes; and it did any amount to create a good feeling; others would not do it—they would have their pound of flesh.

[INQUEST ANNOUNCED.]

THIRTEENTH DAY, THURSDAY, OCTOBER 28TH, 1886.
BELFAST.

Oct. 28, 1886.

Commissioners present:—Right Hon. EARL COWPER; Right Hon. The EARL OF MILLTOWN;
Sir JAMES CAIRD; Mr. NELSON, Q.C., Recorder of Londonderry; and Mr. KNIFE.

Rev. Wm. G. Boyd examined.

8064. The President.—Mr Boyd, you are a Presbyterian minister, I think?—Yes.

8065. Where do you reside?—I reside at Ballycastle.

8066. And you have turned your attention, I believe, to the question of purchase by tenants?—Yes.

8067. You are in favour of that movement, and you think it would be a good thing for the tenants if they were to buy largely?—Yes, a very good thing.

8068. And I suppose you have considered the subject of Lord Ashbourne's Act carefully?—I have considered it.

8069. Do you think there is a desire on the part of the tenants to become the owners of their farms?—Very generally. In fact, I would say that there is a universal desire on their part to become owners.

8070. Of course, you know that under Lord Ashbourne's Act there is a probability at the same time that the rents would be lowered, or rather I should say of the amount of the yearly payment. Do you think that the desire to buy is caused by a wish to have their rents reduced, or by a wish to become proprietors of their holdings?—It is a wish to become proprietors, in the first place, and also to lower the yearly payment in connection with it.

8071. Is there any suggestion you wish to make to us by means of which the operations of the Act would be facilitated, or any hindrance which you think could be removed?—I think that, without doing any injustice to the landlords, which I would be very unwilling to do, that the tenants should have power to purchase their property, receiving such advances from the Government as would enable them to do so without doing any injustice to the landlord.

8072. You mean that there should be compulsory purchase?—Yes.

8073. How would you fix the rate?—I would fix the purchase of such an amount, as considering the advantage that the tenant would have in getting the loan from the Government, that the landlord would not suffer much if anything.

8074. That would be about twenty-four years' purchase, would it not?—I think that twenty years' purchase would meet that.

8075. That is supposing the landlord was able to invest at 4 per cent, and calculating the outgoings on the estate at 50 per cent?—Yes.

8076. Are the outgoings of the landlord on the estate quite as much as that, do you think?—I think the landlord would be compensated by receiving twenty years' purchase.

8077. Mr. Nelson.—On the rental?—On a fair rent.

8078. The President.—Do you think that represents the purchase the landlord should receive?—Perhaps the landlord would have to suffer a little, but considering the altered circumstances of the times, it would not be doing him an injustice.

8079. Do you think that the landlords would be able to invest their money at 4 per cent?—I do not know, but considering the history of the past and the present change of prices, they should be very well satisfied.

8100. Are there many of the landlords of your acquaintance whom you know, or who reside in your neighbourhood, at all willing to sell?—I do not know any of them who would be willing to sell in the north. They might sell isolated farms. There is one case in which they are anxious to sell.

8101. Would they sell in that case at twenty years?—I think if they offered at twenty that the trustees of the property would be glad.

8102. Is it a private estate?—Yes.

8103. In the hands of trustees?—Yes, and they are extremely anxious, but the tenants are only offering sixteen years' purchase.

8104. And do you think that the tenants held out and hung back in the hope of something being done that will give them better terms?—Yes, tenants are hoping for better terms. But I do not go in for doing any injustice to either party. I would say nineteen or twenty years' purchase.

8105. On the judicial rent?—On a fair rent.

8106. Which I suppose would be the judicial rent in this case?—I presume so. But in connection with that, I may say that I consider that legislation should be retrospective concerning those who purchased under the Acts of 1870 and 1881.

8107. So as to put them on the same footing with the other tenants?—Yes; and I wish to state my reasons for that. I unfortunately hold a farm of 90 acres. I was compelled to take a lease. In 1870 I purchased under what was then called the Bright clause. I did not receive the whole of the purchase money. I gave twenty-five years' purchase, £2500, and I got only £1553 from the Board of Works. They did not give me two-thirds, as I thought they would have done. There was a fine house, and the value did not value it as high as the landlord did, and that gave me a high rent. I have to pay 5 per cent, which makes me now have a very heavy rent to pay. It costs me £135. Now, I am not an isolated case. I know other persons in the same neighbourhood who are in similar circumstances. In the year 1870 it was not anticipated that there should be such a change in the circumstances of farming, so they were very anxious to hold in perpetuity, and would give almost any money for it. And those who purchased at that time are placed at a disadvantage—those who had the moral courage to purchase.

8108. Lord Milltown.—Why did it require moral courage?—It required moral courage to invest so large a sum of money—twenty-five years' purchase.

8109. I thought perhaps you meant in the face of public opinion?—No. They had the courage to give twenty-five years' purchase, and they were encouraged to do so, because the times were apparently good. But the times changed, and they are now in great difficulty, and have great difficulty in meeting their demands.

8110. How would you propose that you should be on the same footing as under Lord Ashbourne's Act?—Not that I should receive more money, but that my yearly payment would be for forty-nine years, which was proposed under the Ashbourne Act. I mean that, instead of paying in thirty-five years, I should pay in forty-nine years, and get the advantage of the lowering of the interest. Those who purchase under Lord Ashbourne's Act pay only $\frac{3}{4}$ per cent.

8111. Mr. Nelson.—Your present term is thirty-five years?—Yes, that is the time in which it is to be paid. I represent a large number who came under the Act of 1870. There were upwards of 800 tenants, and under the Act of 1881 I do not know how many there were.

8112. The President.—You think that this payment of yours, or the remainder of it, should be spread over forty-nine years?—Yes.

8113. You would not ask for anything else?—Personally, I do not ask anything of course, and they would allow us the advantage of the decreased interest of $\frac{3}{4}$ per cent.

8114. Lord Milltown.—How much do you pay?— $\frac{3}{4}$ per cent. interest and $1\frac{1}{2}$ per cent. capital. That is 5 per cent.

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8113. One and a half per cent. sinking fund!—Yes.
 8114. Sir James Caird.—Of course, if the repayment was extended to forty-nine years, that would be the result!—It would bring me down below £20 a year, which would be a matter of importance. There is a farmer beside me struggling under the same circumstances. He is only a farmer, and he has great difficulty in getting along.

8117. The President.—You say that you and many others were willing then to give twenty-five years' purchase!—Yes, but the times were good then.

8118. It is because of the fall in prices that you think you should only give twenty years' purchase now? Yes; exactly so—unquestionably.

8119. That was before the Land Act of 1881 was passed!—Yes; before the Land Act of 1870.

8120. That was before the judicial rents!—Yes.

8121. Were not rents higher in those days!—Yes.

8122. That would represent thirty years' purchase of the present rents!—Yes.

8123. And yet people would give that price!—Times were good then. I got £5 per cent. for flax, and you will buy the same now for less than £3.

8124. Is there anything else you wish to state to us yourself, or on behalf of any one in whom you are interested?—I wish to speak with regard to the leaseholders.

8125. Do you know many cases of leaseholdism?—I do; a large number.

8126. They are, I suppose, good farmers, hard-working, industrious men?—I believe that in the world there are none more so.

8127. We have already heard them described as the cream of the country—the cream of the tenants!—Yes.

8128. Do you know many cases in which they pay rents that are higher than the judicial rents?—I have a brother who was compelled to purchase a farm. He advanced money to a neighbour. The landlord had compelled that tenant to take a lease for thirty-one years. The Ordnance Survey Valuation was £70, and he compelled him to pay £150 a year rent.

8129. Lord Millican.—How did he compel him?—He should either do that or give up the farm. It was in the immediate neighbourhood where I was born, and the people had lived there for generations. This was the case of a man who had bought the property, and who wished to make money out of it.

8130. The President.—It was on the tenant's own improvement!—Yes.

8131. That the rent was raised!—Yes; I knew that farm to be let at 5s. or 6s. an acre, and it is now let at 30s. an acre.

8132. Lord Millican.—He could have got that lease broken under the provisions of the Act of 1881!—No, he could not.

8133. Why not?—He was a very wise, worldly man—the landlord—and he could not have done it.

8134. If the provisions of the lease were unenforceable, he could!—Yes, but the lease was granted before the year 1870—before the passing of that Land Act.

I am.

8135. The President.—Do you think that these leaseholders would be content if they were brought under the Act of 1881?—I do not understand you.

8136. Would they be content if they were brought under the operation of the Act of 1881, and had power to oppose before the Land Court and have a judicial rent fixed?—Yes, I would make a distinction not to do any injustice to the landlord. I consider, with regard to those who have leases, that those who took it as it stood and those who had tenant right in it, are not in the same position. The man who took it without any tenant right has not the same right to come under the Act of 1881 as he otherwise would—

8137. In case of no tenant right having been paid?—Being enjoyed or paid for.

8138. You think that a line should be drawn between the two cases?—I consider so.

8139. I suppose the Commissioners would take that

into account in their adjustment of the rent, and in that case probably not lower the man's rent!—I am sorry to say that the Commissioners, as a rule, paid very little attention to either the tenant right or improvements.

8140. Do you think that the Commissioners valued on a man's own improvements?—I think they did not give an allowance for a man's improvements, as they should have done.

8141. Of course, it was their intention to do so, but they did not always succeed in doing it?—Whether they intended or not, I knew that they did not succeed.

8142. Because they were bound by the Act not to value a man's own improvements, you know?—Yes.

8143. You drew the line where no tenant right was given?—Where none existed or was purchased.

8144. Sir James Caird.—The tenant not being previously an occupying farmer?—Yes; previous to getting the lease.

8145. The President.—Have you seen much of the labouring population?—Yes, I have.

8146. Do you think that they have any benefit from the landlord?—They have not.

8147. I suppose that the landlord living upon his property employs a good many men?—He does not employ more as a general rule than the farmer; and as a general rule he does not pay as much wages as the farmer. As a general rule too, he does not get so much work out of them. He gets his labour cheaper, but at the same time he gets less work for his money.

8148. You do not think that, with regard to charities, or education, or building cottages, or things of that sort, that the departure of the landlords would be a loss to the country—that it would be a loss to the country if they were to leave?—Certainly, from my experience I would say that they would not, for as a rule the landlords were anxious to put down the building of better houses. He did not wish a labourer's cottage to be on his property till lately.

8149. He used to drive them off!—Yes, owing to the Poor Law system. He did not wish to have the poor congregating upon his property.

8150. Of course, you only speak of the place within your own knowledge?—That is my knowledge of a large district of country where I was born, where I have a large acquaintance, and where I am now settled. When a tenant went to the office, one of the first things was "you must put down all the cottier houses." That is my experience.

8151. Lord Millican.—That is your experience, is it, Mr Boyd?—It is.

8152. Did you ever hear of a particular instance in which this happened?—I have known many.

8153. You have known many?—Yes, not lately.

8154. How long ago?—Until the lowering of the franchise.

8155. Until the lowering of the franchise?—Yes.

8156. Until last year?—Yes.

8157. That is pretty nearly all your life up to this?—Yes.

8158. That was the invariable rule?—It was the general rule—I do not say that it was the invariable rule.

8159. If a tenant took a farm, it was a condition that he was not to have any labourer's cottages?—Yes.

8160. How was he expected to work his land?—The farmer who lives next to me wished to build a house for his own old aged father, and they would not allow him to build it, lest it should become a labourer's cottage.

8161. His father would not be a labourer?—No.

8162. The objection was to putting another house on the holding?—Yes, and that the house would in the course of time be a labourer's cottage.

8163. It might!—There is no doubt about it.

8164. Is it the only instance you know?—No.

8165. Because that appears to be inadmissible on the part of the landlord not to wish to have two dwelling-houses on the same farm?—I could give many instances.

8166. At any rate you state that that is your opinion of the landowners of this country?—Yes, until lately.

8167. Until last year?—Yes.

8168. I suppose that the fact of the labourer having a vote has greatly increased his influence?—It has in that respect; but there is another reason, and that is that the labourers are getting fewer than they were, and that it is difficult to a labourer to occupy the cottages. It is difficult to do that.

8169. You cannot get cottages?—It is difficult to get labourers now. I know that it is so with my own neighbourhood.

8170. What wages do you give to the labourers?—About 12s. to one man and 10s. a week to two others.

8171. What is the man to whom you give 12s. a week?—He is a ploughman.

8172. Do you give him a cottage?—Yes, he has a cottage.

8173. Besides?—I include the cottage in that.

8174. Then he has not 12s. 1.—Virtually.

8175. But he good enough to tell me what you pay him?—10s., but I give him all his horse work and his horse and otherquisites.

8176. You consider it worth 12s., but you only give him 10s.?—Yes.

8177. How much do you give the others?—One of them 8s. and a free cottage, and perquisites, and horse work to put in his potatoes, drawing home his fuel, putting out his manure, and so on.

8178. And you give the other the same?—The other is a boy—the son of the ploughman.

8179. The President.—Do you say that you give them cottages free?—No.

8180. Lord Milford.—He only gives the one 10s. and one 8s. and the cottages; the other, a boy, is the son of the ploughman; and they give the cottages and the things he has mentioned. (To Witness).—Have you many labourers amongst your congregation?—Yes, some.

8181. I suppose the majority of your congregation are farmers?—Yes, small farmers, who do their own work.

8182. Have you had any opportunities of ascertaining what is the opinion of the labourers as to the expropriation of the landlords?—That is a question which I think they take very little interest in.

8183. That is your experience—that they take very little interest in it. I suppose their general desire is that the farmer should be made the proprietor of their farms?—I do not know that I ever heard any of them expressing an opinion about it, but I expect that their sympathies go on with the farmers.

8184. And so long as the farmers are made the owners of their holdings, they do not care what becomes of the landlords?—They are generally anxious to occupy their own land in perpetuity.

8185. I am speaking of the labourers?—They take little interest in the question of the relationship between the landlord and the tenant.

8186. All their sympathies are with the farmers?—Yes.

8187. That is your experience?—That is my belief.

8188. You are coming here to say that?—That is my belief.

8189. The President.—What religious denomination do the labourers about your place belong to?—They are either Episcopalian or Presbyterian.

8190. In your neighbourhood?—I live on one side of Ballypaulin, and it is quite a Protestant district where I live. Ballypaulin is on one side almost Roman Catholic—I live on one side which is nearly all Protestant. There are no Roman Catholic tenant farms on the estate.

8191. And the labourers?—They are generally Protestant in the part in which I live, but on the other side of Ballypaulin they are almost all Roman Catholics.

8192. The distribution is the same in the two localities—I mean as between tenants and labourers?—Yes.

8193. In one they are Protestants?—Yes.

8194. And in the other they are Catholics?—Yes.

8195. There is no line of division—there are not more Catholics amongst the labourers than amongst the tenant farmers?—Well there are, because there is hardly a Roman Catholic tenant farmer in the district in which I live, and there are some Roman Catholic labourers. But I am happy to say they all live in peace.

8196. Lord Milford.—I understand you to say that in 1876, when you purchased, one of your reasons for being desirous to purchase was because you did not expect ever to have perpetuity by Act of Parliament?—We did not.

8197. And you were anxious to get security of tenure?—Yes, but one reason was that the agent was living in the locality, and I got his residence. I got a lease for thirty-one years, my lease had to run for thirty-one years, and that was one of the reasons why I took advantage of the Bill of 1870.

8198. As the farmers have now got perpetuity of tenure, I suppose that disappears in their eyes the value of absolute ownership. Is that so?—No, in one sense it is not, because the farmers hold that under the changed circumstances of the country, the judicial rents at present are so high that they cannot meet their demands, and they hope that by the Government lending them the purchase money at a low rate of interest, they could give the landlord what they considered would be a fair rent for his interest in the soil, and produce at the same time their yearly payments.

8199. I quite understand that, but you say your anxiety to purchase was caused by a desire to obtain perpetuity?—Yes.

8200. And the desire of others?—Yes.

8201. A very reasonable thing no doubt, but as the tenants have now got that by law, has it not diminished their willingness to pay so large prices for their holdings as they would formerly have done? Do you understand me? Is it a fact that they have no longer any fear about security, and having got perpetuity by law, has that not the effect of reducing the amount of purchase money which they would otherwise have given for their farms?—Can I answer you in that way—they have almost perfect security in their holdings under the judicial rent, but the judicial rent is too high.

8202. I understand that.—That is the reason they are anxious to purchase.

8203. They have no longer the cause of anxiety that they had previous to the passing of that Act?—No.

8204. And therefore they are not willing to give so large a sum as they would previously have given?—Yes.

8205. You would not have given twenty-five or thirty years' purchase then, except for the purpose of getting security?—No.

8206. And so one of the direct results of the Land Act of 1881 has been to enormously diminish the value of the landlord's property to a tenant purchasing?—No doubt of that. It has lowered it, and greatly so.

8207. I am not questioning the justice of it or otherwise, I merely want to know if that is the fact?—The landlords have sometimes not dealt fairly.

8208. I am not disputing that.—I lived on a very large property which was highly rented. A lady came to have the management, and she added 15 to 20 per cent. I believe it was a gentleman living in Dublin who made out the new rental without ever seeing the property.

8209. I am not disputing that. But with regard to leaseholders coming under the Act, as it is termed, although they are already under the Act, as you are aware. You are aware of that of course?—They are not able to go into the Land Court.

8210. They are not able to have fair rents fixed, but under the provisions of the Act they have obtained perpetuity of tenure. They must otherwise give up their farms at the expiration of the lease?—Yes.

8211. That is very important?—Yes.

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 Ser Wm. O
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8212. With regard to their having the right to have their rents fixed, you are of opinion that it should be limited to those who have paid any tenant right for their holdings?—It would depend upon circumstances, and that is one of the important circumstances.

8213. Do you state that?—Yes.

8214. Would that not shut out every leaseholder?—It would shut out almost none.

8215. Do you mean to say that the leaseholders in other parts of Ireland previous to 1870 or 1881 paid anything for their tenant right?—I hold that a contract where it was made on an equal footing should be binding, but where there was a tenant at will he would not be on an equal footing with the landlord, and when he went to the rent office he was compelled to take a lease at whatever rent they wished, and the landlord was as arbitrary that every tenant was anxious to get a lease.

8216. I am not going to that point. Is it not a fact that there was no such thing as tenant right paid out of Ulster when a man obtained a lease?—I am only speaking of Ulster.

8217. But your arbitrary rule that there should be no such right given to a man, except he pays tenant right, would shut out the whole of Ireland except Ulster?—I would say it would depend upon circumstances, and that would be one of the circumstances.

8218. That would be the result of that circumstance?—In making any general law there must always be exceptional cases of hardship.

8219. Don't you think that a leaseholder in the south of Ireland, who has been compelled to take out a lease above the fair value of the land, although he pays no tenant right, is placed in a very unfair position, when others are getting a reduction in their rent and he is not?—I agree with you.

8220. Then your distinction would not do?—(No answer).

8221. Mr. Neligan. — You refer to the class, of which you are one, who bought under the Bright clauses?—Yes.

8222. And you suggest what you think would satisfy yourself?—Yes.

8223. Do you think that such a change as that would give general satisfaction to the body of whom you are one?—I have no doubt it would.

8224. How long have the judicial rents been considered too high by the tenants?—Especially in the last two years.

8225. Up to the last two years did they look upon them as being very much too formidable?—There was very general dissatisfaction from the commencement of it. The feeling was from the very first that the tenants' improvements were not considered as they should have been.

8226. Was that the general feeling?—Yes.

8227. And applied, as a general rule, to those who got their rents fixed?—Yes.

8228. Were there many appeals from the rents as then fixed?—There were a considerable number.

8229. What was the result of those when they came to be revised by the Rent Commissioners?—I have occasionally looked at the reports which were published in the papers, and I found that there were some a little reduced and some increased, and I found that, in balancing them both, they were about equal.

8230. I would not be wrong if I came to the conclusion that the rents fixed by the Sub-Commissioners stood the ordeal of appeal?—Generally they did.

8231. And these appeals were based, as we know, before the Head Commissioners?—Yes.

8232. Are you aware whether the Head Commissioners had independent valuers of their own to go over the property?—Yes.

8233. Lord Mollis. — Are you aware that they went by the independent valuers in fixing the rents, were they guided by the opinions of these independent valuers, or were the cases decided sometimes in opposition to their opinions?—I do not know.

8234. I thought perhaps you might have heard.—I could not answer that.

8235. Mr. Neligan. — I think I understood that you gave twenty-five years' purchase in 1870, and that a great many of your neighbours did the same?—Yes.

8236. And they gave twenty-five years' purchase then, supposing that the prices which were then the rule would be the average prices for produce?—Yes.

8237. And the twenty-five years' purchase was based upon that supposition?—Yes, and for a number of years I would say it was easier to make it pay than now.

8238. Assuming, for the sake of argument, that the law for the fixing of a fair rent was fairly carried out, twenty-five years ought to be still the rule of purchase, because the terms are easier. You know it is forty-nine years now?—You assume that the judicial rents were fairly fixed.

8239. For the sake of argument?—That is what the tenants in general desire.

8240. But, for the sake of argument, assuming that the result of operation of the Act of 1881 was to fix a fair rent, then the same rule of purchase ought to rule?—That would be taking for granted that the arrangement for the twenty-five years' purchase was a wise one. I may say that it kept me in great debts.

8241. You had to pay up in thirty-five years?—Yes; I paid five years' purchase too much then.

8242. You would now, you see, get the money at a cheaper rate. You state very properly that you do not wish that any alteration should be made which would cause an unreasonable loss to any one?—Yes.

8243. Do you think that there must be a certain loss?—Yes.

8244. Have you thought sufficiently about it to say what loss the landlords ought to bear in the event of compulsory expropriation? Take it, say, for every £100 they receive. How much would you cut them down, say, from every £100 net that they receive?—I have not entered into an exact calculation, but, speaking from the history of the past, I would say that the landlords at present are receiving larger incomes than they are entitled to, and therefore, if the landlords should lose 20 per cent. of their present income, I would think no injustice would be done.

8245. That would only apply to such cases in which the parties were not free to contract, but in cases where they were free to contract?—There was scarcely a case in which the tenant was free to contract.

8246. Then, the only person who should lose on the change would be the landlord. The whole loss should be borne by him?—The whole loss would not fall upon him, because the tenant is losing at present upon the changed terms.

8247. I am assuming, for the sake of argument, that there was a fair rent fixed; would you say that those who had encumbrances on the land should bear any portion of the loss?—I am not prepared to give an answer to that.

8248. The rule you say in your neighbourhood was, that the landlords insisted that labourers' cottages should not be built?—That was the general rule in former times.

8249. And up to the time of the extension of the franchise?—Yes.

8250. Where did the labourers live in those days?—There had been before that an immense number of what were practically labourers' cottages, and as the population, in my recollection, decreased very much, these houses provided accommodation.

8251. Sir James Caird. — What county is Ballycastle in?—County Antrim.

8252. Mr. Neligan. — If there had been a sufficient number of houses formerly, and then the population decreased, there would now, of course, be sufficient accommodation?—I have no hesitation in saying that there are a sufficient number of labourers' cottages in the county, but, as a general rule, they are not so comfortable as they ought to be.

8253. They are not in sufficiently good repair?—No.

8254. Are you aware of the passing into law of the Act with reference to labourers' cottages?—Yes.

8255. Are you aware that the moment the medical officer of a district certifies that a cottage is unfit for habitation, the Board of Guardians are required to take action?—Yes.

8256. And at the present moment we have that law in operation?—Yes.

8257. And no further change is required in that direction? You say that there are houses enough if they were kept in good repair, and we have a law which requires that they should be kept in good repair?—Yes. The place in which I am is doing that.

8258. That falls upon the Public Board?—Yes. The towns are doing it.

8259. Mr. Keble.—Have the landlords in your locality given any reductions, within the last two years, upon the judicial rents?—Not that I am aware of; certainly not.

8260. Is it your experience that the last two years are the worst that the tenants have had for a number of years?—Yes.

8261. And no landlord has given a reduction upon the judicial rents?—One gentleman, a member of my congregation, gave a large reduction to the householders.

8262. Mr. Neffies.—That is not on the judicial rents?—That is the only reduction that was not compulsory.

8263. Mr. Keble.—Was there any complaint on the part of the tenants who got their rents fixed that they were fixed too high?—A considerable number of them were not satisfied.

8264. Looking at the price of produce now, they are not satisfied?—They are not satisfied as a general rule. Some are satisfied.

8265. Are you aware that the Commissioners found it necessary to give further reductions of rent in consequence of the low prices?—Some of them may have done so, but I think that in some cases the fault was that they did not do so.

8266. But if the Commissioners say that they did do so?—According to their judgment, they may believe that they may have done so; but there have been judgments given in my immediate neighbourhood, and I am satisfied that they are too high.

8267. And you think that there should be a further reduction given in consequence of the low prices of produce these last two years?—I am prepared to answer the question as to whether—

8268. You are now speaking of the judicial rents?—I am speaking of the Commissioners appointed under the Land Act, to fix fair rents as between the landlord and tenant. You ask me whether they would be justified in giving further reductions than were given in 1881. I think they would. If they were justified in making the standard that they did in 1881, they would be justified in making a lower standard now.

8269. Speaking of the Purchase Act, you say you think it would be for the benefit of the country at large that there should be compulsory sale?—I am satisfied of that. I believe it would be for the good of the landlord as well as for the good of the tenant—circumstances are moving so rapidly.

8270. In that case do you think it would be necessary to appoint a tribunal or court to interfere between landlord and tenant, the same as under the Land Act?—And to fix the price—compulsory sale under a judicial rent.

8271. A tribunal of parties not interested, competent to say what would be a fair price for the landlord to get, taking all the surrounding circumstances into account?—My idea would be that a certain standard of fair rent should be taken, and that the Government should pass a Bill giving a certain number of years' purchase upon that fair rent, and that that should be made universal. Or it could be left to a Court, as you suggest.

8272. Do you think there is any probability that the landlords and tenants will come to terms themselves?—Not the slightest probability that it will be general.

8273. And having regard to that, you would recommend the State to interfere?—Yes.

8274. The same as under the Land Act?—Yes. Will you excuse me for a moment? I have made out an account of the profits from an independent farm of £91 rent, and the result would show upon a comparison of the years 1882 and 1884 that there would be a loss of £44 7s. 8d.

8275. How many years?—Comparing 1882 with 1886.

8276. Mr. Neffies.—What was the average price that you have taken for barley and oats?—The average price of oats would be 2d. per stone lower in 1886 than in 1882.

8277. Was that on the whole year?—Yes, taking the whole year. The average price of pork was 9s. per cwt. more in 1882 than in 1886. It will be sold in Ballymoney, my market town, for about 34s.

8278. Mr. Keble.—You say that there is a general desire on the part of the tenants to purchase on fair and equitable terms?—I may say that I think, if the tenants had their own will, they would give the landlords almost nothing.

8279. Whom, the landlords nothing?—Yes, I believe there is a spirit of communism getting abroad, and that if the tenants were left to themselves they would give the landlords what would not be fair.

8280. You would recommend a tribunal to be established to interfere in this matter?—Most decidedly, and have it compulsory.

8281. Have you at all considered what effect it would produce upon the tenants if they were the owners of their own land?—A spirit of contentment, a feeling of independence, and increased industry.

8282. They would probably employ more labour upon their farms?—No doubt of that, and they would be in a better position to be generous with their labourers.

8283. What effect would be produced, do you think, if they were not able to become owners, provided that the landlords in other parts of Ireland were willing to sell and that the tenants had bought; or that the tenants on one property here were enabled to buy and become owners, while the tenants on another property could not buy in consequence of the landlord refusing to sell?—I will answer that question if it be not reported.

8284. The President.—Very well, you may answer, and it will not be taken down. (Witness replied.)

8285. Sir James Caird.—The question I will put to you is this, Considering that the security of the landlords in Ulster is very good, and that the security of the rent for the landlords in the southern parts of Ireland is said not to be so good, do you think that it would be reasonable and fair that the present security in Ulster should be reduced to that which the landlords in the south possess in value?—I agree with you, but I do not know how to ward the answer, as it is to be made public. I consider that whatever legislation is made should be for all Ireland, and not for a part of it.

8286. I think you said in the beginning of your evidence that you would not do an injustice to the landlords, and that to make the sale compulsory would be an injustice?—I did not say anything like that.

8287. But you said you would not do an injustice to the landlords?—I said I would try not to do an injustice to the landlords, but that, considering the circumstances of the country, the dual ownership, I now use the word for the first time, should cease, and that they should receive a fair rent for their interest in the soil; that the Government should lend the money to the tenants to enable them to purchase, so that they should have reduced the annual payment, and be free of rent in the course of time.

8288. Mr. Keble.—In reply to Sir James Caird, didn't you state that you thought it would be an injustice to the tenants of the north if they were not put on the same footing as the tenants in the south?—I believe it would be a gross injustice both to the tenant and to the State.

8289. Would it not be an encouragement to the tenants here to act as they do in the south and west of

on 25 1890
Rev. Wm. G.
Boyd.

Dec. 19, 1895.
Rev. Wm. G.
Boyd.

Ireland!—It would not only be an encouragement, but it would be sure to lead to that result.

8290. And would it not be a bad reward to the tenants who have been industrious, and who have not combined in any way against lawful tenants to give the landlords more than in the north?—It would be putting a premium on want of thrift, want of honesty, and dishonesty.

8291. Sir James Caird.—Should you not give more for good security than bad security?—That security has arisen from the extra industry of the people and their law-abiding principle, and they should not suffer on account of that.

8292. Have they not benefited themselves by that?—The landlords and the State have gained more. They have been oppressed, and have been paying rack rents when the people in the south have been paying nothing.

8293. I think you said that the labouring class were in a good condition and well employed?—I did not say that.

8294. You said that the labourers now were much sicker than formerly, and more difficult to get?—That they were becoming more difficult to get.

8295. Would not the incomes follow that they were receiving good wages?—Not good wages.

8296. You mentioned that the wages of the men were very good?—Men in steady employment like that are fairly paid, but they are the exception. I give accommodation to a man for his own sake, and I may say that that man does not get constant employment, and he does not get anything like 10s. a week the year round.

8297. Are the labourers not well employed or well paid?—There is a good part of the year in which they are well employed, but there is also a good part of it in which they are not.

8298. What do those men do in that part of the year during which they are not well employed? Have they some kind of their own which they sow with potatoes or otherwise cultivate?—They have not.

8299. Have they not something in the shape of land?—They have potatoes, but no land.

8300. They cannot get potatoes without some land surely?—The farmer gives them the ground.

8301. They have it during the growth of the crop?—Yes.

8302. And that is every year?—Yes.

8303. I want to get at the condition of the agricultural labourers here now as compared with former years, which your experience will enable you to speak of?—The labourers as present is better off than he was in the south, for he is better paid and fed.

8304. And I think you said that if the farmers became the owners of the land, it would cause them to be more active and to develop their property more, and as a consequence give better employment to the labourers?—Yes.

8305. You have no doubt about that?—No doubt.

8306. So that in that way any loss the labourers might sustain, in consequence of the landlords not giving such employment in not cultivating their lands so much as now, would be finally made up to them, in your opinion, by the desire of the farmers to give more employment to the labourers?—Yes.

8307. Lord Millican.—Have the farmers done more to develop their farms, and given better wages to the labourers since they obtained the security of the Act of 1881?—I would say yes.

8308. You think they have?—Yes; I can speak from my own knowledge.

8309. You say that positively?—Yes.

8310. You are quite sure?—Yes; I know farmers who have reclaimed large portions of farms that never were worked in the history of man.

8311. And have they given better wages?—Yes, wages have been higher.

8312. They could not help themselves?—No.

8313. That is an excellent reason?—The farmers would give as little as they possibly could.

8314. The farmer would give as little wages as he possibly could?—Yes, I believe he would. Labour is just like everything else in the market; its price is regulated by the demand.

8315. Mr. Keble.—Have the landlords taken as much interest in the tenants since the passing of the Act in 1881, as before it?—Not at all.

8316. And therefore it would not be as great a loss?—No.

8317. Are there quite a number of non-resident landlords in your county?—Yes.

8318. Lord Millican.—It seems rather strange that there should be non-resident landlords in the country?—Yes.

8319. You were asked are there non-resident landlords in the country?—I will answer the question in this way. The landlords do not take any interest in the welfare of the tenants except to get the rents.

8320. Mr. Neilson.—That is, in your district?—Yes.

8321. That is about Ballycastle?—Yes.

8322. The President.—With reference to compulsory purchase, have you considered how long it should take before the whole land of Ireland should be conveyed from the landlords to the tenants?—I understand the Government have a scheme by which it can be done in forty-nine years—principal and interest.

8323. I mean the actual purchase?—It would depend upon the capital by which it would be carried out.

8324. You know the Encumbered Estates Court only get through about a million and a half in the year?—I would say that I would not have the whole of the business done by one office in Dublin, but if there were offices in the provinces it could be carried out in a short time. And there were a great number of rents fixed by mutual consent once there was a precedent set.

8325. Mr. Neilson.—There was no title to be examined in rent cases?—You must of course have the title investigated before you can sell.

Mr. Keble.—The price is the great thing.

Mr. Neilson.—The title is the difficulty. Every man before he sells must show that he has the title.

Mr. Keble.—Possibly the State could see its way to simplify.

Lord Millican.—The man who is buying should see that the man from whom he is buying has the title to sell.

Mr. Neilson.—Some action with regard to the transfer of land would be necessary before a general sale of the land.

The Witness.—I would say that the Government should try to make out some arrangements by which the investigation of the title and the conveyance of the land should be made as simple as possible.

8326. Lord Millican.—Who are the landlords in your neighbourhood?—I forget the Christian name of the agent. He is a Mr. Boyd.

8327. What do you say is the name?—Boyd.

8328. He has the advantage of possessing the same name as yourself?—We are not related in any way.

8329. Who also is there?—Mr. McIlwain.

8330. Any more?—The trustees of the Stewart property.

8331. Is that Sir John Stewart?—No; he was a gentleman in the Board of Public Works. And the property of Mr. Alexander Stewart is in the market at present; and they would accept twenty years' purchase, but the tenants will not give more than sixteen years'.

8332. These are gentlemen who do not take any interest in the tenants?—Yes; I am speaking of them in general. Then there is Mr. Frederick Boyd. I have no hesitation in giving their names.

8333. I should say not, after such an imputation as that?—They take no interest in the welfare of their tenants, except to get their rents from them. Mr. McIlwain lives at Clare Park, Ballycastle.

8334. Mr. Keipe.—With reference to the tenants buying before the passing of the Land Act and buying since it, is it the passing of that Act that prevents them from giving as much for the farms as formerly?—Yes.

8335. Is it not in consequence of the depressed state of agriculture that land is of less value?—Yes, it is of less value in the first place, and in the second place they have now greater security in their holdings; and I may say in truth, that that is one of the reasons I would not give so much, because they are not forced now from absolute necessity to purchase the way they were then.

8336. But was not tenant right recognised by the landlords in that part of Ireland?—By some yes, and by some not. The rent office rules were so arbitrary that we are extremely glad to get rid of them.

8337. Don't you believe it is partly because the price of produce is lower that the price of land is not so much?—Yes, I do. Tenant right is lower than it was, as well as perpetuity. Tenant right is lower now, as well as land in perpetuity.

8338. Just one question before you go with reference to the leaseholders. It has been said that some tenants hold leases, and that there are very few rents reserved in those leases?—We have almost no leases now with low rent.

8339. Would you assume that where there was a low rent, that there was something given for that lease to the landlord by the tenant or his predecessors?—I assume that the land was then of less value.

8340. Mr. Nelson.—Money was of less value also?—When the lease was taken the land was of less value. We have almost no old leases.

8341. Not in your district?—I do not know one.

8342. Mr. Keipe.—Your experience is that the rents are too high—the rents reserved in those leases?—Yes.

8343. And that the leaseholders should be admitted to the benefits of the Land Act?—Yes.

8344. Mr. Nelson.—Supposing that the whole of the country was bought, and every man made the owner in fee of his holding, how would it work practically? What would be the result of that state of things? Would you permit subdivision? If every man had his own farm in fee, would you allow him to subdivide?—No, except under certain restrictions.

8345. Who is to be the restraining power?—The law of the land.

8346. What should be the restriction upon a man who was the absolute owner?—I should say that if a man had a farm of 100 or more acres, that he should have liberty to divide his farm amongst his children, but not to less than fifty acres.

8347. If a man had less than fifty acres?—He should not have the right of subdividing his farm of less than fifty acres.

8348. But if he had ten children and 500 acres, he might divide it into ten lots?—Yes.

8349. Supposing there was a thrifty man and another who was not, in the end would not probably the one buy the other out? Supposing a man got more than 200 or 300 acres, and had only one child, would you allow him to subdivide?—Under certain restrictions.

8350. What restrictions?—That the person to whom he sublet would be in the same position in the eye of law as any other tenant who took land.

8351. To what extent should he subdivide?—I would allow the tenant.—

8352. You know he would be the owner then. If he had 300 or 400 acres, to what extent would you allow him to subdivide, or would you make him the absolute owner to do what he liked with it?—The tenants to whom he subdivided should get the right to turn round and sell out.

8353. A man should not have less than fifty acres?—Yes.

8354. What about a man who had less than fifty acres?—He would continue.

8355. And therefore that lot would remain as it is?—Yes.

8356. It should not be subdivided?—Yes.

8357. Then all the small lots in the country would remain as they are?—No.

8358. Unless some one bought them out?—Yes; some one would buy them and cultivate them, or purchase out and do what he could with them.

8359. But if a man with fifty acres had several children, he should leave the farm to one. You would not allow him to divide it, and give a certain portion to each family. You would have primogeniture?—There would be a great difficulty.

8360. But you cannot recommend some scheme of that kind unless you are able to face the difficulties?—I would be opposed to subdividing.

8361. And the result would be the re-establishment of primogeniture all through these small holdings, or that the man should only give the property to one of the family. You have not turned your attention to that question, have you?—It is not likely that the farms would be very much enlarged.

8362. Have you any idea of the relative number of farmers in Ireland holding fifty acres?—I remember seeing it, but I cannot recollect it.

8363. It is a very large portion of the country, and that portion of the country could not be changed except for the purpose of increase?—I admit that, but I would not be willing to allow subdivision, because it would be injurious to the country.

Hon. *Seamus Ward* examined.

8364. The President.—You are Captain Ward?—Yes.

8365. You are agent, I believe, for the Gwendore estate?—Yes.

8366. I think you have a statement to make with reference to what has taken place during the last few years on that estate, and it would be interesting if you would just give to me shortly an account of what has happened?—Very well. In the year 1883, I became agent for my brother-in-law. I did not look upon it as professional work; it was volunteer work, and I did not live there. I have several agencies in this county, and I merely wished to exercise supervision over the local agent, as I might be supposed to have more authority than he. When I first went there I found the parish priest, Rev. Mr. McFadden, exercising complete authority over the people. The relations between him and the landlord were not satisfactory, and I determined as far as I could to get on well

with him. I called upon him. There were several Hon. *Seamus Ward* decrees, and a great amount of costs incurred. I told him that as no rent was paid since the wiping out of the arrears by the Arrears Act, I would be compelled to execute some of the decrees if the tenants did not make some effort to pay the rent. He gave me no satisfaction, and I was obliged to execute some of the decrees. I have not stated that in the statement which I have given to the President. But the decrees were executed, and at the time the decrees were executed he paid the whole of the rent and costs. There were about thirty of them. I do not know where he obtained the money, but at all events he paid it to me, or to the sheriff. I then made the following proposals:—

"1. Cases in which originating notices have been served by the tenants to be decided by the Court, or by consent, at the option of the tenants after decisions are given in the cases now pending. 2. In cases where no application has been made to the Land Commissioners

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the judicial rent to be settled by consent or by the Court, as the option of either party. 3. Judicial rents thus fixed by the Court, or by consent, to take effect from 1st November 1883, provided such rents are paid by consent, or originating notices served by the tenant or landlord, as the case may be, within six months after decisions in the cases now listed are given by the Sub-Commissioners, or if appealed against by the Land Commissioners. 4. One year's rent at old rate, due 1st November 1883, to be paid at the time fixed by the agent of the estate immediately after the Land Commissioners, who will arrive next week, leave the district. 5. A year and a half's rent at new rate to be paid at the time appointed by the agent of the estate in December 1884, and a year and a half's rent at same rate at the time appointed by the agent of the estate in December 1885." The first cases were heard in March 1884, consequently the judicial rents would take effect from May 1884.

8367. Mr. Nelson.—When were the judicial rents fixed?—They were not fixed then; but originating notices had been served, and the Commissioners were going to sit in March, and the rents would take effect from the following May.

8368. Lord Milnes.—I do not quite understand you?—On the conditions that the tenants who had paid no rent since 1881, when the arrears were paid off, should pay a year's rent, that in the year due November 1883, and that the other year's rent that was due in November 1883 should be paid in two instalments.

8369. In the usual way?—Well, in addition to the year's rent due, they should pay half a year's rent.

8370. Half in 1883?—Half in 1884, and half of 1884 in 1885, and that would clear off the arrears.

8371. So that you would lose nothing of the rents?—Nothing.

8372. You simply proposed an easy way?—Yes.

8373. Mr. Nelson.—In 1883 the tenants should pay three guineas, and in 1884 three guineas. And the judicial leases were to be antedated?—Yes, all the leases were antedated by the Arrears Act. Mr. McFadden thought these were reasonable terms, and he wrote that he would direct the tenants to pay.

8374. Sir James Caird.—When were the judicial rents fixed?—The first batch in March 1884, to take effect from May 1884.

8375. Did you say to antedate them?—Yes, I suggested that myself.

8376. So that the rents you were receiving would be judicial rents if the terms were carried out?—Yes, except that one year's rent. Well, after that a considerable number of tenants—I do not remember how many—paid that one year's rent. That was the year due in November 1883. Somewhere about 120 or 130 tenants did not pay.

8377. Lord Milnes.—What is the number of tenants?—The number of agricultural tenants is 763, and the amount of the agricultural rental is £739 13s. 2d.

8378. That is about 21 each?—Yes; about 130 of these, I think, did not pay the rent. I made several attempts to collect the rent. I appointed several days, and a few, a very small number, came in and paid. I was obliged to take proceedings against about seventy of these tenants for the non-payment of the rent. I felt that I must either do so or give up any attempt to collect the rents.

8379. You took proceedings against 130?—Against 70; you must recollect that almost all that I took proceedings against had not paid any rent since the arrears were wiped off in 1881. I obtained sixty-four decrees.

8380. What because of the balance of the 130?—I only took proceedings against seventy of them.

8381. Not against 130?—No, against 70 out of the 130.

8382. And you got how many decrees?—Sixty-four. There were sixty fresh decrees, and the other four were ejectments on the title.

8383. Mr. Nelson.—Were these decrees for rents,

or decrees of ejectment?—Sixty of them were ejectment decrees for the recovery of the rent.

8384. That is what I mean.—Four of them were ejectments on the title to recover possession of the land—in the case of tenants against whom I had former decrees, and in whose cases the six months' redemption time had expired.

8385. Sir James Caird.—How did you select the 70 out of 130?—I selected those that were best able to pay. I made careful inquiries, and I did not take out ejectments against any that were very poor.

8386. Mr. Nelson.—How did fresh decrees become necessary; could you not have put the old ones in force?—No, because the tenants refused to give up, and I was advised by the solicitor to proceed by ejectment on the title. This we did, and recovered possession of the land. Of these sixty-four decrees three were thirty-three absolutely correct, and thirty-one re-entered as mistakes.

8387. Thirty-three were ejected?—Yes, they were absolutely turned out. Now the reason I did not re-submit them all as caretakers, was because I did not wish to have to take, at the end of the six months, fresh proceedings in order to recover possession of the land. Thirty-one of them I reinstated as caretakers. I always did it where there was an infirm or old or sick person, or where there would be any hardship as that way, I always directed that they should be reinstated.

8388. What was the time of year?—It was in August—August last. The last day that I appointed for the collection of rent was December, and I went down there myself. I was very seldom able to go, and I was met by Mr. McFadden and his curate, and a deputation of about forty or fifty tenants, and they presented a memorial, of which the following is a copy, asking for a reduction of 25 per cent.—"Memorial of the tenants of Captain Hill, praying for an abatement in rents due 1st November 1885. The Honorable Somerset Ward. Dear Sir,—We the tenants of the Hill property desire most respectfully to submit that, owing to agricultural and other depressions, and the impossibility of selling small stock even at a sacrifice, we find ourselves utterly unable to meet our liabilities this year in the matter of rents and other debts, and we have therefore to earnestly request that you will not press for the recovery of rents by any legal process, and that you will allow an abatement of 50 per cent. on the old rents, and 25 per cent. on the judicial rents in those cases where payment may be practicable.—We remain, &c., James McFadden, P.P., and seven others. Signed on behalf of tenants." You see that was asking for an abatement of 50 per cent. on the old rent. They wanted a reduction of 25 per cent. on the judicial rents, which had already reduced the rents by 30 per cent.

8389. You mean that the original rents were reduced that much?—Yes; they wanted 25 per cent. more, and 50 per cent. on the rents which had not been touched. Perhaps I had better give you the figures as to the number of judicial rents.

8390. How many were fixed?—There were 278 before the Land Court. The old rent in these cases was £469 13s.

8391. The President.—When did that deputation with the Rev. Mr. McFadden wait upon you?—In late December. The judicial rents in these cases were £369 11s. 6d., which would give a reduction of just about 30 per cent.

8392. What happened to the other tenants?—There were thirty-seven cases settled out of Court between myself and the tenants. The old rent was £49 5s. 2d., and the judicial rent £37 11s., so that the reduction was about 25 per cent. I tried to settle the remainder of the rents with the tenants, and I made them offers. These offers were submitted to Fisher McFadden, who regulates everything there, and he refused. I begged them to go into Court and get the rent settled, but they neither accepted my offer, nor have they served me with notices to go into the Land Court.

8393. Mr. Neilson.—How many of these cases are there?—How many are there left, do you mean?

8394. The difference between 278 who went into Court and 57 settled, and the entire number which you said was 765—that would be 1091—Yes. There is between £1300 and £1400 arrears due on the property now.

8395. Sir James Caird.—Did you tell us the amount of the annual rental?—Yes; it is £795.

8396. There is very nearly two years' rent due?—Yes; £1566 4s. 5d. is the exact amount of the arrears now due.

8397. The President.—Do you think that these people can afford to pay?—Well, my lord, there are many of them I know can afford to pay.

8398. They can?—Yes; I appended a statement at the end, which you will see.

8399. Have they grazing on the mountain land?—There are 10,000 acres and half without any other charge, and in these townlands along the sea-side there is seaweed. There is a run of mountains of about 10,000 acres.

8400. And I believe a good many of them have cattle?—Yes; I have here some information about cattle in the shape of notes that I took when the cases were at hearing before the Sub-Commissioners. They were questioned about the amount of stock they possessed, and I took down a few of the statements. Here is one: three cows, two storks (young cattle), ten sheep, four lambs, and a horse. The old rent in that case was £3 12s., and the judicial rent £2 12s. There are other cases, but I can hand you in the return.

8401. I suppose the principal value of the holding is the power of grazing on the mountain land?—Yes.

8402. What is the quantity of land that they generally hold in addition?—Generally from three to six acres, or from two to six.

8403. Lord Milnes.—Are those statute or Irish acres?—They are statute acres.

8404. Are these holdings on the sea-shore?—Some of them are on the sea-shore, and some inland.

8405. Sir James Caird.—Are there not some people there badly situated?—There are; I do not believe that they could live there at all if it was not that the greater part of the male population migrate to Scotland

and to England, and to the adjoining county of Deery; and the women also go out to service. In fact, the holdings at Gweedoo are homes for the families, while the working part of the families go out to labour.

8406. And do you think, so long as this migration goes on, that they can be pretty comfortable?—I do; and I should say that during the life of the late Lord George H.B.—my father-in-law—the rents were always paid, and up to his death. There was apparently no difficulty about it at all.

8407. Lord Milnes.—What was the date of his death?—1873.

8408. The President.—Who has the estate now?—Captain Arthur Hill, his son.

8409. Now the migration we see has fallen off considerably during the last five years?—I do not think it has fallen off in this part of the country. They are not confined at all to agricultural labourers, though, of course, a number go over to that. But they also work in Glasgow, in Liverpool, in the docks, and in Manchester, and other places.

8410. And that goes on as much as ever it did?—As far as I am aware; but I am not very much there.

8411. Sir James Caird.—Do these men who go to work in the docks, and who engage in other continuous descriptions of labour, at all return to this place?—Yes, they return every year. They, generally speaking, return every year for a couple or three months, and put in their crop.

8412. And they are away for the other nine months?—Yes, a large number of them are.

8413. The President.—I suppose it would be a good thing if they were instructed so that they might see that the world was before them, and that they would be qualified to earn their livings if they went out?—I think it would be a good thing. They earn their living now by migration; and if anything was to interfere to stop that, it would be a very serious state of affairs.

8414. There would be nothing but starvation before them?—A remarkable thing is the same given for tenant right. It varies from 50 to 150 years' purchase. I will hand in this list which I have prepared.

8415. Are they particularly attached to this place, or is it a sort of laziness that keeps them there?—They

Gweedoo Estate.—Sales of Town Rights from 1882, inclusive.

Date.	Townland.	Vendor.	Purchaser.	Rent.	Purchase Money.	No. of Years' Purchase.
1882	Stranacreeagh	Rev. J. M'Fadden	David O'Donnell	£2 2 6	£115	100
"	Arlingogerry	Rose Boyle	Thomas Boyle	0 10 0	45	90
"	Cornea	James Harkin	James M'Fadden	1 2 6	45	52
1883	Dave (Lower)	Margaret M'Brade	Pat Gallagher	0 17 0	47	56
"	Do.	Charles Gallagher	Thomas Gallagher	0 16 0	40	150
"	Magheraball	Brian Perry, sub-tenant to Charles Green	Owen Gallagher	0 18 8	40	48
1884	Dave (Lower)	Owen Doyle	Neal O'Donnell	0 22 0	31	51
"	Meenacreeagh	Ellen Campbell	John Campbell	1 8 8	70	55
"	Meenacreeagh	Edward Gallagher	Bernard Boyle	1 2 6	104	92
"	Stranacreeagh	Peter Doogan	Shane Perry	1 2 8	80	52
"	Carrick M'Gifferty	Daniel O'Donnell	David O'Donnell	1 11 0	51	52
"	Magheraball	David M'Brade	Hugh O'Donnell	0 7 0	40	108
1885	Sheshingbeg	James Boyle	Edna Cull	0 15 8	100	128
"	Derrybeg	John Irelis	Pat. Gallagher	1 8 3	100	78
1886	Arlingogerry	John M'Connell	Thomas M'Brade	0 10 0	31	52
"	Do.	Fanny M'Connell	Michael Cooper	0 5 0	18	64
"	Do.	John M'Brade	James M'Call	0 9 0	20	44
"	Meenacreeagh	Nelly O'Donnell	Edward Campbell	1 5 0	100	80
"	Magheraball	Fanny Perry	Charles M'Gulley	1 0 10	41	61
"	Do.	Owen Boyle	Matthew Sweeney	0 12 8	51	51
"	Dave (Lower)	Henry Gallagher	"	1 4 8	70	55
"	Carrick Boyle	Hugh Sweeney	Pat. M'Gulley	1 4 8	51	42

are very much attached to it, and in their own way they seem to be comfortable. Their children are all extremely healthy; there is no sickness in the district, and the men and women that I see on a Sunday going to chapel are extremely comfortably dressed. They maintain their own homes and knit their own socks and stockings. I may say that, several years ago, Lord George Hill arranged with the firm of Messrs Allan & Solly, 8 King Edward Street, London,

who sent over yarn for the purpose of being knit into socks and stockings by these people, and in that period—it extended over about twenty years—they forwarded, as you will see by the following extract from a letter, 40,000 lbs. weight of yarn to be knit into hose. This is the extract from Messrs Allan & Solly's letter which I refer to:—"8 King Edward Street, Newgate Street, February 6, 1884.—Many years since, at Lord George Hill's request, we added the hand-

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knitting trade to our business, and, on reference to our books, find that we have sent to Gweedore over 60,000 pounds weight of yarn, and remitted more than 240,000 in cash to pay for knitting it up into half-hose and hose. The only difficulty experienced by us during the years we have been connected with Gweedore was when "Ireland's Curse," the Land League, visited the district, but at the present time we are sending yarn there to be knitted up as usual (Signed) ALAN, SMITH, & Co. They forward that for the work of the women about Gweedore. The average was about £400 a year paid to the women for knitting, and it went on continuously until the year 1880, when the Land League prohibited it. It was prohibited by the local branch of the Land League, of which Mr. McFadden is President, and that year there was only about £40 paid. In the beginning of the year 1881 I was present when one of the women came down to Banlag, a little village in that part, and went into the store to the local agent of the London firm and handed him, I think, two or three pairs of socks, which she earned under her cloak, and she said, "This is the last I can do, for the order has gone out through the country that we are to knit no more." Now they have removed that boycotting, and they have commenced to send the yarn again.

8416. Why did they prohibit it then and afterwards permit it?—The reason they prohibited it then was because the sister of the manager of the Gweedore Hotel, who was Captain Hill's managing man and local agent, was the agent of this London company. I can conceive no other reason for it than that.

8417. I do not exactly see what you call the reason?—Because their agent got a little percentage on the yarn sent.

8418. He gained slightly?—Yes.

8419. It was to spite this man?—That is all I can say. Or perhaps because it was set on foot by Lord George Hill.

8420. They thought that he was in some way connected with Lord George Hill?—Lord George Hill started this knitting industry there, and the local agent there was the agent of this firm, and he got some slight percentage on the quantity knit, and that is the only reason I can conceive why they did it.

8421. The President.—You do not think they wanted to make these people poorer than they were in order to make a lever of them?—It struck me at the time that it was to spite the local agent.

8422. Did Lord George Hill ever think that it would be a good thing that some of these people should emigrate?—He took the greatest delight in Gweedore, and spent his own life there trying to improve it. He was very fond of the people. They appeared to like him, and there was no trouble whatever for many years up to the time of his death. He did not want to get the people out of the country at all.

8423. The drawback to the present state of affairs is, that although it is all right at the present moment, on a sudden they might be thrown out of employment at any time?—Yes, and there is no doubt, at the present moment, very great risk. If a woman loses her husband or her son, and has not the means of getting support, she is reduced to great poverty. But I think one of the very serious evils there is the way in which they subdivide. They subdivide their holdings without permission, and it is almost impossible to check it. I know cases there in which the whole rent is £1 a year, and they subdivide it into four.

8424. I suppose that you do your best to prevent it?—Yes, so far as we can. But we do not know of it. The first way in which we got the hint of it was when a man says that he will pay "the proportion" of his rent. I ask him "What do you mean?" and he then tells me that there are three others as well as him. "I have only a portion up to do and the others may pay theirs."

8425. Lord Millican.—What would be the size of the holding?—About three acres.

8426. About an acre apiece?—Yes.

8427. The President.—It is looked upon as an accommodation?—Yes, and they give enormous sums for it, as you will see by a reference to the paper which I handed to a moment ago. The Rev. Mr. McFadden himself had a small holding, and I suppose there were about four acres in it altogether, of which he reclaimed perhaps one half. Reclaiming there consists of simply burning the ground, making a few drains, and cultivating it. The annual rent of this place was £1 2s. 6d., he sold it in the year 1882 to a man named Daniel O'Donnell, and the money he got for it was £115.

8428. And how much do you say the rent was?—£1 2s. 6d.

8429. Mr. Nelson.—What was the date of that transaction?—It was in 1882. You can look over the list, and see the particulars of those purchases for yourself. They are very interesting.

8430. For how many acres was that amount of purchase money obtained?—I think there was about four or five acres, of which one half was reclaimed, and the other was rough mountain.

8431. That would be 100 years' purchase?—That is what I have put it at in the list.

8432. Sir James Caird.—That was for the tenant right?—Yes, and I may tell you that there were no holdings in the place. In another case a woman whose rent was 3s. got £16, and a person whose rent was 2s. got £30.

8433. The President.—Are those sums all paid out of their earnings in England and Scotland?—Yes. I do not know where the money came from, but whatever it comes from it is paid.

8434. Mr. Nelson.—Here is a remarkable case, that of Owen Boyle, vendor, Meorice Sweeney, purchaser; yearly rent 12s. 6d., purchase money £51, and yet the place was rented for the non-payment of rent?—The purchaser lives with his mother Mary Sweeney, who was entitled for the non-payment of rent here; yet her son was able to pay £61?—And there is the case of a man named Hugh Sweeney. Pat McGarry bought the place from him. The yearly rent was £1 4s. and he gave £51 for it; and yet he would not pay his own rent, which was £2 a year; he owes now £4, or two years' rent.

8435. How much did he give, do you say?—£51.

8436. So that his non-payment of the rent was not for the want of money?—No. I give this information, and that with reference to the stock, to show that there is a combination there against the payment of rent, except we agree to the terms proposed by Father McFadden, and that the non-payment of the rent does not arise from inability to pay presently. There may be some cases where the tenants are very poor, but when they refuse to pay these small rents, and at the same time buy other holdings at such prices, it shows that it is not inability that prevents them paying the rents.

8437. The President.—What step do you now propose to take about the arrears?—I have now executed the arrears; I cannot get any money, and I shall be obliged, I suppose, to proceed against them. I have sent a circular explaining it to them, and saying that I have no alternative. I have pointed out the circumstances, and we must either give them the land without asking them to pay any rent, or accede to Father McFadden's proposition for reducing it 50 per cent., which I cannot possibly do. It would ruin the property. Either that or I must proceed against them. There was a letter written to the *Derry Journal* on the 12th of this month, by the Rev. Mr. McFadden. I give you, my lord, an extract from that letter, and you can see for yourself the character of it.

8438. Father McFadden seems to have got complete control over the people; how has that been acquired? Have there been no struggles?—None at all.

8439. Or boycotting?—There has been a boycotting of the fishery. Those who had the salmon fisheries were the lessees of the landlord. I think in the year 1880, there appeared to be some distress about Gweedore, and the lessees of the fishery went to

Father McFadden, and said, "We will contribute towards the relief, whatever our earnings may be this year." These earnings were about £50, and they gave them to him for the relief of the people. Next year all their men were doomed to leave their employment, and they re-commenced, and one of them went to Father McFadden, and said, "This is a very hard way that we are treated. We contributed last year towards the distress fund, and now we are boycotted." He replied it could not be helped. They said, "What offence are we committing? We pay Captain Hall; we must pay our rent, whether we work the fishery at all or not. We have a lease of the fishery." He said it could not be helped. Well, the carters were prevented from bringing the fish to Derry, and the lessee met with a great loss, until they made an arrangement with the Silgo and Liverpool steamer to call for the fish, and then, of course, they were independent of the carters.

8440. The result of that was that the carters lost their employment?—They lost that, and when Mr. McFadden presented the memorial to me for a reduction of rent in December last, I said to him, "Do you ask for the reduction of rent in consequence of the great poverty of the people?" and he said "Yes, they cannot afford to pay anything." I said, "How is it that the National League, of which you are President, has prevented them from working at 2s. a day for the hotel, and 2s. 6d. at the fishery? If they are so poor, is it not a strange thing to prevent them from earning wages?" He said nothing is reply to that. I know instance of people being boycotted, and not able to obtain the necessities of life, in consequence of their working for the lessee of the fishery and the Gweedoo Hotel.

8441. Mr. Nelson.—When were the labourers prevented from working?—Last year it was boycotted, but this year that is removed. I do not know whether the National League met and passed resolutions, but they are not boycotted now.

8442. The President.—This district is in the hands of Father McFadden entirely?—Yes.

8443. They are all Roman Catholics?—Yes; I never saw in my life any man have such power over his fellowmen as he has over them. If I ask them to do a thing, they say at once, as simply as children, "I must go and ask Father McFadden, and see what he says;" and they will do nothing without that, at least most of them with the exception of a few who live immediately around the hotel, and who are dependent to a great extent upon the hotel. He has not the same control over them. They act independently of him; but all the rest are absolutely in his power.

8444. I suppose you see no remedy for this, or no means of getting them out of his power?—I do not. It is a very terrible thing to think of—if one has to bring wholesale eviction, and when six months has expired, to pull down the houses. It is a terrible thing to contemplate, but I am really at my wit's end to know what else to do. As I said, I am only an hereditary agent. I do not receive any commission—it is merely to help my brethren-in-law.

8445. Luckily, it is not within our province to inquire how this is to be dealt with. But the non-payment of the rent comes from combination and intimidation, and not from poverty?—Yes.

8446. With regard to purchase, I suppose it would be no great advantage in a case of that sort to come under Lord Ashbourne's Act?—Do you mean to the tenants?

8447. Yes; and it would be a great advantage to the landlord.

8448. Would any of the tenants buy?—Of course, the advantage to the tenants would be a reduction of the annual payment.

8449. Sir James Caird.—If they bought it?—Yes, it would be a great advantage to them in that way. It would be an immediate reduction of the amount of the annual payment, and perhaps also, if Father McFadden had no hand to fight with, things might go on more quietly.

8450. The President.—The disadvantage would be

that the little check to subdivision which there now is would come to an end—I may say that there is very little check to it at present. We cannot stop it.

8451. Lord Millican.—I suppose Father McFadden could stop it?—At once.

8452. The President.—That he could do whether they bought or not?—Yes; there was one case which I should mention, but I forgot the name of the man. It came before the Sub-Commissioners. I went on the farm a short time afterwards and it was a narrow strip from the road to the river. I do not think it was more than three acres, and I do not think it was more than thirty yards wide if so much. The man showed me some stones which were put down in the centre of his holding; and he was complaining very much about this and he said, "Father McFadden came here and put those stones down, and said I should give half to my sister, and it is a very hard thing that I must give half to my sister."

8453. Sir James Caird.—Instead of preventing subdivision, he encourages it?—In that case he did.

8454. There would be very little difference with regard to subdivision if they purchased?—I do not think so. It would be a reduction of the rent.

8455. Would it tend to fix them on the land in a greater degree than now?—I do not think they could be fixed to a greater degree than now.

8456. You see no disadvantage that they would bring upon themselves by purchasing?—Not the least.

8457. You do not think there would be security on the property for the advance of the purchase money? Do you think that you would have adequate security for the advance?—I am perfectly certain that the tenants are perfectly able to pay the instalments. The difficulty would be this, that if they were to strike altogether, the land would be no use without the tenants on it.

8458. And the Government would run great risk in that case?—I suppose they would.

8459. Lord Millican.—Is the land itself worth nothing?—It is worth something if it is properly handled. It is bog land on granite.

8460. That does not sound inviting?—Granite is a very good soil for bog land, and it grows very fair crops of oats and potatoes. The principle way they manure the land is by burning it. They burn the surface of it every year until they get to the rock, and then go somewhere else.

8461. They burn it away?—Yes; the ground supplies them with both manure and soil.

8462. So that the fields are burned out in the course of a few years?—Yes.

8463. It will come to an end then—the value of it?—You see there is so much of it.

8464. The President.—Except for the want of security to the Government, you see no reason why the Purchase Act should not be allowed to run in this congested district as much as in the rest of Ireland?—I think it would be of more advantage than even in prosperous parts of Ireland, because I think it would relieve the tension that at present exists between landlord and tenant, and the ill-feeling.

8465. Lord Millican.—Would it transfer the tension to the Government?—I do not know.

8466. Mr. Nelson.—You are aware of course that the burning of the land is forbidden by the Act, under a penalty of £20?—Yes, but it would take an army to prevent them from doing it. If you went on the estate in the month of February you would find it all on fire.

8467. Lord Millican.—Morally and physically?—Yes. Mr. Edmund Murphy is a man of great experience in that part of the country. He gave it as his opinion that the waste committed—be gone evidence before the Land Commission—by the burning of the land was absolutely destructive to the property. But you might as well try to stop the tide with a pitchfork as prevent them. You could not do it—it is impossible.

8468. The President.—There is nothing but endless warfare between landlord and tenant in that part of

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the country?—Yes; but I must say this, that that warfare exists in Gweedore solely on account of Father McFadden. In the adjoining parish of Falcough, where Rev. James McFadden, senior, has charge, and in the Rossa, where Father Walker is, there are no disturbances. Father Walker told the people a short time ago to pay the rents honestly so far as they were able, and Father James McFadden, senior, told them to do the same thing.

8463. Mr. Nelson.—They gave them that advice?—Yes. Several of the tenants at Gweedore—I cannot mention the names—told me that the present state of affairs is absolutely ruining them, and they said they wished that things were again as they used to be in the old times.

8470. The President.—In these adjoining parishes which you have mentioned, the priests did not encourage this sort of thing?—No.

8471. And where the priest does not encourage it?—There it is all well. The Gweedore priest is the head and moving spirit of the National League, and he keeps it in life. I am perfectly certain we would have no difficulty there if it were not for his presence. He has just made a most violent speech down there, which you can see in the *Morning News* of yesterday. It was at a meeting at Gweedore.

8472. Has he been there since 1850 or 1851?—He has been seventeen or eighteen years there.

8473. In this part of which you are giving an account?—Yes; but he has only become prominent since 1850, when the League started. He set the Land League at work from the first. I heard him say to the tenants in my presence, that the Land League had brought the English manures down to their knees, and that it would bring the landlords down into the dirt. I ought to say also that Mr. McFadden has always said, "I am against outrages; what we want is passive resistance." He said to me once, "You consider me the enemy of the landlords, but I consider myself their greatest friend. I appeal to those people around, if it is not a fact that if it was not for me both landlords and agents would have been shot."

8474. Did the people say anything when they heard that?—They said, "That's true, your Reverence."

8475. Do you think it was true?—No, I do not think it was true. I do not think that any of those people contemplated outrages. They are in quiet, well-disposed, hard-working a people as I ever knew, and I know them very well. I have been frequently down there before I had a connection with the property, and they are a well-disposed, industrious, good people, if they were only let alone; but they are absolutely under his authority, ready to do anything he tells them, and unfortunately that is the line he has taken up.

8476. Lord Millican.—Did Lord George Hill buy this property?—Yes, about 1837 or 1838. He bought it from philanthropic motives—to improve the people.

8477. Was it in the same condition with regard to population then?—It was in ruinous. He consolidated the farms and then gave every man his bit. Up to that no one knew what was his part.

8478. He must have had a very difficult job in doing that?—Yes.

8479. But he did succeed?—Yes; at times when outrages were being committed on the adjoining property of Mr. Adair, there were none there. They were on the very best terms.

8480. Sir James Caird.—Was the population when he bought it a large one?—I think about the same as now. I do not think there is very much difference in the population.

8481. Lord Millican.—Do you consider the condition of these people better or worse than that of the great mass of the working population in our large towns or cities?—I think it better, certainly. I think they are better, because they have healthy homes for their families, and in the appearance of the men who come to me, I see no distress. I see none in the appearance of either the men, women, or children of Gweedore.

8482. Are the rents which they pay for their small

holdings greater or less than that which is paid as a rule for their lodgings by the working classes in the large towns?—Considerably less; then they are able to keep a cow and a few sheep.

8483. In short, I suppose that is the reason that makes their tenant right so valuable to people of those classes?—It is, certainly.

8484. Were they nearer to starvation from unfavourable causes than the vast bulk of the working classes elsewhere?—I do not think so.

8485. Would there be any desire amongst them to emigrate?—A few of them do, and do very well, and come back with money, but these people who emigrate come back to settle at Gweedore. They have a great love for that place.

8486. And your experience of these poor people is that their natural disposition is excellent?—Excellent.

8487. Mr. Nelson.—I have heard a gentleman who took a great interest in the congested districts speak about the good likely to come from technical education, by imparting information and extending the ideas of the young people who are growing up, and giving them a trade, and enabling them to get away from these places. Have you ever thought of such an idea as that?—No, I have not. I have never thought about that.

8488. Some thoughtful men have been speaking about it. I thought that perhaps you might have been able to give us the benefit of your views upon it?—I do not think it would be a very good idea to fit them for work elsewhere, but I do not think any amount of technical education would enable them to improve their condition there.

8489. But with the view of enlarging their ideas, and letting them see that the world is better than Gweedore, and to get away and find remunerative employment?—Quite so. I do not think it would be a very good idea.

8490. I merely asked you the question, because I thought that possibly some one may have been speaking to you on the subject?—No. I can give some further evidence. I message some large estates in this county, the county Down.

8491. The President.—Do you think any of these men have saved any money?—It is very difficult to form an opinion about that. You see that when there is any land to be sold there is money to be got.

8492. That is what struck me—do you know anything about that?—No.

8493. Lord Millican.—Don't they borrow that money?—I should say not. They could hardly borrow money. I think it is their savings, you know their lives are very inexpensive; the markets do not affect them very much, because they consume what they grow, and what they grow is enough for their consumption.

8494. The President.—With regard to the estates in this and other northern counties, have the most of the tenants got judicial rents fixed?—Yes. On the estate of Lord Bangor, my brother, there were very few of the cases come before the Court. We settled by consent nearly the whole of the rents.

8495. Mr. Nelson.—Judicial agreements?—Yes.

8496. The President.—When was that?—Soon after the passing of the Act?—Some of them up to this year.

8497. And the rents you fixed this year were they or were they not lower than those fixed formerly?—No, on exactly the same basis.

8498. You do not think there is a difficulty in paying the rents fixed some three or four years ago?—I do not think so.

8499. Although prices are lower?—Prices certainly are lower. As regards the inquiry, whether the Land Act of 1851 is affected in its operation by an exceptional fall in the price of produce, I think that, as far as my experience goes, rents were, generally speaking, at or about par-value valuation of the land at the time the Land Act of 1851 was passed, and had been so for a great number of years. In the case of Lord

Bangor's estate there was a re-valuation in 1863. The rents were very considerably below those on the adjoining properties, and there was a re-valuation, and the rents were raised, set up to the valuation that was made, but up to poor-law valuation of the land, without including buildings. I have been informed—and you know whether it is correct or not—that when the valuation was made it was considered to be somewhat below the letting value of the land.

8500. Now, the reason you think there is no difficulty in paying these rents that were fixed three or four years ago, is because they were fixed low?—I suppose there is some difficulty in paying rents, when prices fall, just as every man has a difficulty in living, when his income is reduced; but I look upon it, taking all things into consideration, that the judicial rents that were fixed three or four years ago are fair rents for the tenants to pay now—fair towards landlord and tenant. I look at it in this way. I am not at all opposed to the idea that the rents should be regulated by the produce of the farms, but I think one could hardly contend that, if that was done in rising prices, the rents and the landlord's income should be absolutely stationary, while the tenant's income should increase, and his expenditure increase with it, and then that in less prosperous times, when the tenant's income from his farm is decreasing, that the landlord, whose rent has been stationary, while the tenant's income has been increasing, should have his income reduced. That is the idea that I have. I have gone very carefully over a number of returns of prices from the year 1850 up to the present time, and I find, in our district here at all events, that the prices now are higher, stand higher, than they did at the time that the rents were fixed, and were paid by the tenants. And that was before the Land Act reduced them.

8501. Mr. Nelson.—In 1852, at the time of Griffith's valuation, wheat was 7s. 6d. per cwt., oats 4s. 10d., barley 6s. 6d., butter 50s., and pork 32s. You think that these prices are lower?—Yes, lower than the present prices.

8502. The President.—The expenses of living have increased, and wages have increased!—Surely if the prices have gone down, the cost of living is not increased.

8503. You are comparing the present prices with those at the time of the poor-law valuation?—Yes.

8504. Well then, wages were much lower then than they are now?—Certainly wages were lower than they are now. They were certainly. But still I do not find any difficulty in getting labour. There is a great supply of labour, and yet wages have increased. But food and everything is cheaper.

8505. But it is not cheaper than five or six years ago?—Food is cheaper.

8506. You think there ought to be no difficulty in paying the judicial rent now?—No.

8507. I may ask you, practically speaking, have they been well paid?—Yes, so far as the estates with which I am connected are concerned, the rents have been well paid. I may state that I manage the estates of Lord Bangor, of Mr. Robert Wedd, and Mr. John Mulholland.

8508. Have you any leaseholders amongst them?—Yes, perhaps one or two upon Lord Bangor's property; and upon Mr. Wedd's property there are some, very few. But on Mr. Mulholland's property there are a large number of leaseholders on that portion of his property which he purchased from Lord Dufferin. And there are some of these called Dufferin leases for twenty-one years. The leases expire in 1896.

8509. Did they pay a higher rent?—Yes; they did.

8510. I think similarly placed lands that he bought from Lord Dufferin, were reduced about 16 or 17 per cent in the same district on the leaseholders.—The leaseholders felt very much aggrieved at this, and Mr. Mulholland gave the Dufferin leaseholders the option of accepting the rents, which I proposed fixing as far as I could fairly, or of surrendering their leases, and going into the Land Court. They did not accept my terms, and they have not gone into the Land Court.

8511. Lord Mulholland.—They are still holding between two opinions?—Yes.

8512. The President.—Did they go on under the old rents?—Yes. And he gave them 12½ per cent. reduction last year. That was without any reference to whether they were high or low. It was only for the one year.

8513. Do you see any objection to allowing the leaseholders to go under the Act of 1881?—I cannot say that I do. The only thing, of course, is, that during the time of the lease the landlord is prohibited from raising the rent, but otherwise, when binding contracts or agreements entered into have been broken, I see no difference.

8514. You do not see any reason why they should not be brought under the Act 1881?—I do not see any difference.

8515. After doing away with the right of contract that he had before with the other tenants?—I do not see any difference.

8516. Is there any desire to sell on the part of the landlords?—There does not appear to be, as far as my experience goes, or any desire on the part of the tenants to buy. I have had no application made to me, excepting by one man, and he was on the county Tyrone estate of Mr. Mulholland, at Cookstown. He wished to know whether Mr. Mulholland would sell, and I am at present in correspondence with him on the subject.

8517. You see in communication with him?—Yes.

8518. What did he offer?—We offered to sell at twenty-one years' purchase.

8519. Do you think most of your landlords would be willing to sell at twenty-one years' purchase?—That I cannot say, because I have not had applications. But the reason that Mr. Mulholland was willing to sell at twenty-one years' purchase was, that it was an outlying property—away from the rest of his property.

8520. The landlords have no desire to sell the estates you manage?—No, I do not think so at all, and, so far as I have seen amongst the tenants, there appears to be no desire on the part of the tenants to buy.

8521. I think you say that you have given your attention to the sliding scale?—I have thought a little about it. My idea is that it is a fair thing that the profits of a farm should determine the rent.

8522. Do you think it would be easy to work it, easy to fix a basis?—That I do not know. You could not have one general scale for the whole of Ireland. In some parts there is wheat grown, and in some others there is none.

8523. It should be according to the produce of each particular farm?—Yes, of each district.

8524. The difficulty would be, I suppose, in starting it?—Yes.

8525. After that it would work itself?—Yes, I think so.

8526. Do you think it would be possible to convert the old judicial rents, some four years back, into a sliding scale, the rent to be fixed looking at the prices as they were, and making the rent accordingly?—I think it would be a rather dangerous thing to take the judicial rents as a basis of what the rent of land should be, because I know several cases in which practical farmers have found that what they knew to be better land was more reduced than the inferior land. If you accept the judicial rent as a really fair rent and a proper rent that the holding should be subject to at these prices I do not see that there would be any difficulty in a sliding scale, and it would be always an advantage both to the landlord and the tenant. For instance, if prices were to rise very much the sliding scale would prevent the tenant from committing extravagant habits in consequence of these rising prices, habits which he might find it very difficult to discontinue if the prices fell again. And as regards both landlord and tenant if prices rise both would benefit, and that if prices fell, both would suffer. If it could be carried out practically, it seems to me to be a very just mode of proceeding. And then it would also obviate the unpleasantness which

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 Ward

arise between landlord and tenant, when, if the prices fall, the tenant asks for a reduction, and the landlord says that he will not give any. If the rents were always regulated in accordance with the price it would prevent anything of that kind, and be a very good thing.

8527. Do you think that when the prices began to rise again the tenant would be willing to pay an increased rent? That would be the difficulty—I do not see why there should be any unwillingness to pay if he got increased profits on the understanding that if his profits were decreased, his rent would be decreased.

8528. Sir James Caird.—Before there was so much produce imported in bad seasons, the price rose when the tenants themselves had less to sell?—Yes, quite so.

8529. I suppose you think that the prices now are more equal than they used to be?—Yes.

8530. That used to be the great objection?—Yes.

8531. Has there been very much sale of tenant right on these properties?—I have here lists, which I hand in, showing the sales of tenant right on Lord Benger's estate, on Mr. Ward's estate, and on Mr. Melholland's estate.

JOHN MELHOLLAND, Esq., Estate. Down and Tyrone.

Date of Sale.	Townland.	Vendor.	Purchaser.	Average.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
Nov. 1851	Ballygally	James Pat. Smith	Daniel Smith	£ s. d. 24 3 5	£ s. d. 18 10 0	£199	16	Co. Down
Nov. 1852	Do	John M'Donald	Patrick Quinn	7 0 5	5 12 0	112	15	" Tyrone
Nov. 1852	Do	James J. Graham	Thomas Kirkham	55 2 16	51 9 0	368	12	" Do
Nov. 1852	Do	Joseph Perry	Donn M'Connell	5 0 15	0 15 0	84	17 1/2	" "
Nov. 1852	Do	James M'Clung	Wm. Cooper	15 2 25	10 10 0	285	17	" "
Nov. 1852	Do	Deena Murphy	John Fitzgerald	71 1 24	73 10 0	966	15	" "
Nov. 1852	Do	James Mann	Donn M'Connell	30 0 38	19 7 10	235	17	" "
Nov. 1852	Do	Wm. John Hamilton	James Doherty	5 2 24	5 15 0	125	14	" "
Nov. 1852	Do	Margaret Taylor	Hugh Campbell	3 2 28	1 6 5	55	29	" "
Nov. 1852	Do	Henry Hennes	Wm. Corry	15 0 9	15 12 6	200	12	" "
Nov. 1852	Do	John Hanna	Saml. Wilkiness	22 8 21	22 9 0	375	12	" Tyrone
Nov. 1852	Do	John Reilly	Wm. Huxon	12 0 6	14 0 0	153	11	" "
Nov. 1852	Do	James Reilly	Wm. Huxon	5 2 7	12 0 0	92	20	" Do
Nov. 1852	Do	James Reilly	Saml. Wallman	13 5 2	14 10 0	245	20	" "
Nov. 1852	Do	James Reilly	Patrick Barnes	9 1 1	9 0 0	120	20	" "
Nov. 1852	Do	James Reilly	Wm. Hamilton	35 1 15	44 9 0	350	7 1/2	" "
Nov. 1852	Do	James Reilly	John Rogers	2 0 2	2 5 0	16	15	" Tyrone
Nov. 1852	Do	James Reilly	Robert Boyle	5 0 0	7 0 0	60	20	" Do
Nov. 1852	Do	James Reilly	Wm. Cooper	4 1 5	7 4 0	55	4	" "
Nov. 1852	Do	James Reilly	David Maguire	7 2 20	7 4 0	120	9 1/2	" "
Nov. 1852	Do	James Reilly	John O'Brien	21 1 24	22 0 0	300	12 1/2	" "
Nov. 1852	Do	James Reilly	Wm. Macdonald	10 0 5	8 8 9	120	12 1/2	" "
Nov. 1852	Do	James Reilly	John M'Robert	22 0 24	23 0 0	260	13	" "
Nov. 1852	Do	James Reilly	Margaret Hutton	6 1 34	5 19 0	100	16 1/2	" "
Nov. 1852	Do	James Reilly	Robert Dickson	7 5 14	8 0 0	120	18	" "
Nov. 1852	Do	James Reilly	James Seabolt	5 5 1	10 3 2	120	15	" "
Nov. 1852	Do	James Reilly	Wm. Cooper	27 2 5	32 10 0	375	15 1/2	" "
Nov. 1852	Do	James Reilly	Andrew Moore	51 0 5	55 0 0	500	10	" "
Nov. 1852	Do	James Reilly	James Kelli	30 2 38	18 15 0	250	10	" "
Nov. 1852	Do	James Reilly	Do	45 12 2	5 5 0	200	10	" Tyrone
Nov. 1852	Do	James Reilly	Robert Lyons	11 0 9	12 15 0	120	6	" Do
Nov. 1852	Do	James Reilly	Do	11 5 27	5 12 0	90	10	" "

Downpatrick Estate Office,
 11th October 1856

Vincennes Barron's Estate. Co. Down.

Date of Sale.	Townland.	Vendor.	Purchaser.	Average.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
14th May 1852	Ballygally	Thomas Seed	Edward Hughes	£ s. d. 48 0 20	£ s. d. 38 0 0	£315	8	Farm completely run out.
12th Mar. 1853	Ballygally	Hugh Taggart	Patrick Devine	32 1 7	11 14 0	112	9 1/2	" "
16th Dec. 1853	Do	Wm. Seed	Saml. Fehoban	22 0 20	19 0 0	250	11 1/2	" "
17th Dec. 1853	Do	Mary Kelly	Wm. Kelly	4 1 17	3 15 0	40	14	" "
17th Oct. 1854	Do	Thomas Seed	James Maginnis	53 5 15	45 0 0	740	13	" "
22nd Feb. 1854	Do	Hugh Matthews	Joseph Stockdale	38 5 15	35 10 0	520	11 1/2	" "
25th Oct. 1855	Ballygally	William Seed	William Orr	24 3 8	21 9 0	250	2 1/2	Farm in very poor condition.

8532. The President.—Has there been a falling off in the prices during the last few years?—I do not think so.

8533. There is a very small falling off in the case of Mr. Melholland's estate, as far as I can judge?—No, there is no very great diminution.

8534. Lord Milford.—I see sixteen years' purchase given for one in October 1855?—Which was that?

8535. Thomas Caird.—Yes; he is a tenant of Lord Benger. He emigrated. That is more than some of the others. The building would account for this. Of course the price of tenant right varies a good deal, owing to the condition of the land. The last farm which was sold on Lord Benger's estate, was as lately as last week. The acreage was 24 acres. The

rent was £24, and it sold for £200. But on that farm the outgoing tenant was allowed to retain a house and garden. He was a blind man. You will see that farm on the list which I have given you. It is the last. The name of the vendor was William Seed. That farm was absolutely exhausted. For the last few years it has been absolutely run out, and the same remark applies to the one at the top sold by Thomas Seed for £215, or eight years' purchase. It was run out. In the case of the one I mentioned last, it was not cultivated; well, the man who bought it has the adjoining land, and he bought at the judicial sale.

8536. He gave that much for the tenant right?—Yes. He gave £200.

8537. How much was the rent?—£24 a year. That would have gone considerably higher if the farm was in better condition, but it was completely exhausted.

8538. Lord Alington.—Has the landlord any vote on the purchaser?—Not unless you prove a very strong case.

8539. And at great expense?—Yes, probably.

8540. Is it ever done?—Never that I heard of.

8541. The President.—Do you think the landlord would be in a very much worse position if he sold all his land except his demesne?—I think he would, but there does not seem any desire on the part of the landlords to sell. There is no wish to sell. They are always on the most friendly and kindly terms with the tenants.

8542. But this friendly feeling would continue just as much if they were independent owners?—They would not have the same interest.

8543. There is little in common between them now. He may be a stranger who has bought it.—Mr. Mulholland, Lord Benger, and Mr. Ward continue to help their tenants, notwithstanding the judicial rents.

8544. Where the landlord is benevolently inclined, there is still an opportunity,—and the tenants are grateful?—Yes, the best feeling exists between the landlords and the tenants on these estates.

8545. Lord Alington.—Is it your experience, Captain Ward, that the landlords take no interest in the tenants except to get their rents from them?—No.

8546. Do you know the county Antrim?—No.

8547. It is not the case here, I suppose?—No, it is not.

8548. There is a good feeling between the landlord and the tenants?—Very good.

8549. Do you know of cases where landlords insisted, when a man was taking a farm, that he should get rid of all the cottage tenants?—On the contrary, we encourage the tenants to have cottage houses, houses for their own labourers, on the farms.

8550. Do you think that if the landlords and gentry were to leave the country they would be any lost?—Very considerable loss.

8551. Do you think that the labourers would appreciate that loss?—I think they would. They would suffer by it.

8552. Do you think they would look with indifference on such a prospect?—I think they would be extremely sorry.

8553. Do you think that the labourers' sympathy is altogether with the farmers?—As far as I can judge, the labourers think they get very much better treatment at the hands of the landlord than of the farmer. I know that if a farmer has a small piece of land to let—I have seen cases of it in my neighbourhood, but not on the estates which I manage—he charges the tenant an extremely high rent for it.

8554. Mr. Nelson.—You mean coarse land I suppose?—Yes.

8555. Lord Alington.—And, as a rule, are the labourers better treated by the farming class than by the gentry?—I think they would rather be with the gentry.

8556. Who gives the most constant employment?—The gentry, who pay them by the week. The farmers engage them by the six months, and at the end of six months they may be cut, and then they must shift for themselves. Another thing is that the labourers who work for the gentry are very well housed.

8557. Is that not the case with the farmers' labourers?—No, they are very often very indifferently housed, and, in fact, there was a very great complaint about that, which led to the Labourers' Cottages Act being passed.

8558. Mr. Keble.—Captain Ward, are you of opinion that it would be as easy now for the farmers to pay rents this year as six years ago?—Oh, I am not of opinion that it is as easy to pay rent when prices

are low as when they are high. If a man's income is reduced he must find it more difficult to get along.

8559. Are you aware that the price of cattle has gone down considerably within the last two years?—I am—considerably.

8560. Do not the farmers depend very much upon the cattle?—Yes.

8561. We have it in evidence that the price is down £2 to £3.—But the point is that they have not gone down so low as what the rents were fixed and paid, which rents have since then been reduced by the Land Court, and what I wanted to try to convey to the Commissioners was that of course if the landlords can get no advantage whatsoever, as regards their incomes, by the rise of prices of produce, it would be hardly fair to say, that when the prices declined, those rents, which during the whole of the rise remained stationary, are to come down because the tenants have more difficulty in paying these rents than when the times were prosperous.

8562. I am speaking of from the year 1881 down to the present time, since the judicial rents were fixed. And you think it is much more difficult to pay last year and this year than in 1881, 1882, or 1883?—It is, I suppose. If prices are lower it is of course more difficult to pay rents.

8563. Would you be surprised to hear that a great many landlords have given their tenants reductions upon the judicial rents?—I do not know, I am sure.

8564. Reductions on the rents that were fixed after the passing of the Act of 1881?—That may be. There have been no reductions given on the judicial rents on the estates that I manage at all.

8565. Would you be surprised also to know that the Commissioners have found it necessary to give further reductions of from 7 to 14 per cent. upon what they gave in 1882 and 1883?—That may be.

8566. That would be since 1885 down to the present time?—That may be.

8567. That shows that the price of produce is very low?—We know that.

8568. Do you know that the quantity of cattle imported from America affects the prospects of the farmers?—Yes, if the cattle did not come the prices would be higher.

8569. And tenants could pay their rents easier?—Of course, the larger your income is the better you will be able to pay.

8570. But notwithstanding that, you think they should pay the old rents?—The point that I try to make is this, that when prices were lower than they are now they paid their rents, which were not then so low as they are at present.

8571. I think you are speaking of the time of Griffith's valuation?—Yes.

8572. You know that that was never intended as a valuation for rents?—I do not say it was. The point I tried to make was that, at the time Griffith's valuation was made,—I take the rents that were then existing and paid,—and I find that at that time the rents were higher than they are now. That is the point I want to make.

8573. Are you aware that the linen trade was flourishing, and that it was a great help and advantage to the people of Ulster at that time?—Yes.

8574. And that numbers of the farmers had loans in their houses, and made the rents from those loans,—and that that industry has ceased now?—Yes, but that was not general.

8575. It was general in Ulster?—Except on one part of Lord Benger's estate, namely Killoogh, there were no loans in the houses of his tenants. I mean in the agricultural portions of his estate.

8576. Speaking of the tenants of Gweedore, I think you said that it would be a great advantage to the landlords if the State would assist the tenants to buy the interest from the landlords?—I said it would have the advantage, that it would prevent the difficulty and trouble that at present exists.

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out in 1801. 8577. You would not object if the State interfered?—No.

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Ward

8578. You would be pleased, and think that the landlords would be advantaged by it?—I think under the circumstances of Gweedore it would be a great advantage to the landlord to get fair terms out of the property.

8579. Would you extend that to the tenants in the north generally?—If you were to say that it should be compulsory. No.

8580. Why?—Because the relationship that exists between the landlord and the tenant is very different. That district is a very exceptional case—it is a congested district.

8581. And that is the reward you would give to the people of the north for their loyalty and obedience, and their payment of the rent?—You must not take me up wrongly. I know that the people of the north would not suffer one individual, as they do at Gweedore, to usurp authority and bring about the sale of things which at present exists there. I think I have stated that if it was not for the action of Father McFadden, there would be no difficulty or any interference. I take it, there is no necessity for looking at the two cases in the same way, because I believe the people in the north of Ireland will not allow themselves to be dominated like that.

8582. Is it your experience that the tenants would buy upon fair terms if the landlords were willing to sell?—I never had an application from a tenant to buy, except one which I have already mentioned.

8583. The President.—Do you think the tenants have been prevented from expressing a wish to buy, from fearing that it is not agreeable to you?—No, they speak their minds very freely to me upon everything.

8584. Sir James Caird.—You have had a considerable number of years' experience in these counties. What is the comparative condition of the labourer, taking into account his present position, and the condition in which he found himself formerly?—I can only speak from the year 1870.

8585. Well, take it up to the year 1870?—Before that I was in the army, and, of course, I was not much at home and could not speak with reference to that subject.

8586. Well, take the year 1870 and the year 1894. What now is the comparative condition of the labourer?—I should think, much the same. I do not think that there is much difference.

8587. They were pretty comfortable then?—Yes.

8588. And they are now?—Yes; I do not see much difference in the condition of the labouring population between 1870 and now.

8589. Have wages increased since then?—No.

8590. The prices of most commodities have fallen since then?—Yes; but I do not think that the labourer benefits so much as they ought to do by the fall in prices, because, though the first prices may fall, the middlemen keep them up.

8591. Mr. Nelson.—You mean, of course, the retail traders?—Yes.

8592. Sir James Caird.—Well, tea and sugar, which are generally used, are very much down in price?—I

live near the village of Stranagford, and there tea is sold to the people at 3s. 6d. per lb.—from 3s. to 3s. 6d.

8593. Lord Alhorne.—The fair rent of that tea would be about 10d.

8594. Mr. Nelson.—Do you think that there should be legislation to compel these people to sell at fair prices?—It is hard upon the poor people who have to pay those prices.

8595. Sir James Caird.—Have many of the tenants on your estate had judicial rents fixed?—All, nearly.

8596. Are they quite satisfied with that position?—I do not say that, I never knew a farmer who was quite satisfied. He would be always glad to get a lower rent.

8597. He is in a safer position than formerly?—Yes, certainly. His rent cannot be touched; but, practically, on these estates it was never touched, with the exception of the one case which I have mentioned,—the case where we raised the rents,—where they were raised up to Griffith's valuation. It was a most exceptional thing to have a rise in the rents, except on the concession of some lease under which the rent was extremely low.

8598. Lord Alhorne.—It has never been the custom here to exact the full letting value of the land, what I would call rack rent?—No, never; and the present rents have existed for a great number of years.

8599. The President.—I may ask you whether you do not think you are exceptionally situated, and act for landlords who are rather above the average?—I am only speaking for my own principals. I know they are all on very good terms with the tenants, and never have any quarrels with them. We are on very amicable terms with the tenants.

8600. Sir James Caird.—Where those amicable relations exist, are the game prospects affected?—There is very little game, except in the landlord's demesne. There used to be partridge, but they are extinct now. There is very little game, except wild game, such as duck and snipe.

8601. Speaking of the feeling that exists between landlord and tenant, was not the feeling between them unimpaired at the time of the appeal? Did not the landlords appeal in a good number of cases, and put the tenants to additional expense?—I cannot tell. I think that we have had no appeals lately. On the estate I manage, we might have three or four or maybe more.

8602. But don't you know that the landlords speeded in large numbers?—I have quite enough to do with looking after my own business. I think all the appeal cases with the exception of three or four on the estates I manage, with the exception of Gweedore, have been tenants' appeals, and not landlords'. I have been very seldom before the Appeal Court.

8603. The landlords appealed in a very large number of cases, and looking at the low prices of produce during the last few years, the Chief Commissioners did not reverse them, and the consequence was that the landlords withdrew.—With regard to the estates I manage, I am sure nineteen out of twenty or more of the judicial rents were fixed by arrangement between me and the tenants, without going into court at all.

8604. Lord Alhorne.—So I understood you to say at first.

Joseph Bestly, Keenan B. R. Langan, examined.

Joseph
Bestly

8605. The President.—Mr. Bestly, I think you are a tenant farmer?—I am.

8606. In what district do you live?—I live within three miles of Enniskerry.

8607. On Lord Downshire's estate?—Yes.

8608. And what is the nature of your holding?—I am a tenant at will for a few acres. The principal part I hold in perpetuity.

8609. When did the perpetuity begin?—About 1812 I think. I got it from an uncle of mine.

8610. You bought it?—No; I got a present of it.

8611. Mr. Nelson.—You were left it by your relative?—Yes, my uncle gave it to me.

8612. How many acres is it?—110.

8613. What do you pay?—I pay 4s. 6d. the Irish acre for a part, a guinea for another part, and about 28s. for the rest.

8614. Sir James Caird.—What does it average?—About 10s. the Irish acre.

8615. The President.—Are there many of your neighbours who would wish to purchase. Would you wish to purchase yourself?—I have a statement which I would like to make, if you would permit me.

think that would be the best way, and then afterwards, I can answer any questions which you wish to put to me, either with regard to that matter, or anything else which may occur to you. Very well; just as you please. My lord, I think it is prudent in the State as well as at home, if anything is not thriving, or making or unwilling to do its duty, to make every effort to find the cause. Now, all adult farmers are not thriving, what then is the cause?—One is, they have too little capital to cultivate their land properly, and turn everything to the best advantage. And in not a few instances, I fear, paying high interest for money borrowed to buy land.

8616. Sir James Caird.—You mean to pay for the tenant right?—Yes, sir. Or rather the tenant's right in land. In times past, when competition was great, others who had saved a little money, were obliged now to trench upon it to pay their way, and educate their families which is so desirable, and could not otherwise be done. While those who had a lease at an easy rent, and by economy and perseverance, fenced, drained, and improved their land, and otherwise added to the comfort and efficiency of their holding; found, when their lease fell, their rent was raised, which taxed their improvements nearly, and I regret to say, often unjustly. Notwithstanding this, rents were wonderfully well paid, owing no doubt, to improved pasture, better crops of wheat, flax, potatoes, and oats, all of which sold readily at fairly paying prices.

8617. The President.—What time is this you are referring to?—About ten years back. But now prices are below the point at which they can be produced. This compels the farmer, injudiciously, to dispose of other things, which tells badly on the manure heap, and starves the soil. The Land Act of 1881, was, I believe, well intended, and in some cases done good, but with the exceptional low price of produce since, and likely to continue; it is by no means effective, and I will willingly show a few instances in my own neighbourhood if desired. I do not believe there is any combination to raise rents in my locality, but strongly believe the exceptionally low price of produce, with increasing taxes and higher wages of all kinds, are the principal causes, and knowing well a large circle of farmers, am bold to say there is a feeling of pain in having their rent paid. And remember well, and not long ago, if a farmer was a little complacent in town on a wet day, or so we sometimes say, looking fresh, it was considered no bad sign. And still think a wise and deserving landlord, would have made a better arrangement with their tenants; if he had required honestly into their case himself and compared present prices with those of the past. But should they not succeed in arranging matters amicably.

8618. The President.—You refer to the judicial rents?—Before that, I say, should they not succeed in arranging matters amicably, then I would compel both landlord and tenant to learn the value of their respective interests to arbitration. Government to appoint one, the landlord one, and the tenant one.

8619. Is that with the view of fixing the rent?—Either of fixing the rent, or let him leave the road and some other matter—

8620. Is that with the view of fixing the rent?—Yes, in the first case if possible, and then if an amicable arrangement should not succeed then I would compel them to leave the value of their respective interests to arbitration.

8621. Sir James Caird.—Is that not the case in the Act of 1881?—I would have the Government to appoint one, the landlord one, and the tenant one. Down with the dirt and clear out, supply and demand would do the remainder. And, let us hope, poverty and weeds would soon disappear, and the struggling tenant thrive somewhere else. Respecting land purchase by the State I would say. There is a general desire to become the owner in fee, if the price was in keeping with the price of produce, but I believe not otherwise. My own impression is, if farming is to succeed, the payments should be reduced one-third of what they are at present.

Mining matters is no use. When farmers are in bankruptcy, and in hundreds of cases by no fault of their own; they have long toiled hard, and were hardly dealt with, but if liberal help be given them, even yet, we have tight stuff and willing hands, give them fair play and they will thrive in Ireland as they do in the far west.

8622. Then instead of applying to the Land Court you would have compulsory arbitration?—Yes.

8623. That would require a new act. Do you say you don't think the Commissioners fixed a fair rent?—The Commissioners have not given the people confidence somehow.

8624. Would your arbitration give confidence?—Indeed it is hard to say. There is one question about it I wish to mention. The land in all the country is in a terrible state of poverty and weeds, and it requires some effective remedy.

8625. Were there many judicial rents fixed in the early years of the Land Act in your locality?—There were very few.

8626. The tenants did not go into the Court?—A few did make application, but they got on so badly that they dropped it.

8627. The first were not lowered very much and then the others did not come forward?—They did not. I was never in the Court myself, but it was considered that the parties who valued the ground took in the tenants' improvements too much.

8628. When you said that rents should be reduced below what they are at present do you mean the present judicial rents?—I mean that a farmer who pays the full rent or judicial rent would not buy in my neighbourhood at that price unless the number of years' purchase was very small.

8629. What amount of years' purchase do you think the farmers would be willing to give on the judicial rents?—I have never heard an offer made on the principle of the judicial rents.

8630. Sir James Caird.—The land you say is in a terrible state of poverty and weeds?—I say so.

8631. When did the coming into that reduced state commence?—I could not say to a year or two, but it is five or six or seven years ago. The people here drive the land too hard with flax, and they are not insuring it as would be required.

8632. Do you speak of the people now who are under the judicial rents?—I speak of all parties.

8633. Have they not fifty of houses and an interest in the land, that they could hardly be deprived of?—I have told you that formerly the rents were wonderfully well paid, owing no doubt to improved pasture, better crops of wheat, flax, potatoes, and oats, all of which sold readily at fairly paying prices. But now prices are below the point at which they can be produced. This compels the farmer injudiciously to dispose of other things, which tells badly on the manure heap and starves the soil.

8634. What do you say compels him to starve the soil?—The low price of produce.

8635. Which has made him poor?—Yes, he feels it.

8636. And he limits his expenses on the cultivation of the farm?—Yes.

8637. And the consequence is that the farms have got into a low condition?—He has to sell the hay and straw and so on, and if you are going from here by the train you have only to look out of the window in order to see that the land is not what it ought to be.

8638. Sir James Caird.—You think that the farmer, if he is to go under Lord Ashbourne's Act, and endeavour to purchase his farm, should have a reduction of one-third on the judicial rent before fixing the purchase?—That is not exactly what I say.

8639. Well, I want you to be correct upon that point?—I think that the payments the farmer has to make in the year should be one-third less if he has to buy the land.

8640. Mr. Neligan.—That the instalment which he should pay to Government should be one-third less

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than his rent?—Yes, in order to make him a substantial farmer, and able to cultivate his ground properly and work it as it ought to be.

8541. In order to enable him to purchase with advantage, the amount of his annual payment should be one-third less?—That is exactly how I wished to put it.

8542. Sir James Caird.—That would be another reduction of 33 per cent.

8543. Lord Alfforth.—He means to supply the capital?—Yes, want of capital is the great thing.

8544. It would be well if the State would supply us all with a little capital?—The State to do all it can. We all see that. We are not unreasonable.

8545. Mr. Neligan.—You recognise the desire on the part of the legislature to do what they can?—I do, and

I think the Act of 1881 did a good deal of good. I must confess it has. I am sixty-seven years old and I have some experience, and I find that the landlord has not now so kindly a feeling towards the tenant.

8546. Since the passing of that Act?—I have no right to speak myself, but I feel from what I can hear that there is a change. When a man was asked he used to be helped a bit.

8547. Sir James Caird.—Do you think it would increase the landlords' regard for the tenant if 33 per cent. more was taken off the rent?—I do not think it would. But the question is whether they will get any rent at all. I am sure we would all like to see the country prosperous and the people thriving, but I am afraid you will not find it so.

Mr. Joseph Perry, Grove Hill, Downpatrick, examined.

Joseph Perry. 8548. The President.—You, I believe, are a tenant farmer?—Yes.

8549. Where?—Within three miles of Downpatrick, on the estate of John Mulholland, late M.P. for there.

8550. What is your holding?—About 125 statute acres. 26 of that is liable to flooding. I have about 100 acres.

8551. How much rent do you pay?—About £88 a year.

8552. Is that a judicial rent?—No.

8553. How was it settled?—It was put on by the landlord, the late Mr. Kerr, in the year 1834, and afterwards I applied for a lease of a portion to build a scotch mill on. I saw that he would have to part with the estate, and I was afraid of its going into the hands of some one who would not allow the tenant-right.

8554. Have you a lease?—Yes; this was in 1854.

8555. How many years has it got to run?—I proposed to build a scotch mill, and he promised to give a lease, but he could only grant twenty years for the holding, but I took a lease for building.

8556. The other part has run out?—It is held from year to year.

8557. With the greater part you can go into Court if you wished to do so?—Yes.

8558. But you don't?—I do not intend to, because I have put so much improvement on it that I have raised the valuation to £179.

8559. They would not value your improvements?—Perhaps they would, but I do not intend to go into Court. I am satisfied, so long as they let me remain. The first time my landlord came over the property, the only request I had to make to him was that he would have us alone.

8560. Sir James Caird.—Which he has done?—Yes.

8561. You have no complaint to make?—No.

8562. Do you know much about any other leaseholders?—Yes, my brother is a leaseholder, and he has suffered heavily from having a lease.

8563. He would wish to go in under the Act of 1881?—Certainly. For my own part, I have been thinking about it, and I would allow all agricultural leases to be brought into Court either by the landlord or tenant. But of course there are longer leases which I might not.

8564. The President.—With regard to purchase, have you any wish to purchase your holdings?—I would like very well to purchase at a reasonable rate.

8565. And would the other tenants wish to purchase?—I think they would, especially when the rent can be reduced by getting the money from the Government. That is the principal matter.

8566. What number of years would you be inclined to give?—I would not like to go so high as some of the people are doing. My brother has tried to purchase at twenty years' purchase, but he is bound by a lease, and if he could get the Government money he would be saving £31 a year for fourteen years, and the people in the next township are about purchasing at

twenty years' purchase. Still, I think that is too high under the present circumstances of farming.

8567. Still, the landlord selling at twenty years would sell at a loss?—I am not aware of that.

8568. Unless he could invest his money at 4 per cent. and be relieved of the outgoings?—In this case they wanted to know if the tenants would purchase, and in this case there is a head rent, and he objects to have that left upon him. There is one thing certain, the farmers of the county Down, where I live, are, needless to say, every twenty of them, either commencing upon their capital or going in debt for the last three years. I am perfectly positive of that.

8569. That is an account of the fall in the price of produce?—Yes, I live in the Barony of Lecale, and at one time there was more wheat and barley grown than in any other portion of Ireland of the same extent. That has dropped in value. The price of wheat, as you are aware, is greatly different to what it was.

8570. Do you grow any wheat now?—At one time we did, in fact, it was the principal crop at one time. For some time I have had only three Irish acres of wheat. When it dropped we tried the rearing of cattle, and Mr. Maxwell and Lord Banagar introduced good bulls, and we had the best stock in the north of Ireland, and that paid well until lately. Since the year 1881 there has been a fall in value of about 25 per cent. It was the general means of paying the rent. The small farmers had a few calves, and the cattle were sent away to England and Scotland to be fattened, and in that way they tried to pay the rent, but since the price of that class of stock has gone down so much they have been thrown into great difficulties. I see now animals, which are sold at £9 10s., that would have brought £14 about five years previously.

8571. Have the landlords been giving abatements during last year to your knowledge?—Very few of them. A few have been given. I heard that Mr. Maxwell has been giving abatements.

8572. Lord Alfforth.—How much would two year olds sell for?—I saw them sold for £9 10s. at Crossmag. They would have brought £14 five or six years ago.

8573. The President.—Is there anything you can suggest with regard to either the Act of 1881, or the Purchase Act of 1882, which you think would improve the present state of things?—Really I cannot say. I do not see in the purchase clauses of the Act that I could suggest anything better. It is provided that portion of the purchase money should remain as security for the investment. I would object to any rate.

8574. Mr. Neligan.—To the local authorities having the responsibility?—Yes; that one man should have to pay for another. Each estate should have to rely upon itself. I see that it was stated in Parliament some time ago that tenant right sold so high in water, that it was wrong to reduce the rate. Now I am satisfied that the tenants' interest has suffered more than the landlords'. I could give you a few instances of this which have come within my own knowledge.

8675. With reference to the sale of tenant right?—Yes. There was one celebrated case,—the case of McNiven v. Beaudrick—in which the question of tenant right, after the falling out of a house, came up.

8676. What was the date of that?—In 1872. Immediately after the Act of 1870. The landlords of our county took it up to try it. The lease dropped and the landlord said he wished to take the farm into his own demesne, and the tenant wanted him to fix the fair rent, and he would not do so, and the tenant brought him into court. But, at the trial in the court, a neighbouring farmer swore that he would give £1400 for the seventy-two acres—for the tenant's interest. He said he would give £1450 for the seventy Irish acres. Payment was awarded of £1400, as the rule. It was tried on appeal before Judge Barry at Downpatrick. He took a good while to consider his verdict, and he gave his verdict that it was not proven that tenant right existed here. He did not decide the question one way or other. However, it came on again to see the value of the tenant's improvements, and he was awarded for improvements and disturbance the sum of £200.

8677. Mr. Nelson.—This was a proceeding under the Act of 1870?—He got £200 as compensation for improvements and disturbance. The landlord gave it shortly afterwards. I do not know what the arrangement was, but he had it till 1880, when it was sold by auction to Mr. McGufford, who in 1882 or 1883 got the rent reduced to £123. In 1885 he offered the farm by auction and there was no bidder. He advertised two months ago and he could not get a single bidder. This case shows how the interest of the tenant has been depreciated. Another was the case of Mr. Bingham. It was sold in 1883 for £1500. It was 106 statute acres, at a rent of £37 a year. Purchase was lost.

8678. What was the date of that?—In 1883—March 1883. He sold for £1500, giving machines and manure into the arrangement. This year, about three months ago, the same farm has been sold, under the same conditions, for £800. It would not pay the money expended by the original seller on the improvements. There is a good house—and all now. This £800 would not pay what the man who sold in 1883 expended.

8679. I suppose large farms have deteriorated more than small farms?—Much more. A small farmer may be able to sell to a neighbouring farmer on better terms, for the expenses to that man will not be so greatly increased. His family are there and he has homes to work it, and generally forming arrangements already in working order. In a case like that, the man will very likely give more for it than the farm is worth. Farms of the other size are becoming unworkable. I could mention a lot of other cases which are similar.

8680. The President.—Tenant right then is very much depreciated?—Yes, on farms of all kinds. Here is about fourteen acres at £14 a year. Held for ever. Sold by Mr. Merchant, agent of the property in 1885, for £270. It was offered in 1885 and there was no bidder. Another was sold in 1879 for £500. In 1885 a person named Coulter offered £160. Then there was a case on the Downshire property. It was set up in March 1885; he was offered £500. In August of the same year he was offered £300 which was refused and afterwards there was no bidder. And there was another farm which turned out on the same way. Several farms went in that way. Tenant right is going away as quickly as possible.

8681. Mr. Keppel.—Is this in the county Down?—Yes.

8682. The President.—Is there any other point which you wish to refer to?—No; except to say that there is a great depression in the value of the tenant's interest.

8683. Here the farmers been paying their rent in your neighbourhood?—As far as they are able. We always try to do so, and as a rule we do.

8684. And they have been able to do so although they are paying you say out of their capital?—I have a few tenants and I have to collect the rents, it is some £70 or £80 a year, and some of these are four years behind. I cannot get it in; and I have a fellow feeling with them because I have been losing money myself.

8685. Lord Milnes.—I want to ascertain from you if I can what constitutes tenant right. How do you calculate its value?—I can scarcely tell you. It depends upon the circumstances of the case. Of course that farm to which I have referred was very likely received from the landlord in a state of nature, and the tenant made all the improvements upon the property, and the improvements are the tenant's own and then there is the good-will that—

8686. I understand, of course, the tenant's improvements being a valuable thing if he was not liable to be rented on them but I do not see how the good-will can be worth very much. Does not that mean a liability to pay what is presumably a fair rent?—Yes.

8687. Is that worth anything?—Yes, originally it was, but at present it is not.

8688. Then the rent was too low. If it was a fair rent I do not see how it was worth anything?—I scarcely understand you.

8689. It seems to me that if I agree to pay a man what is the fair letting value of a piece of land that my right to do that is not worth anything. I am not getting a favour. I am paying him the full price. I want to ascertain from you—I have never been able to see it—what is the meaning of tenant right?—I mean beyond what is perfectly intelligible, where you buy the plant on the improvements?—Yes, there is an interest. The tenants in Ireland have made all the roads, bridges, jails, workhouses, and everything else.

8690. He has built all these things?—Yes.

8691. How do you make that out?—How are they built? are they not paid for out of the county cess?

8692. Has he paid the county cess?—The landlords pay no county cess or very little.

8693. It is paid by the occupiers?—Yes.

8694. Where the landlord occupies he pays?—Yes, pays upon what is in his own hand.

8695. That does not quite explain how the tenant right or liability to pay a fair rent can be worth very much?—If it really is a fair rent?—The tenant has his improvements.

8696. I quite understand that where he has improved the land and built buildings upon it, and so on, it is quite clear that he has a large property in it?—Yes, and I may just say, as far as fixing a fair rent is concerned, and so far as the fixing of the fair rent by the Commissioners has gone, that the tenants have been charged upon their improvements.

8697. Do you know that to be so?—There is no question about that.

8698. But you know that it is illegal to charge the tenant upon his improvements?—I know, but it was the case all the same. If you take the case of the solvent industrious tenant and the man who is not so, you will find that the one has been made to pay more than the other. I told that to Mr. Stewart, one of the landlords' valuers. He is a very active man in a good many ways. I told him what I have told you, that the rents were made up on the improvements. It is always the case; you cannot get the tenant's improvements separated from the other improvements, I was told. I can mention the case of a road contractor whose farm was like a garden. It was the best cultivated farm under thirty-one acres in the barony. I told Mr. Stewart that was not cultivated in the same way, he would get the rent off, but it was said that he was not paying enough. And I was told that you cannot separate those things, but must take them as you find them. These were his words.

8699. Lord Milnes.—But I do not see that that is so. If you get evidence of the state that the land was in formerly, and evidence of the improvements that were made, it should be easy enough to—

8700. Mr. Nelson.—How do you propose to remedy

Oct. 26, 1905. 8723.—That is just it; you must appoint the best men you can get.

Joseph Perry. 8704. Lord Millicom.—If you can suppose a new piece of land in which there were no improvements or house, would there be a tenant right?—In some cases it would sell very well.

8705. What would you sell?—Well, the right to be there.

8706. Mr. Neligan.—The right of possession?—Yes.

8707. Sir James Caird.—May be the convenience of the neighbourhood.

8708. Mr. Neligan.—A fair rent would presuppose a fair rent out of the land.

8709. Lord Millicom.—You say that stock was sold for £9 10s. 0d. which a few years ago would have brought £14, and I dare say you are quite right. But may I ask you whether you are aware that from 1852 up to 1863, that £9 10s. 0d. would be considered rather a good price?—I dare say it would at that time. But that is going a long way back.

8707. But higher rents were paid then than are paid now?—Yes; but there is a great difference in the price of wages now.

8708. There is no need to pay much wages in rearing calves?—No, but there is in the cultivation of the farms. Workers used to be got at 6d. a day and their diet, but the wages are now very much higher.

8709. But as far as two year old cattle were concerned, I see in 1862 the average price was from £4 to £8 10s. 1.—They were more than that in my neighbourhood at that time. But I cannot say. It is a very long time ago.

8710. I am only pointing that out to you, to show that there is no reason to despair, and that prices may go up again?—But the competition in cattle from America and other places is so great, that I am afraid of it.

8711. But you see that at this time, when they were so low, there was no competition at all?—No.

8712. That was not the case then?—No.

8713. And it will cheer you to know that the competition has diminished last year. That looks as if the Americans were not making such a good thing out of it after all?—Yes. I saw beef in the beginning of the week, in the Liverpool market, was 3d. It was quite as low as that. I saw it in the Belfast papers this week.

8714. But in those times of which I am speaking it was a great deal lower than that?—I dare say it was.

8715. In Griffiths' time, beef was only 4½s. per cwt.

8716. Mr. Neligan.—The basis upon which he made his valuation was, I think, lower than that.

8717. Lord Millicom.—It was only 8½s. I see in the year of Griffiths' valuation. So that it has gone up 100 per cent. since then, and it may go up again?—I would like to see it. I have been taking up heavier crops than any of my neighbours. I got the challenge crop in 1862, 1863, and 1864, for the best cultivated farm over fifty acres in the harrow. I would say that my crops are heavier than any of my neighbours, and yet I am losing money by farming. I have a scotch mill, and I have no opportunity of seeing a good many of my neighbours, and I find that there is the same story amongst them all. I find that there is a great distance for want of money, and a wonderful rush to get their flax cut.

8718. That would be the effect if there was depression in any other business for two years?—Not to the same extent.

8719. Mr. Knipe.—Have you any returns of the prices of flax for the past three years?—No. I do not go into those figures. You have a very much better opportunity of getting those figures than I have.

8720. But, from what you know, the price has not been so much this year?—It was a fair crop last year, and it is much worse. But nearer the Moine Mountains there is a splendid crop. Down, however, in the good land we have a very bad crop.

8721. What difference is there in the prices this year and last year?—I do not think there is much difference in the prices, but there is in the yield.

8722. This year?—Yes, with us.

8723. The quality is not so good?—No; I think there is not much difference in the price.

8724. Mr. Neligan.—There has been an upward tendency lately?—There is not very much. I am in the market of Belfast every Friday, selling for my customers, and I do not see very much tendency upwards. The millowners cannot afford to give much.

8725. Mr. Knipe.—You charge 1s. per stone for scutching the flax?—Yes.

8726. And the farmers get about 5s. 6d. per stone?—The farmers get about 5s. 6d. after paying me, or perhaps about 5s. 5d. would be the average.

8727. You do not remember it as low?—I think not.

8728. It was a very important crop for the farmers?—Yes, it was the crop they paid the rent with in a good many parts of the country.

8729. Now, with reference to the tenant right that exists, and did exist, for so long a period. The tenants made the improvements on the farms in this part of the country?—Yes.

8730. And the landlords were indulgent enough to permit them to sell their improvements on to the other?—Yes.

8731. And that was called tenant right?—Yes.

8732. And that custom was recognised by the landlord and agent?—Yes.

8733. And it was legalised by Act of Parliament?—Yes; I recollect that before the passing of the Land Act of 1870, there was some discussion in the papers, and I remember writing to the *New Letter*, the landlord paper, and I told them that when I was a lad there were five large estates coming within 3 miles of me, such as the Downshire, Londonderry, Mr. Macavell, Lord Dufferin, and others, and on the whole of those at that time tenant right was acknowledged. But then was at the time I wrote unlimited sale only on two. It had been interfered with on the whole of them since the time when I was a boy.

8734. By raising the rent?—It was interfered with by the office rules. There were restrictions upon free sale.

8735. Sir James Caird.—Lord Dufferin did give up the tenant right in some cases?—In some cases he might.

8736. Lord Millicom.—Do you think that tenant right has been an advantage to the North of Ireland?—I think it has been the greatest advantage. I remember well one day on Miss Ross Course talking to Colonel Ferde and some of the other stewards upon this subject. He said to me, "You are a great man for this tenant right; are you going to be a seller of land, or a buyer?" They wanted my opinion, and I said, "I am neither thinking of the seller or the buyer, but of the destructive effect which the interference has with the improvement of the land." The tenants ought to be allowed to make the best of what they have in the soil.

8737. You insist that as an argument for security in the tenants' improvements?—Yes.

8738. But is it a good thing that a man before he has had possession of the farm should have to buy at a great cost which he may have to borrow, this thing called tenant right?—Not if he has to borrow.

8739. Would it not be better to lay it out on the land if he was sure of his improvements?—Yes.

8740. If I understand you, the great advantage of tenant right was that it encouraged the tenants to improve and encourage them to go on improving?—Yes, it is just the difference between the cultivation of the land here and the cultivation in Munster.

8741. Oh there is something in the people too I think?—I am as proud of my native country as any one, but if we were treated the same as they were treated we would not be very much better perhaps.

8742. Mr. Knipe.—And that was the reason they took losses?—Of course. I was asked to return thanks at the agricultural dinner once, and the Marquis of

Dorsetshire was there, and I said I was sorry to see that so many of the landlords were stopped giving leases, for that it would prevent improvements being made. We had no title of the Land Act then.

8743. The tenants were glad to get leases?—Yes, no matter what the rent was. We could not be disturbed then. Mine was a case of that kind when I went to look for a lease I saw that the landlord would not be able to hold the estate. On the other side of the Marsh from me there was tenant right, and the worst person sold at £200 the Irish acre. The landlord said first "I will only allow £10," next it was £5 the Irish acre; then what he pleased. If the tenant could not hold, he would give him what he pleased and let him go. I was afraid that our estate would get into his hands and I applied for a lease, got a grant of the lease, built my mill, and expended money upon it just to keep the acre from going into the hands of a man who would not give me tenant right.

8744 Mr. Neligan.—You were very fortunate?—Yes.

8745 Mr. Keipe.—Do you remember anything about the people working handlooms?—Yes, I remember them working at handlooms in their houses.

8746 Would that be about the time of Griffiths' valuation when the price of cattle was so low?—Yes. They were making linen, that was in various parts of the country.

8747. There were quite a number of houses in which there were looms?—Yes, the sons and daughters worked at the looms, and they also wrought on the frame in the daytime when it was necessary, and in the houses at the looms in the evening.

8748. What do they do now?—How the small farmers manage without getting any other work I do not understand, because my farm is not sufficient to keep one in constant employment, and I do not see how they are able to manage at all.

8749. Mr. Neligan.—In these days you had not the great mills which are giving so much employment?—No, and the great earnings from all that employment spread through the country. I think that it is impossible for the small farmers to live without some other employment.

8750. Lord Milnes.—What sized farm should a man have to make a living?—A man should have fifteen acres of land.

8751. Do you think he could live upon fifteen acres? He might, but at present I do not see how they can live at all—things are so bad. It is wonderful how they work along and make a shift for themselves.

8752 Mr. Keipe.—Grass seed crop used to be cultivated?—Yes, about Ballinabrack and Banbridge. But the price of it is down to next to nothing. It used to be sold for 4s.

8753. How many years is it since it used to be sold for 4s?—I have not sold grass seed.

8754. Is it more than five or six years ago?—Yes.

8755. Seven years or eight?—About eight years ago, I think.

8756. What is the price in Banbridge at present?—I think 7s. or 8s. is the price. I usually see the price in the Belfast market.

8757. The farmers made money out of it at the commencement of the season?—Yes.

8758. Up to £3 an acre?—Yes, and money at that time of the year was very scarce with the farmers. It was the easiest money they got.

8759. Would the seed be worth £3 an acre?—Yes, I think it should.

8760. Have you any idea of the quantity of seed to the acre?—My view of it was that it destroyed the hay.

8761. Lord Milnes.—You did not think it was good farming?—No.

8762. And the less encouragement there was to sell grass seed the better for the land?—Yes, and there was more encouragement for the cattle.

8763. Mr. Keipe.—But they did sell it and got a good deal of money for it?—Yes.

8764. Is it the fall in the price of cattle that has reduced the tenant right or the fear that the low prices are going to continue?—Both.

8765. That has caused the fall in the value of the tenant right?—There is no question about that.

8766. Have you thought at all about a sliding scale of prices to meet the rise and fall in the price of produce with regard to the fixing of the rents?—No; the late Mr. William Sherman Crawford had some scheme of that kind, and tried to introduce it, but it did not succeed, and he did not go on with it.

8767. The President.—How far back do you recollect as a farmer?—I am sixty-three years of age and I remained on the same farm.

8768. Do you recollect the time of Griffiths' value?—I think I remember the man going about working at it.

8769. It has been said that the prices then were lower than they are now?—I dare say they were.

8770. Can you give any reason then why the farmers should find it more difficult to pay rent now than then?—It costs me double the money in wages now, in carpenters' bills and so on. I pay about double the money away in wages and tradesmen's bills.

8771. Then besides I think you said there were leases in some parts of Ireland, but that that was only partial?—Yes; it was only partial. Small farmers made the rent all from the leases, and had the land as a kind of accommodation.

8772. Lord Milnes.—Do not the farmers make something by poultry and eggs?—Yes.

8773. And is not that only recently?—Yes; or at all events they make more by that now than they did formerly.

8774. I am very pleased to hear it. It is absurd that we should be bringing in eggs and poultry?—Yes.

8775. It is a considerable addition to the resources of a farmer who has a good sensible wife who understands how to manage poultry?—Yes, most of them can rear poultry.

8776. Is pork of much importance?—The small farmers work very well at it.

8777. There is a considerable rise in the pork now?—There is something of a rise. From the year 1878 to 1881 I had double the money for supplying milk that I get now. I supply milk to the workhouse.

8778. Mr. Neligan.—Have the rates come down in proportion?—No, I think they are higher now than they were then, but there are many things added to the poor-rates since that time.

8779. The President.—I suppose the rates are higher than they were forty years ago?—Yes.

8780. Mr. Neligan.—The poor-rates have to bear many things now?—Yes.

8781. Sir James Caird.—I suppose you have no such thing as a combination amongst the farmers or any one else to refuse to perform their legal obligations?—No, we have some branches of the land-league, but the population about there is so much mixed, that I do not think it will come to anything.

Samuel James Marshall, Newry, examined.

8782. The President.—You, I believe, are a tenant farmer?—Yes.

8783. From the Newry district in the county Down?—Yes.

8784. How much land do you hold?—I hold 110 Irish acres.

8785. Is it all in one holding?—No, it is in two holdings. Samuel James Marshall.

8786. What is the first of these?—It is a judicial tenancy?—There is one farm held under Earl Clarendon.

It was not put into Court at all.

8787. It is held under an ordinary tenant?—Yes, from year to year.

Dec. 18, 1866,
Barnard James
Marshall.

8788. And the second farm?—That upon which I have myself is held under lease—probably the dearest in Ulster.

8789. What is the date of the lease?—7th February 1861.

8790. How much of it has to run?—I am one of the lives.

8791. With regard to the tenancy at will—is it highly valued?—It is 24s. 6d. an acre—it is a moderate rent.

8792. And the rent in the lease?—It is 66s. the Irish acre.

8793. Is that the same sort of land?—It is hardly so good. There are 37 acres, and the rent is £225 10s. On the other side of the road there are judicial rents of 25s.

8794. I suppose if you came before the Court and had a judicial rent fixed for the part you hold under lease, that it would be very much reduced?—It would be reduced by one half I think.

8795. You would like to go into Court?—There are judicial rents on either side of it at 30s. per acre, and I think that the land is quite as good, except that probably there is not so good a house upon it.

8796. Like most of the leaseholders, you wish to come into Court under the Act of 1881?—Yes, I would leave the farm altogether. I lost so heavily in it, that I wished to leave and give them everything upon it.

8797. And sacrifice your improvements and everything?—Yes, I would do that now, but they said they could not let it again at the same rent. It is held by a Mr. Howard who is a jeweller in London. A local solicitor is the agent. I told him a month ago that I would resign and leave the place, and he told me that my father would be responsible for the rent if I went away. Only for that, I would leave the country to-morrow.

8798. Have you ever thought that you would like to purchase at a fair rent?—Yes, at a fair rent, but they won't take less than twenty years' purchase on the present rent. I would purchase willingly at a fair rent but they won't take less than twenty years on the present rent.

8799. What would you give on a fair rent?—That would depend upon what the rent was.

8800. If it was 35s. per acre?—I would give fifteen years' purchase. Possibly, I might give more.

8801. Lord Melbourne.—Of course, you would give as little as possible.

8802. Mr. Neligan.—The best way to relieve you would be to put you under the Act of 1881?—Yes, give me a fair rent and I would be willing to give whatever I could.

8803. The President.—You would then be paying 35s. instead of 66s. an acre. That would be an enormous reduction. At the present time farmers like myself who have had to sell stock and borrow money are not in a position to farm successfully. I have not the capital. It has taken it all to pay this. Last year I lost £4 in the cattle trade instead of making anything. And I was very unfortunate in the flax. I only got 4s. 6d. per stone.

8804. Mr. Keble.—What did you get before that?—6s. 6d. I always get a 1s. a stone more than the general run.

8805. Lord Melbourne.—Are you still in the cattle trade?—I am not buying. Whatever cattle we have are our own rearing. I have not sold this year.

8806. It is a pity you are not in the cattle trade this year?—They are doing a little better, but not the way they used to do.

8807. But I suppose you bought dear and sold low?—Yes.

8808. Tell me why you took this lease in 1871?—It was a friend of mine, a relative, who took the lease in 1861 not 1871 from Mr. Howard, and when he died, my father was his executor. He used to live abroad and he wished to live in this country, and he took this

lease. I married his widow and we are living on the farm and my father was his executor and lived on the farm for some little time, and they say that he is responsible.

8809. I thought it was in 1871?—No, in 1861.

8810. You were not responsible for the taking of the lease?—No.

8811. It seems to have been a very rash thing to do, for prices in 1861 were so bad as they are now?—Flax would pay well in 1861.

8812. Mr. Neligan.—You are not the original lessee?—No.

8813.—You might assign the lease?—That very thing was tried, but could not be done.

8814. Lord Melbourne.—As far as I can see, in this return for the Belfast market, there is no quotation for flax until 1866?—The failure of the flax is what has done the harm to us, and it is a wheat growing market.

8815. You grew wheat?—Yes, there is a good deal of wheat grown in the district. It is now 6s. in Derry Market.

8816. Mr. Keble.—What was the price ten years ago, as compared with the present time?—Wheat in 1876 was about 10s.

8817. What is it now?—6s. and there is only one man in Newry who will buy, and that is Mr. Walker, and some days he won't buy.

8818. Do you know anything about grass seed?—Yes. It has gone down immensely. I have sold ours this year at 7s. per cwt.

8819. What was the highest price for it?—I got 22s. in one year.

8820. How long ago is that?—I think about 1871.

8821. Mr. Neligan.—That was the year of the Franco-German war?—Yes.

8822. Mr. Keble.—How many cwt. to the acre?—On an average about seven or eight cwt. to the Irish acre, and sometimes ten, and sometimes not more than five.

8823. How much would it be worth to the farmer this last three years?—I could not give an opinion upon that, for we have not tried it. It is not worth the trouble.

8824. Could the average price be about 10s. 1s. Three years ago it was 10s. in Newry. Last year I sold at 8s. 9d., this year at 7s.

8825. And from six to seven cwt. to the acre?—Yes. I had only 5½ last year.

8826. At 10s. per cwt. that would be £3, 10s. to the acre?—Yes.

8827. The majority of the farmers all around your district in the county Down, have sown the seed for quite a number of years?—Yes.

8828. And are still sowing it?—Yes.

8829. You said you would give fifteen years purchase?—Yes.

8830. You hold under a lease?—Yes.

8831. And your desire is to get the benefit of the Land Act?—Yes.

8832. Would you not be satisfied to leave the price that you give to be settled by some Court the same as the Land Court?—I would be perfectly satisfied to leave it to any fairly constituted Court.

8833. To any tribunal of that sort?—Yes.

8834. And you would give what that Court said was fair, taking everything into consideration?—Yes.

8835. Mr. Neligan.—Do you consider the present Land Commission fairly constituted?—I am not very favourable to the Chief Commissioner.

8836. What do you say to the Sub-Commissioners?—Well, I mean competent persons who understood it. I do not think that the Chief Commission Court is a good one.

8837. Mr. Keble.—Do you think it is possible to constitute a Court that would give satisfaction?—Yes.

8838. Would you be satisfied to leave it to a Court of that kind?—I would.

Richard McFak, of Portaferry, examined.

8839. The President.—You, I believe are a tenant farmer?—Yes.

8840. From the district of Portaferry in the county Down?—Yes.

8841. And you are also a justice of the peace?—Yes.

8842. Can you tell us what your holding is—how much land do you occupy?—About 160 acres of land.

8843. Is it all in one holding?—No, it is not.

8844. How is it held?—About half of it is a judicial tenancy.

8845. And the other half?—There are three different leases in the other part. One is 150 years for thirteen acres. I am speaking about the average of the area.

8846. Do you pay differently on each lease?—Differently on each lease.

8847. How much per acre do you pay on the judicial holding?—I pay £61 for it.

8848. For how many acres?—Fifty-two statute acres.

8849. How much is that per acre?—About 23s.

8850. Then the three leases—how much do you pay per acre for them?—On the oldest one I pay £6 7s. 6d. for thirteen acres. It was Irish currency.

8851. You pay £6 7s. 6d. for thirteen acres?—Yes.

8852. And the other?—The other is £3 a year.

8853. For how many acres?—Well, it is about twenty-one Cunningham acres.

8854. Is that more or less than a statute acre?—It is about an acre and a quarter statute. There is another lease held in which we are higher rented than for any of the others. It is 34s. per Cunningham acre. My uncle kept it because he could not do without it.

8855. Mr. Nelson.—What is the gross rental?—Between £11 and £12.

8856. How many acres are there in it?—About six. I think, but I am not sure of the measurement.

8857. The President.—You think you are paying higher under the lease than the judicial rent?—Not on the first lease, by any means.

8858. Would you wish to come under the Act of 1881?—With all the leases?

8859. Yes?—On one there has been a great deal of improvement. A house has been built on it and we improved upon it for two or three generations.

8860. Have you any wish to buy?—I am not uneasy about buying at the present time for things are going from bad to worse. There is one man beside us who was one of the first purchasers under the Act of 1870 and I think he is as ill off as any man I know at present.

8861. Mr. Nelson.—You would like to look about you for a while?—Yes there is such a change every year. If it is not game one time it is beef and cattle another, and it is very difficult to know what to do at the present time.

8862. The President.—Is there any particular point upon which you wish to give evidence?—There is no point that I know of, except that the people find very great difficulty in making up the rent owing to the depressed price of produce.

8863. From the bad times?—Yes. If times had remained as they were previous to 1881, I do not believe that you would have heard a word about agitation.

8864. You wish you had not so much rent to pay?—Yes. I wish we had relief at present. And if we were going to purchase I think the sooner it should be done the better, if it would be a relief to us. I suppose the people would purchase if they could purchase on such terms.

8865. You would not mind purchasing for the sake of becoming the owner of your land?—If we could live we would purchase, no doubt.

8866. Lord Milnes.—I understood you to say, that, if the times remained the same as before 1881, there would have been no agitation on the subject of the judicial rents?—I think not.

8867. I suppose, if they went back to the same, Richard would go on quietly again?—I believe they would.

8868. Then, you would be anxious to purchase?—In case that we could see our way to make it pay we would wish to purchase on such terms that we should have some confidence in being able to pay.

8869. Of course, any man would be a fool to purchase on terms by which he should lose. But, supposing you could effect the purchase on fairly advantageous terms, should you like to become the owner of your holding?—I certainly would.

8870. Is that feeling general in your neighbourhood?—It is; but I assure you it is not so strong now as it was some time back in our neighbourhood. The people are alarmed at the way that things have gone for the last few years.

8871. And they would prefer remaining as tenants?—Any way out of the present difficulty. If they could see any way of purchasing, they would be glad to remain as tenants.

8872. If they could get the rents lowered?—Lowered to such a figure as they think they could pay.

8873. But apart from that, they do not see to purchase?—They are secure in their holdings now.

8874. Except for the same of the thing, they are to all intents and purposes, owners?—And they are not afraid of the landlords the same as they were before.

8875. The landlords can do nothing so long as they pay their rent?—Yes; I must say from my experience of the landlords, that they have not treated the tenants in any way, in their difficulties.

8876. They have not?—No.

8877. Never, do you mean, or only lately?—Never since I commenced to farm. Not within the last twenty years of my experience. I went on a begging party with a committee of tenants to General Nugent in 1879, and we never got seeing him. General Nugent was then Colonel Nugent.

8878. Is he your landlord?—For the part for which the judicial rent is fixed.

8879. Is he resident there?—He is very seldom there.

8880. He has a place there?—Yes; a splendid residence.

8881. What is it called?—Portaferry House.

8882. Mr. Knipe.—You say that the landlords are not interesting themselves in the welfare of the tenants?—They are not.

8883. Have there been any reductions given in your locality upon the judicial or the other rents in the last two years?—None that I am aware of.

8884. You are not aware of any landlord giving reductions upon the judicial rents?—No.

8885. They think them low enough?—No, they extended the time. That is another point that I wish to call your attention to. There was time allowed to the tenants last year, and a great many of them borrowed money from the bank to pay the rent; and they had to sell the crop. I backed several bills for tenants who had to stretch out their arms and pay back rent with the money they borrowed from the bank.

8886. They extended the time for the payment of the back rent, but gave them no reduction?—No reduction.

8887. And they could not pay yet?—The time is not yet round, but I know that a good many have had to put away their crop this year to pay.

8888. Have you any experience with reference to the sowing of grass seed?—I have.

8889. Has it been largely sowed in your locality?—Yes.

8890. Are the farmers turning their attention to it now?—It would not pay for the trouble.

8891. Do you remember what it was worth ten years ago?—I sold it myself for 12s. 6d. or 12s. 6d., I do not remember which.

OCT. 24, 1886
Richard
M. Stab.

8892. Do you remember it higher at all?—I do, a great deal higher. I must say that we were not at it soon enough to get the best prices. I understand that it was as high as 20s. or 25s.

8893. At all events, the price is so low now that it would not pay for the trouble?—I saw it sold myself at 16s.

8894. Is yours a wheat growing district?—Yes, one of the best.

8895. Have you ceased to grow wheat?—A good many farmers did cease, but they have to apply to it again to keep up the rotation.

8896. Has it been paying you?—It has not.

8897. And your experience is, that last year and this year are the worst for making up rents since the passing of the Land Act?—There is no doubt about that. In fact I do not see how they are to be met this year.

8898. One word with reference to the purchase Bill. Would the farmers in your locality buy if they were assisted by the State?—Yes.

8899. If they were assisted would they buy their own interest in their own farms?—They would certainly if the terms were such as they could pay in the face of the present times and the present competition, that they have to contend with.

8900. Do you know, would they be satisfied to leave the price to a court or tribunal that would be constituted?—I am very glad you asked that question, because that is one of the things that struck me. It would be the only way that the matter could be arranged; I think they would like that; a good deal would depend upon the court. They would not be satisfied with a court like that to settle the rents, because it was considered that that court was more in sympathy with the landlords than with the tenants.

8901. How do you propose that it should be established?—Well, if the Government would appoint a person and the others did the same they could settle it fairly. But that is a question which I have not studied in detail. But with such a scheme as that I think there could be a court established that would give satisfaction. I am not able to point out the details.

8902. But you think if such a court was established the farmers would avail themselves largely of it?—Yes, I believe they would.

8903. Mr. Stab.—I suppose that compulsory purchase should compel the tenants to buy as well as the landlords to sell?—Yes.

8904. It is easy to bring a horse to the well but

you cannot make him drink; it should be made compulsory in both.

8905. But if a man says he won't buy?—Could there not be any machinery invented to make him do so.

8906. I am speaking of a man who comes in and says, "I am afraid this court is more in sympathy with the other side." What is to happen then?—Make him sell.

8907. If you can make the landlord can you make the tenant?—Can you make him sell?

8908. Can you make him buy?—You should.

8909. But, if he says that he won't do it?—But, if the law is that the landlord should be made sell—

8910. You see that they say that a man must pay his rent?—Well, we have no experience of his not doing so yet. The rent is well paid in our district. I can tell you of the case of a man who paid nearly £100 of rent and who was evicted for £17.

8911. Sir James Caird.—Can you tell me where there has been any increased difficulty on the part of the tenants in getting money from the bankers as compared with former years?—Yes, there is.

8912. Their credit is not so good as it was?—It is not nearly so good.

8913. Money is not so easily advanced?—No.

8914. Are there any other sources from which money can be borrowed except the banks?—There is an answer at Perthshire.

8915. Is he lending still?—He lends on tenant right.

8916. How much does he charge for the money?—I think 7 per cent.

8917. That is not a very extraordinary charge for adding security?—I do not know.

8918. We have had evidence to show that the value of tenant right has disappeared?—It is very fast disappearing in our neighbourhood. I remember one farm sold within the last two or three years. It was sold at £1000 and it only brought £500 afterwards. That is within three years. It was once one of the best farms in the district. The low price of flax has been a great drawback upon us. It has been a great failure lately. Prices have been very bad. It used to be a splendid industry with us.

8919. Mr. Knipe.—The farmers depended very much upon it?—Yes, when wheat and corn were cheap, especially.

8920. Yes, and the price of flour has been considerably reduced.

Rev. Mr. Boyd re-examined.

Rev. Mr.
Boyd.

8921. The President.—I understand, Mr. Boyd, that you have expressed a desire to make some explanation. We must confine you to that, and not allow you to go into new matter.

Rev. Mr. Boyd.—In one sense it is not new matter, and in another sense it may be. It is with regard to the right of borrowing from the Board of Works—purchasing under which is called the Bright clause. I think that should be retrospective.

8922. The President.—You have stated that already?

Rev. Mr. Boyd.—I did not know that I made myself clear about that.

8923. Lord Milford.—That was your own case, and I quite understood that you took a great interest in it.

Rev. Mr. Boyd.—I think nineteen or twenty years' purchase would be a fair amount to give on a fair rent.

8924. The President.—Yes, you have said that already, and we do not want any repetition.

Rev. Mr. Boyd.—By a fair rent, I do not understand judicial rents, as they did not generally make allowance for the tenants' improvements. A fair rent should not only give full advantage to a tenant for his improvements, but also take into consideration the changed prices of agricultural products, as a farm I know, of £91 rent, the produce of which in 1882 would bring £84 9s. 8d. less if sold in 1886.

[INQUIRY ADVERTISED.]

FOURTEENTH DAY, FRIDAY, OCTOBER 29th, 1886.

Oct. 29, 1886

ROYAL HOTEL, BELFAST.

Commissioners present.—The Right Hon. Earl Cowper (President), The Right Hon. the Earl of Milford-Town, Sir James Caird, Mr. NELSON, Q.C., Recorder of Londonderry, and Mr. THOMAS KIRKE.

Sir William O'Sullivan, examined.

8865. The President.—You, I believe, are the agent of the Drapers' Company?—Yes, I am.

8866. What is the acreage of the estate?—It is a little over 37,000 acres.

8867. What is the rental?—The present rental, not including two towns—I presume you refer to agricultural tenancies—is £10,943, 8s. 11d.

8868. Are these judicial rents?—They are rents fixed by agreement.

8869. And afterwards confirmed by the Court?—No; the greater proportion of the estate was let on lease in 76, and the company gave their tenants a reduction of 15 per cent., with the option of remaining leaseholders, the reduction being endorsed on the old leases, or becoming statutory tenants and taking statutory agreements.

8870. Sir James Caird.—What year was that?—It was '81, after the passing of the Land Act.

8871. The President.—What did the tenants do?—Some took the endorsement on the lease, and some the statutory agreement—it was about half-and-half.

8872. But they paid the same whether the lease or the agreement was taken?—There were a good many paying a £5 rental who were on yearly agreements, and they accepted the 15 per cent.

8873. Supposing the leaseholders asked to go into Cowl, and have a fair rent fixed—did you make any difficulty?—Practically there was none.

8874. Is there much of it arable land?—Yes, a good deal.

8875. How much of it?—By far the greater portion is arable land.

8876. I think you have some suggestions to make?—You did not ask me the valuation.

8877. How much is it?—The Government valuation is £10,940 on the agricultural holdings.

8878. Lord Milford.—The rental is the same?—The rental is £4 less.

8879. The President.—I suppose you intended to bid it down to the Government valuation?—It actually did it.

8880. You are now negotiating a purchase, I believe?—At present they are negotiating with the tenants. There are three divisions. Money more is for the best.

8881. What has been done with regard to that division?—In that division they almost all agreed, with a few exceptions, to purchase; they have signed an agreement to purchase within the last six weeks.

8882. On what terms?—The terms are eighteen years' rent upon the revised rental.

8883. The President.—That is a great sacrifice on the part of the company, is it not?—I look upon it as a sacrifice. If they can sell the whole of the estate upon these terms, it is not so unreasonable, because part of the mountain district would not be worth so much, I am sure.

8884. Then the second division?—Well, as to the second division, some agreed and some have not agreed as yet. It is only within the six weeks that the negotiations commenced, and therefore one can hardly say yet what will be the final result.

8885. You are negotiating on the same terms?—Yes.

8886. Sir James Caird.—That is an inferior class of land to the first one?—Yes.

8887. The President.—Now, with reference to the third?—Well, that is mountain land.

8888. Worse than the second?—No; it is about the same thing.

8889. No agreement has been made yet on the subject?—No; negotiation has not been opened yet.

8890. Lord Milford.—Are the company willing to sell any division?—They were to sell in individual farms to any tenant who cared to purchase by himself.

8891. Sir James Caird.—They are negotiations with individual farmers all through?—Yes.

8892. The President.—Was this movement undertaken under a philanthropic motive or what?—I think they are tired of the estate.

8893. Sir James Caird.—Can you give us the year's purchase proposed for the second division?—The same rent.

8894. Eighteen years?—Yes.

8895. The President.—Have they had any trouble with the tenants up to now?—No; there has been no trouble. I have had some trouble to enforce the payment of the rent. In some places there is a reluctance to pay.

8896. Sir James Caird.—Are they desirous to purchase?—They are anxious in one division, Money more; for the others I cannot say.

8897. Not even at that price?—No.

8898. Is that they want to wait for better times?—Well, they have not stated that to me, but I am told that it is.

8899. Sir James Caird.—Do you think that the first division getting the purchase practically at seventeen years is not likely to prove to be a better purchase than that of the inferior quality of land at the same price, and may not that account for some of the tenants coming more rapidly into the purchase scheme?—I think it has some effect in that way.

8900. The company have not thought of making any reduction on the prices of the lower quality of land?—No.

8901. Mr. Nelson.—Are the lands of a lower quality on the second division than on the first?—They are.

8902. The President.—Have you any suggestion to make on the working of the act?—Do you mean the Ashbourne Act?

8903. Yes.—Well, I think if the time was extended for the payment of the instalments it would help sales.

8904. Lord Milford.—Do you think it would be advisable on other grounds?—I do not see that it would make much alteration upon any other grounds.

8905. The President.—Would not this aggravate the discontent of the tenants on the neighbouring estates, who are not allowed to buy up from landlords at these tremendous reductions?—It might have that effect; it is one I would not consider myself.

8906. You yourself see no objection to extending the time?—No, on the contrary, I think it would be advisable.

Oct 25, 1886.
Sir William
Coryngton.

8957. Sir James Caird.—Beyond forty-nine years?—Say up to sixty years.

8958. Lord Milnes.—And you think that they want further coxing to buy?—They say we will buy if the terms upon which we buy would reduce our rent—our annual payment of interest; they always apply the term rent to the annual payment.

8959. Sir James Caird.—Are there any other suggestions that you wish to make?—It was mentioned to me by a solicitor in my neighbourhood—I do not know if it is within the scope of your inquiry—that there should be a simplification of the law with regard to title. He pointed out to me that it seemed to him unfair that the Commissioners should insist upon a longer title than forty years under a will. In one case which he mentioned to me they went back to the original grant in the time of James I.

8960. Lord Milnes.—That solicitor suggested to you that forty years' title would be sufficient?—Yes; and one reason was that if that estate had been sold to a private individual forty years would be sufficient.

8971. They were acting on the old rule that you should trace the title back to the Crown?—I suppose so. This gentleman pointed out the absurdity of this, and asked why that should be done when it would not be required if it were a case between two individuals.

8972. The President.—It gives a great deal of trouble and expense?—Yes; the tenants have mentioned to me—or some of them have—that if they were to come under the Government, as they call it, their power to sell the tenant right in their farms would be interfered with. Now the man who conducted the sale of the Drapers' Company's estate has got the Commissioners to so word the conveyance that that would be obviated. Of course, I have not seen the conveyance, and cannot say anything more about it. They asked him, would we have the same facilities to sell under the Government as any landlord.

8973. The President.—And they would?—I believe they would.

8974. Sir James Caird.—Any purchaser would have a right to sell what he buys?—Yes.

8975. Mr. Nelson.—The Government should be satisfied that the incoming man was solvent.

8976. The Witness.—It was suggested to me that it would be well if there was a local registry of these farms.

8977. Mr. Nelson (to witness).—You mean for a facility of the transfer of farms?—Yes.

8978. That is a very good suggestion?—The machinery for arranging the local registration at this moment exists in the Clerks of the Unions, and the poor-rate books will give you the name of every individual holding in the district, and if there was a separate ledger for each of these divisions you could have them recorded and the different transactions connected with these holdings entered. It would be a trifling expense, and I think it would be of use in most cases. If you have to go up to Dublin, it is, in the case of those individual tenants, in the case of small tenants, looked upon as an unnecessary expense and hardship, and it is very natural to ask why should these be more trouble in transferring from one to another when they are absolute owners, than they have now when the lands are in the possession of the landlords.

8979. Mr. Nelson.—What do you say with regard to the guarantee deposit?—I think it is very hard to make a man give security for his own money; you take a man's property from him and say you must square for the payment that you get.

8980. Sir James Caird.—But it is public money?—I admit that, but still, it is very hard to say that you virtually sell a man's property and then bind him to that condition.

8981. Lord Milnes.—He sells it himself.

8982. Sir James Caird.—He does it because he thinks it is to his own advantage.

8983. Lord Milnes.—And then surely it is not too much that the person who lends the money should see that he has security.

8984. The President.—It is entirely a question whether there is security enough without it.

The Witness.—That is the question.

8985. And you think there is?—I think there is. The land ought to be security for it.

8986. Certainly, in the North of Ireland?—Yes.

8987. At all events there should be a discretion to remedy that?—Yes.

8988. Your connection with that estate has given you great experience. If you were acting for a private owner, what number of years would you recommend him to stand out for?—I would recommend any private owner to stand out for twenty years' purchase.

8989. Do you think that he might sell for twenty years?—Yes.

8990. Mr. Nelson.—Do you think that the difference between a private owner and a company would be recognised in the country?—I think it would be, and I think that from a conversation that I had with a tenant of mine over it. He asked me, would I sell, and I said, "Yes, if terms were mentioned." He asked me, would I sell on the same terms as the Drapers' Company. "Certainly not," I said. "Nor could you be expected," he said; "it is a different thing from you, who depend upon the estate, you could not be expected to take the same price as the company."

8991. Lord Milnes.—Was this man anxious himself to buy when he made this remark?—I do not say he was, but it has been said to me frequently by other tenants and other men in the country that individuals could not sell on the same terms as the company; they could not afford it.

8992. Sir James Caird.—Have you reckoned, Sir William, what will be the difference between the present rental received by the company and the interest on the price which they are likely to realise?—The reduction of the rent, as it were?

8993. Yes.—Taking the year '86, that is to say, making a virtual sale at seventeen years, it would be very close upon 30 per cent. Eighteen years would be 28 and a fraction, and it would be a reduction of 30 per cent. on the present rental.

8994. What is the present cost to the company of collecting the rental and managing the estate, and their general outlay?—Their present outlay on the estate is about £2500 a year in round numbers. That includes purchase, and so on.

8995. Sir James Caird.—I want to know what are the expenses of working; I want to know what is the net income on the estate; how much is to be deducted for expenses?—I have not put it down here, but I can send you the correct figures if you wish.

8996. Well, I think it would be very interesting.—I hold here a return, however, which has reference to the estate. I have been agent for four and a half years, and immediately after I was appointed I was asked for a return from 1818 to 1881—that was the year they took the estate from Sir William Roland, who was tenant.

8997. Lord Milnes.—In 1817?—Yes; he was middleman up to that time; and this is a return of their expenditure under various heads—medical charities, charities, labour and buildings on the estate, drainage, bridges, roads, general improvements, grants to churches and clergymen, education and apprentices fees, towards emigration and allowances to tenants, and they have spent upon the estate since then up to the present £306,550 in round numbers. That is not in excess. It is exactly about what was spent on it, and it does not include the charges of management. That is exclusive of the charges of management.

8998. The President.—The company will lose 30 per cent.; what rate of interest do you calculate the

company will receive?—I am not looking upon it in that way; I am looking at the reduction to the tenant.

8993. Sir James Caird.—It is an important question, but would be interesting also, but what I want to know is, what loss would the company really sustain by making that change?—I think that would entirely depend upon how they would invest their money. I do not see how I could answer a question of that kind at all.

9000. You can show, at all events, what has been the average November payment made out of their November rental?—Yes; every farming paid out. There is this return. I do not think I am at liberty to hand it in, for it is a privileged document. £10,959 is the whole rental.

9004. How much of that goes to the company, after making all reductions?—Do you mean at present?

9002. Yes?—I would rather not answer that off-hand.

9003. I think you stated it there?—Well, this is a return of the expenditure upon the estate from 1818 to 1881, exclusive of the charges of management; it does not include the charges of management; it is for improvements, allowances, various charitable institutions on the estate, education, and all that.

9004. You quite understand what it is that I want, I presume?—Yes. I will be able to supply it.

9006. The President.—When the company go, of course they will spend no more charity in Ireland, that will be all at an end. Will not that be a great loss to the labourers and other people, this money, for instance, for education, and the other sums which are now spent in charity, and so on?—I am sorry to say that a deputation went over to the company with respect to having a reduction of the rent in the year 1881, and a member of that deputation conveyed to them the idea which was conveyed to them in words like this: "We don't thank you for it; we can do very well without it."

9005. Do you think it was badly administered? perhaps you would not like to say that?—I think it was very fairly administered; I have known the estate all my life.

9007. What did it go in, this money that went in charity?—It was not all in charity.

9008. Mr. Nelson.—What is the figure under medical charity?—There was expenditure between these two dates under that heading £24,057.

9009. From the year 1818 to 1881?—Yes; the following are the figures:—medical charities, £24,057, 1s. 5d.; miscellaneous charity, £10,746; on labour and buildings on the estate, £4443; drainage on the estate, £9807; bridges, £1047; roads, £7383; general improvements, £35,465; grants to churches and clergy, £23,784.

9010. Mr. Nelson.—Is that all to one denomination or divided?—Divided. Education, schools, etc., £35,588; apprentice fees, £939; towards emigration, £2897; allowances to tenants, £2837.

9011. This was got back from the rental?—That is actually in the hands now.

9012. Well, all this kind of charity will be lost to the country for the future?—That will be lost, no doubt; of course I cannot take upon myself to say what the Drapers' Company are likely to do with respect to these grants that they give now. I know the matter has been considered, and I do not think there has been any decision come to with regard to it.

9013. Do you think, with regard to the labourers, that where they are employed by the tenants they will be worse off?—I do not mean under a company like this, but do you think that they will be affected by the change generally?—I do not think that practically it will make any difference whatever to them.

9015. Lord Milltown.—You are speaking now with regard to the case of the company?—I am speaking generally; I do not think it would make any difference to them.

9015. Sir James Caird.—Don't you think it possible that the men who have a prospect of becoming owners and who become owners will have their minds inspired with greater energy to improve the land and to employ more labour on the land?—I think that at present the people in my neighbourhood employ labour as much as is necessary. I do not think that it would make any difference in any way. I do not think there would be any increase.

9016. Nor any decrease?—I do not think there could be any decrease.

9017. Lord Milltown.—Are you not saying that on the supposition that the gentry will remain in the country?—I am only referring to the farmers.

9018. But supposing the result of these sales was to induce the gentry to leave the country, what effect, do you think, would that have upon the labouring class?—No doubt that would throw a good many out of employment.

9019. The President.—You mean it would throw out of employment those who are employed on the demesnes of the landlords?—Yes, on what is called the *bonne farm*.

9020. Sir James Caird.—But some one would have those home farms?—They would not be long idle certainly, but they never would employ the same amount of labour that is generally done by the landlord; for example, a farmer would not get up any walks or plantations, or require the same amount of work done about his place, and that amount of employment would go, I am afraid.

9021. The President.—I intended to ask you, are you in favour of establishing a peasant proprietary throughout the country, as far as possible?—I am.

9022. Would you under any circumstances make purchase compulsory?—I do not say so; I think that in some cases it might be an advantage. I think the present dual ownership is an unsatisfactory state of things.

9023. Of course it will be represented as an argument that if the effect of the purchase is to make the tenants of the South become proprietors at fifteen or seventeen years' purchase, and the tenants in the North cannot induce their landlords to sell except at a high figure—it is said that there will be a feeling that they have suffered in the North for their good conduct and forbearance, and that those who committed outrages in other parts of the country, and thereby caused the landlords to be anxious to sell in the South, are far better off, and of course there is something in that argument?—It is an argument, no doubt, that would be made use of, but I do not think it would affect this country much.

9024. Lord Milltown.—You do not?—No; I do not think such an idea would come into their heads. I have a better faith in the majority of them than to think that they would hold any such ideas.

9025. Sir James Caird.—When speaking of the sums spent by the company, a certain sum was mentioned in that for assisted emigration?—Yes.

9026. That was not to a large extent?—No.

9027. Do you know whether it has been a successful emigration?—Do you mean whether the parties succeeded afterwards or not?

9028. Yes?—Well, I cannot say that; it does not come under my personal observation in any way.

9029. You do not know where they went?—But I heard from people, from their friends who remained behind, that they had done very well; but I do not say that these were the parties who were assisted to emigrate. I am afraid that won't effect the sale of the estates, but the emigration of the gentry I am afraid of.

9030. The President.—Here, in this part of the country, where a good feeling exists between landlords and tenants, that would be a very great loss?—It would be a loss everywhere, but I am afraid that it would be the case all the same.

9031. Sir James Caird.—But don't you think the gentry would be desirous to live in possession of

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Sir William
Carrington.

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Sir William
Cockburn.

their demesnes and houses when the farms were sold?—I do not think, as a rule, they would. I do not think there is much to induce them to do it. I would be sorry to think that it was the case in any part of the world. I would be sorry, indeed, to see it.

9032. The President.—Do you think the present position in which the landlord is with regard to his tenants—unable to choose them, and unable to alter them, or to interfere with them in any way—is one that acts as an inducement to the gentry to continue to remain in this country?—Certainly not.

9033. You think if the tenants were independent proprietors living opposite him that he would be on less good terms with them than now?—If a man lives on his demesne, and his estate has been taken from him, he is an individual only with the influence attaching to him of what I may call superior education and natural influence.

9034. Does he exercise any more than that now?—I think that, where you are the proprietor, the very ownership of the land necessarily carries with it—certainly it does not within the last few years or so amount to the same thing—but it carries with it an influence that you would otherwise not have.

9035. Even now?—Even now.

9036. I am only trying to ventilate every side of the question. I have not formed any opinion on the subject yet.—Just so; and I fear the effect would be that, after the sale of the estates, a great many men would leave the country.

9037. Sir James Caird.—Will you state just now what you would be in favour of?—Yes. I think the present system is one that may be changed for a better.

9038. Therefore you would take the risk of the possibility of the landowners leaving their demesnes and leaving the country?—I would.

9039. But they might have personal influence and be very good friends with the men who were formerly their tenants, probably more so in the case of men who have no land in the country and come to live in it; they might get on very well in it. There is the case of Mr. Justice Stephen, for instance. He lives in this country, and he expresses himself charmed with it, but of course he only comes to stay for the summer. That is exactly what the landowners would be without their farms?—Yes.

9040. And they might find it to turn out like this gentleman, perhaps, as pleasant a place of residence as they could have?—Yes.

9041. Mr. Nelson.—Mr. Justice Stephen is on the English Bench; he spends his vacation here, and the rest in London?—Yes; he has a place between Newry and Dundalk.

9042. Sir James Caird.—And then the feeling of antagonism that sometimes exists between landlord and tenant would be removed?—Yes; there would be no contact between them whatever, so far as that is concerned. I think it is a pity that there is any contest between them at all. As far as my own tenantry are concerned, I never had any disagreement with them. I may say we settled all our difficulties out of court.

9043. The President.—Just one question about the rents. They have been pretty well paid?—Do you mean my own rents?

9044. And of the company?—They are not so well paid.

9045. Are you a proprietor?—Yes; I live close to the company's estate; I adjudge it.

9046. There has been a difficulty owing to the fall in prices this year in paying the rent?—It is put forward as a difficulty.

9047. But you do not think it is?—I do not think the difference of prices, considering the reduction of the rent, is sufficient to cause that state of affairs, and my own rents are paid very nearly as well as they ever were. The Drapers' are not, but recollect what I said, that a great deal of that was owing to

the talk that was going on about the sale of the estate. I do not want to blame the tenants, of course, but still I think there was a good deal of it caused by that.

9048. Suppose there would be a fall of prices, it would make it difficult to pay the judicial rents. Have you ever turned your attention to the question of the sliding scale?—No; I have never turned my attention to it at all.

9049. You do not know whether it would be possible to establish it or not?—I think it would be very difficult, and that the tenants would be very well content so long as the rents went down, but not afterwards; I think you would get into collision with them most effectually.

9050. Sir James Caird.—You think that when prices would justify a rise you would have trouble with them, and that they would not be willing to submit to it?—I think it would be very difficult to persuade them to that.

9051. With regard to the intervention of a local authority, which some people have said would be an advantage and afford additional security to the Government, do you think that is could be worked in any way?—I do not know exactly what local authority means; is it what was proposed at one time, that there should be security given on the rates by the Grand Jury?

9052. Well, I do not know what the authority would be—suppose the Grand Jury or the Board of Guardians. Do you think that that would answer?—No; I think that would be a very bad plan indeed.

9053. Lord Altham.—Do you think that the new local boards would be likely to answer for that purpose if they were established?—Until I understood what the situation of these local boards or boards was, I would decline to answer a question of that sort or to express an opinion upon the subject.

9054. It is pretty generally understood that the Grand Jury have received their sentence of death from both parties?—I have pretty considerable experience of the local authorities: I was connected with two unions, one in Derry and one in Tyrone, and with two grand juries, so that I know pretty well their feelings, and I am satisfied that the Board of Guardians would object strongly to a local guarantee being given.

9055. The President.—And it would be no use to try to force them?—No; it would not.

9056. Lord Altham.—And the ratepayers as well would very strongly object to it?—Yes; and any local authority would be elected by the ratepayers, of course.

9057. And would be supposed to represent their views?—And to represent their views.

9058. Now, I suppose, Sir William, if the Drapers' Company withdraw their grants that they now make on the Irish estates, that the sales to their tenants, even at seventeen years' purchase, will from a purely selfish point of view be extremely beneficial for them?—Do you mean the company?

9059. Yes?—They will receive in the future a clear income something in excess of what they now possess.

9060. When the reductions are made?—That is supposing that those grants to the tenants now cease altogether.

9061. Therefore it would be quite preposterous to place them on the same footing with the private landlords of the country?—Yes, no doubt it would; it would make a great difference; that is the way it is very often looked at by the tenantry themselves.

9062. It is quite obvious?—I think it would be hardly fair until some decision is come to with the companies with regard to this to say anything about the matter.

9063. Whether they are going to take all the money or not?—I am told, but I cannot say from my own knowledge, but it is said that the Sakers' Com-

pass, who have sold their estates, are going to continue their grants.

9064. They are I—It is said in the neighbourhood that they are, but I cannot say that; I have no authority for saying so; it is merely a report.

9065. I suppose it is a good deal at the discretion of the company I—Yes.

9066. They do not hold their funds in trust for anything in particular I—No.

9067. And therefore it would be impossible for the Court of Chancery or any one else to interfere and compel them to spend their money in that way I—Yes; I believe that was the decision of the House of Lords that inquired into the matter some time ago.

9068. Do you think that a sale of this character, of such an apparently extremely advantageous character to the tenants would have the effect of compelling the neighbouring landlords to sell to their tenants on smaller terms I—Certainly, and I think the tenants on the neighbouring estates feel that.

9069. They have not had time yet to consider it I—No; I know small tenancies have been sold in my neighbourhood for twenty years' purchase.

9070. The result in that case is a reduction of 90 per cent. in the rent, and the tenant is going through the operation of purchasing his holding instead of paying his rent I—Yes.

9071. Do you think the neighbouring tenants would not feel their position to be a hard one, when they see their neighbours getting off so much better than themselves, who were similarly circumstanced I—I do not think it necessarily follows.

9072. Would it not be almost human if they felt that way I—I do not think the people consider it in that way; they must still come to the landlord and say, we will sell to you on the same terms; and in my own neighbourhood they would be quietly dealt with.

9073. You think, then, the landlords generally would be willing to accept twenty years' purchase I—I do; in my own neighbourhood those I have spoken to would.

9074. Supposing they refused, would there not be greater difficulty in getting their rents then than now I—I do not think so.

9075. Now, there is one rather important question I wish to ask you; you have a vast experience, and you will be able to give a satisfactory answer. Do you think the present fall in prices has been an exceptional fall, looking back to the last twenty or thirty years I—I recollect within my own memory when they were lower.

9076. Then you would not term the present fall an exceptional fall in prices I—No, I do not think so, when you go something further back than the last eight or nine years.

9077. Quite so.—I hold that the prices of cattle for some years, say from the beginning of '76, and going on for a number of years, were utterly exceptional prices. Take the prices of Ballinacree, and you will find that the prices were lower then than now.

9078. When I—in '76. If you will look to the table you will find that to be so.

9079. I am aware of that; I am glad to have your answer.—I am sorry to say I am old enough to recollect cattle cheaper than that.

9080. Then you do not consider the present fall, which certainly has taken place, an exceptional one I—I think there are years within the last forty when you will find parallel falls, and there was no complaint made then as to the payment of the rent, at least, not as great a complaint as now.

9081. And there was a subsequent rise I—Yes.

9082. When no complaint was made I—Yes.

9083. And no general reductions of rent given, I suppose I—None; and when the rents were as high, I do not higher, than now.

9084. Mr. Nelson.—I understood you, Sir William, that you were comparing a private vendor to the company—the company have a large margin to come and

go on. They have the charity fund to come and go upon, and to recoup themselves from the loss that they may have by the sale I—Yes.

9085. They have a fund by which they could keep up that income to the present standard I—Yes, by withdrawing the charges of management and these grants.

9086. Mr. Keble.—I wish to ask you a few questions. Speaking of this property, and of the portion that you have sold to the tenants, and of the portion that is still unsold, are we to understand that the quality of the land is not good I—Yes; but, however, one large division of the estate has not as yet been approached upon the question of selling; there has not been time since the terms were arranged.

9087. But on the other division I—Yes; the Moneymore division was the first, and with few exceptions they have accepted the terms. In the second division of the estate, No. 2 has been only partly approached, but a good many of them have accepted the terms.

9088. Already I—Yes; the third division of the estate has not been approached as yet.

9089. The rents of this inferior land are lower than upon the other I—Relatively.

9090. And the Commissioners took the quality of the land into account when they were fixing the rent I—They did nothing to it, for there was only one tenant on the No. 3 division who went into the Land Court, and the difference between what the Commissioners fixed and the company offered was 1s. 6d.

9091. Lord Milltown.—Which was the most I—The Commissioners reduced it 1s. 8d. more.

9092. Mr. Keble.—At all events, the tenants living on this property are willing to give the same price as the tenants to whom you have sold I—I do not quite understand.

9093. On the second division they are willing to buy on the same terms I—Some are, I do not say all.

9094. The great part of them I—A great many of them; I have not got a return of the prices as yet.

9095. I think you said there are a large number of leaseholders upon this property I—Yes.

9096. And they were prepared to go into court, or to take 15 per cent. I—I do not go so far.

9097. Did they get a reduction of 15 per cent. I—They were offered these terms: 15 per cent. reduction on the present rent and to remain as leaseholders, the reduction being always upon the lease; or, if they preferred it, they could take a statutory tenancy at the 15 per cent.

9098. Lord Milltown.—And give up the lease I—Yes.

9099. Mr. Keble.—What was the lease I—Twenty-one and thirty-one years.

9100. Ordinary agricultural leases I—Yes.

9101. At all events they took no advantage of the tenants on account of that lease I—The leases were approved of by Mr. Nelson's predecessor as chairman, Mr. Coffey.

9102. I want your opinion about the leaseholders. Don't you think they should be permitted all over the country to go into the court and get their rents fixed I—That was my individual opinion. I think it was a great mistake to keep the leaseholders out of the benefits of the Act, except where the leases were not ordinary agricultural leases. I think that ordinary agricultural leases of twenty-one to thirty-one years should have been admitted. That has always been my opinion, and with my own tenants I said to them that "if I cannot agree about the rent you may go into the Land Court and get the rent fixed."

9103. Do you know landlords who have given reductions to the leaseholders I—I cannot say that. I can only speak for the company and myself.

9104. You did it for your own tenants I—Yes, but I may say that I had very few leases.

9105. Speaking of the tenants becoming owners of the land, do you think that the labourers will suffer much from that I—I do not think that they should.

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Chairman.

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 Sir W. (Emm.)
 Gresham.

9104. It has been said that if the landlords went away they would not get so much employment?—One would imagine that that would not be the case, except where the gentlemen lived on the land; but, as has been said here, if they went away the lands that they occupy would be worked by some one else.

9105. Do you believe that tenants would be more industrious, and employ more labour?—In my neighbourhood I do not think it would make much difference in either way.

9106. Are they hard-working men?—Yes.

9107. Laying under such an indulgent company?—Well, they do not give the company much thanks.

9108. There are quite a number of landlords who do not live at all on their estates in different parts of Ireland?—Yes; absenteeism is a great blot on every country, but, so far as my own place is concerned, most of them live at home.

9109. And where they are living at home they would not suffer at all?—I do not think they would suffer much; the tenants would not suffer.

9110. Since the passing of the Land Act of '81, do you think the landlords have taken as much interest in the tenants as they did before?—Well, I do not think they have; I do not say that there is any great practical difference, but I thought the Land Act of '81 established a difference of opinion that did not exist before.

9111. A great many of the landlords appealed from the decisions of the Sub-Commissioners?—Several did.

9112. Did that create a pretty strong feeling between the landlord and the tenant?—I really do not know that it did; the Drapers' Company had only four cases before the Sub-Commissioners. In one case the tenant appealed, and the Sub-Commissioners' decision was confirmed, and there is one pending since.

9113. I am not speaking of companies such as yours, or of landlords such as yourself?—I do not know in my neighbourhood of any appeals from the Sub-Commissioners; personally I know nothing of them.

9114. At all events there were a very large number of appeals lodged?—I do not think there were in my neighbourhood. I never heard that there were many.

9115. I think I understood you, Sir William, to say that you recommend peasant proprietary, and think it would be the best thing for the country?—I think it would be better than the present dual ownership.

9116. And you would not make it compulsory?—I think an amicable arrangement is always better than a compulsory one.

9117. And in the event of the tenants and landlords not being able to agree, do you think a tribunal could be established with power to bring about a sale?—I think it would be a very difficult matter to arrange that.

9118. Do you think it is not possible?—I do not think there is anything impossible, but I think it would be very difficult.

9119. Do you think the Chief Land Commission could be entrusted?—I do not express an opinion on the subject.

9120. The tenants might want to give too little, and the landlords might want to get too much?—I think, without careful consideration of this matter, that I would rather not express an opinion about it; it is one I have not at all considered. It was only yesterday that a man put the question to me.

9121. Would you not look upon it as a greater interference with the rights of property than the fixing of the judicial rents?—I think it would be in excess of them.

9122. A little?—Very considerably in excess of them.

9123. And you find that the rents are generally well paid?—Yes, fairly well. My own rents are well

paid. I gave an additional reduction on them last year, and I say they are very well paid. I have nothing to complain of, but that it is only fair to say that I have had an exceptional lot of tenants.

9124. And the probability is that you are an indulgent landlord, and landlords of that kind are scarce?—I do not know.

9125. There is a very good feeling between the tenants and yourself?—I will not say that.

9126. There is one question which I wish to ask you, and it is with reference to the low prices of cattle and produce for a number of years past. You said you remember quite a number of years when they were as low as at present?—I do.

9127. Do you know anything about the linen trade?—Yes, in my neighbourhood there is a considerable amount of activity in that trade.

9128. The farmers were greatly benefited by having loans in their houses, I believe?—Some were—small farmers had loans and the larger ones had not. That is to say, in the period of which I am speaking.

9129. Speaking from your own experience, does farming cost more now?—Labour costs more. I well recollect '84 and '94, and '104, a day was the ordinary rate of labourers' wages. It is now double that.

9130. Mr. Nelson.—Did you say double?—Very nearly; 1s. 8d. a day is what I pay my own men.

9131. Mr. Knap.—Was it a great advantage to have the loans in the houses?—Perhaps it is hardly fair to put that forward in the case of Derry, but the whole result was that the land was bought up, and that they would give anything or promise anything for the land, because they lived by the loans, but the land did not support them, nor did they take it as a farm; they took it as an adjunct to the loans.

9132. Mr. Nelson.—The loans made the farm, and not the farm the loans?—Yes.

9133. Mr. Knap.—The loans enabled them to pay their rents?—These people paid the rent out of the loans, they never looked to the farm to pay it.

9134. And now, not having that advantage, they find it difficult to pay the rent?—No doubt, I believe they do. This small piece of land is an accommodation for the loans, and these people who lived in that way at that time are in a different position; and some of the larger farmers had loans in their houses, perhaps two or three, and employed journeyman in these parts, and they earned a great deal out of that.

9135. And the quantity of cattle we get from America, and the produce of every kind that is imported has the effect of lowering prices here?—It is said so; I do not think it interferes to the extent that they say it does.

9136. Has it reduced the prices?—I do not think so; if you go back at all events you will find the prices of cattle lower than they are now.

9137. Is not flour cheaper?—Flour is cheaper, but you refer to cattle; cattle were cheaper, I know.

9138. And consequently it is much more difficult for the farmers to pay their rent.

9139. Sir James Caird.—Is there any combination of any kind in this country to lead the farmers to resist the payment of rent?—Well, we have the National League, and I think wherever it exists that does prevail.

9140. You think the National League does that?—No doubt about it; I do not think any one in the country would deny it.

9141. Is the National League strong in this part of the country?—In half of the second division of the company's estate it is strong, and in part of the other divisions it is pretty strong.

9142. And had it any effect in rendering the tenants less desirous to pay their rents?—I think so.

9143. It is really a working power?—Yes, it has never gone so far as any overt act, but it has the effect of the public opinion which it creates. Un-

questionably, in my judgment, at least, it affects the payment of rent.

9146. There is no boycotting?—Well, you cannot let an evicted farm. I am not in that position, but I know we found that it happened on the Drapers' Company's estate, and the farm is vacant for the last two or three years. No one will take it.

9147. Have you any personal knowledge of what

are called the congested districts in Ireland. You know what I mean?—I do know what you mean, but I have not; some of the mountain districts of the Drapers' Company would be better if there were not so many on it, but I do not know if I may call it a congested district.

9148. Was it from that part that emigration was assisted?—I cannot tell you that.

Oct. 23, 1886.

Mr William Conyngham.

Mr. Andrew Kennedy, of Glarryford, Co. Antrim, examined.

9149. *The President.*—Mr. Kennedy, I think you are a tenant farmer near Ballymena, County Antrim?

—Yes; perhaps it would be as well for me to give you a short statement of the facts connected with farms I at present hold. It will give you a very fair idea of the state of affairs generally. These farms were originally part of the Mountcassell property which was sold by the Landed Estates Court, and which, at the time the Land Commission commenced its operations, were paying the landlords from 8 to 30 per cent. on their purchase-money. The first farm is a holding of 36 acres, held, at the time the estate was sold in the Landed Estates Court, at a leased rent of £18 odd, and it was sold to the present landlord; the lease dropped in 1875, and the rent was raised from £18 odd to £33, which was reduced by the Land Commission to £26, 15s.

9150. *Lord Altham.*—What was the date of the purchase?—About 1858, I would expect, I went into the Land Court, and it was reduced to £26, 15s., the present rent. My father, who was a linen manufacturer as well as a farmer, made all the buildings, drained the land, and expended nearly a thousand pounds upon this holding. The landlord never expended a single penny. The second holding is in Ballymore; it is 46 acres.

9151. What is the size of the first farm?—Thirty-six acres. The rent of the second holding, at the time of the purchase in the Landed Estates Court, was £36, 15s. 6d.; when the lease dropped out—I believe in '75—they sent what they call a valuator over the estate, and I got notice that it would be raised from £36 to £48. The tenantry protested, memorialised, and said that the rents were impossible ones, and that the tenants could not pay them, but without effect.

9152. What was after Lord Mountcassell's time?—Yes. They insisted the rent should be paid; they sent the bailiff, gave notice to quit, demanded possession of the farms, and we had eventually to pay. When the Land Court commenced we put four cases in as test cases; one of these cases was the famous case of Adams v. Dunneath, the result being that the tenant paid £2 a year on his house, which was built by his predecessor, Mr. Keen.

9153. *Lord Altham.*—In your judgment that payment is a breach of the Ulster custom?—Yes.

9154. Without taking the law into account at all?—Yes.

9155. *The President.*—What was your rent reduced to?—£23. I may say that a portion of this farm was taken in the mountain for the Northern Counties Railway.

9156. *Mr. Nelson.*—Did you get any compensation from the Railway Company?—Yes; some small sums. There was no reduction in the rent, but there was some compensation. My father had a lease at the time, and he got compensation, but I could not exactly say how much.

9157. *The President.*—At what date was this fixed by the Commission?—In the sitting of '81. When the rent was raised to £48, they threw off a pound and made it £47. My father tried to sell, and could not. My next farm is 68 acres at Tullygrayney; the net valuation is £27.

9158. Do you mean Griffith's valuation?—Yes.

The old rent, I believe, was £36; it was raised to £60 about ten or eleven years ago.

9159. *Lord Altham.*—That would be about the year 1875?—Yes.

9160. *Mr. Nelson.*—Was it held under lease?—Yes; formerly.

9161. And this year that had expired?—Yes. Of course we protested against paying such an exorbitant rent. The agent insisted on its being paid; and because my father would not pay, he cut off about 20 acres from the farm, and gave it to the bailiff. My father, of course, contested this, and recovered the land, but was made to take a lease for ever at £20.

9162. *The President.*—Is that how you stand now?—Yes.

9163. *Lord Altham.*—How could he make him take a lease?—By taking the farm out of his possession.

9164. But did he think it worth while to pay such a rent as that?—Well, my ancestors were there.

9165. It was a sentimental family feeling?—Yes. He did not wish to part with the farm at the time.

9166. *The President.*—You hold it now at that rent?—Yes.

9167. *Mr. Nelson.*—Under a fee-farm grant?—Of course times were very good at that time, and there was a possibility of paying the rent then, but there is none now.

9168. Did your father lay out large sums of money on it?—Yes; considerably over £1000. When the times got worse and the prices lowered, he tried to sell it. All his property was rented too highly, and he found that he was unable to sell it. He was not able to get a single bid on the day he offered it for sale, the 11th of September '83. I wrote to the agent saying the rent was exorbitant, worse than any other rent over the property, and asked him for a reduction. He refused to give any reduction whatever. Not only that, but he grumbled about paying one-half of the poor-rates. I happened to be a Guardian of one of the largest divisions of the Ballymoney Union, and I was the means of saving the estate £100 a year, by a reduction in the rate. The rate was 1s. 11d. in the pound when I became Guardian, and it is only 6d. in the pound, the lowest division in the Union.

9169. *Lord Altham.*—How could he refuse to pay half the poor-rates?—He grumbled about some cottier houses. One of the great defects in the law that I have to complain of is that I have two farms on which I have fair rents fixed, and I do not understand on what principle I am to be debarred from having a rate fixed in this case also.

9170. *The President.*—You wish to go into the Land Court?—Yes. It is impossible to pay that rent. I have had considerable experience of the fixing of fair rents over the counties of Antrim and Derry, and I have no hesitation in saying that it is an impossible rent to pay. The average of that rent would be 17s. 7d. Where judicial rents were fixed on the same quality of land, they are from 10s and up to 14s. an acre.

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9171. Mr. Nelson.—Can you give me the date of that third division—the date of the lease?—The 12th October 1875.

9172. Mr. Nelson.—We might consider the date of that lease important.

9173. Sir James Caird.—Is the land of good quality—what portion is bog?—Twenty-eight acres, but there is a good part of it cut out.

9174. Paul on the land increases the value?—Yes.

9175. Where it is good bog, it would be of considerable value to the owner?—It is useful to the holding. Of course there is a great portion of bog that cannot be let at all, but its being on the holding is very useful.

9176. Lord Millican.—Are you speaking of Irish or statute acres?—Of statute acres.

9177. The President. Would you like to purchase if you had any chance? Would you like to be the owner of your farm?—Certainly; I think that is the ultimate solution of the whole Land Question.

9178. What sort of price do you think would be fair?—I should say sixteen years of this judicial rent.

9179. That would be a considerable reduction on the judicial rent?—Well, I was asked, with reference to Kildowney Farm, if I would purchase in '80, and I said yes; and I was asked what terms, and I said twenty years of the judicial rent. You are aware there has been a great fall since.

9180. Since '80?—Yes.

9181. Before the Land Act?—Yes, and since the Land Act was passed.

9182. Lord Millican.—The passing of the Land Act of '81 made a great difference in the value of what the landlord had to sell?—Certainly not; it is the change in the price of produce.

9183. Do you mean to say the landlord could sell for as much now as then? You have got a perpetuity of tenure which you had not then?—We never believed that the landlord had a right to sell our property. We never believed that he had a right to sell our improvements.

The President.—There is nothing new in that.

9184. Lord Millican.—But you had not security of tenure or fixity of tenure before the passing of the Land Act of '81?—Certainly not.

9185. Therefore it was a great object to you before the Bill, was it not, to obtain fixity of tenure and absolute security?—Certainly.

9186. The Land Act of '81 has given you that for nothing, has it not?—Yes.

9187. Therefore it has diminished the value of what the landlord has to sell, because you have that yourself?—Certainly.

9188. Does that influence the price that you propose to pay?—We got what we always had—the right under the Ulster custom. We also had a right under the terms of the plantation in 1610 to remain in possession at a fair rent, but that custom was outraged.

9189. Mr. Knapp.—Did the Land Act do anything more than legalize the Ulster custom?—No.

9190. Lord Millican.—There was nothing in the law to prevent a tenant being evicted?—No; that was a great mistake.

9191. He could be evicted?—Yes.

9192. But he could not be now?—No.

9193. Then the landlord has less to sell now?—As a matter of law.

9194. As a matter of fact?—As a matter of justice.

9195. But as a matter of fact, it was of greater importance to you to buy your holding than then now?—Yes, but we never had the choice.

9196. Mr. Knapp.—Looking at the price of produce, you say the rent is too high?—Yes.

9197. Mr. Nelson.—You say that the tenant-right was constantly outraged?—Not constantly.

9198. But it was outraged?—In some cases.

9199. The possibility of that was removed by the passing of the Land Act of '81?—Yes.

9200. The President.—In a good year you would have given twenty years before the Act?—At the time of the passing of the Act.

9201. Do you think the judicial rents fixed in '81 are fair rents now?—I do not.

9202. Lord Millican.—Do you think they were fair when they were fixed?—Yes; a good many were.

9203. You think they are no longer so?—Yes, owing to the fall in prices and the expectation of foreign produce. On the neighbouring townland the landlord compelled the tenant to take out leases.

9204. Mr. Nelson.—In 1870?—In 1876.

9205. Well, I do not think you need trouble yourself about that.

9206. Sir James Caird.—You say the landlord compelled them to take out leases?—Yes.

9207. Were they leases for a long time?—Some for ever; the tenant refused, as they considered the rents too high, and he served them with notices to quit.

9208. Many of them?—Yes, notices to quit their holdings.

9209. Were there many of them?—Five or six were served with notices, and they were compelled by the notices to sign the leases.

9210. At the rent the landlord fixed?—Yes; they had no option but to do it.

9211. The President.—What is the date of that transaction?—1876.

9212. Did you ever try to have these leases broken by the Land Commission?—Yes, but the solicitor told us we could not.

9213. Sir James Caird.—They gave in to them then?—They were compelled to give in.

9214. All of them?—Eventually they all were compelled to do it.

9215. Was there a rise of rent at the time under the lease?—There was one-third added to the rents, and these men, whom I know very well—they are living at present in their holdings—have borrowed money from various sources to retain their holdings until such times as they get a fair rent fixed.

9216. Is the utmost rent exacted from them?—Yes, the utmost rent.

9217. Lord Millican.—Did the attorney tell you why they could not go into Court, because they were clearly under the Act, if the case is exactly as you describe it to us—a case in which unreasonable terms were imposed?—I know a great many of the leases were tried to be broken.

9218. But did the attorney tell you you had as chance of going into court?—He told these men they could not have them broken.

9219. What reason did he give them?—I cannot say what reason he gave.

9220. Can you suggest any reason?—No.

9221. Because if the state of things is as you mention it they were clearly under the Act?—I thought not.

9222. I can undertake to say that they were, if that is the state of things?—The solicitor told them that they could not have them broken.

9223. The President.—And of course in a case of that kind it would rather be his interest to get them to go into court?—It would.

9224. But he did not see his way to advise them to go into court?—No, he told them they could not have them broken. The only lease I know broken is one on a neighbouring estate. I know there are more in the south of Ireland. I know of none in the north except one.

9225. Sir James Caird.—Practically they have not been able to make it pay?—No.

9226. And they were reduced to great straits in

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consequence of the terms that were imposed, I believe you say 1—Yes, the people are living in destitution.

9227. And are obliged to sell some of their stock to pay the rent?—Yes; their stock is greatly reduced.

9228.—Are these farmers who are living in a bad state at present?—Yes, and so are their children; I have seen their daughters standing in the flax dunes shivering it out, because they were compelled to do what the laborers would not do in our locality.

9229. The President.—And of course they are not able to get away and improve their condition somewhere else, because people will not buy the farm?—Yes.

9230. Mr. Nelson.—You say these leases which were forced upon the people should be brought under the Land Act?—Certainly.

9231. Sir James Caird.—Is that a large estate?—Yes.

9232. Then it is a matter which applies to a great number of people?—Yes, a great number of people.

9233. Mr. Nelson.—Will you let me have the dates of these leases?—Yes; I will send them to the secretary.

9234. Is he a resident landlord who has this property? I don't want you to give us his name.—No; he is not.

9235. Do you think these men would like if they could to come under the Act of '81?—Yes.

9236. How many years do you think they would give for purchase?—They would be very glad to buy at seventeen years' purchase on a fair rent. Of course they would not be anxious to buy on the basis of the present rent, because it is quite unfair.

9237. You think there is a general wish to become proprietors, independent of the wish to have the rent lowered?—Yes, there is a desire on the part of the tenantry to become proprietors.

9238. Is there anything more you wish to state?—I know another property where the tenants were compelled to pay a certain number of years' purchase in addition to the rent being raised.

9239. A certain number of years' purchase down?—Yes.

9240. Lord Milnes.—That is to say a large fine?—Yes, on the property that their ancestors held for many years.

9241. Will you give us the date of that transaction?—Yes; it is about '75; however, I will send you the dates in that case also.

9242. And where was the property?—At Martinstown, beyond Ballymena about seven miles.

9243. I do not wish for the landlord's name. You see, if we took the landlord's name, we should have to send for him, and give him an opportunity of explaining these matters.—Anything I say I will substantiate. I will give you the landlord's name if you wish.

9244. Sir James Caird.—What are you going to say about him?—I say that these leases were imposed upon the people.

9245. That the whole estate was put under lease, a fine being demanded and a higher rent put in the lease?—Yes.

9246. Was that on a large estate?—It is a pretty large estate.

9247. Is he an absentee landlord also?—Yes; he is not resident in the place.

9248. Lord Milnes.—The leases were imposed, and a number of years' purchase as a fine?—Yes.

9249. Sir James Caird.—How long ago is that?—About '73.

9250. Lord Milnes.—How much was the rent raised?—The rent was £14, the valuation £38, and I think the fine was about £320. However, I will give you the full numbers and particulars with regard to these matters which I have stated.

9251. Did they try to break these leases under the act?—They did.

9252. What was the contention?—I do not know.

9253. Did they apply within the six months?—I believe they did.

9254. Mr. Nelson.—It is provided by the statute that the acceptance by a tenant from year to year of a lease of his holding having terms which in the opinion of the court were at the time unreasonable or unfair, or when the lease is procured by the landlord by threat of eviction or any undue influence, a tenant may make application within six months to void the lease, and the tenant acts as tenant from year to year, and is allowed into the benefits of the Land Act.

9255. Where is that place?—at Martinstown?—Yes.

9256. In the county Antrim?—Yes.

9257. I suppose that is a well-known opinion?—Yes, pretty well-known.

9258. Sir James Caird.—Do the tenants now desire to get the benefits of the Act?—Yes.

9259. And have a judicial rent fixed?—Yes; it is impossible for the people to live if they go on in this way. You have no idea of the hardship caused by these leases, and there is no reason I can see in common justice that they could not be broken.

9260. Mr. Nelson.—I do not understand how they were allowed to exist.

9261. The President.—This was the case of a landlord who took everything that he possibly could?—Yes.

9262. Have these people sunk money on their farms by their improvements?—They have been spending money for generations.

9263. Sir James Caird.—1883 was a good time for farming?—Better than now.

9264. The President.—If the rents had been reduced, could they have sold?—Yes.

9265. The landlord would not allow them to?—Yes; the rent that he imposed prevented a sale.

9266. No one would buy?—Just so; the tenant right of that farm of mine is worth nothing. The landlord raised the rent and took the value.

9267. And these men were like you; they were men whose predecessors had been on the farms for generations, and who were attached to their homes, and who were willing to pay anything sooner than leave them?—Yes.

9268. And they were men who had sunk their money in the farm?—Yes.

9269. Lord Milnes.—What was the tenure before the forcing of these leases?—Some were leases.

9270. In these cases had the leases expired?—I believe so.—In these cases which I have mentioned last.

9271. Was this estate purchased under the Landed Estates Act?—Yes.

9272. He was one of the new owners?—Yes.

9273. The President.—I suppose there is nothing else that you wish except to come in under the Act of '81?—When I say to come under the Land Act of '81, I mean to get a fair rent; our greatest grievance is that there is no fair rent fixed. They would not be so anxious if they were paying a fair rent, but they cannot procure the very necessities of life so long as they pay this. Sooner than do so I would sell out and leave the country.

9274. If you could?—Yes; I would throw up the whole thing.

9275.—Sooner than exist under the present state of things?—Yes; I have written to the landlord and agent repeatedly, and he would not give a single penny.

9276. Sir James Caird.—Was this a purchase under the Landed Estates Act?—Yes.

9277. The President.—The Land Commissioners have broken many leases throughout the country.

9278. Mr. Nelson.—Yes. If the gentleman would give us the date of the leases, it would be well, and also the dates of the applications that were made to have the leases broken. Will you be kind enough to send these dates to the secretary?—I will give them in a few days.

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9279. And also the date when the application was made to the Court to break them?—Yes.

9280. Lord Millicom.—I understand that there is a strong feeling of discontent amongst the peasantry at the existing state of things?—Yes.

9281. Do you think that that would be allayed if they had the power of coming into court and getting a fair rent fixed?—Yes.

9282. You think that would get rid of the difficulty?—Yes; in the case of the leaseholders it would. The people are astonished that the Government are not admitting the leaseholders into court to have fair rents fixed.

9283. The President.—You see no reason why they should not be admitted?—None; and all political parties, no matter who they are, are agreed that it was a fair case to admit them under the 1881 Act.

9284. Mr. Nelson.—You confine your observations, of course, to agricultural tenancies?—Yes; these leaseholders are the men who had done the most; they are the men who have the most money sunk, because as a rule their rents were raised as the farms improved.

9285. Sir James Caird.—Was there any purchase of tenant right before this?—Yes.

9286. And that has entirely ceased?—Entirely; you could not get a single penny for tenant right now on many of these leaseholds.

9287. Lord Millicom.—So that the tenant right has been confiscated?—Yes.

9288. Mr. Nelson.—The country is, in fact, in a state of bankruptcy?—It is, I know that myself.

9289. The President.—Are most landlords like that in this country?—No; I may mention the case of a landlord who did not deal with his tenants in such a way; that is the case of Lord Waverley, whose lands he beside these. The tenants did not generally go into court on this estate. I have been over these farms, and I find that they are fairly well treated. These cases that I have mentioned referred to cases where lands have been sold to land speculators who wish to make as much out of them as they can. They have no consideration whatever for the tenantry. These tenants have a better right to remain on the land than such leaseholders—they were brought up there, and their fathers for generations, and they would regret to leave the place where their lives and their money have been spent.

9290. Lord Millicom.—Do you think it a desirable thing that the tenantry should leave the country?—No.

9291. You wish to retain them?—Yes.

9292. Even as leaseholders, provided that the rents are fair?—Yes. Some of my most intimate friends are leaseholders, and I have no objection to them more than any other class of men if they acted as fairly as men should act. The mistake was, I suppose, that the leaseholders sent men to make valuations and to make leases, and they made leases estimating them on their full value and ignoring the rights of the people.

9293. There should be a law to prevent occasional abuses of that kind arising, but could you go so far as one witness went when he said that he would look upon the landlords leaving the country as a national calamity?—I would prefer that they should remain here in the country, and not be absentees as a great number of them are. They should be here spending their money in the country.

9294. If they were compelled to sell, would it not tend to drive them out of the country?—In the case of some of them I think it would have that effect. In the case of the absentee landlord it would not signify, for they are gone already.

9295. Yes, they are gone already. Would it cause the resident proprietors to leave the country?—I do not think so.

9296. Even if they were compelled to sell their estates?—I do not think so.

9297. You would be in favour of compulsory purchase?—I do not see how it could be carried out in any way except by compulsion. In the South and West, where I believe the present state of things

exists, it may be carried out. In the North of Ireland you will find there are a great many landlords who will not be willing to sell.

9298. And you would make them sell?—I do not like the idea of compulsion. I would like to treat them fairly.

9299. Mr. Nelson.—If the matter was left to work itself out, do you think that it might from economic causes find a solution?—I think the landlord should be compelled to take the proper duties that belong to him as possessor of the property. The tenantry are compelled now to pay the whole of the county cess.

9300. Lord Millicom.—They are not compelled to pay it unless they agree to do so?—I do not know a single farmer in my locality who does not pay the whole of it.

9301. Very likely; that is by agreement?—No; they have always done so.

9302. But it must have been by agreement. Since 1870 the landlord must pay the half unless the tenantry have contracted to pay the whole?—But that only applies to new tenancies, and no new tenancies are created, so they do not come under the 1870 Act. These people are there for generations; they pay the taxes, and they have no voice whatever in the spending of the money, and that is a state of things which it is impossible to be contented with.

9303. If the landlord had to pay the whole of it, should he not get more rent?—That, of course, has been taken into consideration in fixing the fair rent. If he had only to pay the half, would not the presumption be that the rent should be slightly increased?—I think the opinion of the Commissioners was that the tenants were paying the half of it, but the fact is that in all these cases these tenants were paying the whole of it.

9304. Quite so; I know that is a general rule in Ireland, but that ought to be taken into consideration by the Commissioners when they are fixing a fair rent?—Yes; no doubt it ought to be taken into consideration, but it is a question whether it was or not.

9305. If it was taken into consideration it would of course come to exactly the same thing. If the landlord paid the half, that would be taken into consideration, and the rent would be slightly increased in consequence of it?—It would be better any way else than the way it is now, to have the tenants paying the county cess and the landlords expending the money. The tenants have no voice whatever in the expenditure of their money; it amounts to taxation without representation.

9306. Mr. Nelson.—Except, of course, that there is a presentment sessions?—I am an associated ratepayer myself, and I never attend, as the matter goes into the hands of the Grand Jury afterwards.

9307. If local boards elected by the ratepayers were substituted for the grand juries, of course that would get rid of the difficulty to which you refer?—Of course it would; I quite agree with you.

9308. Mr. Kins.—I want to ask you a question with reference to these men that you say you think are very desirable. Do you think they could be facilitated by the establishment of a court to interfere between landlord and tenant?—I believe it could.

9309. Before you go that far, let me ask, do you think the landlords as a body are willing to sell or fair terms in your locality?—As a body I do not believe that they are at present.

9310. Quite a number of tenants would be willing to buy on fair terms?—The whole of them would be willing.

9311. And you apprehend that the landlord and tenant won't be able to come to terms?—I do not see that they will.

9312. At the same time you say you do not like the idea of compulsion?—The tenants of the North of Ireland, so long as they have any property, they will continue to pay their rents. They will borrow money on their farms, and their farms are mortgaged at the present time, and they are simply being ruined.

9313. Do you believe that the landlords in the North would be as willing to sell as the landlords in the South?—No.

9314. Why?—Because the Northern tenantry are paying their rents more regularly, and they are more peaceable and loyal, and wish to do what is right.

9315. Consequently their rents are better secured?—Yes; Lord Waverley said to me that the landlords in the North of Ireland were better off than the landlords in England.

9316. Sir James Caird.—The late Lord Waverley?—Yes, the late Lord Waverley. He died a short time ago. Tenant right is the security for the rent in these cases.

9317. Mr. Keppel.—And consequently the landlords are not uneasy about selling?—No.

9318. Sir James Caird.—But on the farms that you have described there is no tenant right?—On these leasehold farms.

9319. Mr. Keppel.—But the tenants' money is invested in them?—I will give you an instance. A property here was bought, the rent was £130, 18s. 6d.; it was raised by the agent up to £270, 14s. 6d.

9320. The rent, you say, was £130?—Yes, when the property was bought.

9321. Sir James Caird.—And that amount of rent was raised up to £270, 14s. 6d.?—Yes; the tenants on this estate came to me, and I wrote a memorial to the landlord asking in the year 1879 for a reduction in these rents, which he peremptorily refused.

9322. Lord Midleton.—That was in the bad year of 1879?—Yes; until the Land Act of 1880 was passed they had no relief or remedy. Some of these tenants were reduced to great extremity, even to getting outdoor relief, at the time I wrote that memorial. The landlord lives in Belfast. Tullynoole is the name of the place, and, in the case of these tenants when the Land Act was passed, the landlord settled without allowing the Commissioners to go on the lands. He gave some of them over £20, and the rent is still too high.

9323. How much was the reduction?—I cannot say how much it was.

9324. Is that in this county?—In the county Antrim. These tenants went into court, but he settled with them.

9325. And they thought they had got as good terms from him as if they had gone in?—It was just when the Land Act was passed, and of course they rushed in at once, and accepted settlements inferior to themselves.

9326. These estates were purchased in the Landed Estates Court?—Yes.

Robert Harle, of Eden, Carrickfergus, examined.

9340. The President.—I believe you are a tenant-farmer?—Yes, my lord, and lately purchased my holding.

9341. Where do you come from?—About three miles below Carrickfergus.

9342. What is your holding?—What is the size of it?—It is 51 statute acres.

9343. Is it all one holding?—I have another farm, adjoining farms of 26 statute acres.

9344. With regard to the 51 acres, I believe you purchased; did you not?—Yes, my lord; I purchased both my holdings; they are both on the same estate.

9345. Under the Land Act of '81?—Yes.

9346. Then you did not get as good terms as now; as good terms as you would get under Lord Ashbourne's Act?—No; and I would be very anxious on my own part, and on the part of the other tenants, that we should be able to come in under Lord Ashbourne's Act.

9347. What price did you pay?—On this portion of the estate I live. We paid twenty-three years' purchase on the net value of our holding.

9348. In what year was that?—1855. On the other portion of the estate we paid nineteen years.

9327. You seem to have a great deal to do with these courts?—The Mountshel estate was in my neighbourhood, and it was sold out in townlands.

9328. Was this part of the Mountshel estate?—Yes.

9329. The President.—All these were part of the estate?—Yes. Now, had the landlord taken the precaution of securing these lands under lease, you see what the injustice would have been. These men would never have had any relief, and the great injustice in connection with leasehold property is that they are supposed to pay double what the others pay in the immediate neighbourhood, and they have to sell in the same markets the produce of the farms, and cultivate the farms by paying the same rate of wages.

9330. Mr. Keppel.—Speaking of agricultural leases, what is the difference between a lease that a landlord gave his tenants before the passing of the Church Act—and perhaps he may have got a consideration for it or a higher rent—and after the passing of the Church Act?—If it was agricultural I do not see any difference.

9331. Of course you are aware that the tenants were obliged to take out perpetuities after the passing of the Church Act?—Yes. I think all perpetuities and leases should be broken to enable the tenants to come into court; and I believe that the land question will never be settled until that is done. They have been very badly treated.

9332. Lord Midleton.—Would you allow the landlords to go in also?—Yes, certainly; allow any person having a grievance to go in. If the landlord is rented high he should have his rights as well as another man.

9333. Would you throw the onus on the landlord to show that there was a consideration given?—Yes; of course.

9334. Mr. Nelson.—That is a question of law. That is already fixed and regulated by law.

9335. Lord Midleton.—Would you allow both parties to go in?—I would give to the landlord the same rights that I claim for the tenant.

9336. But not throw upon the landlord any further burden than you would assume yourself?—No.

9337. Lord Midleton.—Each man must prove his case.

9338. Mr. Keppel.—It would be a very natural conclusion to come to that there was some consideration given in some shape as the landlord was a free agent.

9339. Sir James Caird.—What is the amount of the county cess of which you were speaking?—1s. 4d. in the pound.

9349. What did you have to pay down?—One-fourth. Robert Harle

9350. What was the per centage on the other?—Five per cent.

9351. For thirty-five years?—Yes.

9352. Mr. Nelson.—That is 3½ and 1½?—Yes.

9353. And what you want now is the time extended, and the yearly payments reduced?—Yes.

9354. That was thirty-five years, I think?—Thirty-five years.

9355. The President.—You say that would meet your wants?—Yes.

9356. The whole of your holding now is bought in that way?—Yes.

9357. Is there anything else that you wish to say to us?—I would wish to mention to this Commission the leaseholders. There is a great grievance in my neighbourhood, and I hope the Government will take their cases into consideration.

9358. Do you know any of these cases yourself?—I do.

9359. In which they are paying a high rent?—Yes.

9360. And had to take leases?—Yes.

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9361. And they wish to come under the Act of '81?—Yes. As far as compulsory purchase is concerned, I would be an advocate of it on certain lines. I would not wish that the tenants purchasing should acquire the lands, and then sub-let, because I think the grievance that we have under the present landlords would be worse in twenty years' time, supposing the tenants had a right to acquire the lands and sub-let them. The demand is so great for land that I believe the lands would be in a worse state.

9362. Would that not be a very difficult thing to prevent?—I think not. If the Government could pass a law compelling the landlords to sell, they could certainly prevent that.

9363. You would not allow sub-letting?—No.

9364. Mr. Nelson.—How would you prevent a man if he wished to do it?

9365. Sir James Caird.—There is a restriction, of course, under the Purchase Act.—Yes, but in the event of the tenants buying one from another, they would just fall into a worse state. Of course, it cannot be done now until forty-nine years after the passing of the Act.

9366. If it becomes their own?—Yes.

9367. Supposing that was the law, and that a man did sub-let, would it not be very hard to find him out, unless some one informed? Can you tell me how you would be able to find out anything about it, unless some one informed?—Well, I cannot say exactly.

9368. You are in favour of purchase. How would you fix the price?—I would fix it on so many years' purchase of a fair rent.

9369. Would you name a fixed sum, or would you leave it to the discretion of the Commissioners?—I would leave it to the discretion of the Commissioners. It would be impossible at the present time, under the present rents, to fix any one number of years that would meet each individual case, it would be quite impossible. Fifteen, sixteen, eighteen, or nineteen years, I should say; but you could not fix any one definite number of years which would meet each particular case.

9370. Is it not rather early yet to assume that the landlords will not sell voluntarily? Are you sure they won't sell voluntarily?—I believe, from my experience of the landlords of the North of Ireland here, that they will not sell voluntarily. They have good security, for their rents are better paid on the whole, and I believe the money is better invested than it could be elsewhere; and, upon the whole, I believe the landlords in the North of Ireland will not be willing to sell.

9371. Have any applications been made that you know of by tenants to landlords to sell?—I am not aware of any.

9372. You do not know whether the landlords would entertain the idea or not?—No; but I think they would not sell.

9373. You say that you paid twenty-three years' purchase in '83 virtually for the lands?—Yes.

9374. Would you give that much now?—I would not.

9375. How much would you give?—I would give twenty.

9376. Do you mean twenty years upon the present rent?—My purchase was one of the whole tenants combined. My present rent was £23 when I purchased, and my net Government valuation was £40. The sum of money I paid was £1100, and what we gave for the townland was twenty-three years' purchase, £23 was the rent I paid, £40 the net valuation, and £1100. That was my own particular case, and that was taking the whole townland together.

9377. You know that at twenty years' purchase your rent would be immediately reduced 20 per cent?—Yes.

9378. You would be willing to give that?—Yes; there is no doubt there was great anxiety on my mind

to purchase, for there had been a neighbouring estate sold a short time before which got into other hands, and when these parties got it they raised the rents considerably, and, in fact, they compelled the tenants to take leases.

9379. Mr. Nelson.—What part of the country is that?—Three miles below Carrickfergus. Although we had the Land Act of '81, still we were frightened that some land-jobber would come in and perhaps have the power—we were all improving tenants, and the landlord never spent anything upon the holdings, although he was a good, indulgent landlord—we were afraid that some one would come in and purchase the holdings, and that we would have to pay a higher rent. We tried to purchase in '74, at the time when the estate went into the court, and offered larger prices than what we purchased for. We would wish to get the benefit of Lord Ashbourne's Act.

9380. Would you like to see the landlords leaving the country?—It would be a very bad time for Ireland when the landlords left.

9381. Do you think they would sell if they are not obliged to sell?—I do not think they will. It is a bad state of affairs. In fact, it is a problem that is not easily solved. There is Sir James McGarel Hogg, who takes a great interest in his tenantry. They have leases, and he gave them a reduction, and it was not a case of land-jobbers like Mr. Rigger, Mr. Murphy, and others. That is a very different kind of case.

9382. Mr. Nelson.—These things were done by the small purchasers under the Landed Estates Court?—Quite so. There is Lord Downshire, and Mr. Kerr,—I think his land was sold,—and Lord Arthur Hill,—there is no trouble and difficulty in these cases—none in comparison; it is the small men who purchase in the Landed Estates Court that do this.

9383. Lord Mulwren.—Do you wish that the landlords small and great should sell?—I do not see any way out of the difficulty, or how it is to be arranged.

9384. Do you wish Sir James McGarel Hogg to remain here as a landlord?—I would like him to remain as a landlord.

9385. Then you would not compel him to sell.

9386. Sir James Caird.—Is he a resident on his estate?—He is.

9387. Would he continue to hold his place there if he sold his farms?—He might and he might not.

9388. The President.—You do not like to get rid of the landlords, and yet there would be a grievance if the tenants wished to buy and they did not sell?—I do not see at the present time how the tenants are able to pay unless the times change, it is impossible. By these purchases they will reduce their rents considerably—that is one consideration. I do not know how it would work if the landlord was willing to sell, if the prices fixed for purchase were fixed as the prices upon the landlord's neighbouring estates. I would not be in favour of driving out the landlords on any consideration.

9389. Sir James Caird.—Have the tenants become poorer as a rule?—Yes.

9390. How far back do you look?—There were very prosperous times up to '73 or '78; they began to come down then.

9391. Seventy-nine was a very bad year?—Yes.

9392. That was the first thing that the tenants felt?—Yes; there was rather a downward tendency before that, but things have always gone down since that.

9393. Has there been any difficulty in getting occasional advances from the banks. Is it as easily done as formerly?—It has been a difficulty. I believe the tenant farmers are now looked upon with suspicion in the banks.

9394. Their credit is not so good now as it used to be?—It is not so good.

9395. And that has hampered them a good deal?

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—Yes; the tenant farmer cannot raise money in the same way that he could ten years before. He could not borrow money.

9395. Therefore he has not the same way of carrying on farming with the same advantage?—No.

9397. Are the farms rather depreciated in quality?—The farms are depreciated. They are not cropped in the same way, and you will see a great difference in their stock. In this immediate neighbourhood of Belfast—within twenty miles—I am driving twelve Irish miles from it—there is a great demand for hay, and within a number of years the farmers have devoted their attention greatly to it; and there is a great difference in the stock.

9398. So that the consequence is that a good deal is taken from the farm?—Yes.

9399. And very little brought back?—Yes; where I live that has been the case.

9400. But they can supply manure otherwise?—We have not much faith in artificial manure.

9401. Not in bones?—Bones is the only one we believe in.

9402. You say that in selling their hay they would make a larger return, and in that way that they could afford to bring back manure?—As a rule, the lands are deteriorated.

9403. They do not wish to do that?—They are prevented from doing it by want of capital. They sold out their stock.

9404. Their cattle are reduced?—Their stock on the farm is reduced.

9405. The produce on the farm would not produce the same price as formerly?—No.

9406. And they have not so much to sell?—No.

9407. The general result is that both the farmers and the land are becoming poorer?—Yes.

9408. Would that apply to a large district about here?—To all around my immediate neighbourhood.

9409. That is all around the neighbourhood of Carrickfergus?—Yes; I hold the land at a fair average rent. There are some pretty stiff lands down along the edge, and as you go back into the mountains again it is lighter, but on the whole it is an average quality of land.

9410. Lord M'Alister.—Is this difficulty which the farmers have in raising the money now caused by their being already in embarrassed circumstances?—I think that, even if a man is not known to be embarrassed in circumstances, but is a farmer just able to pay his way, and he comes to draw money, they are not willing to lend it to him. They will not lend it to him even supposing that he is not embarrassed in that way.

9411. And that you attribute to the fall in the value of the tenant right, their not being willing to lend him money?—Yes, and the general want of confidence; when a tenant farmer has got to borrow they will not rely upon him meeting his demands in the way the farmers formerly did.

9412. But they formerly got very great facilities after the passing of the Act of 1870 for getting into debt?—I do not know; the banks never allowed them any great facilities.

9413. Did not they allow them to borrow to the full value of the security?—They would not lend us money when we purchased our holdings. The Northern Bank would not give us a farthing. We purchased the landlord's interest, and they would not lend us a farthing of the money.

9414. You do not think the facilities given by the banks to borrow was great in your district?—No; they were very cautious as our district; I do not think they made any advances that were in favour of the tenants.

9415. Now, this holding which you purchased under the Land Act, and gave twenty years' purchase for?—Twenty-three years' purchase.

9416. You would not give more than twenty years' purchase for it now?—About twenty.

9417. How much would you take for it?—I have

spent £300 in buildings, and about £1000 in purchasing and drains. I made about 300 perches of fence, and my father purchased the tenant's interest in the holding for £300.

9418. I suppose you would think it very hard if you were compelled to sell that place say for twenty years' purchase?—Well, I do not know that twenty years' purchase would pay me for my interest. You see I have the interest of the landlord's, but twenty years' purchase I would consider fair for my portion—for the tenant's portion of the interest.

9419. What would you consider fair for the landlord's interest?—I will say when the fair rent was defined that I would consider that the landlord should get the full value.

9420. Mr. Nelson.—The landlord's interest would be at least the same as yours?—I would say, give him twenty years' purchase, give him the full value. The tenants would have got a reduction of one-quarter—of 25 per cent.

9421. The great anxiety you had to buy in these days was to obtain security in your farm?—That was it.

9422. You have that now by the Act of '81?—Yes.

9423. So that you are not so anxious to buy as you were then for that purpose?—I have no occasion to buy now for that purpose, but if I was placed now in the position of a tenant farmer I would have a great interest to purchase.

9424. With the object of getting the rent reduced?—Yes, and for security.

9425. You have absolute security?—I have security.

9426. But if you were a tenant farmer who had not purchased, even you would have absolute security under the Land Act of '81?—There are a great many tenants greatly harassed—there are many ways of harassing tenants under that Act.

9427. And you think it would be a great advantage to the tenant to buy independent of getting a reduction of his rent by buying?—I do.

9428. You say you are in favour of compulsory purchase to a certain extent?—Yes.

9429. Supposing that the effect of compulsory purchase was to drive out the landlords, would you still be in favour of it?—I would not.

9430. Sir James Child.—You say there are ways of harassing tenants under the Act of '81?—Yes.

9431. Will you kindly mention what these ways are?—Under the Act of '81 the landlord cannot put him out so long as he pays his rent, but he can catch him up to the very day when the rent is to be paid. It used to be that we had so many days after a running pole, and perhaps three weeks in some cases, and three months in other cases, but now the agent requires you to pay the rent on the very day it is due.

9432. Would not the Government require the same promptitude in the payment of the rents?—They give us forty days; assuming that I was not able to come up to the very day, we then got forty days.

9433. That which you mention is one harassing condition—what others are there?—Well, there is no real grievance that I could state, but I hold that, since the passing of the Land Act, the landlords, to my knowledge, have not felt the same way towards them. There is always a thaw; there is no good feeling.

9434. If you purchased out and out you would not require to ask any favour?—No.

9435. And you could not expect any now?—I do not.

9436.—Under the Land Act you are independent if you pay the rent, and you would be perfectly independent to the Government if you paid the instalments?—Yes.

9437. And what is the difference? You say there are many ways of harassing the tenants?—Well, it is just little things of which I have taken notice; the

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agents keep them up to the payment of the rent to the very day.

9438. Would you regard the revision of the rents after fifteen years as possibly giving occasion for the raising of the rents?—They might as readily raise as lower it.

9439. So that the chances are about equal?—I expect that they will be lowered if times continue as they are at present.

9440. There do not seem to be many ways of harassing the tenants at present?—None that I could state as a real grievance; but the landlords and the tenants do not work harmoniously together.

9441. The tenants would prefer becoming owners of the land, rather than remain under the judicial rents?—I believe they would.

9442. Do not they feel themselves safe under the judicial rents?—Yes; it is great safety compared with what they used to have.

9443. Mr. Knapp.—But the value of produce is getting less every year?—Yes.

9444. Would you give the same number of years' purchase now for the land that you gave when you bought your holding?—No, I would give twenty years' purchase on a fair rent, but I would not give

the same number of years' purchase as what I did give.

9445. That is in consequence of the low price of produce?—Yes; I have an opportunity of knowing a good deal about the paid rents, and I think, as far as they are concerned, that about fifteen or sixteen years' purchase would be a fair price for a tenant to give.

9446. Have there been any farms sold in your immediate neighbourhood lately?—There was one offered for sale about three weeks ago, but there was no bid for it.

9447. Is tenant right gone down?—This place was purchased a few years ago for £460, and there was no bid for it the last season. The tenant right has diminished in value. I know one farm in particular that immediately after we purchased on this estate it was sold for £690, and it was offered for sale here since, and there was only £300 offered for it.

9448. Mr. Nelson.—I happened to see that in your neighbourhood there was the sale of a judicial farm for £330?—Do you know the name of the place?

9449.—No. Have you not been aware of the sale of that place?—It was not in our neighbourhood that I am aware of.

Archiebald Carr, of Killybegh, examined.

Archiebald Carr.

9450. The President.—You, Mr Carr, I believe, live at Killybegh, county Down?—Yes.

9451. Will you tell us the nature of your holding?—I have three holdings. I have one holding of 84 acres. I went into the Land Court with that, and I got a reduction of £25.

9452. How much was the old rent?—£26; the present rent is £70.

9453. What year was that in?—It is about four years ago—it was in the year '52, but I may tell you that, according to the terms of the old lease, my grandfather, who was my predecessor, had been bound to build a house, and they put £5 a year on for the value of the house.

9454. For that house that he built?—Yes.

9455. Mr. Nelson.—Of course that is in the case where buildings were made in pursuance of a contract.

9456. The President.—What is the second holding?—The second holding consists of 73 acres 1 rood 11 poles.

9457. What is the rent of that?—The rent of that is £114 a year.

9458. Do you mean the rent now?—Yes.

9459. Has it not been before the court?—No; I hold a lease of it.

9460. What is the date of the lease?—I could not say exactly, but it has run nearly fifty years. Three lives, or thirty-two years, was the term. There are two lives in existence still. One of these lives is my brother, and the other Mayer Bailey.

9461. Are these places about the same value?—Yes; one is £1, 10s. per acre, and the other about £1, 2s.

9462. Lord Aliffson.—These, I suppose, are estate acres?—Yes.

9463. You would like to bring your lease before the court?—Yes.

9464. That would satisfy you?—As far as I know, I do not see anything further that I could ask than that.

9465. The President.—What is the third holding?—The third holding is 33½ acres, for which I pay £86, 5s.

9466. Is that a lease?—Yes; that is a lease. It was taken out about the same time, but, however, I do not complain much of that.

9467. You would like to bring that into court too?—I would.

9468. Would you like to purchase and become owner?—Certainly.

9469. Independent of the consideration of obtaining a reduction of rent?—Yes, but I would not like to purchase, especially the leased part of the present rent.

9470. But if there was a proper rent fixed—a fair rent fixed?—Yes, I would.

9471. How many years' purchase would you give for them?—About eighteen.

9472. Not more than that?—I think that would be enough.

9473. But of course you see that that would be a great loss to the landlord?—The landlord has got a very large share out of this.

9474. In former days, do you mean?—It is about eighty years since my father took it, and he has paid over since.

9475. Do you mean because he paid the rent?—Yes; an extravagant rent—I would allow the landlord to get a fair share.

9476. The President.—But otherwise, if it had not been for the back payments he would lose—he would lose in any case?—Yes.

9477. Are there many people about you who wish to buy?—I think there are—I think they would buy if they had an opportunity of buying.

9478. Would they be willing to offer fair terms for the land?—Lord Dufferin has sold a large portion.

9479. But not to the tenants?—No; the tenants did not get an opportunity of purchasing, and there was also a property sold by Mr. Marland.

9480. Was that bought by the tenants?—No; but Mr. Owing in Belfast, one of the tenants, told me that he was most anxious to buy.

9481. Supposing the landlord was unwilling to sell at the present time at eighteen years' purchase, do you think it would be a hardship upon you?—I think the tenants should have an opportunity of purchasing.

9482. Even although it should be a loss to the landlord?—I would compensate the landlord fairly, but he has got a very fair thing out of it.

9483. With regard to the landlords as a class, would you be glad to get rid of them?—If the tenants were able to purchase, I would make them proprietors and take it from the landlord.

9484. You would not care whether they occupied their demesnes, or what happened to them?—I would not.

9485. Do you know anything about the Purchase Act?—Yes; I do not know a great deal about it.

There has been no land sold about our place; I have not much opportunity of knowing about it, but I think it would be very desirable and very valuable, that it would make the people more industrious if they owned the property themselves. Only that they got help from their friends, they could not have paid these rents at all.

9486 Mr. Nelson.—For the leased lands, do you mean?—For the whole of the lands.

9487. The President.—That would be altered if it was put into the court?—It would.

9488 Lord Ashburton.—I understand, Mr. Carr, that your feeling is that the landlord has been already paid a considerable sum of money by reason of his having received rent for so many years?—Yes.

9489. That is your opinion, you say?—Yes.

9490. Well, now, suppose you lent £2000 on a mortgage at 4 per cent., if you were to get the 6 per cent for forty or fifty years, would you think at the end of that time that you were not entitled to the £2000?—I think I would have been paid twice over. As a money-lender myself—

9491. Oh, you are a money-lender?—I am not, unfortunately, but suppose I was.

9492. I thought you meant that you were a money-lender; if you were I should advise you not to allow that idea which you gave expression to get about?—If I was I would not be coming here about this land. If I were, and had money lent, of course I would be anxious to get it.

9493. Don't you think you would have a right to get it?—What would you think if a man said, Here I have been paying you interest on this money, I have been paying you interest exceeding what you ought to get, I have been paying you 6 per cent. when you ought only to have got 3 per cent. or 4 per cent., and I won't pay you back the money I got from you?—I think that would be unfair.

9494. Well, will you tell me what is the difference between that case and the case of the landlord who you say has been receiving more rent than he ought?—The farmer has been working all his life, and has been giving his time and his money for the working of the farm, and has been losing money, and he should be compensated in some way or other. I am anxious to sell that 64 acres. I did not offer it publicly, but I have privately, and I cannot get anything for it. The landlord expects his purchase money, and I cannot get anything for it.

9495. Your investment has been for some time unprofitable to you?—Yes.

9496. But I cannot understand why you say that you have a right to the landlord's land?—I would compensate him according to law, and I would reduce the rent.

9497. But you would not reduce the £2000 that you lent on mortgage?—I do not see how that could be done.

9498. And I do not see how the other could be done?—We have got rents reduced already.

9499. That is another matter; but you never heard any one say, because you have been paying rent in the past, that you should not pay rent any longer for it?—When the rent is reduced, and the landlord gets a fair rent, I do not see that he would have any reason to complain.

9500. That is a totally different proposition. I was only anxious to understand your views about how the payment of rent for so many years could give you a claim to the land without any further rent?—I do not want to interfere with the fair value to the landlord, but I think in such a case as this the lease should be brought into court. I should be as well entitled to get the rent reduced on it as in the case of the one without a lease.

9501. Mr. Nelson.—If the lease was a beneficial one, should the landlord have an opportunity of increasing the year's purchase?—Of course that is not my side of the question. I also know several places where the rent was fixed before the Commis-

sioners, and the tenants could not hold it, and gave up their holdings to the landlord.

9502. Lord Ashburton.—There was no general satisfaction with the way that the sub-Commissioners fixed the rents?—No, the rents were too high.

9503. Do you understand the principle upon which the Land Commissioners went in fixing the rents as a rule?—That is not easy to understand, though I made valuations myself and gave evidence, and all I can say is, it is not easy to understand that always.

9504. Did the Court generally act upon your valuations and upon your evidence?—They generally put it a little higher than what I stated, but I think it was very fair upon the whole.

9505. You were acting for the tenant?—Yes.

9506. Mr. Keppel.—Did I understand you to say that you would be willing to part with your farm?—I did.

9507. You said that you offered it for sale?—Yes.

9508. And you assume that you have as great interest in the farm as the landlord has?—Certainly.

9509. Well, how many years' purchase would you take for the farm?—I do not know.

9510. Mr. Nelson.—That is an awkward question?—It is; I could hardly say that.

9511. Mr. Keppel.—Didn't you offer it for sale?—I did privately, not publicly.

9512. Then I think you might be able to answer that question?—Do you want an answer?

9513. Not if you do not wish to give an answer?—Well, I am quite willing to answer it.

9514. You made all the improvements upon this farm of land yourself?—Certainly.

9515. Did the landlord lay out any money upon it?—I believe at one time he gave a little for drainage.

9516. But with that exception you made all the improvements and buildings?—Yes.

9517. And showered it?—Yes.

9518. And fenced it?—Yes.

9519. And brought it up to the condition in which it is at present?—Yes; there is not a better fenced farm in the county Down than it is.

9520. Would it be worth ten years' purchase?—It would be worth that at least.

9521. Sir James Clark.—Is that for the tenant right you mean?—Yes.

9522. You would not be willing to take ten years' purchase?—I should get more, but I probably will have to sell it for what I can get.

9523. Have there been many farms sold in your place lately?—Not lately.

9524. How the value of tenant right gone down?—Yes.

9525. Within the last three or four years has it gone down?—Very much; farms sold at £12 and £15 an acre, and I don't believe that you could get more than £20 an acre for them now.

9526. Is this state of affairs general all over your part of the country?—It is a general state of affairs in my part of the country.

9527. Mr. Keppel.—Is that state of affairs caused by the low prices of produce?—The depression of business of all sorts.

9528. By foreign competition?—And all these things combined have caused the state of affairs which exists.

9529. Are the people anxious to buy in your neighbourhood?—Yes; they would buy, but at very low prices. From what I tell you about these farms being given up to the landlords, you will see that the tenants are not anxious to get the lands, the same as they were formerly. They are not so anxious about that matter now as they were previously about fifteen or twenty years ago.

9530. Is there any desire on the part of the landlords to sell?—I do not think there is, unless they were compelled to sell.

9531. And in your opinion it would be an advan-

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sage that they should be made—that there should be a compulsory sale of the land?—Yes.

9532. That is where a number of the tenants would buy—where a majority of the tenants on the property would buy?—I would compel the landlord to sell.

9533. And where the landlord was willing to sell, would you compel the tenants to buy?—Yes.

9534. And would you establish a court to fix the price between them?—Yes.

9535. Mr. Nelson.—I believe that the Land Commission does not always command confidence on the part of the tenants?—Well, fairly well.

9536. Supposing you established a tribunal to fix

the rate of purchase which failed to give satisfaction, could you compel them?—I do not know.

9537. Mr. Keppel.—Without the State interfering, you do not apprehend that the landlords would be willing to sell?—The landlords, as a rule, are not willing to sell unless they are compelled.

9538. In other words, do you think they will not sell on fair terms?—No.

9539. Sir James Caird.—Do you think that the tenant would hold to this agreement if he found that the prices rose higher than he was expecting?—I suppose it is in the nature of things that he would do so.

John Davidson, of Ballycurry, Co. Antrim, examined.

John
Davidson.

9540. The President.—Mr. Davidson, I believe you are a tenant farmer?—Yes.

9541. Where do you hold?—At Blackhill, Ballycurry.

9542. How many acres do you hold?—My father holds 48 statute acres.

9543. Under what terms?—Under fee farm grant.

9544. Will you kindly give us the nature of this grant? We need not go back very far. It was made in 1873?—Yes.

9545. What was the rental?—The rent is £76 now. That is the present rent. It was £54, i.e. before the lease was taken.

9546. Was your rent raised at 78 when the lease was made?—Yes.

9547. Was that made by yourself or your father?—My father.

9548. Why did he agree to that?—He was served with a notice to quit, and threatened to be put out of his property if he did not agree to it.

9549. Then what you mean is that it was forced upon him, and that he had to take it whether he liked or not?—Yes.

9550. Was he in arrears of rent?—No; he was not in arrears. I have a copy of the notice to quit here.

9551. Lord Millican.—What is the poor-law valuation—£54.

9552. The poor-law valuation is the same as the old rent?—Yes.

9553. The President.—Did you ever apply to the court to have this lease broken?—Yes.

9554. You applied to the Land Court?—Yes.

9555. Was it before the Land Commission Court?—Counsel's opinion was that he did not come within the Act of '81.

9556. You took the opinion of counsel on the subject?—Yes.

9557. And counsel said that it could not be brought within the Act?—Yes.

9558. Why was that?—He said it was on account of its being a fee farm grant.

9559. The President.—Of course what you would wish is to come under the Act of '81?—Yes.

9560. That would be probably your immediate wish; would you say that you would wish to become purchaser?—Yes.

9561. On fair terms?—Yes.

9562. What would you consider fair terms?—I would consider fifteen or sixteen years' purchase on the fair rent would be a fair thing to give.

9563. You see that would reduce it again considerably?—It would.

9564. And it would be a great loss to the landlord?—I suppose so.

9565. Mr. Nelson.—Do you consider £54 a fair rent?—No; we consider the rent too high.

9566. Sir James Caird.—You consider the £54 too high?—Yes.

9567. Lord Millican.—How many years had it been paid that £54?—Well, I am not exactly certain, but I have the receipts here.

9568. Has it been paid for thirty or forty years?—Yes.

9569. Or more than that?—I do not think so.

9570. Then let us say forty years in round numbers?—Yes.

9571. And now you say it is not a fair rent?—Yes.

9572. Mr. Keppel.—Has tenant right gone down in your part of the country?—Yes.

9573. Have there been any farms sold lately there?—There have been some farms, but they have not been purchased.

9574. What is the cause of it?—I suppose it is the low prices of produce.

9575. Are people anxious to purchase in your part of the country?—On the judicial rents; there have been a few instances of that.

9576. Would they make the judicial rents the basis on which they would purchase?—They consider the judicial rents too high in many cases, no doubt.

9577. The rents fixed after the passing of the Act you consider to be too high?—Yes, we consider them to be too high.

9578. Would you agree to leave the prices to a court established to act between landlord and tenant in this matter?—Yes.

9579. Would you do the same thing if it was for fifteen years?—Yes.

9580. And pay what the court said was a fair price?—Yes.

9581. And that is the feeling of the tenant farmers in your locality?—Yes; in my opinion that is their feeling.

9582. Mr. Nelson.—The farms are all granted in fee-farm?—Yes.

9583. Sir James Caird.—Are rents being fairly paid in your district?—Yes; they are being fairly paid. In some cases perhaps the tenants are a little behind, owing to the amount of rent that they have to pay.

9584. Mr. Keppel.—Are you aware that the landlords have in any case given reductions on the judicial rents in your neighbourhood?—I am not aware of that.

9585. As a rule they have not done so?—No.

9586. No matter whether the rents were high or low?—No matter.

9587. Mr. Nelson.—There were fifteen fee-farm grants executed at that time?—Yes.

9588. The holdings were changed from leases to grants in fee-farm?—Yes.

9589. And the rent was raised from £379 under the leases to £536?—Yes.

9590. Sir James Caird.—That is a lease in perpetuity; it gives them an estate in fee reserving a rent?—That was under the lease. I wanted to get away. It was an evasion of the Act of 1870.

9591. Mr. Nelson.—In all these cases in which the leases were changed to perpetuities, were notices served?—Yes; they were tenants from year to year. There were none of them leaseholders.

9592. None?—No; none.

9593. Then they were changed from tenants from year to year to fee-farm grants?—Yes.

9594. And notices to quit had been served in all cases?—Yes.

9595. Lord Millican.—Was this an estate purchased under the Landed Estates Court?—Yes.

Edmond McNeill, examined

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9598. The President.—I believe you are a land agent, Mr. McNeill?—Yes, and I have also a property of my own.

9597. What is the rental of the estates?—A little over £30,000 a year, and about 1600 or 1700 holdings.

9598. Sir James Caird.—All in this county?—In the county Antrim. There is a small estate of mine in the county Derry.

9599. The President.—I will ask you first of all to take whatever course you wish in making your statement to us?—I would prefer to answer questions.

9600. Has your attention been called at all to Lord Ashbourne's Act?—I have sold a good deal under it as agent.

9601. What sort of terms did you sell on?—I sold a property belonging to my cousin on twenty years of the judicial rent.

9602. Mr. Neligan.—The entire of it?—I think there are about six farms for reasons that he could not get sold.

9603. They are practically all sold?—Yes.

9604. The President.—Was this sale at the wish of the tenant?—The landlord and myself had an interview, and proposed twenty-two years' purchase, and after a little they agreed to give twenty years' purchase.

9605. No doubt the landlord will be considerably poorer in the way of income?—Undoubtedly; I can give you the result of that sale if you wish.

9606. If you please?—Would you care to have the lands sold under the Act of '81?

9607. Yes, but we might go into the property first that you have just sold; we can go into the other property afterwards.—On my cousin's estate I sold at Craig sixty-one farms and at Dreen eighteen. That is two townlands. Seven of the holdings in Craig were upon the old rents, and the others were upon the judicial rents. In Dreen case fifteen were on the judicial rents, and three on the old rents.

9608. Was it that they did not apply for judicial rents?—One is the holding that I hold myself.

9609. You say you sold that at twenty years' purchase?—Yes, twenty years.

9610. Had you any difficulty in getting any of the tenants to consent to the purchase?—Not the least.

9611. Mr. Neligan.—And with reference to your own?—My own was on my own valuation. It was rather a high one at the time.

9612. And you got twenty years?—Yes; we just got a payment from the Land Commission last week, the sale altogether came to—in Craig £27,547, 10s and in Dreen £5510 odd. The old rental of the fifty-four farms sold in Craig was £1243, and the judicial rents £1010, which was a reduction of 187 on the old rents, the purchase-money coming to £20,212. Under the old rents the sale in Craig came to £7435, which would bring the total up in Craig to the £27,590 that I have mentioned. In Dreen the sale of judicial rents amounted to £2654, and of the three old rents to £856, which would bring it up to £3510.

9613. That makes it up in Craig to £27,400?—Yes; a little more than that; that gives the tenants on their own judicial rents to have to pay instalments due to the Government 35 per cent. below their old rents, and these old rents have been paid regularly for twenty-five years.

9614. How much were the judicial rents reduced?—Twenty per cent.

9615. Lord Millican.—What is the difference between the instalments that they will have to pay and the judicial rent?—Twenty per cent.

9616. Sir James Caird.—As I understand you, you said that the instalments paid to the Government are 35 per cent. below the old rent?—Yes.

9617. The amount that they were paying up to the sale?—No, the difference is this, that the judicial rents reduced the tenants 18 per cent.

9618. The President.—Didn't they all buy on twenty years' purchase?—Yes, which makes it up to 35 per cent. on the old rent.

9619. How many years' purchase on the old rent?—I have not calculated that.

9620. Sir James Caird.—The old rents were reduced by a judicial lease, and the sales were on the judicial rents, and you take the reduction made under the judicial rents, and add that to the reductions that they got in the sale?—Yes.

9621. And the two together make, how much do you say?—35 per cent. on the old rents.

9622. And the old rents got fewer years?—Twenty years' purchase on the old rents is just one-fifth less; for instance, the three old rents that were sold came to £7435—that is twenty years' purchase on £371. Now, in my own case, the instalments that I have to pay will be 20 per cent. less than I paid to my cousin.

9623. The President.—If you all sold at the same years' purchase I thought you got the same?—No, because I got no judicial reduction; the only reduction that I got was the advantage of borrowing the money from the Government at 4 per cent.

9624. Mr. Neligan.—The judicial rents cut 18 per cent. off?—Yes.

9625. Sir James Caird.—The judicial rents were 18 per cent. below the old rents?—Yes.

9626. Suppose now we take your particular case, which is £1243, the judicial rent is £1010?—Yes.

9627. It was reduced from £1243 to £1010?—Yes.

9628. And the years' purchase left a reduction of 35 per cent. on the future instalments?—Yes, on the £1010—no, I am wrong, but the 35 per cent. would be on the £1243. If you take the difference of the percentage between the old rent and the judicial rent, add to this the reduction of 20 per cent. on the £1010, the judicial rents, the aggregate reduction on the £1243 old rents would be 35 per cent. The real difference as regards the tenant is, that he is now getting 35 per cent. less to pay of rent upon the estate than before his judicial rent was fixed.

9629. Sir James Caird.—How much do the landlords lose upon that?—What would be his loss? How much net rent had he out of this, taking off the expenses of management and every other outlay upon the estate?—I have not got a return of that. That would be a very large return, because we were in the habit of helping tenants to improve before the passing of the Act.

9630. It would be interesting to know what the landlord's loss was?—That would undoubtedly depend upon how he reinvests it; but, if he could invest it at 5 per cent., he won't lose much.

9631. He won't get 5 per cent?—I do not suppose he will; undoubtedly the landlord lost considerably by these transactions.

9632. The tenant is an immense gainer?—Yes, and knows it.

9633. The President.—What is the inducement to sell at twenty years?—The inducement, so far as I know, is to despair of what may come. I know it was in the present case. Not as regards the tenants in these cases; we have had no trouble with them, and never had any ill-feeling to speak of.

9634. Mr. Neligan.—In fact, it is a panic sale?—It amounts to that, and a feeling that he is not the landlord. The landlord, to my experience, cannot take any interest in his property—he cannot interfere; so long as rent is paid, he can do nothing.

9635. Does this cousin of yours reside there?—He does.

9636. Does he intend to keep his demesne?—He lives within two miles of Belfast.

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9657. Supposing there was a compulsory sale on fair terms, do you think the landlords would object?—I think they would object to compulsory sale with the experience we have of the compulsory revision of rents, which have been unsatisfactory to both landlords and tenants.

9658. Unsatisfactory to the landlords because they would not get fair terms?—It has been reduced to this, that no one would buy except the tenant in occupation. He cannot sell it to any one else. If he wants to get out of it he must sell it at any terms.

9659. If the tenants gave a fair price, he would not object to cease being proprietor?—Not if he got a fair price; but the thing is, who is to determine what is a fair price. In the county Antrim, I believe, if the tenants thought the last word had been said, that the present terms of purchasing were the lowest, they would have purchased faster than the money would have been forthcoming.

9660. At twenty years' purchase?—Yes.

9661. Sir James Card.—Are the landlords willing sellers?—A great portion of them.

9662. Would they object, do you suppose, to a competent tribunal fixing the prices in the same way that they fixed the fair rents?—From the experience we had had, I do not think we could have any confidence in them.

9663. And you do not think they would be disposed to submit to that?—I do not. If you allow me, I will give you an instance of the way the tribunals have been working,—one that came under my own observation. On one of the estates for which I am agent, they sat in October 1883, and reduced the rents of the farmers then before them 39 per cent. Another Commission sat on the same estate, and on farms that dovetailed into the ones we had decided reduced the rents 21 per cent.

9664. Mr. Nelson.—Two Commissions on the one estate?

9665. Sir James Card.—Do you know this estate?—I was agent for it.

9666. Were they smaller in character?—It was the same estate.

9667. But it might be different parts of it?—The farms were dovetailed into each other.

9668. Considering your experience, would you say that they were farms of a similar quality and in the same condition?—Yes; and in the same locality the Commission reduced rents on one estate 39 per cent., and on another 27½ per cent. That was the same Commission that sat in October 1883; and a different Commission in March 1884 reduced the rents on these estates 21 and 10½ per cent. That last estate which I am telling you about is the estate of my cousin in another part of the country. The other estate was that of General White.

9669. In the two which you have given us last, was the soil very much alike?—They were perfectly the same class of holding.

9670. The President.—Which of the two fixings did you think was the fairest—the one that reduced the rents the lowest?—So far as General White's estate was concerned, the rents were not fixed by him. I know the rents have been paid for over forty years, and one must have been a great deal too high or the other a great deal too low. At all events, the consequence is that the tenants are dissatisfied. The rents before as between tenant and tenant were equal.

9671. Lord Milnes.—It is evident that a gross injustice has been perpetrated upon some party?—Undoubtedly, as regards my own little property in the county Derry which I mentioned; that property in 1815 was all under lease, and had been leased during the war, and consequently was brought high. It was in the possession of my great-grandfather, and after the peace he reduced them 25 per cent., and my grandfather, and then my father and myself, held them, and the rents were never raised during all that period. There was no arrears, and the Commis-

sioners reduced the rent of the property by 27 per cent.

9672. You allowed them to run out?—The lease ran out a long time before I knew the property—the rents were never changed. I pointed out this to the Commissioners, that my grandfather reduced them 25 per cent., and that they were never raised one shilling beyond that, except that a tythe rent charge was originally added on, but the Commissioners reduced it 27 per cent.

9673. Sir James Card.—When did they reduce it?—I think that that must have been in '82. I have not got the date.

9674. And the tenants had been paying the same rent since 1818?—Yes.

9675. That was from 1818 to 1882?—Yes; I think that was the date when the Commission sat.

9676. Without any complaint on the part of the tenants or any arrears?—Yes.

9677. And the rents were reduced 27 per cent?—Yes; when I say that there were no arrears I should explain that when I took the management of the property after the demise of '46 there were some arrears on the property, but in order to clear the property off I took the management for my father, I gave a discount to wipe them out. That was the only arrears.

9678. Lord Milnes.—But it is now true that they are reducing rents 10 or 14 per cent. more than they did in '82—then they would be reducing the rents by 36 or 48 per cent. I—I think it is possible, but I have not been lately before the Commissioners.

9679. Sir James Card.—Did you bring any appeals?—Yes; I appealed in all the cases.

9680. What was the result?—The most extraordinary one from the Judge. He said they had considered these cases, and that they might increase the rents in some cases and decrease them in others, and that they would strike a line and leave them as they were.

9681. Lord Milnes.—Was the official valuator of the tribunal examined?—Not that I know of.

9682. Was any valuer examined?—I believe they had their own official valuer, but they did not allow us to examine him.

9683. So you do not know on what evidence they acted?—Except the evidence that the tenants gave.

9684. And you do not know what influenced the Commissioners in giving their decision?—No.

9685. Sir James Card.—Did they send a man to look at the land?—I don't know.

9686. The result is at all events that you have not much confidence in the rents fixed by the Commissioners?—I would just like to say that as regards the Sub-Commissioners—though I have to do that here—the Chairman is a most courteous gentleman and righteous judge, but his colleagues—how can a man weigh evidence of the value of land who is a head-down shopkeeper? In my own case that was so.

9687. And had he had nothing to do with the management of a farm at all?—Nothing whatever, he is a gentleman called Mack.

9688. The President.—Did you accept their valuation for the twenty years' purchase?—We could not do anything else.

9689. Do you think there has been much falling off in the value of land and a difficulty in paying?—Judging by the tenant right, I don't think there has been very much. I can give you a list of all the farms that have been sold since '81.

9690. I should like to have that.—There were fifty-five cases in my own office. I suppose you are aware that under the Land Act the tenant who wishes to sell his farm has to serve the landlord or his agent with a notice stating that it is his intention to sell after a certain period. This list is taken from those notices, and this is the tenant's information. Upon these fifty-five cases the price of tenant right

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on the different estates differed a little, but takes it all over there has been fourteen years' purchase.

9671. Mr. Nelson.—In what years?—From '81 up to the present time.

9672. Is it lower in the most recent year than in the others?—I think not.

9673. Are they arranged by date?—They are not dated.

9674. Sir James Caird.—Do you mean fourteen years of the landlord's rent?—Yes, the whole amount of the rental sold amounted to £1011, and the actual money paid by the incoming tenant was £14,083.

9675. Has there been any falling off in the last year?—I do not think there have been any sales during the last year; the rental sold was £1011, and the amount of tenant right paid £14,083. I will not say there was not any sold last year, but there were none on sale. I have two or three at the present moment pending.

9676. Lord Milnes.—What sort of veto has the landlord set?—Next to none.

9677. Unless he could prove the man to be of bad character?—Yes, and although we would not take a man who was proposed for a tenant, it is a dangerous thing to say that you object to a man on account of his character. I have objected to two or three on other grounds, but I did not succeed in having them refused by the Sub-Commissioners.

9678. Is it only upon the grounds of his character that you set veto. You do not inquire into their solvency?—I think if I could prove that a man had been insolvent before, I have that kind of confidence in a Commission that they would hardly force me to take a notorious bankrupt, but I never had a case of that kind.

9679. Is there any improvement in the Act that you can suggest?—Do you mean with regard to selling?

9680. With regard to the Purchase Act. Is there anything that you could suggest that would facilitate its working?—It appears to me that the Act was so wonderfully advantageous to the tenants that I cannot conceive that anything could be better for them. On the estate of Mr. Montgomery, half of it fell out of lease some years ago, and was let upon another lease. The other half fell out of lease last year. I wanted to arrange with the tenants for a new rent, and we did arrange, and they paid twenty years' purchase upon these rents, and I sold to them at twenty years' purchase. There was a man who holds a lease for his own life, and I offered to sell him his holding on the same terms that I sold to the others, and he said to me, "Yes, it is very good; it is excellent good terms; we could get so much reduction on my present rent, but I will wait; I expect to get better terms by and by." He told me so to my face, and I am certain, if the tenants were perfectly satisfied that the last word had been said about this, that they would purchase quite fast enough for the good of the country, and peasant proprietors would be plenty enough for the good of the country. I am not an advocate for large farms, but I think to sell all over the country and make proprietors of some of the small tenants would be a very bad thing, and I think it is one of the worst things under the Land Act that it is impossible to continue these small farms. For thirty years' previous to this Land Act I tried to get farms together in such a way that a farm could give employment to two houses, but I never could for more than that.

9681. You think in some holdings there was a tendency to subdivision?—That under any circumstances would have to be looked after.

9682. Mr. Nelson.—Who would look after it?—For the forty-nine years there would be no opportunity of doing so. During the payment of the repayments of the loan they would not be allowed to sub-let.

9683. Who is to prevent them?—If the Commission did not look after that, no one could.

9684. Sir James Caird.—What do you consider the extent of arable land that two houses would be sufficient for?—Well, that is a question with reference to which I might give a misleading answer.

9685. You say that the farms should be large enough to give employment to two houses?—I think that a pair of horses can plough fifty statute acres in the year, and that would be about 100 or 150 acres.

9686. The President.—You would not have farms less than that?—I would not say that, but I would not be inclined to have any farms sold where the judicial rent was not £20 a year—that is going as low as in my judgment one ought to go.

9687. Lord Milnes.—What would you do with the small farms?—I think, if things remained as they are, they would be gradually absorbed by their neighbors.

9688. But under the present circumstances?—I cannot say.

9689. It would be very disagreeable to the landlords to have small ones?—Undoubtedly the object of the landlord would be to sell if he wanted to sell. Any difficulty we have to deal with would be the residence of the estate. After selling that property there is still a considerable portion unsaleable, and there is the ownership of bogs and plantings and things of that sort. In these cases a separate conveyance has been made to each individual tenant.

9690. Do you find the fifth deposit injurious to the landlord?—I think it would be a hardship to the landlord if he was not a man of good means. My cousin is a rich man, but I am sorry to say there are cases in which it would be a very serious loss of income.

9691. Do you think there would be security enough to the Government without it?—I have not the slightest doubt about it. Allow me to say that I am confining my statement entirely to the county that I know of; I have very little experience out of the county Antrim—I have no experience outside of my own county.

9692. Is there anything more about the question of purchase that you would like to say to us?—I do not think there is. I think there might be a simple mode. We have had a great deal of trouble and annoyance getting these sales passed through the Land Commission Court. I think if they adopted a new rule which I heard of a few days ago it would be well. I sent up a signed application from both landlord and tenant for Mr. Thomas Montgomery, and got a notification from the Land Commission which caused me to have three affidavits made the other day for the tenants to sign, showing that they had signed the previous application, and these things cannot be done without costs.

9693. You think things should be more simplified?—I think that once the sale was agreed upon there might be some more simple manner hit upon. They are not satisfied in having the title sent up once, but they must have it sent up every time, although selling under the same title. My cousin sold under the Act of '81 a portion of his estate, and sent up his title. It was examined, and the sale was made, and in '85 he had to send it up again.

9694. Do you know whether the counsel who advises there is paid a salary?—I don't know anything about that.

9695. Mr. Hilder (secretary).—Counsel who examine them in the Landed Estates Court are paid by salary.

9696. The President.—Have you anything to say about your cousin's property?—The tenants seem very willing to buy.

9697. How many years' purchase did they give?—There were thirty-six holdings sold under the Act of '81. The old rents of these were £1112—there was no judicial lease. We sold upon the old rent; the reason was that we were trying to arrange with the tenants. Instead of going into court, we arranged

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this, and the purchase-money was nineteen and four-fifths years' purchase.

9706. Close upon twenty years?—Yes, close upon that.

9707. And that quarter that they pay, have you any reason to suppose that it was borrowed?—Yes; in a good many cases the quarter was lent by the landlord; in some cases that was paid down in cash entirely, and where it was not it was lent by the landlord.

9708. Not by money-lenders?—In any case where it was not paid in cash my cousin lent it himself at 4 per cent. One quarter had to remain as security with the Commission.

9709. Sir James Caird.—He lent the quarter?—Yes; and charged 4 per cent. upon that. In some cases the tenants paid this. In the thirteen cases in one townland five paid this, six of these thirteen borrowed money from the landlord. In the eleven on another townland eight paid cash down, and three borrowed money from the landlord. In the nine on another townland four paid this and three borrowed money from the landlord. There were two other cases belonging to a gentleman named Montgomery whose purchase was not complete, and they got it changed from the Act of '81 to the Act of '85; it had not been completed, and they applied to me to know if I had any objection to their getting the same rate of interest.

9710. It is the same to the landlord, but I suppose it is a hardship to the tenant who did not wait to take advantage of the Act of '85?—It is in one way. Of course, they have a longer time to pay the instalments, and a less annual sum to pay; but in the other cases they pay a higher rate, and run out sooner.

9711. I suppose they were prepared?—A good many of them have money invested; a good many of the tenants with whom I had had to do are very well off.

9712. I forget if I asked you if there is more difficulty now in paying rent during the last two years—in paying the judicial rent? Did you get the rents regularly?—Yes; the year '79 was a very bad year; but I may say that on the £30,000, up to '79, I had not £150 arrears on an average.

9713. Have you any arrears now?—Yes, I have some now; but it was principally in '79.

9714. Have you given any abatements?—Not since the judicial rents were fixed; in fact, I have not been asked.

9715. Lord Ashmead.—On that point, Mr. McNeill, do you consider that the fall in prices which now exists is, looking back to the last twenty years or so, an exceptional fall?—I do not quite understand you.

9716. There has been a fall in prices—a sharp fall?—In some things.

9717. In many articles of agricultural produce?—Yes.

9718. Do you consider that, looking back for twenty years, an exceptional fall,—that is to say, a greater fall than has ever taken place?—I recollect when prices were very much lower than they are now, and the rents were higher.

9719. Higher, you mean?—No; the judicial rents that I refer to are lower than the rents paid twenty years ago.

9720. That is what I am putting to you.—And the prices are higher.

9721. Therefore you would not consider the fall in prices now an exceptional fall?—I would not consider it any justification for lowering the rents that were made thirty years ago.

9722. Will you give me an answer to my question? Do you consider the prices that we have had for the last two or three years an exceptional fall, looking back over the prices for the last twenty-five years?—I may be very stupid in not understanding you, but prices rise and fall every four or five years.

9723. Just so; so that there is nothing unusual in this fall?—No; I do not think so. I cannot say any

more than this, that any day there may be a fall and rise in prices.

9724. I want to have your answer upon the notes. There is a fall in prices?—Certainly.

9725. Is it an unusual fall to take place? Is it greater than has taken place frequently before, within the last twenty or thirty years?—I think not; this is taking the agricultural prices all round.

9726. Therefore it is, in your judgment, such a fall in prices as would call for a revision of the judicial rents that were fixed four or five years ago?—I think not. I do not think there is the slightest reason for interfering with them, except to revise them up, which is not very likely.

9727. Even supposing that they were fair then?—No; I do not think so. I do not see that the present prices are at all lower than when the judicial rents came to be paid.

9728. Now, I gather from you that there is not a general conference on the part of any class in the decisions of the Commissioners who fix the fair rent?—I think they have been very unequally fixed.

9729.—Unequally?—Yes.

9730. Is that the opinion of both landlords and tenants?—I fancy it is, it is certainly mine.

9731. Would you consider that there should be a general revaluation undertaken by the Government in the same manner as the previous valuation, but on the basis of fair rents?—Do you mean on the same lines as Sir Richard Griffiths'?

9732. Yes; a revaluation by Mr. Bell Green?—I am not sure that a valuation made in that way by competent people, and made in the same way as Sir Richard Griffiths', though that was not even, would not be better than going on with the Sub-Commission.

9733. It would inspire confidence in the people at large?—I think it would.

9734. I want to ask you one question with regard to the probable effect on the neighbouring tenantry of one landlord consenting to sell under the provisions of this Act, and giving his tenants an immediate reduction of 20 per cent., while an adjoining landlord refused to sell, and kept the tenants at the old rent?—I do not think there is much difficulty. I have tenants on those estates, and they told me they would rather remain.

9735. Although there are tenants on the neighbouring lands who have purchased? Yes; they have told me they would rather remain with the landlord.

9736. Although the effect of their not purchasing is that they pay 20 per cent. more?—Yes.

9737. You do not anticipate that any greater difficulty will arise in collecting rents on some estates because part of the lands have been sold?—Not the least; the rents are just as well paid by the tenants who have not become owners.

9738. You know the county Antrim pretty well?—Yes.

9739. Is there generally a good feeling between landlords and tenants?—I think so.

9740. Is it your experience, as has been said before us by a gentleman in that neighbourhood, that the only interest that the landlords take in the tenants is to extract their rents from them?—As far as my experience goes, before the passing of the Land Act, and where landlords had tried to improve the property, there was an anxious desire to improve them, and for thirty years the amount of improvement in the county was visible to every one; but naturally enough, when the landlord ceased to be the owner of the property, he ceased to have an interest in spending his money upon it.

9741. Was it customary for a landlord, when admitting a tenant, to insist upon his expending either tenants on the holdings?—Certainly not. On the contrary, my own experience was that the landlord tried to better the cottier, and insisted upon the farmers keeping his houses in better order, and upon treating the cottier with more consideration.

9742. Do you think the landlord ceasing to have

any connection with the estate would be injurious to the labouring or other classes?—I would rather not give an opinion about that.

9735. Why, you have just stated something like that—I stated in the beginning about the land purchase, why I was confident of the effects in the future, and why a system of peasant proprietary would be for the advantage of the country in the future. One may have their own opinion about that. As regards the labouring population, I think they will require more consideration than they often get.

9736. Do you decline to tell us whether the departure of the landlords will or will not have an injurious effect upon the condition of the labouring classes?—If you force me to do it, of course I will answer. I think that the labourers will probably not be as well off. I regret to say it. I do not want to blacken the character of the farmers at all, but I regret to say that the farmers do not always consider their labourers as they ought to do.

9737. Do you think that the labouring classes, as far as you know, are anxious to keep the gentry in the country?—I do.

9738. Do you think they take an interest in this question between landlord and tenant?—I suppose they take some interest in it.

9739. Do you think, are their sympathies altogether with the tenants?—No; I think it is very much the other way. I think some would leave the country if they could. My cousin has a comfortable house and place of his own, but if a man had nothing to tie him to the country, and if he ceased to have any property in the country, he is free to quit, and he may go where he likes. I do not think there would be a general stampede. I cannot think that there would.

9740. In your judgment that would not be a necessary consequence of the purchase by the tenants?—I do not think so.

9741. Mr. Nelson.—Are you aware of any country, since the French Revolution, where there has been compulsory expropriation of the gentry?—I do not know of any.

9742. It would be a new experiment if tried here?—I think so.

9743. Mr. Knap.—Has there been any reduction in the judicial rents given in your locality by the landlords?—No.

9744. You say the tenants have not asked for anything?—Yes.

9745. The landlords did not think they had a right to give it?—I am speaking for myself, but I will go further. There is no landlord I am acting for, who, if he believed that there was a fair case made for a reduction, and that a reduction should be made, that he would not cheerfully accede. I would give it without the asking.

9746. Is it not your experience that this year and last year were the worst for six years?—My experience is, that last year was a most difficult year to give money in, and I did not press for the rents, but gave them any time they liked.

9747. Did you give them any reduction?—No.

9748. Are you aware that the Land Commissioners have found it necessary to give from 10 to 15 per cent. additional reduction since 1865?—I am not aware of it, for I believe that the Commissioners' reductions have varied from the beginning from 33 to 10 per cent., and I do not believe they are varying more than that now.

9749. But is it not a fact that these rents now would be too high?—I am talking about these that I know they reduced in the way that I have pointed out, and there is a large margin between the figures that I have given you.

9750. But the Commissioners were obliged to take everything into account?—So they said. I know they raised some farmers half of which they never saw.

9751. Do you think they were all favourable to the tenants?—Undoubtedly.

9752. The tenants complained that they did not

get enough reduction?—That is just what I was trying to explain. In some cases they did complain, and surely a man who gets 10 per cent. reduction has a right to complain if his neighbour gets 20.

9753. Did the Commissioners try to do the best they possibly could?—I do not believe it.

9754. You do not think so?—No.

9755. And the tenants did not believe that they got justice?—Very likely.

9756. And they are complaining that the rents are too high?—Some of them.

9757. And you, as representative of the landlord, say that the landlords did not get justice?—Well, the tenants complained that the judicial rent was too high, and they complained that others got more.

9758. We have evidence that the landlords are giving statements on the judicial rents?—That might be.

9759. I suppose if they did not think that they were high rents they would not give reductions?—I told you that if a case came before me, and that I saw that a tenant could not pay his rent, I would give him a reduction for the time being, but that, of course, is a different thing to giving reductions on the judicial rents. I mean to give a reduction of rent in case a cow died, or a man's wife was ill. Any man with a heart would do that.

9760. Does not the whole estate suffer from the same cause?—No, of course not; every man's wife is not sick.

9761. But if the prices are low, does not that affect every tenant on the property?—Certainly.

9762. And has not that been the usual complaint?—Undoubtedly it is a complaint that cattle are very low, and I have been telling the tenants for years that they must look for a fall of cattle taking place, for that they were selling far beyond their value. I am a farmer myself, and I know something about it.

9763. Do you think the importation of cattle from America has anything to do with it?—I am sure it has.

9764. And the importation of foreign wheat and flour?—We have no wheat growing here.

9765. You remember, I presume, when we had wheat here?—No.

9766. You do not remember the cultivation of wheat here?—I have seen wheat-folds here and there, but I do not believe, as a rule, that where rents were fixed in the county Antrim, except in the vicinity of Liskerry, wheat was taken as a standard in fixing the rents.

9767. Do you think it is in consequence of the low price of wheat farmers do not cultivate it at present?—I am sure it is not.

9768. You are?—Not in the county Antrim.

9769. And you have no wheat in your locality?—I never sold a quarter of wheat in my life; and I am quite sure in the 1600 holdings there are not 150 acres of wheat.

9770. That is in consequence of the very low prices?—Nor has there been for thirty years. I have been forty years agent, and I believe that to be the case for thirty years.

9771. We have the returns?—I can give you the prices; but wheat, I contend, has nothing to do with the rents for the county Antrim. It is oats and barley and flax, and cattle and sheep that has affected them in the county Antrim, but not wheat.

9772. These articles do affect the county Antrim?—Yes; just as I have mentioned.

9773. What is your experience about flax this year?—I am told it is not paying well.

9774. Do you know of your own knowledge?—No; because the flax is only coming into market. The oats never exceeded this year's crop, I believe, and I am perfectly sure my experience is general that not for fifty years has there been anything like the out-growing crop of this year.

9775. Was the season very favourable for getting it secured?—It was not a favourable season, but it has been fortunately secured.

Oct. 29, 1886.

Edmund
M. D. D.

Oct. 28, 1885.

Edmond
McNeill.

9776. You are speaking of your own immediate locality?—I am speaking of my county. It was difficult to get it over, and there was wet weather, but I am glad to state that it has been pretty well saved.

9777. Have you any return of the prices of oats for the last few years?—I have this year, and the year of Griffiths' valuation.

9778. Can you give us the prices since the judicial rents, without Griffiths' year?—I have a list here and all the prices since 1830. I only just took the present year, and Griffiths' valuation.

9779. You found prices low then?—Yes; much lower than they are now.

9780. They compare unfavourably with the present prices?—Yes; but there were higher prices in the interval. It was 4s. 10d. in Griffiths' valuation, and the average now is 6s.

9781. Can you give us the highest point between the time of Griffiths' valuation and the present time?—No.

9782. But you have the lowest point?—I have only the year of Griffiths' valuation and this year; I can have the whole thing if you wish.

9783. Mr. Nelson.—'74 was the highest year?—I think it ranged higher for everything besides oats. I do not know about wheat, but I think it was the best year for the rest.

Mr. Nelson.—9s. was the average for '74.

9784. Mr. Keipe.—What was the average for this year?

Mr. Nelson.—6s.

9785. Mr. Keipe.—What is that taken from.

Mr. Nelson.—The published returns.

Witness.—I was looking in the papers to-day at the markets in Ballymoney and other places.

9786. Mr. Keipe.—And you say they are lower for many years past?—No doubt.

9787. Has there been additional expenditure in the cultivation of farms as compared with the time of Griffiths' valuation?—I think the farmers go to greater expense.

9788. The cultivation of the farms costs more?—Yes; the price of labourers' services is a good deal higher; but, mind you, the labour, as a rule, on the small holdings in the county Antrim, is principally done by the farmer's family themselves.

9789. Does not that apply to large farmers also?—No; the large farmer has to pay for labour.

9790. At all events, you do not see why tenants should not pay the rents this year and last year without a reduction?—I have no doubt that from the 15th of November I will have all my rents collected before Christmas Day. I may just tell you one thing, that when first I became agent the usual habit of receiving rents was half-yearly. It appeared to me that I could assist the tenants a good deal, and not do the landlord any injury, by taking the rents yearly instead of half-yearly. The tenants were a little afraid of it at first, but I agreed to take the money from them, not in the middle of the summer, but

yearly. From 1852 to 1879 that was the case, and I never changed the date. I commenced the first Monday in the new year, and went from one estate to another and got every shilling.

9791. Lord Alington.—And what are you doing now?—I am not going to injure the tenants. I do not blame them for what they have done. The law is in their favour, and I won't take advantage of them.

9792. On that point I would like to know, do you think it would be well to make an alteration in the Purchase Act to enable the instalments to be yearly instead of half-yearly?—I think it would be a great advantage to the tenant not to have to pay his instalments say to the 1st of January.

9793. Sir James Oswald.—After realising his crops?—Yes, and any little money in the spring of the year he has to buy stock is a great help to him.

9794. You have a large experience of this county?—I am forty years agent.

9795. Looking over that period, would you say the condition of the agricultural labourer has improved in that time?—No; I do not think it is improved at all.

9796. Are they not getting better wages?—Yes; they are getting better wages undoubtedly, but a great many of those were weavers on the top of the world; but weaving pays badly. There are a great many of the farmers who don't employ labour permanently all the year round.

9797. And in that way for some part of the year they have no regular employment?—They have not.

9798. That is where the farms are small?—Yes; but large farms have a certain amount of permanent labour all the year round, and they sometimes increase the amount of labour which they employ in the spring and the harvest.

9799. Did you ever consider the question whether, in the case of fixing the judicial rents, a sliding scale would be desirable?—A good many years ago, I sent a little sketch of what I proposed to the late Lord Cairns, who was a connection of my own; and I proposed there should be a revision of the rents by some means similar to that of Griffiths' valuation, and that the landlord and tenant should accept that as the starting-point, and that for a certain number of years—the years the rent should rise and fall, according to what was agreed to.

9800. You could start from the judicial rents?—Very well; if you started from that, I should say that a committee from every county should fix the standard of rent. In the county Antrim you should take oats, flax, barley, &c., and in another county you should take something else.

9801. You should take oats for corn; that is the principal crop in the county?—Yes.

9802. And the price of meat in regard to cattle?—Yes.

9803. And butter with regard to dairy produce?—Yes.

9804. Would this be a fair standard?—Yes.

Mr. S. C. McElroy, Mr. Samuel Black of Bandalstown, Mr. Robert Pinkerton of Ballymoney, and Mr. William James Knox called in.

S. C. McElroy, examined.

S. C. McElroy.

9805. The President.—Mr. McElroy, you come with a deputation, I believe, and have something to say with regard to leaseholders?—Yes; there is with me here Mr. Pinkerton, Mr. Knox, and Mr. Black. If you wish, I will first make my statement with regard to the general subject. I should be sorry to suggest too much to the court, but I should like to be allowed to adopt the course which the Benchborough Commission proposed; we found that it worked very satisfactorily. The Commission allowed me to make a statement, and received that statement, and afterwards they put queries to me which I answered. If you allow me, I will take that course now, and I wish to say that the following resolution was adopted at a meeting

of Ulster tenant rights deputies, held at the Reform Club, Belfast, October 9th, 1883, on the motion of Mr. John Magar, J.P., seconded by Mr. Whitelocke:—"That this Committee, having taken into consideration reports by deputies from the counties of Antrim, Down, Armagh, Monaghan, and Tyrone, with regard to the present depressed state of agriculture, and the complaints that the judicial rents were not fixed in true accordance with the tenants' vested interests either in land or buildings, and the undue length of the statutory term of fifteen years, the Committee hereby resolve that Parliament be requested to amend said term, and adopt a term of five years from the fixing of the rent, believing that the prostrate condi-

tion of agriculture, together with the impoverished and embarrassed state of the tenant-farmers, absolutely requires general and substantial relief in the important matter of rent." I have to submit to you the report and resolutions which were submitted at a public conference, held in St. George's Hall, Belfast, on the 9th November 1885, and unanimously adopted. I think it is of importance that they should appear in your report of the evidence. The following are the resolutions:—"The resolution adopted at the meeting of the Ulster Land Committee in Belfast, on 8th October, in favour of an immediate revision of the rents fixed under the Land Law Act of 1881, while justified by existing circumstances, requires some explanation on historical lines. The Ulster tenant right movement has been one of steady adherence to fundamental principles, but these have been subject to the development incidental to close study and the favourable march of events. The three essential elements of the Ulster custom were continuous occupancy, fair rent, and free sale. That is, the Ulster tenant was entitled to perpetual occupancy while he paid the rent—this rent was defined as a 'fairly assessed rent,' irrespective of the tenant's improvements in land or buildings, and free sale meant the disposal of the tenant's good-will and invested capital. The Ulster tenant right party always kept in view these original elements, and their advocacy has been in harmony with public necessities. Without going back to the earlier movement, which was conducted by William Sherman Crawford and Dr. McKnight, it is sufficient to indicate the nature of the demands made since 1868. One of the associations which came into existence at this time set forth the rent question thus:—"That effectual remedies should be provided against rack-renting, and that for this purpose it should be enacted that, in case of dispute between landlord and tenant about rent, the matter be referred for final decision to a court of arbitration; and that all improvements of the soil, and all buildings and works of every description, by means of which the annual letting value of fee-simple interest of the premises have been increased, at the cost or by the labour of the tenant, or purchased or inherited by him from his predecessors, should be taken to be the property of such tenant, and not subject to any increase of rent." This resolution reflected public opinion on the question in 1869, and it is believed the resolution reflects public opinion at the present juncture in agricultural affairs. The demand then was for 'equitable rent,' or, to use an older term, 'live and let live,' the demand now is the same, and the urgency is greater. Sixteen years ago the general complaints were against exorbitant evictions, against rent being imposed at frequent intervals on the tenant's improvements, and against estate limitations of the ancient right of free sale. The glaring evil of the period, especially in the South of Ireland, was eviction, and to check this evil the Land Act of 1870 was passed. By this Act the Ulster custom was partially legalized, the changing of the word usage into laws at the presence of the Conservative party being chiefly destructive of the original objects of the promoters of the measure. The Act, however, did not deal with the matter of rent, and in this respect its operation was opposed to justice, and was prejudicial to farming interests. Deprived of the power to evict unless at considerable cost, many landlords proceeded to increase the rents, and this proceeding combined with the deplorable depression in agriculture which occurred in 1877, '78, '79, culminated in one of the strongest movements for a good system of land tenure which was ever witnessed in any country. The Act of 1870 was not passed without a warning to the Government from the Ulster farmers that it was defective in several important particulars, and that it did not protect their interests. At several meetings and conferences its defects were pointed out, but it was ultimately accepted as an instalment of justice. In 1873 a great conference between the

representatives of Northern and Southern Tenant Right Associations took place in Dublin, at which the principles of the Ulster tenant right custom were endorsed; but with reference to the Land Act, it was declared that it had failed to effect the object which its framers proposed to accomplish. In the following year a similar conference was held in Belfast, and it was again declared inadequate; and that as agriculture is the chief pursuit of the Irish people, and as they had for centuries made all the improvements on the land, the fullest encouragement should be given to them by granting them protection against rack-rents. This was the burden of all the resolutions passed ten years ago. One of the most prominent of the demands reiterated at the meetings of the Antislavery Central Tenant Right Association was for adequate protection against the imposition of exorbitant rents. In 1880 the Beechborough Commission was appointed by the Liberal Government, and on the question of rent it reported that the Act of 1870 had failed to give the farmers adequate security, particularly in protecting them against occasional and unreasonable increases of rent, and especially that, on recently purchased estates, rents had been raised both before and after the Act to an excessive degree, not only as compared with the value of land, but even so as to absorb the profit of the tenant's own improvements. This statement in the report is based on the evidence of many witnesses intimately acquainted with agricultural circumstances.

"The Land Act is the next important event. In reading the debates on the Bill, nothing is more remarkable than the absence of discussion on what constitutes a fair rent between landlord and tenant. This all-important point, or rather the root of the whole matter, was left to the discretion of the Land Commissioners. Perhaps the only approximation to grappling earnestly with the difficulty was the amendment to clause 12, which was moved by Mr. Litton, then member for Tyrone, now a Chief Commissioner. The amendment was, 'And if the rent therefore payable appears to the court to have been an excessive rent, or that the tenant, by reason of the general failure of crops in the district, or other unavoidable necessity, is unable to pay the same so as to redeem his holding, the court may reduce the arrear due by said tenant to such sum as the same would have amounted to had the rent therefore payable been the rent fixed as the judicial rent, and may also give time to the tenant for the payment thereof, or direct that the same shall be paid by instalments upon such terms and conditions as the court shall think fit.' Unfortunately, however, this amendment was opposed by Mr. Forster, and equally unfortunate was its withdrawal by Mr. Litton. The amendment contains the very principle which underlies the resolution passed by the Ulster Land Committee on 8th October last, namely, that in the case of agricultural depression, or other unavoidable necessity, if the tenant is unable to pay his rent, he should be empowered to enter the Land Court to get it revised. The circumstances which were apprehended by Mr. Litton have arisen; there was an unavoidable necessity to have rents reduced when the Act was passed, and agricultural depression has again made the necessity even more unavoidable. Let us examine, briefly, how the operation of the Act was viewed by the farmers' associations. At the Land Conference held in Belfast in the month of January 1883, it was declared by resolution, 'That, after carefully weighing the recent decisions of the Irish Land Courts, the conference is forced to the conclusion that the Sub-Commissioners have not adequately protected the tenant's interest in his holding; by the rents they have fixed they have either taken too high a standard for rent, forgetting the increased cost of labour and the immensely increased competition, or they have made too small allowance for the interests and improvements of the tenants; and undoubtedly the rents recently awarded are in excess of the old customary rents of Ulster,

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and are calculated to deprive the tenants of the only real stimulus to industry, viz. an adequate protection for the capital, labour, and skill." In the same year a memorial was presented to Mr. Gladstone from the Ulster Farmers' Association, which contained the following reference to the working of the Land Act:—"That the evidence adduced on behalf of the tenant has been treated with disregard and indifference, both when it had reference to the rental value of the holdings and to the cost of the improvements thereon, and by the Court of Appeal as well as by the Sub-Commissioners. That the value of tenant right under the Ulster custom, as well as its relative value in different localities, has been wholly ignored by the courts; and consequently the judicial rents for holdings, subject to the Ulster custom, have been fixed so high as frequently, in great part, to confiscate the saleable value of the tenant right. That the judicial rents fixed for holdings on which much industry and capital have been expended are relatively higher than those fixed for holdings that have been impoverished by neglect. That the judicial rents fixed on estates extensively rack-rented in the past are much higher than those fixed on estates which have been, according to the view of the landlords, moderately rented, thereby securing to the rack-renting landlord great advantage from his past injustice. . . . That the extremely low prices ruling for farm produce in proportion to the present cost of production, and the great vicissitudes and risks of the climate of Ireland, are almost wholly lost sight of by the Chief and Sub-Commissioners when adjudicating upon rents. As a consequence of the foregoing, a considerable proportion of the judicial rents already fixed are greatly in excess of those which the Irish farmer can continue to pay if he is to live and thrive. And, leaving regard to the fact that no expenditure of capital has been made upon the land, or as to be made upon it by the landlord, the standard of judicial rent thus set up is seriously higher than that of rents which have recently come under revision in many other parts of the United Kingdom." At a meeting of the Ulster Land Committee in March 1883, resolutions were passed in favour of the Government amending the Land Act, so as to effectually protect the tenants against any rent being charged upon the value of his tenant right or improvements. In 1882 the House of Lords appointed a Select Committee to inquire into the working of the Land Act. The total rent-roll of the Lords composing the committee amounted to £321,932 per annum. In Mr. Butt's Land Tenure Bill it was proposed to appoint a jury to fix rents, and a factious Southern landlord objected on the ground that the proposal was as co-equal as appointing a jury of butchers to fix the price of meat. The Lords' Select Committee was not regarded by the Ulster Land Committee as an impartial tribunal, and at a meeting held in June 1883, the following resolution was passed:—"That this committee deprecates in the strongest manner these persistent efforts of a body composed almost exclusively of landlords to impede and discredit the Land Act and its administration. That the animus displayed in the questions asked, and in calling before the committee so many who are known to be opposed to the policy of the Act, and many of whom are personally interested in blinding its impartial operation, is a prostitution of the high functions of a distinguished branch of the Legislature for the promotion of the objects of a class in maintaining the old inequitable feudal relations of landlord and tenant in this country; and that this action demands the very serious consideration of the people." At a meeting of the Antrim Central Tenant Right Association, a resolution was passed to the effect that the decisions of the Sub-Commissioners were marked by inadequate knowledge of local agricultural circumstances, were generally known, unfair, and arbitrary of the tenants' property, and that consequently the rents fixed were not in accordance with the Land Act nor

with the fundamental rights of the tenantry. In 1884 the association requested the Ulster Liberal members to introduce a bill to amend the Land Act in various particulars, one part being the amendment of the fair rent section, so as to fully protect the tenants' improvements in land or buildings from assessments of rent. A considerable number of meetings were held throughout Ulster, the burden of all the resolutions being that the judicial rents were fixed too high. Meanwhile the decision in the Adams and Dunneath case, by which certain improvements effected during the running of a lease were excluded from consideration on behalf of the tenant, was producing a bad effect in the Land Courts, reductions in rent getting 'small by degrees, and beautifully less.' With reference to this disastrous judgment, in reply to Mr. Healy, Mr. Gladstone in April 1882 said that it was perfectly clear that it was not the intention of the framers of the Act, but directly contrary to their intention, that the interests of the tenant in his improvements, as understood and defined by the Act, should either lapse or be impaired by the enjoyment of them. He remarked that the wisest course for the Government to take would be to observe carefully what constructions might be put upon the judgment, and what practical effect it would have, before arriving at any conclusion as to the course which eventually would be the duty of the Government to take. Replying to Lord Esher on the same occasion, Mr. Gladstone further said: 'The Act of 1870 gave direct recognition to the principle that enjoyment by the tenant affected his interests in the improvements he might have made, but the Act of 1881 abrogated that.' Thus a dead question arises—How did the Select Committee of the House of Lords, and the decision in the Adams-Dunneath case, affect the administration of the fair rent section of the Land Law Act? Perhaps the best answer that can be given is found in the letter of Mr. Roche, Sub-Commissioner, which lately appeared in the *Northern Whig*. 'The first decision was made when the unfortunate decision of Adams v. Dunneath had not tied the hands of the Sub-Commissioners. The Sub-Commissioners were not at liberty to go outside the law. Her Majesty's Court of Appeal directed them not to allow for certain improvements. As honourable men they were bound to follow that decision, no matter how much they might disapprove of it. But in 1882 another event took place which I am convinced exercised a check on the Sub-Commissioners which it is difficult to over-estimate. A Select Committee of the House of Lords was appointed by the Tory party to intimidate the Sub-Commissioners. This committee was reappointed next year, and during all that time every Sub-Commissioner in Ireland had a real and very formidable threat before him—namely, of being summoned to the gilded chamber, and put through a searching cross-examination by Lord Salisbury or Lord Cairns. The Sub-Commissioners are, after all, only flesh and blood. . . . and I say it deliberately, that it required a great nerve and courage for a man taken from the ranks of the Sub-Commissioners to the risk of being pilloried before a hostile committee of Conservative peers, without a single friendly voice to support him, and called on to give an account of every act he did in discharge of a difficult and novel duty.' From all these undesirable facts and well-founded opinions, no other consistent conclusion can be drawn than that the judicial rents have not been fixed in accordance with the principles of the Ulster custom, that they have not fully recognised the interest of the tenant, and that, in this respect, the Land Law Act, while it has mitigated the evil of rack-rents, has not brought that relief to which the tenant-farmer of Ireland was entitled. On the face of the Act itself the farmers did not get justice. Taking into account the decision in the case of Adams and Dunneath, which we believe to have been erroneous, the intimidating influence of the Select Committee of the House of Lords the statement

made by Mr. Gladstone that the Liberal Government would observe carefully what construction might be put on that judgment, and what practical effect it might have, and, further, that a Sub-Commissioner has directly traced the decrease in the rent reductions to two causes—the Select Committee and the Adams-Dunsmuir decision—the claim of the farmers of Ireland for an immediate revision of the judicial rents a good in equity and urgent in necessity. The principle embodied in Mr. Liffon's amendment may now be considered in relation to the demand for a revision of the judicial rents. The 'unavoidable necessity' has arisen that the depression in the price of cattle and agricultural produce has well-nigh rendered farmers almost unable to pay any rent. In proof of this opinion the following abstract of prices is given:—

1877.	1881.	1885.
Catt. 25s. to 125s. per stone	10s. to 17s.	8s. to 9s.
Pigs, in 6d. to 2s. per cwt.	1s. 8s. to 2s. 4d.	1s. 6d. to 2s. 4d.
Butter, 11s. to 12s. per lb.	11s. to 12s.	7s. to 11s. 6d.
Flax, 6s. 6d. to 7s. 6d. per cwt.	4s. to 6s.	4s. to 6s. 6d.
Wool, 5s. to 6s. per cwt.	3s. to 5s.	3s. to 5s.

"This depression in the price of the foregoing items is serious enough, but more serious is the diminution in the price of live stock, which may be estimated at from 30 to 50 per cent. It may be safely assumed that since the first of the disastrous years, 1877, there is an average decline of 50 per cent., and since the passing of the Land Law Act of 30 per cent. On the lines, therefore, of farming profits—or rather of no profits—an unavoidable necessity has arisen to declare the statutory term of fifteen years null and void, and to enable the judicial landlords to obtain an equitable revision of their rents, and in this case ordinary leaseholders should be allowed to participate. Looking, however, to the difficulties of another revision, and to the probable consequence, through foreign competition, of low prices, it is hereby suggested that the Legislature should consider what further facilities should be provided for enabling the farmers of Ireland to become without delay owners of their holdings. The system of dual ownership involves such a painful conflict between proprietors and occupiers, it is so difficult to define and settle their respective interests, the questions at issue have become so complicated by precedent upon precedent, by the good law and bad law, by misadventure of justice and injustice, that the simplest and most effective remedy seems to be in converting our proper terms tenants into proprietors. To this ultimate end the tenants of Ireland appear bound to come. Viewing the Land Act, it may be said, 'It is not enough to help the feeble up, but to support him after.' The only true support will come to the Irish farmer when he is made owner of the land he tills. Thus he at last will be able to 'live and thrive.' But if this complete reform cannot be effected now, the tenure clauses of the Land Act should be immediately amended. These are the circumstances under which the Ulster Land Committee beg leave to submit the following resolutions to this Conference." Mr. McEvey then read the enjoined resolutions:—1. That the tenant right custom of Ulster included rents in which the value of tenants' improvements in lands and buildings, whether made by predecessors or occupiers, and also the market value of the combined interest of goodwill and improvements, were not taken into account against the tenant; and that this equitable recognition of the tenants' interests encouraged the investment of capital and good husbandry, and made the market value in many cases of those interests almost equal to the interests of the lords of the soil. 2. That though the Act of 1881 in principle recognised the separate interests of the tenant, those interests have not received adequate recognition in the Land Courts, and rents have been fixed on considerations at variance with the old Ulster custom, the policy of the Act, and the well-being of the community. 3.

Thus, owing to various causes, the most potent of which is foreign competition, prices are now so low that payment of judicial and ordinary leasehold rents out of profits has become impossible, and Parliament is hereby earnestly requested to amend the Land Act in the following particulars, amongst others.—The present statutory term to be declared null and void, and a shorter term, say five or seven years, from date of fixing the new judicial rent, substituted therefor. The fair rent section to be amended, so as to exclude all improvements made by predecessors or occupiers from assessments of rent, and to include decline in agricultural prices as a circumstance which seriously affects the ability of the tenant to discharge his pecuniary obligations. Ordinary leaseholders and occupiers of townships to be enabled to claim the benefits of the amended fair rent section. That claims on land by mortgage or incumbrance be in all legal proceedings against a tenant restricted to the position already assigned to a landlord under the Land Law Act. That the Land Court, in fixing the value of the tenant's interest, should be further empowered to fix the value of the landlord's interest on equitable terms, taking into consideration agricultural circumstances. Restrictions on free sale of tenant right property to be removed. 4. That, while this Conference is of opinion that a large reduction in all existing rents is an imperative necessity, it is hereby declared that compulsory sale of the landlord's interest to the tenant on fair terms is the only solution of the difficulty which will place Irish agriculture on a proper and satisfactory basis. 5. That we believe the Labourer's Act does not provide adequate facilities for building and improving labourers' cottages and obtaining accommodation ground, and that in these respects the Act should be amended. 6. That the Ulster Land Committee be, and are hereby, requested to present a Bill in Parliament in accordance with the foregoing resolutions. 7. That copies of these resolutions, together with copies of papers containing reports of proceedings of this Conference, be sent to Mr. Gladstone and other members of the late Government, and also to Lord Salisbury, Lord Salisbury, and Lord Randolph Churchill."

The next document which I wish to present for your consideration is one more representative of public opinion in a local sense. It is a memorial presented to Mr. Gladstone about the 25th of February 1886, and it came from the Antrim Central Tenant Right Association that was in connection with the Ulster Land Committee. The Antrim Central Tenant Right Association consisted of about eleven local associations and the same number of local committees. I regard the statements in it of great importance, and it is right that I should lay it before you.

9805. Sir James Caird.—Is it much to the same effect as the one you have just given us?—It deals with the question in a more local sense than the other, which is more provincial. It states that they were dissatisfied with the rents that were fixed by the Land Courts, and it went on to deal with the fall in agricultural prices, and said—

"Apart, however, from the defective and unsatisfactory administration of the Act, there arose another state of circumstances far more serious and deplorable. Since the Land Law Act was passed there has been a considerable fall in the prices of agricultural produce and live stock, varying from 30 to 50 per cent. Working expenses have remained at the standard of prosperous times, and thus the average reduction of 20 per cent., in the Land Courts has been more than counterbalanced by low market prices. Fair rents were demanded before the disastrous seasons began in 1877, and, comparing the prices and rents which prevailed ten years ago with the prices and rents which prevail now, the former period was decidedly more favourable to agriculture than the present. Profit and rent are no longer so-existent or compatible with each other. With the exception of the season

Oct. 28, 1886.
S. C. M'Drugh.

of 1880, every season since 1877 has been more or less unpropitious for remunerative husbandry. The consequence is that the capabilities of the soil are deteriorated, the produce is deficient in quantity, and a large portion of grazing land is lapsing into sterility. There is no encouragement for generous cultivation of the soil, owing to want of means in some cases, and in others to apprehension of loss of capital. All classes of occupiers require relief in the matter of rent, but this relief would involve the abrogation of all existing contracts. Should no other means be considered expedient, this abrogation would be imperative; but memorialists believe there is a 'more excellent way'—namely, the transfer on equitable terms of the fee-simple interest to the occupiers. Looking to the possible continuance of foreign competition in grain, live stock, dead meat, &c., a revival of good prices seems impossible. From this outlook it may be inferred that the legal obligations of farmers must either be adapted to the falling tendency in prices, or the farming industry will be ruined. In proof of the general depression, the tenant right interest of farms, except those of a superior class, is unsaleable. There is no demand for holdings unless they possess some specially attractive features, and old and infirm people are compelled to remain in possession, to their own disadvantage and the detriment of agriculture. Memorialists, therefore, earnestly and humbly pray that you will complete your land legislation by introducing to Parliament a Bill for the conversion of all occupiers of agricultural land into owners on conditions equally fair to said occupiers, the landlords, and the State. Memorialists desire to express the firm conviction that the establishment of a peasant proprietary would largely tend to solve the twofold social and political problem in Ireland, inaugurate an era of peace and prosperity, promote loyalty to the British Throne, and stimulate all those pursuits which make a nation great and illustrious. Praying that you will crown your Irish legislation by making Ireland a nation of peasant proprietors, and that you will live to see the fruit of your patriotic and glorious labours."

The Ulster Land Committee issued a number of queries, and a united meeting of the Ulster Land Committee and Antism Central Tenant Right Association was held at Waring Street, Belfast, to consider the report of the sub-committee on the instructions given to them. Mr Samuel Black, J.P., presided at that meeting. The result of these queries was published, and the document excited considerable interest when it appeared; I would be disposed to say that its interest still continues, as it is obvious that there is no improvement in the state of agriculture.

1807. Sir James Caird.—What was the date of that meeting?—February 27th 1886.

1808. The President.—About the same date as the memorial to Mr Gladstone which you have just read?—Very nearly; the one matter was local and the other general. The queries were sent to about thirty members of the Committee, and nearly all of these gentlemen were practical agriculturists. They were all such with the exception of a few.

1809. The President.—Are the contents of that document somewhat to the same effect?—Well, it is more comprehensive, but to the same effect. The result of these replies indicate "uniformity of opinion among the Ulster farmers in favour of compulsory sale of the fee-simple to the occupiers, that the number of years' purchase and the rate of interest should be so regulated as to make the annual payments equal to about one-half of the judicial rents, that the case of leaseholders should be settled on a similar equitable basis, that the present depression is very severe, and that, in the event of remedial legislation being delayed, a large number of farmers will be compelled to surrender their holdings. Believing that the replies represent the views of the farmers of Ulster that there is great urgency for legislation of the comprehensive and permanent nature stated, and that delay would be

fraught with grave consequences to many farmers in Ulster as well as in the rest of Ireland, the Sub-Committee recommend that petitions be sent to the House of Commons in favour of Mr Gladstone's Bill; that is, should it be found satisfactory, and that such other legitimate means be adopted towards its promotion as may appear necessary and legitimate. The Sub-Committee desire, further, to impress upon the people of Ulster the importance of fixing all their social and political energies upon obtaining an adequate and immediate settlement of the land question. Compared with it, all other questions are more or less subsidiary, and they are hereby urged to exercise discrimination between what is calculated to promote their welfare and what would create and foster civil commotion. The Sub-Committee hereby record their solemn conviction that Mr Gladstone's Irish legislation has averted the horrors of civil war, and largely mitigated many social and political evils. Confiding in the patriotism and nobility of his intentions, and knowing how Ulstermen appreciate the principles of justice and liberty, the Sub-Committee bespeak for Mr Gladstone the trust and good-will of the Ulster people in the present moment, when doubts and hatred are being propagated by the hereditary opponents of the rights of the industrial classes."

The following resolutions were adopted by the Route Tenants' Defence Association:—"That the Route Tenants' Defence Association, having co-operated towards obtaining a fair trial for the Land Law Act of 1881, feels constrained to express regret that, owing to defective administration and the fall in the prices of agricultural produce and stock, the rents fixed under it, after payment of wages and other charges, leave no margin of profit to statutory tenants, and that many of them are now in a state of financial embarrassment, and merely able to keep possession of their holdings through the indulgence of landlords and creditors. That the case of ordinary leaseholders is even more urgent and deplorable than that of the statutory tenants, as no relief whatever was brought to them by the Land Law Act.

"That, until recently, the Association believed that with increased facilities for sale the permissive principle of the purchase clauses would promote in a speedy and effectual manner the establishment of a peasant proprietary; but the deadlock in the working of the scheme continues, and we cannot any longer rely upon such a process as adequate to the agricultural requirements of Ireland. That the sale of the fee-simple to the tenants should be made compulsory, seems to be dictated even by considerations on the side of the landlords, for the proceeds of a far number of years' purchase would be as beneficial as a rental reduced in proportion to the depression in agriculture. That the great necessity of the time is to bring the payments on land into conformity with the circumstances of agriculture and the low prices caused by the enormous importations of foreign grain and stock. Without presuming to suggest any particular financial scheme for the purchase of the landlords' interest, we deem it sufficient to state that whatever scheme be adopted in the wisdom of the British Legislature should have for its practical effect the occupation of the land by the tenants at about one-half, in annual payments, of Griffiths' valuations. We are now thoroughly convinced that agriculture cannot prosper under a system of two ownerships in the soil, and that it has become absolutely imperative upon the Legislature to compel the sale of the property of the land owners to the occupiers."

The following resolutions were adopted by the Route Reform Club at a meeting held in the Town Hall, Ballymena, on the 6th of October 1886:—

1810. Is that the name of the place?—Yes.

1811. Lord M'Donnell.—Were these resolutions come to before the passing of the Purchase Act of 1881?—No; since the passing of the Purchase Act.

1812. You had this Act in your mind when you passed the resolutions?—Yes; the following are the

resolutions I refer to:—"That at this, the first meeting of the club, we desire to recognize the beneficial influence which the legislation associated with the name of Mr. Gladstone has exercised upon national affairs, and that we request the support which he gave to the Tenant's Relief Bill as additional testimony of his earnestness in the cause of agricultural rights. That the Tenant's Relief Bill being founded upon urgent necessities, we thank Mr. Parnell for its introduction, and acknowledge with pleasure the practical and creditable manner in which Mr. John Pinkerton, M.P., vindicated the claims of the farmers to relief from rents which material and other causes have rendered oppressive; and we hereby respectfully urge the landlords to take into favourable consideration the present deplorable condition of their tenantry, and make substantial and adequate reductions in rent." These are all the resolutions that we wish to submit to you. I have no desire to occupy the time of the Commission too long, but I think it is my duty to point out that between the principle of Mr. Parnell's Bill and the demands of the Tenant's Association there has been a very marked identity. The principle of this Bill was first put forward at a meeting held in October last, and that was the first time that the demand was made.

1813. Lord Millicom.—What was the principle?—The opening up of judicial rents for revision.

1814. The principle of Mr. Parnell's Bill was that?—Yes.

1815. The President.—If 50 per cent. was paid in?—We demanded that the rents should be revised, and also a term of years adopted—either five or seven.

1816. Mr. Black.—Mr. Parnell's Bill referred to 50 per cent. being sufficient to stop evictions.

1817. Witness.—There are two leasehold cases that I wish to give you particulars of. I would regard this case as an illustration to some extent of the ordinary agricultural leasehold grievances. John McKay holds a farm consisting of 33a 1r 30p; Griffith's valuation is £60. The present rent under the lease is £37; the old rent was £39, 17s. 4d. The land consists of cold clay-land, that would not do very well in wet seasons. Griffith's value came, and went over only two fields of the best land, and valued the remainder of the holding; and when the occupier appealed against this valuation another value was sent. He went over a greater part of the land, but he would not allow it to be reduced. He said it would not be professional for one valuer to undo what another had done, but he would reduce the valuation by £3, and it was fixed at £37. The old rent, as I have said, was £39, 17s. The next case is that of W. J. McLean. 51a. 3r.; the poor-law valuation, £67, 13s.; the old rent, £37, 13s.; and in 1870 a lease was taken for twenty-one years, at a rent of £16. This farm was bought in 1870 by the present tenant for a sum of £530, and the lease was afterwards taken out. The farm was offered for sale in '84, but no bid was received. The tenant said it was easier to pay £70 in '70 than to pay £40 now. The next case is that of William J. Wilson. It consists of 38 acres; the rent is £41; and the Government valuation of the land £29. The Government valuation of the house was £3, 13s.; the lease was taken in 1860 for thirty-one years; and in previous years improvements were made on the farm, and the rent was £30, 18s. 6d. This man says that the rent was made on his improvements. Seven acres of the land are liable to flooding. The last case is that of John Fendige. 51a. 8r. 10p.; rent, £31, 14s. 8d.; Government valuation of land, £37; valuation of house, £4. The lease was made in 1860 for thirty-one years. The land is light and gravelly, there is some low-lying land subject to floods, and seven acres are bog. I bring these cases forward as illustrations.

1818.—Sir James Caird.—What do these gentlemen desire by placing this information before the Commissioners?—To establish a case to justify the

Government in breaking the leases, and allowing them to go into court.

1819. The President.—And to have judicial rents fixed?—Yes; in connection with ordinary agricultural leases. The case of some free-farm grants might have been brought before the Commission, but I had not sufficient time to get such a number as would justify me in going into them.

1820. Mr. Nelson.—We have already had a number of them.—Well, from the information I have, I am justified in saying that there is a great grievance in connection with the free-farm grants as well as in connection with ordinary leaseholds.

1821. Sir James Caird.—Do you, on the part of these parties that you have mentioned, allege any sort of compulsion to compel them to enter into these leases?—No; they entered into these leases freely, generally speaking. Since 1870 the leases were taken out as a precaution. Indeed, until '81 the desire of the farmers was to be protected against what they would regard as frequently a bad increase of rent. Rent might be increased every five or seven years, and increased 2s. 6d. or 3s. an acre when the tenant had to ask leave to sell his tenant right; and as a protection against this state of affairs the tenants took out leases, and at rents which at the time were regarded as pretty fair rents, but which, owing to the fall in agricultural produce prices, are not fair. Rents which were fair in 1870 are not fair now.

1822. Is it your experience that the leaseholders generally are quite equal to the other farmers in the management of their farms?—I would be disposed to say that they are superior. I think they are the flower of the agricultural community, and the leaseholders of Ulster are industrious and skilled farmers. I wish now to call the attention of the Commission to the question of the sale of tenant right in farms. I don't think it would occupy much of your time, and I have facts to give you and suggestions which affect the neighbourhood of Ballymurray.

1823. Sir James Caird.—Can you give it to me by certain years?—The Freshborough Commission ended in '80. I take '81—the results of the sales from '81 I take, first, these columns—average, rent, tenure, results. I propose to give you all the transactions, the sales that were transacted, and the sales that were not transacted.

1824.—Sir James Caird.—Can you give the average of that for each year?—I have a number of things that can hardly be regarded as averages. I have a number of cases in which the tenant right was not sold at all. I think the matter could not be understood unless you had the figures in detail.

1825. The President.—What is your object? Is it to show that these sales have decreased?—It is to show that the transactions have fallen in point of number.

1826. And the prices came to?—That requires explanation. When a good farm is offered now there is no competition. There will be very little competition in middling farms, and in the case of poor farms there will be none. We can only sell productive lands, and there is a large portion of land even in the province of Ulster, in which there is very little tenant right, owing to the low price of agricultural produce. In the year '81 I could show the sales that were satisfactory, and those that were not; but if you are satisfied, I will send those details to the secretary.

1827.—Mr. Nelson.—We have returns from the Select Committee of the Lords on the Land Act, from the Court of Bankruptcy, and returns from private sources of information.—Each district cannot be separate.

1828. Is it each province and each county.—These are sales conducted by myself.

1829. You give in your list the number of years and the years' purchase?—Yes.

1830. Lord Millicom.—Are you an auctioneer?—Yes; and I am sometimes engaged as a valuer.

1831. These are the only sales of which you have any knowledge?—Yes, in '83 there were four sales;

of £ 23, 18s.
— C. McIlroy.

Strange to say, there were few in that year; it was a time of uncertainty, and the farmers were waiting for the results of the judicial rents. In '83 I had eighteen engagements, but nine of those were not successful.

9832. Only half of the farms offered were sold?—

Yes.

9833. Was that because you were not satisfied with the price?—Yes; in '84 I had twenty-nine engagements, but fourteen of those farms remained unsold. It was found that the revival in agriculture did not help to sell them even in the fairly successful year of '84. In '85 I had sixteen engagements, and six remained unsold.

9834. Mr. Nelson.—What is the average years' purchase?—I will give you the total sales of '81 and '82. In '81 it was £2391.

9835. The President.—For the year?—Yes; in '82 it was £1400.

9836. How many acres?—I have that in the total statement, which I will send to the secretary. In '83 it was £3042, in '84 £4218, in '85 £3530.

9837. Now we must have the acreage?

9838. Lord Altham.—I suppose you have a reserve price?—Yes.

9839. Have you any objection to say what they were?—I do not remember.

9840. How many years' purchase were given?—If the holding is a valuable one the reserve price is sometimes fifteen years, and if it is not it is sometimes twelve years, and sometimes ten years, and sometimes seven, just according to the value of the holding. The point that I wish to draw your attention to is that in '85 the proceeds are only £1403.

9841. Sir James Caird.—How many sales?—Six, there were seven engagements, and one unsold.

9842. The President.—You will have some more before the end of the year?—I will tell you.

9843. Mr. Nelson.—Did these sell as high?—That is a very practical point, which would strike no common mind but the mind of a man thoroughly versed in these matters. It is a rather singular thing that in these times the average price of tenant right is keeping up pretty well. In '74 and '76 I was able to sell poor land, middling land, and of course good land, but the price of middling land and poor land kept down the average. At present I am not able to sell the poor class of soil or the middling class, consequently I have hardly any but the good at an average price, but the proceeds of the sale of this middling class land would bring it down.

9844. Good land keeps its price, and the other won't?—Yes.

9845. The President.—What do you propose to give as for the average, to make these figures available?—I propose to give the figures in detail.

9846. Sir James Caird.—What do you consider you can give as a reason for the fact that only good land sells?—Because good land is productive, and the middling land is not, in a remunerative sense. There is a considerable quantity of land in the country in which, owing to the price of agricultural produce, there is no tenant right value.

9847. The depression tells most on the poorer land?—Yes, proportionately; there is a great deal of land only worth a very small rent, and consequently there is no competition for it.

9848. And the value of the tenant right on the poorer class is much more diminished than on the better class of land?—Proportionately it is. The sum-total of these sales is £16,184, and as a matter of information I may state that the sales that I reported to the Benchborough Commission from '65 to '80 was £31,493; that is, I have sold in the immediate neighbourhood of Bellinacree, £47,877 worth.

9849. Mr. Nelson.—If you take the cases say in 1893, a man pays a certain sum of purchase-money, and he increases the amount of his purchase-money?—We are not disposed to look at the matter in that light; we are disposed to say that the tenant has a vested interest in the soil.

9850. But if a man gives £200 for a farm, he expects it would pay interest as well as his rent?—He does.

9851. In '85, when you got that £3060, it was an investment at 5 per cent?—He hopes it will be a remunerative investment. Perhaps the case that I wish to bring forward may be regarded as an extreme case, but still I think I am justified in regarding it as an illustrative case. It is a fee-simple case, but it has a tenant right element as well. The farm is 36 acres, the head rent £2, 15s. 6d., bought in '80 for £500 by two brothers who had returned from New Zealand. They bought the fee-simple, they afterwards bought up the tenant right, which cost them £290, and having acquired the two interests they proceeded to build a very good dwelling-house, which cost them £200, making a total investment of £1000. This transaction took place in 1880. The farm was offered for sale this day week, both the fee-simple and the tenant right. The same party had two interests, and offered for sale the combined interest. It is a very nice case indeed.

9852. But you do not find a man coming from New Zealand with money in his pocket every day—you do not always get that?—I quite appreciate that. That shows how fancy prices go. We got £500 at the last sale.

9853. Sir James Caird.—You sold at £500?—Yes.

9854. The President.—And they paid £1000?—

Yes; he invested £1000.

9855. Mr. Knappe.—How many years since?—It was bought in '69, and sold last week. It might be inferred that that farm lay at the foot of a mountain, or was at some disadvantage. I admit that the land is generally what is called light land, but one field of oats sold at £5 an acre, and in another about £4.

9856. What do you mean?—Oats on foot. There was a sale in the month of August. The land which produces at that price cannot be called very bad. I do not bring this forward as a case of poor land; though not of a superior class, it is close to the railway station, and it has advantages; yet there it was, sold at £300.

9857. Sir James Caird.—Was that supposed to be a high price which was given in '80?—Yes; the fee-simple cost £590, and I think that £400 would have been quite enough for it. At least the competition price should not have been above £500. I suppose I may come to another matter. I wish to dispel some misapprehensions that have existed with regard to the sale of land in converse. I have had a fair number of transactions in converse.

9858. Sir James Caird.—Is that very common in this part of the country?—Not very common.

9859. Is it exceptional?—Yes, it is exceptional.

9860. Lord Altham.—Do you mean a sale under converse or letting?—The auction of land in converse.

9861. Practically it is a letting?—Yes.

9862. A letting made on competition price as grass or crop?—Yes.

9863. The President.—Which sells the crop?—The man who buys the ground for cropping also sometimes sells it. Here is a case in point. It was a pretty good low field, and he bought it at £4 a Cunningham acre. 46, 12s. 6d. I sold that for. There was not very much profit. It has been said that this is a very high price, and that landlords regard farming as paying very well; but I say that this cannot be regarded as an illustration in a general sense. There are exceptional cases, and a man will give an exceptional price for an accommodation.

9864. The President.—Were you going to give us many examples of that?—I had taken some figures, but I merely wish to prove that the converse sale cannot be regarded as showing the value of land.

9865. Mr. Knappe.—Is that confined to farmers?—The landlords sell as well as farmers. There was one case in which I sold a farm that lapsed into the hands of the landlord. I sold the grazing for four years, and the proceeds did not amount to much more than the original rent.

9856. Sir James Caird.—Is there any other matter that the deputation desire to place before us?—Before these other gentlemen give their evidence, I would express my own opinion with regard to the necessity for the compulsory establishment of peasant proprietorship.

9857. Do you speak for the deputation who are here now?—I will allow them to speak for themselves.

9858. The President.—You advocate compulsory sale?—Yes.

Oct. 29, 1886.
S. C. McIlroy.

Samuel Black, examined.

9859. The President.—You are a farmer?—Yes, and besides that I am also a linen merchant.

9860. How many acres do you hold?—150 acres near Randalstown in the county Antrim. In reference to the questions propounded in the circular of your secretary, I have to say—1st. As to conspiracy against paying rent. Such a thing does not exist here. 2nd. As to fall in the prices of produce since 1883.—In that year wheat was from 10s. 6d. per cwt. now 6s. 6d.; oats, 7s. 3d., now 5s. 9d.; cattle have fallen about one-third; butter, one-third. 3rd. The provisions of the Land Act 1885 have not been much availed of in county Antrim. The landlords here have not expressed much desire to sell. I think very few have shown any desire, and therefore very little advantage has been taken of the Act of 1885. Leasehold.—These are, in many cases, in a very straggling condition. Their farms, in most cases, are more highly rented than yearly tenancies. Those leases in many instances, during the few years immediately preceding the passing of the Act of 1876, were taken out by the tenant at an increased rent, on the understanding that a general revaluation would be carried out, and a considerable addition put on the rent generally. As a fact, that revaluation never has been made, and the tenants holding those leases have been compelled to pay the increased rent then put upon them. Leases were generally taken out by the more improving tenants as a security against the confiscation of their improvements, either by ejection or a rise of rent. The rise of rent was the instrument more generally adopted, and against it, prior to the passing of the Act of 1876, there was no redress. On these grounds the greater number of the agricultural leases in existence were taken out. The causes of the fall in the value of these leases has been taken away, when the power to raise rent and to evict arbitrarily have been abolished, and therefore such leases should be dropped. Land Commissioners.—The number of Sub-Commissioners required to perform the ordinary work of the Commission should have permanent appointments, and, at the end of a certain number of years' service, should be entitled to a pension. Dismissal ought only to follow dereliction of duty, and be the result of the decision of a tribunal of inquiry. This would remove them out of the sphere of intimidation either by a committee of inquiry on the working of the Land Acts issuing from the Houses of Lords, or otherwise. Besides, permanence of employment should increase efficiency and expertness in the performance of duty. Judicial Term

—This ought to be reduced to seven years in the past as well as in the future. And in arriving at a fair rent, prices of produce, as well as wages, should be taken into account. Land Sales.—If the Act of 1885 is to be generally availed of, the Land Commissioners should be empowered, either upon the application of the landlord or tenant, to fix the fair price to be paid for any holding of an agricultural or pastoral nature; and such price, when so fixed, should be compulsorily payable for such holding. Registration.—A Court of Registration should be provided in a suitable and easily accessible place in every district (county or province), which should take cognizance of all lands held under judicial rents, and all mortgages, assignments, etc. Tenant Right.—This has been affected by the present depression in agriculture. No doubt farms sell very irregularly. While for a few considerable prices have been obtained, caused by competition or by some other local influence (small farms selling proportionately much higher than large), the general state of the market has been very unsatisfactory for sellers. I sold a farm this year, as executor, at £100, for which £900 could more easily have been obtained in 1881.

I have known other farms sold at £6 to £5 per acre, for which double those prices could have been got in 1881. I have a letter from a gentleman who knows all about the circumstances and conditions of the farmers of this county. He writes to me as follows:—

"RANDALSTOWN, 23rd Oct. 1886.

SIR,—In reply to yours of 18th inst., I can only give my opinion in a general way, viz. that one in eight of the farmers in this county are bankrupt. I know the money-lenders are holding off, because they could not at present realize the amount of their mortgages, and are hoping for better times. One, Mr. J. D., told me lately he could give me a dozen farms he has on bonds. I could give you no better example of the great depreciation in the value of land in this district, than the case of some lately held by McCulloch, with which you must be familiar. I may add that the number of ejections is no criterion of the state of the farmers.—Yours truly,

J. MARQUESS."

J. BLACK, Esq.

9871.—Sir James Caird.—One in eight he said?—One in eight in a state of bankruptcy. He means not actually in bankruptcy, but in a state of insolvency.

Inquiry adjourned.

FIFTEENTH DAY, SATURDAY, OCTOBER 30th, 1886.

Oct. 30, 1886.

ROYAL HOTEL, BELFAST.

Commissioners present—Right Hon. Earl COWPER, Right Hon. Earl of MILLSHAW, Sir JAMES CAIRD, Mr. NELGAN, Q.C., Recorder of Londonderry, and Mr. THOMAS KNIFE.

Robert D. Pinkerton, examined.

9872. The President.—I suppose, Mr. Pinkerton, you would like to make some statement yourself, without waiting to be examined?—Yes. My evidence is principally with regard to figures, and I will give you the general aspect of the figures which I

wish to lay before you. They consist of some prices, averages in my own district. I do not know whether I had better read the figures or hand in the tables which I have prepared to your reporter.

9873. They are figures relating to the prices of

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produce?—Yes; the price of a number of articles of farm produce in my locality.

9874. Sir James Caird.—Where is that?—North Antrim.

9875. The President.—You might give us some of the figures, and the results?—Well, in the first place, I have taken the ten years prior to the Land Act, as being probably the basis of the judicial rents. I have no means of knowing whether these are the actual years, but I have assumed so for the purpose of this evidence, and it will suit very well. I take out the prices of a number of articles, namely, oats, potatoes, flax, pork, beef, and butter. I take out during that period at 7s. 4d. per cwt.

9876. Mr. Nelson.—The period from 1871 to 1880?—Yes; potatoes 3s. 3d. per cwt.

9877. These figures are all per cwt.?—Yes; flax, 6s. 5d.; pork, 53s.; beef, 52s. 4d.; and butter, 12s. 8d.

9878. What market?—Ballymoney market; and from the actual transactions in the merchants' books I have also the prices of the same articles in 1881, 1882, 1883, 1884, and 1885, and in 1886 down to the present date, and what I wish is to show the relation which the change in the value of the produce has upon the rents.

9879. Sir James Caird.—Have you the average for that time?—I have the average of each particular year.

9880. But not the average of the five years?—No; but in the way that I use it afterwards here in another table, it has much the same effect.

9881. Can you give us the present year, 1886, by itself?—Oh yes, I can give you all the years succeeding 1880 separately. In the first ten years the average for oats was 7s. 4d.; in 1881, the year following the passing of the Land Act, it was 6s. 4d.; in 1882 it rose slightly to the same figure as in the first ten years, namely, 7s. 4d.; in 1883 it was 6s. 4d.; in 1884, 6s. 6d.; in 1885, 5s. 5d.; and in 1886, up to the present date, it was 5s. 9d.

9882. The average before having been 7s. 4d.?—Yes. Those prices are on the bulk of the oats sold in the market; not the average of the best prices.

9883. And that applies to the years between 1871 and 1880 also?—Yes.

9884. Now give us the potatoes?—Yes; the method of averaging the price of the potatoes is the same from 1871 down to the present. The average price of potatoes was 3s. 3d. for the ten years before 1880; in 1881 the average price was 2s.; in 1882, 4s. 2d.; in 1883, 1s. 10d.; in 1884, 1s. 9d.; in 1885, 1s. 8d.; and in 1886, down to the present date, 1s. 8d. The next item is flax. The average price for the ten years from 1871 to 1880 was 63s. 5d.; in 1881 it was 56s.; in 1882, 53s.; in 1883, 52s.; in 1884, 50s. 8d.; in 1885, 53s. 4d.; and in 1886, down to the present date, the average was 45s.

9885. That is the lowest price at which it has ever been, apparently?—Yes. It is about 10s. per cwt. worse this year than last year for so far. Now the average price of pork was for the ten years up to 1880, 53s.; in 1881 it was 54s. 9d.; in 1882, 53s. 6d.; in 1883, 56s. 10d.; in 1884, 62s.; in 1885, 43s. 8d.; and in this year, up to the present date, it is 44s. 6d. Now I might also mention that you may notice occasionally discrepancies between these figures and the figures published in the *Farmer's Gazette*, that they do not run exactly parallel. That will be accounted for in this way, that the period for which I have calculated may not be the same as the other. The *Farmer's Gazette* prices may have been taken from January to December, while in certain cases, as in flax for instance, I have calculated from the beginning to the end of the season.

9886. That makes no difference in the result?—No, but it makes a difference in the context.

9887. It would be no difference in the average?—No.

9888. The President.—Is there much difference

from *Perden's Almanac*?—I have noticed that there is slight difference.

9889. What is yours taken from?—From the merchants' books in Ballymoney. Now, with regard to the beef, the average for the ten years to 1880 is 53s. 4d.; in 1881 it was 54s.; in 1882, 56s. 8d.; in 1883, 60s. 8d.; in 1884, 54s. 10d.; in 1885, 51s. 4d.; and in 1886, up to the present date, it is 45s. 8d. The figures with reference to butter are, for the ten years, 123s. 8d.; in 1881, 117s.; in 1882, 112s.; in 1883, 93s.; in 1884, 107s.; in 1885, 95s., and in this year, up to the present date, 82s.

9890. These are the averages for oats, potatoes, flax, pork, beef, and butter?—Yes. These were the general articles of produce in my locality, and I wish to point out, with regard to the effect of these changes in prices, that whatever percentage of rise or fall there is in the whole of this, that percentage is in relation to rent is multiplied fivefold, and that arises in this way, that where a farm is conducted in a proper and remunerative way there should be five rents in a gross turn-over. That is the usual calculation amongst old-style farmers who have made the matter a study. About five rents in the gross turn-over to enable him to live, and thrive, and pay his rent. That is a maxim that has been in existence for a long time before there was any talk of a Land Commission.

9891. Lord Milnes.—Where do you get the maxim from, because there is a good deal of controversy about that? However, we will take it from you that it is five rents.—Of course this refers to Ireland, and supposes buildings to be supplied and owned by the tenant, which materially alters the proposition. For the purpose of the more clearly testing these figures, I took an experimental farm of 100 acres on an average rent in my district, a judicial rent,—on which would be say £100. On the size of a farm I would say, from my experience, that there would be a certain quantity of each of these articles of produce in the year, which I have mentioned. That, however, is not a controversial matter, because if I take it high it won't vary materially alter the relation of the figures, as you will afterwards see. On this 100 acres farm I assume that about 10 tons of oats will be sold, 20 tons of potatoes,—of course you will understand that these sales are considered as relation to the system of farming, and the necessity of keeping up a certain live stock. The particular style of farm in my district would enable them to sell that much.

9892. Sir James Caird.—Is that five courses?—Seven would be more usual.

9893. How many in grass?—Three.

9894. And four under the crop?—Yes.

9895. 100 acres divided by 7 would be 14, and two acres to roads and fences. There would be 12 different plots. 14 acres in work. What do you consider the average crop of oats to the acre?—I do not understand you. The average in my district, one year with another, would be about 15 cwt. to the statute acre. It is not excellent yielding out land. Therefore I have taken it in this calculation as about 14.

9896. Sir James Caird.—You break up your grass and have 14 acres of oats?—Yes; 14 in potatoes and turnips, oats again, 14 acres of flax.

9897. Does the flax follow the oats?—Yes.

9898. Do you manage the second crop of oats?—No; the oats follow the turnips.

9899. It follows the manured crop?—Yes.

9900. Then three years' grass?—One crop hay and the balance in grass. Of course I do not say that what I have given is all the potatoes that are raised on the farm. By no means—but it is the quantity that could be spared for selling purposes.

9901. Have you half of your green crops in potatoes?—About that generally. It varies according to the style of the land. Fourteen acres are manured between potatoes and turnips.

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9902. You sell about half of your crop?—Yes.
Flax is 40s.

9903. That you sell?—Of course it is all sold
out of pork; 8 two-year-old cattle. I assume
that we will have 8 cows, 8 calves, and 8 a year older.
We must either sell 8 two-year-olds or else some
out cows. The yield of butter from 8 cows would
be about 1380 lbs. Of course, if I sell a cow I keep
one of the two-year-olds to take her place, so that it
is about the same.

9904. Do you sell any hay?—No; it is very unusual.

9905. You have now given us your average
sales?—Yes. From my experience, I would say that
that would be the average sales for a 100 acre farm.

9906. Lord Milltown.—Do you sell any straw?—
Not usually—very rarely. Now, the effect of these
different prices on these quantities is what I want to
point out next. It is not really a question of large
yields against small yields, but we will take this non-
controversial quantity that I have read to you, and
try the effect of the different prices upon that.

9907. Take your ten years' average?—That, I
say, must have been about the standard on which
the judicial rents were fixed. I don't think I need
go through the calculations.

9908. Sir James Caird.—I think if you give us
some of those it will be sufficient. What is the
gross average turn-over of the first ten years?—That
is £133, 15s. 9d.

9909. What are you going to give us afterwards?
—The succeeding years up to the present time, just as
I have given you the average prices. This is for the
ten years: 10 tons oats, £73, 6s. 8d.; 20 tons potatoes,
£33, 8s. 4d.; 49 cwt. flax, £155, 7s. 5d.; 90 cwt.
pork, £132; 8 two year old bullocks or heifers, £120;
1380 lbs of butter, £70, 13s. 4d.; total, £535, 15s. 9d.

9910. Now come to 1881?—I have assumed that
the Land Act was in operation before the results of
1881 were fully known. Whether I am right or not
does not matter. I took 1881 as following the
Act. The sum for that year is £468, 19s. Of
course, I have always a uniform quantity, but the
prices vary. It is made up as follows: Oats,
£63, 6s. 8d.; potatoes, £49; flax, £137, 4s.; pork,
£24, 15s.; cattle, £107; butter, £26, 13s. 4d.; total,
£468, 19s.

In the following year, 1882, it is made up
as follows: Oats, £73, 6s. 8d.; potatoes, £33, 8s. 4d.;
flax, £127, 8s.; pork, £33, 10s.; cattle, £124; butter,
£26, total, £295, 11s. 4d. The figures you see are
very nearly up to the standard. In 1883, the figures
are: Oats, £63, 6s. 8d.; potatoes, £36, 13s. 4d.;
flax, £127, 8s.; pork, £26, 15s. 8d.; cattle, £124;
butter, £23, 6s. 8d.; total, £461, 11s. 4d. For 1884,
we have then: Oats, £65; potatoes, £35; flax,
£124, 2s. 8d.; pork, £28, 1s. 8d.; cattle, £112;
butter, £21, 6s. 8d.; total, £445, 11s. In the year
1885 it is: Oats, £54, 3s. 4d.; potatoes, £35, 6s. 8d.;
flax, £115, 11s. 4d.; pork, £25, 13s. 4d.; cattle,
£107; butter, £24, 13s. 4d.; total, £430, 8s. Then
in 1886, this year, up to the present date they are:
Oats, £27, 10s.; potatoes, £33, 6s. 8d.; flax,
£126, 11s. 4d.; pork, £25, 13s. 4d.; cattle, £107;
butter, £24, 13s. 4d.; total, £385, 6s.

9911. Mr. Nelson.—We may say, I suppose, that
this is up to the 1st October?—It is really up to the
31st that the average is struck.

9912. Sir James Caird.—I suppose it is the whole
year, but you have taken the average of the latest
year. You are reckoning the oats and taking the
crop that has grown this year?—Yes.

9913. And the average prices upon those articles
up to this time?—Yes. Oats open pretty high at
first, and they come down slowly. The inflation that
comes at the beginning of the season is compensated
afterwards by the slight depression after the season
opens. Practically, it would be about fair for the year.

9914. Lord Milltown.—It is a fair average for the
year?—Yes, I should say so.

9915. Up till now?—Yes; all my other years'
averages are for the whole year.

9916. What is the price of oats that you are taking
now?—For this year?

9917. Yes?—5s. 9d. for 112 lbs.; that is the
quantity. The result from the prices of 1871 to
1880 being the basis for which, I assume, the judicial
rents were fixed, for those rents to remain fair, the
result in the years that follow should oscillate back
wards and forwards about that line. But that has not
been the result in the succeeding years by any means.

9918. Sir James Caird.—Would you propose to
meet that in any way by a sliding scale?—I believe
it would be a very much better way.

9919. Would it be necessary in the sliding
scale to take into account more than oats, beef, and butter?
—Yes; in the North of Ireland it would be specially
necessary to take flax into consideration.

9920. Does that amount to a considerable item in
these figures which you have given us?—Yes; there
is still a good deal of flax grown in the North of
Ireland.

9921. You have given us these figures about flax?
—Yes.

9922. Is the flax grown one-sixth of the total
value?—Yes, I think it is, and over.

9923. And you would desire to take in potatoes,
which fluctuate very much?—Yes, I would.

9924. There is no crop fluctuates so much as that?
—No doubt; but there is great quantity sold.

9925. And pork and beef and butter?—I believe
every one of these commodities which I have referred
to are of importance in a sliding scale.

9926. And each of these should have no effect?—
Yes; an effect corresponding to their position in the
course of farming that is adopted. It should be in
some such way as I have put it there. There is one
item which I forget to explain—that is, cattle. It is
quite impossible to get the average price of cattle:
it is utterly impossible. I cannot compare this year
with last year, and with the ten years. Such things
as the quality of the grass and other matters make
it actually impossible to get really reliable figures in
the price of cattle. But I think the way I have done
it is about reliable. I assumed that in the ten years
from 1871 to 1881 the cattle I have referred to would
be worth £15.

9927. Per head?—Yes. We will say that por-
tion were fat for the butcher, and portion were calving
heifers. We may assume roughly that it would be
£15 a head. I took that £15 per head as represent-
ing the average price of beef at that period, and the
succeeding prices of beef according as they vary I add
or subtract a percentage accordingly.

9928. That is the nearest way that you can come
to it?—Yes, because after all cattle are governed by
the price of beef. I do not think, my lord, that I
have anything to add to that. I would be glad to
answer any question that may occur to you.

9929. Mr. Nelson.—Have you the average tested
from 1881 to 1886?—Not altogether; but each particu-
lar year is arrived at in the same way.

9930. The President.—You yourself, I take it,
would be rather in favour of a sliding scale as a
remedy?—Yes; on a short period of revision.

9931. A sliding scale might work by the price
being fixed by the average of—how many years would
you say?—Whatever was the period of revision, say
three or five.

9932. You would have an actual revision every
three or five years?—If we adopt that time, let the
prices be for the same period.

9933. Sir James Caird.—Would you rather have
that than the last year's prices?—I do not think it
would really matter. It would be a mere matter of
convenience.

9934. In that case, it would move year by year?
—I have not thought of that being practical, but if it
were of course—

9935. Mr. Nelson.—In principle it would be the
fairest?—Quite so.

9936. Sir James Caird.—How do you think the

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farmers would take it if the prices went up considerably higher than they are at present? Would they be willing to pay a higher rent?—I think they would have every right.

9537. Unless the rise was caused by extremely short crops?—Well, in that case there would be a difficulty certainly.

9538. That has been the difficulty—that has been felt in former times. This was considered very carefully in 1850 and 1851, and when we were in a different position with regard to the importation of foreign produce, it was found that had crops very seriously interfered?—So it would.

9539. But now, when the values of all produce are governed more by foreign importation than our own, there is a much less chance of that fluctuation?—Quite so.

9540. The President.—Could you convert the judicial rents into a sliding scale. Taking the judicial rents of 1853, and looking at the tables of prices as they were then, and fixing the rents so that they would be the same accordingly as the rents that were then fixed?—Yes, I understand you. My figures make it rather difficult, because in some of these years there is no rent at all. For instance, in this year there is none.

9541. If you once fixed the basis the rent would go down so long as there was a fall?—Quite so, then this year, due to the succession of falls, there would be a considerable diminution.

9542. In rent?—Yes.

9543. And if prices got better the rent would go up again?—Yes.

9544. You think that it could be done?—Yes.

9545. That the old judicial rent could be converted into a sliding scale rent?—I do not see why it could not be. There would be this difference that the present system gives of rent a more uniform income than the sliding scale system would give.

9546. It has been represented to us that this plan would be satisfactory to the tenant so long as there was a fall, but that when things became better and rents raised the tenants would not like it at all?—Well, of course, there would be personal and local difficulties, but I do not think as a whole there would be any important opposition on the part of the tenants to that. It would certainly be more profitable to them in the long run.

9547. Mr. Neligan.—Your average of the six years including this year would show a loss of about £120 on the 100 acre farm?—I think not.

9548. Roughly?—I do not see it.

9549. I have added these six sets of figures, and divided them by six. I am taking the average.—I think there must be some mistake in that calculation. I do not think it would be more than about £80.

9550. Sir James Caird.—I think your calculation is this, that there is in the average of the first ten years an income out of the 100 acre farm of £335, 15s. 9d. 1.—Yes.

9551. £100 a year rent comes out of that?—Yes.

9552. Which would leave £235, 15s. 9d. 1.—Yes.

9553. Then in the last year the income is down to £395, 5s. 0d. 1.—Yes.

9554. And when you reach that, of course there is no rent left—there is no £100 for rent?—Just so.

9555. That is the meaning of your observation that there was no rent left?—Yes.

9556. Mr. Neligan.—I find that you are right, the figures are £80, 3s. 1d.—I thought it could not be more than about that.

9557. Which means that the value of the produce of the farm has fallen by £80, 3s. 1d. 1.—Yes.

9558. The President.—I suppose you have seen a good deal of the tenants, and have had an opportunity of ascertaining their opinions?—Yes. I have been considerably in contact with them with reference to the operation of the Land Act. I have been acting as surveyor and valuer, and I have met a good many of them from time to time. The views, however, that

I have put forward with reference to the sliding scale are my own views—nothing more. The general feeling of the tenants, I may say, is in favour of purchase.

9559. There is a strong wish on the part of the tenants that you know to become the owners of their farms?—Yes, and to settle the most difficulty.

9560. Have they that wish not only for the sale of leasehold the amount of their immediate payments, which, of course, they would do under Lord Ashbourne's Act, but also in addition because they only have a wish to become the owners of their land?—Yes. I think they have that wish, and they have also a wish to get rid of the constant friction that has been in existence for a long time. Since 1873 or 1874 there has been an almost continual friction, and they feel that by making some little sacrifice in this way they would be able to get rid of it. I do not know whether they are right or not.

9561. Lord Millican.—Are they prepared to make sacrifices?—I do not think that expression is a correct one.

9562. I am not surprised at that—it looks rather as if it were the landlords who are to make the sacrifices.

9563. The President.—Will the tenants be willing to give fair terms to the landlords?—There is no question about that. They will. There is a very strong desire on the part of a great portion of the tenants that I am acquainted with to give a good long price for the land.

9564. What price would you advise the tenants to give—how many years' purchase?—Well, my lord, I would prefer not to answer that. It is a very difficult question.

9565. Lord Millican.—They are willing to give a good long price for the land?—No doubt.

9566. The President.—And leave the price to the arbitration of the Commissioners if they had the power to interfere?—Subject to certain limitations, I believe they would.

9567.—Lord Millican.—Will you kindly explain that before going any further: what kind of limitations do you mean?—A general bar of purchase laid down.

9568. Mr. Neligan.—A standard rate?—Something like a standard rate, which might be varied from in some cases—either increased or decreased.

9569. Leaving individual discretion with the Commissioners?—Yes.

9570.—The President.—You are not prepared to name a standard?—I cannot do anything further than refer you to the resolutions which Mr. McElroy handed in last evening. I think about fifteen years was what was named in that.

9571. That would be a great loss to the landlord?

9572. Mr. Neligan.—There is not much sacrifice on the part of the tenant there?—Supposing the calculation of mine is correct, I believe there would be a sacrifice.

9573. The President.—On the part of the tenant?—Yes.

9574. Lord Millican.—Mr. McElroy said that the instalments should not exceed 15 per cent. on the judicial rents; is that your idea?—I have asked not to be pressed on that subject. I have not thought it out carefully myself. I do not sympathise very much with purchase myself.

9575. You don't?—No, I do not, but that is a personal matter.

9576. The President.—I see, the opinion that you gave was not your own—it was the general opinion of the tenants?—Yes.

9577. With regard to your own opinion, if you will favour us with it, what do you think about purchase?—Well, as I said before, I do not sympathise very much with it unless it is calculated upon a very safe basis. I think there would be many risks.

9978. *Sir James Caird*.—Do you think you are on safer terms under the Act of 1881?—Properly administered, yes.

9979. You would prefer the Act of 1881?—Yes, I do.

9980. And you think you would be on safer terms under it?—I would prefer the Act of 1881 if it were properly administered.

9981. *Mr. Nelson*.—Do you think the period of fifteen years is a good term, or would you prefer a longer or shorter number of years?—I would shorten it. I think that term was arrived at from the old-fashioned opinion of people that long leases were good leases. They did not realize the position it would occupy in the face of the changes in the value of land.

9982. What would you propose?—I would not propose a longer term than five years.

9983. *The President*.—Would you prefer that to the sliding scale?—A great deal would depend upon the practicability of the one as compared with the other.

9984. Do you think that it would be a breach of faith to break the present leases?—That, of course, is an important consideration. I do not see what is the use of the Act of 1881 or of any other date to establish fair rents if it does not do it. And if there is a mistake, as there must certainly have been, in the basis or system upon which it has been administered, I say it ought to be remedied in the interests of the entire people.

9985. *Mr. Nelson*.—In fact, your idea is this, that, if say a five year term was adopted, it would allow for a satisfactory revision?—Certainly.

9986. *Sir James Caird*.—So that it is only a question of the number of years?—That is all.

9987. Would not the sliding scale suit that view?—Yes, no doubt. I have fought shy of adopting the sliding scale, because I have not thought about it sufficiently.

9988. The great thing is that it would be self-adjusting?—I am strongly in favour of a sliding scale, if it is workable.

9989. *Mr. Nelson*.—Nothing should be left to individual discretion, which is always variable. There would be a hard-and-fast standard of figures?—If that standard value had been fixed by the court, but I am sorry to say that the Land Court rents are not that uniform standard which would be necessary.

9990. The sliding scale presupposes a standard?—Yes, it would be certainly a more satisfactory way of arranging it. When the actual figures were ascertained, and the loss or gain ascertained, the rent could be arrived at without the intervention of any court or tribunal whatever.

9991. *Lord Milnes*.—With a view to arriving at that standard, would you be in favour of a revaluation of the whole of Ireland?—Well, I assume that, in fixing these judicial rents, some record remains in the hands of the Land Commission as to the basis which was gone upon in each year.

9992. *Sir James Caird*.—The prices, of course, are easily found for each year. They are on record?—Yes, and that being so, I do not see anything to prevent the equalizing of the judicial rents, which would occupy the place of that general valuation to which you refer.

9993. *The President*.—You mean taking the judicial rents and converting them into sliding scales, according to what the prices were when they were fixed, and then letting them run on always?—Yes.

9994. *Lord Milnes*.—Then you are willing to accept the judicial rents as a standard?—By no means. I am willing to accept them as a standard in a particular year.

9995. As prices were then?—As a record of that particular year.

9996. *Sir James Caird*.—The standard of the year in which they were fixed?

9997. *Lord Milnes*.—You will take it that they

were fair in the year in which they were fixed?—That would be giving the lie to my own figures. But I will take it for granted that they were uniform in each particular year.

9998. You will take that for granted?—Yes, in each particular year.

9999. But were they?—Well, I am not prepared to say. No doubt I would be disposed to find fault with a certain number of instances with regard to particular qualities of soil, but I think it would be more of cursing criticism than otherwise.

10,000. Supposing your judicial rent fixed in 1882, and that you have the record of the prices then. Taking then, that as a basis of quantity, you apply the prices, and so get what you want?—Yes.

10,001. *The President*.—Because I think we may consider that the landlord was guaranteed his rent, at that sum, so long as it represented the produce of the land, and it would not be a breach of contract to convert it into a changeable rent if the price was more at that particular moment. If the sliding scale rent at the time it was fixed was the same as was fixed, it would not be breach of contract to allow the change to be made?—That view of it seems perfectly reasonable.

10,002. *Mr. Kelpie*.—With regard to the feeling of the tenants in your locality. Is there a general desire on their part to buy their own holdings?—I have met very few who are of the opposite opinion. The great majority are of that way of thinking, and are in favour of buying their holdings. They are in favour of that solution of the difficulty.

10,003. Have they considered the Purchase Act generally?—No, I do not think they are very clear with regard to its provisions and operation.

10,004. But if it would give them an additional reduction of rent, they would desire to purchase?—No doubt.

10,005. There would be a difficulty, I suppose, in arriving at a fair price between the landlords and the tenants. Do you apprehend that there would be any difficulty in that direction?—Yes; I do not think that in my own locality there is any general desire amongst the landlords to sell. I think that a difficulty will arise there.

10,006. Can you account for that in any way?—For their not being willing to sell?—Yes; I think it is quite easily accounted for.

10,007. Well, let us hear how you account for it?—There is a very considerable tenant interest in the land; for the tenants have erected buildings on it, and drained it, and so on; and it is still marketable in a greater or less degree, and that gives the landlords such a very good security against the non-payment of rent that the landlords get their rents, and so are not anxious to sell. They are not willing to throw away that, and to accept a reduced income, which they would do if they sold their property.

10,008. In fact, the rents are so well secured to them that they have no desire to sell?—That is it.

10,009. Do you think it would be at all desirable to establish a court that would have the power to interfere between the landlord and the tenant, and arrange with regard to the purchase?—You mean in regard to sale, of course. The suggestion to which I have pinned my faith is that some main line of purchase should be laid down by the Government, and that the application of the purchase should be arranged in some independent court.

10,010. And do you think that the tenants would be satisfied to leave it to the court?—Yes; if the main lines of the purchase as I have indicated were laid down.

10,011. *Lord Milnes*.—Is that with the view to compulsory purchase?—Yes.

10,012. That is what you mean—that the landlords should be compelled to sell upon these terms?—I have answered that the tenants would be satisfied to buy upon compulsory terms. The tenants would

Oct 30, 1895.

Robert D. Mackenzie

Oct 26, 1886.
Robert D.
Fulerton.

be willing to abide the result, if they only knew beforehand what we will call the average number of years or the round numbers upon which the purchase would be completed.

10,013. If they knew beforehand what the terms of the purchase were?—Yes, they would. If they knew what would be the number of years' purchase, they would be willing to leave it to the arbitration of the court as to whether there should be a little more here and a little less there, and so on.

10,014. You mean that if they were satisfied beforehand with the number of years they would agree to?—I think the greater proposition contains the less. You asked me if the tenants would be satisfied to accept it, and I said, Yes, if they only knew that they were not buying a pig in a poke.

10,015. They would be satisfied if they knew what the terms were and approved of them?—If they had the outline of the terms. They would not insist upon

knowing the exact price, but they would insist upon knowing what was the general principle upon which the matter was to be conducted and decided.

10,016. If they knew that they would accept the price that the court put upon the holding?—Yes. They would be quite content, I am sure, to let it be worked out in detail.

10,017. Mr. Nelson.—You would think it natural, also, that the landlords would require to have some previous knowledge, such as you have mentioned?—I am not speaking for what is in the minds of the landlords. I leave that in the hands of those who are competent to do it.

10,018. Mr. Kepp.—But you do not think there will be many sales unless something of that kind is established. You do not think that the landlords will be willing to sell?—The Purchase Act is really a deed letter in the North, and for the reasons that I have explained to you.

William James Kepp, examined.

Wm. James
Kepp.

10,019. The President.—You are a farmer?—Yes.

10,020. Where do you come from?—From the Route District of Ballymerry. I have merely been asked by a number of the tenants of that estate to lay before you a few facts with regard to some matters which concern them. I belong to an estate on which nearly all the occupiers are leaseholders, and as about forty of these tenants were induced to take leases about ten years ago, when the present landlord succeeded to the property, and when agriculture was in a most prosperous state. As all these leases were taken at greatly advanced rents, and from that period agriculture has steadily declined, so that at the present time rents that ten years ago might have been considered fair have now become rack-rents, and in many cases impossible rents. Now, as invariably the most industrious and improving tenants were the ones that took leases, thinking they had an interest to protect, that is the class that are now debared from the Land Courts, and left much worse off than the tenant-at-will. In connection with the granting of those leases, the following are some of the facts.—Immediately after our present landlord came into the property—

10,021. Who is he?—Lord Robert Montagu, an English gentleman.

10,022. When did he come into possession?—About ten years ago. I think it was in 1878.

10,023. Who was the former landlord?—Mr. Crombie. All the tenants from year to year were served with a notice increasing their rents one-third over their gross valuation. This the tenants objected to pay. The next offer was to send Birmingham & Gale, Dublin valuers. This offer the tenants again objected to, believing such men had no experience of North of Ireland climate and soil. Seeing no chance of coming to terms, the tenants asked for a local valuer. This was granted, but before doing so they had to sign an agreement that they must take out leases at his valuation. This agreement they signed for one or two reasons. The chief reason was the fact that the former landlord did not recognize the right of free sale. If a tenant on the estate had to part with his holding, the landlord refused to let him sell unless to a tenant chosen by himself, at the same time fixing the price, which he mostly did at a very low figure, generally about five to seven years' purchase. After the passing of the Land Act of 1870, which legalized estate sales, the tenants on this estate felt that to refuse to accept the terms imposed on them, and face the only alternative offer, namely, to go before the chairman of the Committee to fix the compensation to be paid by the landlord, generally meant in their case confiscation of their improvements. Having thus no escape, they felt that the only thing they could do was to accept the terms offered, sign the agreement, and take out leases at whatever the rent might be, which, at the time of

signing, was an unknown sum, or lose their interest in their holdings. It was under these circumstances that about thirty-five to forty tenants on the estate took out leases at rents which, within the last few years, have brought the bulk of them to the verge of bankruptcy.

10,024. Mr. Nelson.—What was the date of the lease?—1878—ten years ago.

10,025. Sir James Caird.—Was there an advance of rent by the value?—Yes. He was a local valuer named McCartney.

10,026. How much was the advance?—It was less than the notice served before, but it was an advance on the previous rent. That was the terms.

10,027. Can you say how much the advance was?—It was advanced, on 35 acres, £3, 7s.

10,028. How much was that per cent? What proportion of the rent was it?—The old rent was £36, and the new rent £35, 7s.

10,029. Lord Ashbourne.—What is the poor-law valuation?—The poor-law valuation is £30, 10s.

10,030. The President.—And the present rent £35, 7s. 1—Yes.

10,031. Mr. Kepp.—At the time you signed the agreement you did not know what the rent would be?—We had to sign an agreement that we would take this valuation.

10,032. Sir James Caird.—What is the length of the lease?—Thirty-five years. One of the tenants who signed this agreement, and never took a lease after the passing of the Act of 1881, served a notice to have a fair rent fixed, but was dismissed owing to the fact of having signed this agreement. This tenant has since gone back in his rent, having been utterly unable to pay it, and a few days ago was served with a writ. That the law requires compensation in this respect the foregoing and following reasons will, I think, prove. Our landlord, when asked to allow the leases to be dissolved, that the tenants might get the advantage of the Land Court, replied that he had not the power to allow the leases to be set aside, having only a life interest in the property, but acknowledging the justice of the demand. He has lately been granting temporary abatements, thereby admitting the rents to be too high.

10,033. Lord Ashbourne.—He has granted temporary abatements?—Yes; for the last year.

10,034. Do you think that the granting of a temporary abatement implies a knowledge that the rents are too high?—I think he must acknowledge that he is paying too much, or he would hardly do it.

10,035. Sir James Caird.—How much was the statement that he made?—They did not all get it.

10,036. It was only an abatement to certain individuals?—A number of these persons had leases that he did not raise. He granted abatements to those that he did raise. I was counted amongst the worst of them, and I got 50 per cent. There was 15 per

cent and 10 per cent. given. The old leaseholders got nothing at all.

10,157. Lord Ashburn.—Who were the old leaseholders?—He did not consider them too high.

10,158. Who were they, the old leaseholders?—A number that had leases before he came into the property.

10,159. Mr. Nelson.—The men who were not raised?—Yes. Next a farm on which an old lease had expired, which was granted by the predecessor of the present landlord, and was much cheaper than the more recent leases, has been reduced in the Land Court 25 per cent. and 27 per cent. below the Government valuation. Next the tenants' interest who have made the entire improvements on this estate has been almost confiscated, as a very highly cultivated farm was lately sold at seven years' purchase, whereas a few years ago from fifteen to twenty years' purchase was not uncommon. Next a farm that was for a number of years in the hands of the former landlord, who expended a great amount of money in building, draining, and manuring,—in fact, making it the model farm of the estate,—was afterwards let to a tenant. This tenant sold it to another, who took out a lease in the prosperous times, but when the depression came he ran away and left it when the landlord resumed possession, and since that he has repeatedly offered it to let without a fine, but no one will give the rent for it, and the lands have been auctioned from year to year, not bringing anything approaching to the former rent, in fact, for the present year being more than £100 below. These are a few of the facts that the tenants thought it would be well to lay before you.

10,160. The President.—The wish of those whom you represent would be to allow the leaseholders to consent and give them the benefit of the Act of 1881?—Yes.

10,161. Mr. Knipe.—Are the old leases ordinary agricultural leases?—Yes.

10,162. Do you know what term of years they are for?—I think a number of them for lives, and some for them twenty-one years, and from the time

when the Act of 1871 was passed there had been a few of thirty-one years. Mr. Crossin, after the marriage of Lord Montague with his daughter, could not grant anything but twenty-one years.

10,163. This particular case would be a representative of the rents reserved?—Which case?

10,164. The case in which the tenant went into court?—There was another which got a greater reduction, but I could not get the particulars at the last moment. There have been only a few in court.

10,165. So that they think they have a grievance?—Yes.

10,166. The President.—Is all the property let upon lease?—There may be two or three small places that are not.

10,167. There are none of the tenants on that property under judicial rents?—Two or three have.

10,168. Mr. Knipe.—Have the tenants considered the Purchase Bill?—Well, I have no instructions with regard to that. Our great grievance is the leases; we wish to get rid of them.

10,169. Do you know anything about the general feeling of the tenants, whether or not they have any desire to buy?—Well, we never considered that. There were no offers of sale. We are a very hard-working people, and pay our rents, and so long as that is the case we think the landlords are hardly disposed to sell.

10,170. You have not turned your attention to that matter?—Those matters which I have referred to the things which I was instructed to bring before you.

10,171. Sir James Caird.—Is it a large estate?—I could not tell the size. The rental, I think, is a little over £3000 a year. It is not a large estate.

10,172. Lord Ashburn.—Should you all get the benefit of the act of 1881?—Yes.

10,173. Would that satisfy you?—Yes; we would take that as an instalment of justice. I know neighbours on adjoining estates who got into the Land Court, and who are much better off than we are.

10,174. You will take that as an instalment?—Yes.

Thomas B. Hall, Gleeson Lodge, Aghagill, Co. Antrim, examined.

10,175. The President.—You are a tenant farmer?—Yes.

10,176. Where?—At Ballymena, County Antrim.

10,177. How do you hold?—I am a leaseholder. I have 94 or 95 acres.

10,178. In one holding?—Yes.

10,179. At what rent?—At a rent of £100 a year.

10,180. Are those statute acres?—Yes.

10,181. When was lease made?—It was for thirty years; I purchased it fourteen years ago.

10,182. What did you give for it?—I gave nearly £700.

10,183. Sir James Caird.—You bought the tenant right?—Yes.

10,184. Lord Ashburn.—And the lease itself?—Of course.

10,185. The President.—Do you find the rent which you pay a high rent in these times?—I do.

10,186. Have you any neighbours who have got judicial rents fixed?—On our estate they all have now; but in the vicinity there have been judicial rents fixed.

10,187. And are they lower than yours?—They are.

10,188. How much per acre are they lower, do you know?—They are at least 6s. per acre.

10,189. For the same kind of land?—Yes.

10,190. Your great wish, I suppose, is to be allowed to go into court with your lease, and get your rent fixed?—Certainly we would like that.

10,191. Supposing you go into court, have you any wish to purchase?—I would like to purchase, but I would wish to have a fair rent fixed first. I could not purchase at the present rent.

10,192. If there was a fair rent, you would be

willing to give a fair price for it?—Certainly, my lord.

10,193. What do you consider would be a fair price to give?—If I got a fair rent fixed, I would say that sixteen or seventeen years' purchase would be a fair price to give.

10,194. That, of course, would mean a considerable reduction of the fair rent?—Certainly, because we would then have all the taxes to pay, and everything connected with it; now that is paid by the landlord and not the tenant. I would wish to state as you what the condition of affairs is with regard to labour. I have been farming for forty years, and I find that the price of labour now is at least double what it was when I first remember it.

10,195. And in what other way has there been a change?—At the time I speak of I could hire a man for £3 and his board in the year. Now I have to pay him £18 a year and his board. There already is £100 added. It is the same with regard to a woman. She would cost me £9 in the year more than I paid for her then. Now it would take that for a farm of 30 acres. There is £30 more than what I used to pay for the working of 30 acres of land, which, as you can calculate, would be about 12s. an acre.

10,196. What you immediately want is to go into the court under the Act of 1881, and be on the same footing as the other people in your neighbourhood?—That is what I want.

10,197. And when that was done you would purchase your holding at fifteen or sixteen years' purchase?—Sixteen or seventeen years was what I said.

Oct. 20, 1891.

Wm. James Knipe.

Thomas B. Hall.

Oct. 26, 1883.

Thomas R.
S.M.

10,078. Lord *Mills*.—When did you buy this lease, Mr. Hill?—I think I said fourteen years ago.

10,079. You say you could not purchase at the present rent?—I could not.

10,080. But fourteen years ago you could give the sum of £1700 to be allowed to pay it?—It was not for the intrinsic value of the land.—As master of that you did give the £1700?—£1670 was the actual money that I gave.

10,081. Mr. *Kings*.—What is the valuation of this farm?—£107, 10s. is the Government valuation, that includes houses.

10,082. Do you know the net valuation, without the houses?—I think it is about £100.

10,083. Is there any desire on the part of the tenants to purchase?—A great desire, not only on ours, but on the neighbouring estates. I can say that, for I have a large acquaintance throughout that part of the county.

10,084. Would the landlords be willing to sell?—I cannot say that. I think they would at a certain rent, but the tenants could not buy it at that. Some of the landlords have sold in the neighbourhood. At least some portions of it were purchased at twenty years' purchase of a pretty high rent, but I think that is not likely to be carried out to any great extent.

10,085. What reason do you assign for that?—Because there was not a sufficient reduction of the rent.

10,086. Is it because the tenants are not disposed to buy, or that the landlords will not sell on fair terms?—I think the tenants will not buy at high rents.

10,087. But on the judicial rents?—They consider the judicial rents too high. That is the general feeling amongst them.

10,088. Have there been any reductions of rent given by the landlords in your locality?—I mean any reductions on the judicial rents?—No, none on judicial rents that I am aware of. I should state, perhaps, that my own landlord, though we all have leases, has, unasked for, given a reduction of 10 per cent.

10,089. Sir *James Caird*.—You say that the wages of the labourer are very much higher—are, in fact, greatly increased within your experience?—Yes.

10,090. Has his condition become more comfortable and altogether better than it used to be?—I think so, but not in proportion to the increase of their income. Their expenses also seem to be increasing.

10,091. Everything is cheaper?—No.

10,092. Clothing is dearer, of course?—Yes.

10,093. Because they have better clothing?—I do not say that they have, but the cost of making coats and hats and shoes has more than doubled. Shoes

that could be got formerly for 5s. or 6s. cost the labourer more than double now, and so on.

10,094. Do they make good labourers?—are they strong, active people?—Yes, and very peacefully disposed.

10,095. Is the population very much declined in number in your experience?—No.

10,096. It maintains itself at about the same number?—It maintains itself. I am living at present at the seat of the linen trade, and it is a densely populated district.

10,097. And there is a great demand for labour?—A pretty good demand for labour.

10,098. The people are well employed?—Generally speaking, they are as well employed as the farmers are able.

10,099. Lord *Mills*.—Should you be disposed to sell the interest in your lease?—I would, but there are no buyers.

10,100. What would you take, supposing any one was foolish enough to buy it?—I bought it for my independence, but the thing has turned entirely against me.

10,101. Mr. *Kings*.—You feel that you have made a bad bargain?—I do.

10,102. Lord *Mills*.—What will you be willing to take?—For the tenant right, do you mean?

10,103. For everything that you got fourteen years ago?—Well, I think £1200 or £1300.

10,104. Are you quite sure?—I am quite sure.

10,105. This may be pointed, and some of your neighbours may speak to you about it?—I would like that.

10,106. Mr. *Kings*.—The value of the tenant right has gone down in your neighbourhood?—Yes.

10,107. If you were selling now, how much do you think you would get for it?—I don't believe I would bring what I would be willing to take.

10,108. Would you get more than half the price?—I have stated what I believe to be the fact. I am giving my own opinion on the matter.

10,109. But tenant right has gone down considerably?—Yes. There are many places I know in the county where there is no such thing as tenant right, so could not sell a place at all, if you wanted to.

10,110. What about the time at which you bought?—Land was very high then. It is the low price of produce, together with the high price of labour, that has brought it down to its present state.

10,111. The low price of produce as the result of foreign competition?—Yes, and taxation has almost doubled.

10,112. Has foreign produce anything to do with the low price of produce?—A great deal. We can no longer compete with the foreigners. In fact, I cannot see what is to be done at all.

James Anderson, of Saintfield, examined.

James
Anderson

10,113. The President.—You are a tenant farmer, I think?—Yes.

10,114. Where do you live?—I live on the Saintfield estate in the county Down.

10,115. What is your holding?—I occupy now 35 acres, but I have 52 acres besides that.

10,116. Will you give us the particulars with regard to the 35 acres first?—Well, I am one of the unfortunate class of leaseholders.

10,117. Do you mean in the case of both your holdings?—Yes, they were taken out in 1837. The lease that I feel worst about is the first one.

10,118. That is, you mean, the one of 35 acres?—Yes.

10,119. How long has it to run?—I am out of the lives myself.

10,120. Lord *Mills*.—Then you will see it out, I hope?—We felt aggrieved at the time that these leases were granted. It was in the days of protection, and now, of course, we have free trade. I would rather have had lands in the days of protection than these now with free trade.

10,121. What is the rent of the holding of 35 acres?—It would average about 26s. or 27s. an acre. That includes fees. In all of them we have a receiver's fee. That is a very heavy penalty, and we have another heavy impost called "tithe."

10,122. Lord *Mills*.—Do you pay the receiver?—Yes, our estate is not quite £7000.

10,123. You pay 26s. an acre besides the receiver?—Yes.

10,124. Mr. *Nelson*.—Does not the 26s. include the receiver's fees?—Yes.

10,125. The President.—What is the Government valuation of the 35 acres?—I cannot tell you—yet I ought to remember it. I do not recollect—I am not sure of it.

10,126. Have you any neighbours holding the same way?—They are all in the same fix.

10,127. They are all leaseholders?—Yes; these leases were made in 1837, and the reason of it was that it was in the time of the £10 voters. That

was the franchise then, and Mr. Price compelled every one to take out a lease.

10,122. For the sake of getting the vote?—Yes.

10,123. And now I suppose you would wish to come in under the Act of 1881?—That would be my wish. That is, of course, if the leases were broken. I do not mean to say, of course, that a bargain was not a bargain, but it was made in a time when we could make some money even in the days of protection. Why, even the labour market was cheaper.

10,129. Mr. Nelson.—Breaking the lease would allow you to get the rent fixed?—There is part of it that is only rocks and whins.

10,131. The President.—And you wish to have your rent fixed by the court?—Yes.

10,132. Would you be willing to purchase your farms?—We would be willing if we got it, giving a fair price according to the value of the land, but we cannot get on as we are doing. Our cattle has lost a great deal. I sold at Sainfield fair for £5, 5s., and I have got £12 for worse.

10,133. Lord Millicom.—Do you breed cattle yourself?—Yes. I breed a certain quantity, but when I found out after the passing of the Act that I did not use any way to make money by farming, I increased. I stock the farms, and I bought a class of cattle that paid me very well up to 1863. And until the Americans put me out of the market, I did very well. In 1864 I bought at £10 per head, and I sold them in October for exactly the same money.

10,134. In October 1865?—In 1864. In 1865 I was not much better off, but in 1864 I was the worst. I grazed the cattle for half-a-year for nothing. This year I sent cattle to Sainfield fair, but he could not get my price and I brought them back. I took them to the fair last Wednesday, and sold at 2s. 6s., but I believe I should have got £8.

10,135. I thought you said you were buying cattle?—I reared these.

10,136. You have no experience yet of those you bought last spring?—There is nothing that I bought last spring. I took a notion that I would eat the grass. If I was to get the landlord's rent, I could not run the risk.

10,137. And you did not get the grass?—Yes.

10,138. Did you get the landlord's rent?—Yes; it was two fields: 7 acres in one and 5 in another. I let the 5-acre field first.

10,139. How much did you get for it?—I got £8 for it.

10,140. How much is that?—I pay 26s. an acre, and I pay the taxes.

10,141. How much do you pay for that?—For the 26 acres I pay £23.

10,142. How much did you get for the grazing?—£3 for the one field.

10,143. How much do you pay the landlord for that?—You can calculate it at 26s. an acre. It would not meet the landlord and pay the county cess and the poor-rates. I get one-half the poor-rates from the landlord. Our cess is very high. We are very much annoyed about that.

10,144. Lord Millicom.—I suppose you are sorry now that you did not buy store cattle in the spring?—Well, you see I am not so active as I was. When I bought cattle, I bought them half, quarter, and whole head.

10,145. What is the use of buying beef?—Because I have less time to keep them. I buy cattle in April or May, and if I had them a month or so I would be able to get a profit from the butcher.

10,146. Mr. Nelson.—Do you know that your county cess is down in the lowest in Ulster?—I mean the barony of Upper Castlereagh. It is very high. We had a kind of association to keep down the rates. I can give you a short idea of the county cess in 1882.

10,147. In the county Down the cess appears to be nearly double what yours is here in the county Down.—Then you will see what it was in 1882, and now we are paying £2040 annually.

10,148. What do you think of a county paying six times what you are paying?—Well, it must be a richer county than ours.

10,149. Lord Millicom.—Were you compelled to take these leases?—Yes.

10,150. Was there any compulsion necessary?—My father had to take it out.

10,151. Was your father unwilling to take it out?—No.

10,152. Then I do not see how he was compelled. I suppose that the lease was an advantage at that time?—You could not have a vote unless you had a lease; and the landlord compelled, and the agent compelled them to take out the lease.

10,153. Surely if the tenant was willing to take out the lease it is too much to say that the landlord compelled him to take it out?

10,154. Mr. Nelson.—Was the rent raised at the time of the taking of the lease?—Yes, this estate in 1857 was nearly all in lease, and in May 1857 the agent died, and we got a new agent, and he made a new lease, which I suppose cost the tenant £2 or £3.

10,155. It was only a few months out of lease?—I paid for the counterpart of a lease in one farm that I had.

10,156. You think that the landlord should have paid for that?—I asked the agent for the half. I said I thought he ought to pay the half.

10,157. Lord Millicom.—I want to ask you again about the compulsion. You do not mean to say that it was a hardship on the tenant to take the lease when he was willing, as you say, to do it. The only hardship was having to pay for the counterpart, I suppose?—It would be no hardship if you hadn't freed trade.

10,158. I am not speaking of that.—It was the law of the land for the voting that you should have a lease.

10,159. If you were willing to take the lease, it was not a hardship. You think that free trade is the cause of much of what you complain. Are you in favour of putting a charge on foreign imports?—I would not be—for the sake of the working classes—if we could have had free trade in land.

10,160. You think that free trade should be continued, and that rents should be lowered?—Exactly.

10,161. You say that want of protection increased the price of labour?—I will tell you the meaning of that. In the days of protection a man would have £3, 10s., and the same man now has 27 in the half-year. That would be £14 in the year. You need to get a servant girl for £3 in the half-year.

10,162. I know the price of labour has risen, but do you say that that is in consequence of free trade?—Yes. A man will do the work for his wages, but he could work only three days in the week now, and have as much as he used to get for the whole six days of the week.

10,163. And is that the result of free trade?—Yes. That is the reason why we have to compete with America. In the days of protection we had not to compete with America, and America had to pay so much for labour that it stood at about the same. My rent was £120 at one time, and I had to compete with an open labour market. And that was what put me into the beef trade. There is another important question that I would like to bring before your action. We petitioned our landlord last year to give the leaseholders a reduction in their rents. We called a meeting, and we got a petition up, and we went to the landlord. But he would not even take the petition in his hand. Nor would his son. He said we might go to the agent. I said, of course, that so long as he was there, I did not like to go near the agent on a matter of this kind. However, we got no relief, although at the same time, and what made us feel it worst, other people were treated more indignantly, and got reductions, though of course we got none.

10,164. The President.—All that case would be met, would it not, if you were to go under the Act of 1881?—That is our opinion. There is another town-

Oct. 26, 1884.
James Anderson.

Oct. 26, 1865
James
Anderson.

land upon which in 1813 the landlord of the property got the tenants to take out leases.

10,165. Is this the other holding of 52 acres that you are going to tell us about?—No, this case belongs to another estate. This is only for your information, to show you the meaning of these leases being taken out in the days of Bonaparte, in the year 1812. Those who held leases then were compelled to take for ever leases by the landlords upon those terms, namely, that they had old leases, and if they did not surrender and take these leases, they would not get a renewal at the time of the expiration of the lease. And they compelled the tenants to take out leases at £3 an acre. Well, they took out these leases after surrendering the old ones. A man named Moffat had to do this, and his old lease lasted for forty years. This amounted to some £3000, and these leases are still in being. This township contains 1140 acres, and it is now under the present landlord, and he will give them no reduction; but there was an unfortunate man in the same township, and he was ejected, and there was a man who got it and wanted a reduction, and the landlord said to you, "Nothing would do you but a Liberal Government. You got it, but we will give you no reduction whatever." And these people are not able to pay it, they are worse off than we are. I think they are far worse. There is a whole estate where they are labouring under that difficulty.

10,166. The President.—When did the present owner say that?—In 1816.

10,167. What did he say?—I cannot tell that. I might have known at the time it was said, but I forgot; my memory is not so good as it used to be. Some of it is let at £3 an acre. There is some information on the rental which you could have.

10,168. Lord Ashurst.—Do you know if it was common in the country for perpetuities to be forced on the tenants at the period of the wars?—I was born in 1813, so that I could not give you any information upon that subject. I see in the rentals one case of a new lease in 1815.

10,169. I want to know whether there are many of these through the country. There was an estate which formerly belonged to a person named Leas or Bonberry; I think Bonberry took the name of Leas; and on that property the tenants were compelled to take these leases.

10,170. Mr. Wilson.—I see that these leases which you have handed to me are leases for lives renewable for ever, and they have converted them into freehold grants?—Some of them.

10,171. Mr. Knipe.—You have been complaining about the low price of cattle and farm produce. I wish to ask you—and you need not answer the question if you do not like—have you made money by farming?—This last four years I have been always paying out and unable to do so. I have made money in farming at a certain period, but then I was a speculator. I would sell twenty-five barrels of flaxseed in one season. Now I can make no money.

10,172. You have to go back upon the money that you made in good times to pay the rent now?—Yes; I paid the rents to the agent, and I said that he should treat the leaseholders. Of course it did not signify so much to me, but there are the cases of widows and orphans who are fighting up against the stream now; they ought to be considered. I saw the statement about this Commission in the paper, and I thought that if I could give you information I would be glad to do it on the part of others as well as of myself.

10,173. Would your case be a fair representation of the cases of most of the tenants?—It would be an honest representation, and there are some people who have no capital, and they are gradually getting into arrears. But there is another thing about our estates, and they have taken advantage of it. Here is a farm of land that gets behind with the rent. Our estate managed to have no arrears of rent, for they would not allow you to go into arrears; but if a man dies, and leaves six or seven children behind him,

they are not able to meet the rent, and they bring an ejectment against the farm. And then they go through with their ejectment, and at the expiration of a certain time they must go out. There is six months of what you call power of redemption. Our people take another plan. They call an auction, and they sell that farm with the judicial rent. They raise the rent. I had a preliminary note on one farm that was sold, but they took the rent out.

10,174. You need not go into the details of these matters. Has the landlord shown any desire to assist the tenants during the recent bad years?—Not a bit.

10,175. It is not a common thing to give a reduction?—No; where the people were able to do so they had to go into court. There was one farmer who got 30 per cent. reduction. The reason of that was that the lease was broken at a certain period. I was telling you about a plan which I think is very unfair,—where there are five or six children, to sell an auction, and give the auctioneer 5 per cent. for the auction, and raise the rent, and sell it after the fifteen years.

10,176. Do you believe that it would be impossible for most of the tenants to continue to pay the rents, unless the price of produce gets up again?—If I was on my oath I would say that I think it would be impossible, for this reason, that they cannot meet the rents on the present prices. And we are very heavily taxed. You will find that we could not meet them at all. If I was the age of this young man here, I would not stay in Ireland for twenty-four hours; I would not indeed stay in it as a farmer in the present state of affairs.

10,177. You say that there is an honest intention on the part of the tenants to meet their rents if they can?—Yes, there is.

10,178. There is no combination amongst them for the purpose of refusing payment of the rents?—No more than there is amongst the present authors. There is a class of people who cannot manage to meet them. I have relieved a number of tenants, they have to go into the bank, and the bank charges them 10 per cent.

10,179. At all events, the prices are very low, and the tenants cannot meet their present engagements, and they want some relief?—Relief would do good if it was for ever so little. I think it is for gentlemen like you to have these cases investigated. I believe that if there is not a certain relief given that the bone and sinew will be driven out of the country. It is hard to go if this state of affairs go on. You cannot help it. If I was a young man myself I would not stay twenty-four hours in the country.

10,180. Do you think that the tenants have a desire to buy?—I believe there is a class that would so foolishly do that. I believe there are some who would buy to-morrow if they could get it. But if you ask my own opinion about it, I will tell you that I would sell to the landlord, and let him give me whatever he thought it was worth.

10,181. And you think there is a joint ownership now between you and the landlord?—This had cost my father in 1810 £225 an acre.

10,182. What would you take now?—I would take £15 and my price of the horses. I have helped to make the roads, cut the hills, build the jail, and all, and I will take £15.

10,183. That would be a considerable reduction?—In fact, it is just now like a bad debt.

10,184. Lord Ashurst.—You have been paying the rent out of capital?—Yes.

10,185. There is the rent which you got for the grazing?—I have not got it.

10,186. But so far you had not to pay that out of capital?—I had to pay the rent up to May last, and there is another half-year due in November.

10,187. Mr. Knipe.—What about your household expenses?—These expenses are not very great. We

have only a servant girl, and no men about the place. I just keep two cows for milk and butter.

10,188. You only keep two cows? you have no

labourers?—Anything in the shape of labour that I want I hire by the day. I could not afford now to pay £40 a year for a ploughman.

Oct. 20, 1896

James Anderson.

Hugh Gill Patterson, of Ennaly, Co. Monaghan, examined.

10,189. The President.—Mr. Patterson, you come, I believe, from the county Monaghan?—Yes.

10,190. What land do you hold?—I have two holdings—one 134 acres and one 105 acres.

10,191. What is the tenure? Do you hold under judicial lease?—No; I hold under the Ulster tenant right.

10,192. Merely from year to year?—Yes.

10,193. You never had a wish to have a fair rent fixed upon your holdings?—Yes; I had a wish.

10,194. Why did not you go into the court then?—I wish to have an opportunity of making an explanation with reference to the circumstances of the case. In the year 1876 I took the holding of 134 acres. It was then in a rough, un reclaimed state. It was arranged between the landlord and me that I should make the expenditure that was necessary to bring it into a cultivable state. Part of the land had been apparently planted, and the trees very largely cut away, leaving the roots in the ground. The reclamation of the land consequently was a very expensive operation; in fact, for the first portion I paid £34 per Irish acre for stubbing. That did not bring the land into a cultivable state. It had only brought the roots and the stumps to the surface, leaving it extremely rough, and requiring the expenditure of about £13 an acre more to clear the stumps and the roots out. After that I had to drain it, which cost £12 an Irish acre more. Besides, the land had not been manured since the creation of the world.

10,195. Lord Manners.—How do you know that?—There it is: you can see it, and of course it is easy to know whether or not land had ever been in cultivation.

10,196. Mr. Nelson.—This was a most favourable case to go into the Land Court with.—I had then to make the land arable. I had to add lime, and I put out hundred barrels of lime per acre on it. Then it was fit for cultivation. This went on from the year 1876 to 1880. When the estate was put into court to ask before Judge Fingleton, and there were mortgages, the Scottish Provident Institution of Edinburgh, who had the carriage of sale, and their solicitors asked me to pay an increase of rent. The rent then was £37, 5s. 6d.

10,197. Upon the 134 acres?—Yes; I am not speaking of the other farm now. They asked me to pay an increased rent of £50. I refused, and eventually they brought an ejectment against me in the name of the mortgagees, and the clause against me in that was that the mortgagees had lent the owner a sum of money, and that sum of money had not been paid. And in consequence they claimed the land, and they succeeded in getting the land.

10,198. That is, the Insurance Company did?—Yes.

10,199. They threatened ejectment?—They not only threatened ejectment, but they secured ejectment before Judge Fingleton. The Judge expressed his regret that he should have to do so. He told the solicitors that they were taking £2000 out of my pocket and putting it into their own—that is, into their clients'. But notwithstanding that he gave judgment against me, and when they had secured judgment, they said, "Now we don't want to evict you; we don't want a better tenant; but you must now pay an increased rent, and the increased rent that you must pay will be £130 a year."

10,200. Instead of £37, 5s. 6d.—Yes.

10,201. Mr. Nelson.—That was done by the order on the estate, and not by the landlord. Did you agree to that?—Yes.

10,202. And you paid that?—That is something

over six months ago. As soon as I entered into that arrangement, they said, "If you agree to pay £130, we will make you a tenant under a judicial lease. Now comes the point. I wanted them, of course, to allow me to be the tenant on fair terms, but they said, "You must pay £130 a year, or we will evict you." I consented to pay that £130. I was so advised. I have never paid the money, nor have they been able to make the judicial lease that they promised to give me.

10,203. You have not got it?—They have not given me a judicial lease. They have failed, up to the present, to give me the lease that they offered. Apparently they went to the Land Commission in Dublin, and wanted them to ratify the agreement, and the Land Commission, for some reason or other, said, "No, we will not do it."

10,204. The President.—I suppose they said that the rent was too high?—I suppose that was the feeling.

10,205. Mr. Nelson.—Protecting you?—When the solicitors wrote to me saying that they could not give me the lease, but that the tenancy was just as good, I said, "I do not think so; you offered me a certain thing, and that you cannot give, and, as far as I have an opinion, I think I am the tenant still under the landlord at the original rent; but I am prepared to go into the court, and have a fair rent fixed, or do you take me into court and get it fixed." They failed to do that. They did not even reply. They served a writ upon me for half a year's rent.

10,206. Mr. Nelson.—They have put themselves in your power. You have only to serve them with an originating notice. That establishes the relationship between the landlord and you. The moment they served you with the writ, they treated you as the tenant?—They were so sure that they applied to the judge to get final judgment. Judge Meenan said, "That is the question to come before the court." This shows you—this case does—how a landlord or people in their position can still ruin an unfortunate tenant.

10,207. They have not ruined you quite?—Not quite.

10,208. The President.—You still have your remedy?—I got the facts of the case printed. This is a most extraordinary case. Judge Fingleton said it was the most extraordinary thing that ever came before him. Now there is nothing wrong with the other holding.

10,209. It is all right?—Yes. The landlord seems to be a gentleman and an honest man. The two landlords represent two different classes of men.

10,210. There are good landlords in the North of Ireland as well as bad ones?—That is my experience.

10,211. Lord Manners.—Are there any bad tenants?—I should say so; men not able to pay the rent.

10,212. But there are no bad tenants in the North except those?—I would not say that by any means.

10,213. The President.—Have you any great wish to become the owner—to purchase?—Yes. I would like to become the holder of both holdings. There is a little impediment to becoming the owner of the 112-acre farm, but, notwithstanding, there is an arrangement that will be carried out. There is an arrangement with the landlord. His father is living just now, but he is in a state of decay, and he cannot do anything until there is a change.

10,214. Would you rather not name the price?—Certainly I will. He asked me, or his agent Mr. Brewster asked me, what I would be willing to give, and I said I would be perfectly satisfied to give twenty years' purchase, and replied, "Well, that is a fair offer, and we will ask no more."

Oct. 30, 1885.
Hugh Gill
Witness.

10,215. He said it was a fair offer?—Yes.

10,216. Mr. Nelson.—I should hope that you are more frightened than I am in the other case?—The cost up to the present will be more than £300. It is going on for five years.

10,217. Lord Manners.—Taking one thing with another, you think that twenty years' purchase on the fair rent is a fair price for you to give for the other holding?—Yes; I would pay twenty years' purchase on the fair rent.

10,218. That is, in your opinion, a fair price for the tenant to offer?—That is what I would do; and I would buy 240 acres, or above that, on Monday. But I should first ascertain what the fair rent is.

10,219. Supposing that you had a fair rent, so that any tenant had a fair rent, you think that a fair price to offer the landlord would be twenty years' purchase on that fair rent?—Most emphatically.

10,220. Mr. Kenge.—How would you fix the fair rent?—I am very glad to have an opportunity of answering that very important question. I do not hold that any arrangement yet has arrived at a fair rent—no Land Bill has produced it. The way to do it, in my opinion, would be something like this. Take an acre of land, let landlord and tenant go out of sight, offer that acre of land to the public. Some one will come forward and give a fair price.

10,221. For the far simple?—Don't in the meantime talk about far-simple, but just take an acre separated from both the landlord and tenant.

10,222. The whole thing?—Separate the landlord and tenant from one acre of cultivable land, offer that to the public, and some one will give you the market price. Suppose that to be anything you please—40s. if you like. Well, here is an article which produces 40s. a year, but there are two men interested. Each man has an investment there. Very well, the landlord has a right to come forward and prove what he has invested. The tenant has a right to come forward and prove what he has invested. Well, it appears that the landlord has invested

£40 and the tenant has £40. What interest will each man receive of the dividend out of this article? Why, in proportion to their investment, and they have a right to get that and no more. When the value of land is ascertained in that fashion, the landlord and the tenant alike will get justice, and not till then. With regard to the estate in which the 134 acres is, I may say that in 1784 the rental of the whole estate was, in round numbers, £1000. I was a mountain district, and is partly so still. The people reclaimed that, and in 1876 the rental was about £4500. That was the result entirely of the tenants' labour. Now, in such cases as that—and they are very numerous—how will you determine what each man should be entitled to? Certainly give each man according to his investment. This thing of going into court, and hearing the countryman asked, "How many cows have you, and what do you pay for grass? how many horses and pigs have you, and so on? are you not able to pay the rent?"—that is not the thing. I have heard that sort of argument put, and I think it is a very bad way of getting at a fair rent.

10,223. I must interrupt you again. You are occupying too much of the time of the Commission. We are sitting here to inquire into the operations of these Acts.—I am perfectly willing not to occupy the time of this Commission.

10,224. Do you call the rents fixed by the Sub-Commissioners fair rents?—Most emphatically not.

10,225. Is there any desire on the part of the tenants in your locality to purchase?—If the rent was at a fair standard.

10,226. Do you consider the judicial rents that?—By no means.

10,227. The President.—The farm of 112 acres has not had a judicial rent fixed on it?—No.

10,228. It is the old rent—from year to year?—Yes. I was under the impression that you would ask me about the price of produce.

10,229. We have had a good deal of evidence about that already. There is no doubt it has gone down

William Gault, of Drough, Co. Antrim, examined.

William Gault.

10,230. The President.—You are a tenant farmer in the county Antrim, Mr. Gault?—Yes.

10,231. What is the nature of your holding?—I have three holdings—one under lease, one under a judicial lease, and one from year to year.

10,232. With regard to the holding under lease. What is the extent of it? how many acres are there in it?—About 60 Irish acres—about that.

10,233. What rent do you pay for it?—£12, 5s. per Irish acre.

10,234. What is the judicial rent that you hold under? Is it the same kind of land?—It is something of the same nature, but I am sorry to say that the judicial rent is a lapser.

10,235. You would gain nothing by bringing your lease into court?—I think I would gain if I got a fair decision, but I think that in any case they went entirely wrong.

10,236. The decision in that case of yours was wrong, you think?—I think so.

10,237. Mr. Nelson.—You think it would be different now?—Yes.

10,238. Times have very much altered since then?—Very much.

10,239. The President.—When was the rent fixed?—Two years ago.

10,240. In spite of the decision of two years ago, you will be glad to go into court if possible with the lease?—Yes.

10,241. That is really your chief wish—to be able to do that?—Yes. I might explain, with reference to the land I hold under the lease, that my uncle was compelled to take it. He had to pay £3 for a lease at an increased rent.

10,242. Mr. Nelson.—What was the compulsion?

—It was simply this: "If you don't take it you must go."

10,243. The President.—He must either take the lease or not keep the land?—Yes. I ought to have a chance of going into court. The lease will not expire for fifteen years, and I could not pay that rent at all it would be impossible.

10,244. Have you got any statements?—Yes, the landlord on the leased property gave statements of 12 per cent.

10,245. Mr. Kenge.—Is that a general statement?—It is not a large estate. They all got it.

10,246. Did any of the other landlords give statements?—No.

10,247. The President.—Are they not under the same landlord?—There are three different landlords. This is the property of Mr. Torrens, of Belfast. He gave the statement to the tenants in my neighbour hood.

10,248. Mr. Nelson.—Do you know whether or not he will continue that statement?—I do not know.

10,249. The President.—Have you any other suggestion to make to us, Mr. Gault?—I would like to make this suggestion, that if we had a fair rent fixed, the tenants, as far as I know in our part of the country, would be glad to purchase.

10,250. How many years' purchase would you consider fair at a fair rent?—We consider that fifteen years' purchase would be a fair price.

10,251. The landlords would lose considerably by that arrangement?—I suppose they will have to lose, there is nothing else for them.

10,252. And you would gain very much by it?—No doubt we would gain. And it would enable us to

you in a kind of decent way. Another remark I wish to make is that the expense of farming is higher than it was some time ago. We have to pay double for servant girls at all events. I was just making a calculation which shows that according to the number of hands required for a 35-acre farm the increase would come to 12s. an acre. There would be that much of an increase on the cost of working the land.

10,253. Mr. Nelson.—Have you at all calculated the rent that the landlords would lose on the terms of a fifteen years' purchase?—I have not.

10,254. Well, I will tell you. He would lose 40 it would be a loss of 40 per cent.

10,255. Mr. Keipe.—What is the Government valuation of the household farm?—I could not exactly say.

10,256. Is it higher or lower than the rent?—I think it is lower. I would not like to say exactly. But I think it is some few pounds lower.

10,257. Did the landlord expend any money on it?—Not a shilling.

10,258. The improvements were made by you and your predecessors?—Yes. In one year since I became the owner I spent £900 in buildings and drains, and if I had not such a tenant right interest in the place I would not be in it a week.

10,259. Have you been making money by farming?—I have been losing money.

10,260. Are you able to pay the rent by farming?—Not without going back on the savings of other years. I went to Limerick the other day to buy three or four horses to help me to pay the rent.

10,261. If some relief does not come in the way of a reduction of rent or a rise in the price of produce, do you think the farmers will have to give up?—They must go to the wall.

10,262. Is there a general desire to buy?—If the rent is a fair rent.

10,263. Would they call the judicial rents fair?—No.

10,264. They consider they are very high?—Yes. I know, from my own personal knowledge, that the Commissioners made a tremendous mistake in Ballydoe. Two of them went and put 50s. an acre on the land as a fair rent. The other gentlemen who came the next day put £4 on a farm, and there is only a road between the two farms. That shows, I think, that some of them made a very great mistake.

10,265. Do you think that they were influenced in any way by the owners of the land?—No.

10,266. You do not apprehend that?—No, but it is absurd to bring a man from Tipperary to judge land in Ballydoe. I think it is ridiculous.

10,267. The President.—Is the third holding which you have higher or lower rented?—Lower. It is 30s. the Irish acre. I guess that farm.

10,268. Is that as good land as the other two?—It is.

10,269. You are better off there than if you had gone into the court?—That is under Mr. Owen's. I guess that farm.

10,270. Mr. Keipe.—Could you just tell the President of this Commission what your experience is with reference to the reduction in the price of cattle?—This year I sold better and bullocks at £8 less than I used to get.

10,271. £8?—Yes.

10,272. We would like to have a fair average of what the price was?—£10 or £17.

10,273. Mr. Nelson.—Is there any suggestion that you have to make with reference to the fixing of fair rents?—I think that if the Government appointed land men to the Commission that it would be an advantage.

10,274. Of course you know that it is not the rule

to send judges of matters such as that into their own part of the country; it is generally thought better to send strangers. Is that the only suggestion you have to make? The Government have tried to have fair rents fixed, and have issued a Commission, and sent out, I think, eighty-five gentlemen for that purpose?—You see the lines they went on were the prices of produce, and these are now very much depreciated.

10,275. Your argument would amount to this, that it was necessary to revise all that they had done?—Yes.

10,276. And that that revision was rendered necessary by events which had subsequently occurred?—Yes.

10,277. The changes since then had made these rents too high?—Yes.

10,278. Of course the gentlemen who fixed the rents could not be prophets?—No.

10,279. They could only take things as they found them?—No doubt.

10,280. And unfortunately things have got worse?—Yes; and I think it would be only fair that something should be done to reduce them.

10,281. Mr. Keipe.—Is there any desire on the part of the landlords to sell?—I think there is not the slightest, because they have been getting their rents too well for that.

10,282. They feel that they are very well secured?—Yes.

10,283. Mr. Nelson.—If there was a revision of the rents it would rather interfere with the present security?—No doubt.

10,284. Mr. Keipe.—Are the tenants a very industrious class of people in your part of the country?—They have no desire to break out of their obligations, not the slightest, and I am sure that in many cases it is impossible for them to pay the rent.

10,285. Mr. Nelson.—The difficulty in dealing with the question is to come to any practical result?—No doubt, but I think the best result is to buy out the landlords. That is all that will make the country prosperous.

10,286. Mr. Keipe.—Generally speaking, they would give a fair price?—As far as I know of them in the county Antrim, that is what they would do.

10,287. Looking to the importation of produce from America and the price of produce and cattle, do you think there is a very bright future before the tenants?—I do not think there is any prospect of things getting better, but I think if the people had the land at a fair rent, so far as my part of the country goes, they would strive to pay it.

10,288. Mr. Nelson.—You regard absentee landlords as a grievance?—Yes.

10,289. But if they were bought out every single copper would go to the absentee landlord?—Yes, but we would be able to keep more of the people at home.

10,290. Mr. Keipe.—Do you think the result would be that the farmers would go in for making greater improvements in their lands, and that consequently they would employ more labour?—Of course. What is the use of improving your land now when you are charged on the improvements? We spent all our money on the farms, and that is the result.

10,291. Have the landlords taken the same interest in the tenants since the passing of the Land Act of 1881?—No; they simply take everything that they can from them.

10,292. Have you known cases in which they collected the lying gale?—Yes; I held under a lease in which there used to be a lying gale, but now we have to pay it up.

10,293. Was that done since the passing of the Land Act?—No; it was before that.

Oct 30, 1885
William Gould

Oct. 29, 1886.

John Davidson, recalled.

John Davidson

10,294. Mr. Nelson.—You were examined yesterday?—Yes.

10,295. You had the fee-farm grant under which you held here yesterday?—Yes.

10,296. And you have it here now?—Yes.

10,297. Who were the grantors?—What was the name of the lessor?—It was granted by Joseph Murphy, of Lurgan.

10,298. Does he live there still?—Yes; he is a J.P.

10,299. Would a letter addressed there find him?—It would.

10,300. As I understand, there were fifteen of these grants under similar circumstances?—Yes.

10,301. And at the same date?—At the same date.

10,302. All in December 1878?—Yes; or about that time.

10,303. Do you know of any similar cases in your neighbourhood?—No, no similar case to this.

10,304. Have you heard of any other tenant farmer who has to complain of a grant in fee-farm under such circumstances?—None in my district.

10,305. Do you know of any in this county?—I do not.

10,306. Lord Millican.—Is Mr. Murphy the only landlord who has done this sort of thing?—Yes; this estate belonged formerly to Mr. David S. Kerr. It was purchased of Mr. Eigger.

10,307. It was said, I suppose?—Yes; it was said in the Landlord Estates Court in the year 1863.

10,308. Who were the purchasers?—Mr. Murphy purchased Blackhill, and I think Mr. Eigger's in Harthill.

10,309. Lord Millican.—What Mr. Eigger is that?—The member for Cavan.

10,310. Mr. Nelson.—I know a Mr. Eigger in Londonderry; that is not the man to whom you refer?—No. I believe it belongs to the Misses Eigger, sisters of the member for Cavan.

10,311. Were those grants confined to the portion bought by Mr. Murphy?—Yes.

10,312. Were there any similar ones on any other portions of the estate?—No.

10,313. Lord Millican.—How are the tenants dealt with on the other portions?—They went into the Land Court and got considerable reductions—as much as £40. John Hamilton got a reduction of £40.

10,314. Had Mr. Eigger raised the rents?—He raised the rents after he came into possession.

10,315. But he did not force leases upon them?—No.

10,316. He simply raised the rents?—Yes.

10,317. And they were afterwards reduced by the Land Court by 40 per cent.?—Some of them more than 40 per cent.

10,318. And when they were reduced, what proportion did they bear to the old rents before they were raised?—In some cases they were under the old rents, and in some cases they are not.

10,319. Do they represent very nearly what the old rents were?—In some cases they are less.

10,320. In no cases more?—I am not exactly certain. I have not the list.

10,321. How much did Mr. Eigger raise them?—I could not exactly say; he raised them a good deal.

10,322. And the Land Court reduced them 40 per cent.?

10,323. Mr. Nelson.—I believe the property belongs to ladies of the name of Eigger?—I believe at this time it was in the possession of Mr. Eigger. I beg to state that we have applied frequently for a reduction of rent, and we got none. The following table shows how the rents on the property have been raised from time to time. It gives the leaseholders

on the townland of Blackhill, Ballycarry. This table shows the rent of the property when Mr. Murphy came into possession, the present rent, and the net value.—

	Rent in 1868	Present Rent	Net Value
	£ s. d.	£ s. d.	£ s. d.
John McKee, sen. . . .	51 6 0	76 0 0	45 0 0
John McKee, jun. . . .	65 6 0	66 6 0	45 10 0
James Davidson	54 1 0	75 0 0	50 0 0
William Orr	25 8 0	36 0 0	20 0 0
Robert Adams	51 6 0	66 19 0	47 0 0
Robert Orr	42 15 0	62 4 0	41 0 0
John Bigger	15 10 0	30 10 0	15 0 0
Samuel Bigger	9 3 0	12 10 0	10 0 0
Espie, of John Boyd	12 6 0	16 16 0	12 0 0
Hugh Cathcart	17 17 0	24 17 0	21 0 0
James Crooke	6 14 0	9 19 0	7 10 0
Robert Bigger	11 3 0	14 5 0	9 0 0
James Armstrong	0 9 0	1 5 0	0 0 0
Alexander Nelson	25 17 0	34 19 0	26 0 0
Phonetic	4 0 0	20 0 0	12 0 0
	£379 7 0	£590 5 6	£384 2 4

These figures show an increase of £190, 18s. nearly above the rent at which the property stood when Mr. Murphy came into possession, and £178, 0s. 6d. above the net Government value. The following indicates how this property has been raised from time to time, one of the tenants having receipts to show for nearly seventy years back:—John McKee, year 1819, rent of holding, £17; 1843, £36; 1861, £51; 1878, £76, 18s. The rent of the tenants have been subjected to the same rule. Application has been made frequently for an abatement of rent, but only on one occasion an allowance of 10 per cent. was made.

10,324. Lord Millican.—Have you been long on the estate?—I was born there.

10,325. And your father before you had possession?—He had possession. The rents were also raised in my grandfather's time.

10,326. Mr. Nelson.—Was I right in thinking that the amount of purchase-money you would give would be fifteen or sixteen years?—Yes; on the old rent.

10,327. On a fair rent?—No; on the old rent. On a fair rent I think the landlord would be entitled to receive up to twenty years' purchase. I would give him what is fair and just.

10,328. That is on a fair rent?—Yes. You would be desirous of purchasing on such terms?—Yes.

10,329. For the sake of becoming the owner of the land, or for the sake of having the rent reduced?—We would like to become the owners of the land. We would wish to get from being under landlords like Mr. Murphy.

10,330. Or any other landlord?—I do not mean to say that a tenant would be in that position under a good landlord. There are men who would not do a tyrannical act; but you cannot be sure of these land speculators.

10,331. From your experience, would you say that the tenants in your neighbourhood are anxious to purchase their holdings for that reason?—They would be very anxious to purchase.

10,332. Quite apart from the idea of getting a reduction in the rent?—They would.

10,333. Do you think that, as a general rule, that is the feeling amongst the tenants?—I believe I am speaking the minds of all the tenantry when I say that they would like to purchase and get from under such a landlord as that.

10,334. Mr. Nelson.—Or the possibility of such a man ever coming amongst them afterwards?—Yes. I beg to say, before I leave, that we sent a deputation

to Mr. Gladstone's late Government, and that is the reply that we got. We also, so I said, submitted a case to estimate, but, in consequence of its being a *locum gratia*, there was no way of helping ourselves; it

would not get consideration, because it is an exceptional case.

10,335. Lord Milliam.—You say it is not a common case?—It is not.

Oct. 30, 1885.

John Davidson.

Sir James McDowell, of Carrickfergus, examined.

10,336. The President.—You are a tenant farmer?—Yes.

10,337. Where do you come from?—The landlord with us is Lord Trevor.

10,338. In what county is it?—The county Antrim.

10,339. What is the nature of your holding?—I am a tenant at will.

10,340. Is it one holding?—I hold under General McCleavey.

10,341. How much?—Sixty Irish acres. Lord Trevor is the chief landlord over all.

10,342. Is there any one between you and him?—In the one case, there is General McCleavey.

10,343. How many holdings have you?—This is 63 acres.

10,344. Do you mean there is another? Is 63 acres the total?—It is 85 acres between the two. I have 25 acres under Lord Trevor.

10,345. Do you think that your rent is a fair one?—I do not.

10,346. Why have you never been inclined to go into the court then?—The simple reason was that I never saw justice done. I was a valuator for 700 or 800 tenants, and I do not see that tenants' improvements were taken into consideration in the fixing of the fair rent.

10,347. You had no confidence in the courts?—No.

10,348. Do you know any case in which they did not reduce the rents?—They did reduce them, but to a slight extent. I am paying four and a half times as much as my lease was when it expired under Lord Trevor.

10,349. Four times and a half as much?—Yes; and I have not gone into the Land Court.

10,350. The rent in the lease was very low?—Yes; but the landlords in our country never did anything, and we hardly ever saw their faces. He was only once on the estate since he became the landlord.

10,351. Lord Milliam.—Your lease expired in 1858?—Yes.

10,352. And it was raised to four and a half times the former rent?—Yes.

10,353. The President.—What do you think would be a fair thing to do?—I think that compulsory purchase would settle the question in this part of Ireland; at least, I believe that if it is not made compulsory the landlords won't sell. They were accustomed to get their rents too well paid.

10,354. If it was compulsory, how would you fix the amount to be paid?—Where a good gentleman had the land let at a fair rent, I would give him fifteen or sixteen years' rent. But a man like Murphy, in our locality, who has ruined his tenantry, and forced free-grass upon them, I do not know how he should be paid.

10,355. Lord Milliam.—You would give the best sixteen years?—Sixteen or seventeen. To such men as Murphy and Joe Biggar, fifteen years on a fair rent is all that I would give.

10,356. Of course you are aware that that would reduce your rent 40 per cent.?—Well, my lord, that is what we would need; owing to the foreign competition, and the cost of production, it is impossible to live and pay rent out of the lands.

10,357. You should get the rent lowered?—Yes.

10,358. That is what you are most anxious about?—Yes.

10,359. You do not care very much about becoming the owner?—We would like to be the owners, and I believe to do that would clear the political

atmosphere, and that there would be no more shouting about Home Rule.

10,360. You would like to be under the State?—We would wish to have the State our landlord.

10,361. Without waiting to know what they would give, would you put yourself in the hands of the Commission, and agree to whatever number of years they fixed?—I would, and a great many with me would do the same.

10,362. Mr. Nelson.—The Land Commission?—Yes.

10,363. That is the same Commission that has been fixing the fair rent?—Not the Sub-Commissioners. I would be quite willing to leave the price to be fixed.

10,364. Leave it to arbitration?—Let the Government appoint such men as the Land Commission Court, but do not allow them to send Sub-Commissioners over us. But I wish to say a word about the leaseholders.

10,365. You think they should be allowed to come into court with their leases and have a fair rent fixed?—Yes; they are the most distressed class of people.

10,366. And I suppose they are good farmers?—Yes, they must farm well in this part of the country, and work well and very hard. I believe that a compulsory purchase bill would settle the question and clear the political atmosphere, and, in fact, do a great deal of good.

10,367. By reducing the rent very much and doing away with the landlords?—They are absentee landlords at present, so far as we are concerned. We were going to the agent for a reduction.

10,368. The Government would also be an absentee landlord?—We would be the owners and proprietors, only that the Government would be the master that we should pay into; and we would then have something to fight for; it would make us all soldiers.

10,369. I suppose you would be no enemy of the Government, even though you had to pay it money?—Very far from it, because the Government would be the best landlord.

10,370. Lord Milliam.—Supposing some patriotic person got up an agitation to compel the Government to take less instalments than those which were agreed upon, what do you think would be the feeling of the people towards an illustrious person of that kind?—We would agree to pay our contract. We have been willing to do that, and I believe there is no agitator who would have any effect upon us.

10,371. You think that?—I believe that.

10,372. They have had a considerable effect amongst the people in the course of agitating for reductions of rent?—Amongst the people of the South.

10,373. And in the North—who pointed that out to you?—Because we are oppressed at the present time.

10,374. You mean by oppressed that you have too much to pay?—Yes.

10,375. Do you think it might not be shown that the instalments which were fixed were too much, and that no agitation could show you how to have that remedied?—We would like to be placed in that position, that there would be no reason to encourage agitation.

10,376. Do you think there would be any agitation?—We are a very law-abiding people in this part of the country, and we are not easily taken up with by agitators.

10,377. The President.—And there is no combination against the payment of rents?—I think not.

10,378. Lord Milliam.—Is that so?—No combination.

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Honourable
Mr. Maxwell.

tion against the payment of rent?—None in our district that ever I was aware of.

10,379. Which district is that?—Between Carrickfergus and Larnie. We have a great grievance in the county case. We are very heavily taxed, and we have no voice in the spending of our own money.

10,380. That is a matter with which it is not within our province to deal.—But it is one which it is within the power of the Government to recognise.

10,381. Yes, no doubt. I suppose a local body elected by the ratepayers to dispose of these funds in what would meet your views; a body elected by the ratepayers?—Anything that would give the ratepayers a voice in the spending of their own money would suit their views.

10,382. The President.—Supposing the Commission said that you were to pay twenty years on a fair rent, would you pay that?—I would not. I need not propose to pay a thing that I could not pay.

10,383. But twenty years would give you a reduction in the amount of your rent?—Anything that has been done in our country to improve the land has been done by the tenants. They have laid out £3000 in buildings on my place.

10,384. Lord Milnes.—You would not be content upon that?—But so far as the taxation goes we are taxed.

10,385. Surely the fair rent is fixed on the value of the land, without taking into consideration the tenants' improvements?—I never saw a fair rent yet, and I saw a good many fixed. I have been in court on behalf of a great many tenants.

10,386. The President.—Do you think that they always valued the tenants' improvements?—I consider that they never gave the tenant justice at all. We had one sub-commissioner here, and he entirely ruined the country. On our estate only two persons went into the Land Court, just because they could not get fair play.

10,387. Lord Milnes.—Were they afraid of the sub-commissioner you refer to?—Yes; there was a class of lawyers employed, and if you broke down in your evidence,—they were employed to cross-examine you,—and you broke down with them, the Commission paid no attention to you at all.

10,388. The President.—But I suppose they generally lowered the rents?—They lowered the rents about six per cent. below the Government valuation.

10,389. You did not think that was enough. Was that valuation below what the tenants paid before?—Yes, they did that in a great many cases.

10,390. Lord Milnes.—And that was not enough?—It was nothing at all equal to what it should be.

10,391. How much do you consider it ought to be?—I consider that that valuation was made for the purposes of taxation, and not for rent; but the landlords took the opportunity at a particular time of making it appear as if it was for that.

10,392. But it was made expressly lower than if it had been for rent?—I assure you it was made a great deal higher in our country. I am valued at more money than the Government valuation in 1863.

10,393. Mr. Nelson.—Was there a valuation in 1863?—There was Griffith's valuation made in 1863 in Antrim; and there was also a valuation in 1833.

10,394. There was a valuation in 1833?—Yes.

10,395. And the other was in 1863?—Yes, or 1862, I am not sure which; it was about that. I was raised, and I appealed, and I got a reduction, but I should have got more. That was the Government valuation. I hope you will take into consideration the case of the leaseholders. Both them and the tenant's will, as a class, are in a very bad state; and now that we have the whole world to compete against us, and with the present price of labour, we are in such a position that we are hardly able to live.

10,396. Lord Milnes.—Your rent has been reduced?—No.

10,397. You have not gone into the Land Court?—No. As I said, we did not think we should.

10,398. From a very long period you and your family have been paying those rents?—I have been paying the raised rent since 1858.

10,399. For fifteen or sixteen years your family have been paying this rent?—No; I have been paying it twenty-six or twenty-seven years. There was no Land Act then.

10,400. You did manage to pay those rents?—Yes; labour was cheap, and prices were 25 per cent. higher.

10,401. When?—From 1850 to 1875.

10,402. Do you believe that prices were 25 per cent. higher in 1858?—Not in 1858, but from 1850 to 1875 prices went up.

10,403. Don't you know that they were previously as low?—They were never so low as now since 1852. Beef was just 55s. 6d. in the Dublin market, and previous to the Russian war it was 52s.

10,404. Have you ever had any tables such as I now show you placed before you before?—I do not think I had. I was looking at the Farmers' Gazette.

10,405. You will see by this table that you are quite wrong.—Well, I see what beef was in 1862.

10,406. You see that it is now up to 65s. 1—55s. is quoted last week in Dublin.

10,407. That was the lowest?—It is from 60s. to 52s.

10,408. Pardon me; it was from 55s. to 65s.—Well, I saw it in the Farmers' Gazette, which I will send to you.

10,409. That is the paper I am alluding to.—In 1853 it was from 48s. to 60s. Well, at present it is lower than that. I speak of previous to the Russian war, which, I believe, broke out in 1854. I say that beef was not so low as now since that time; and as for butter, it was lower this summer.

10,410. It is rising now?—Yes, of course, when there is nothing to sell. The butter market is over in this part of the country.

10,411. It is higher than it was this time last year?—Yes, I suppose it is; but it is owing to the scarcity, because people do not keep such stocks.

10,412. At all events, butter is a rising market?—Yes, it is rising at the present time. It was sold in Larnie this summer at 6d. per lb.

10,413. You do not keep the butter, and sell it on November?—We sell it every week as it is made.

10,414. And, of course, the low prices in the summer are very disastrous?—Yes.

10,415. But it is rising now, and I hope there is a possibility of its maintaining its rise?—There is no mistake but it will maintain its rise now.

10,416. But next summer?—No; I would not prophesy.

10,417. Mr. Nelson.—And no more could the Land Commissioners?—I am afraid that the foreign competition will sweep us out of this country.

10,418. Lord Milnes.—But you see that in those years when the prices were so low there was no foreign competition?—No.

10,419. And the importations of foreign produce are enormously diminishing every week. The amount of produce entering this country is enormously less than in the year before. Don't you think that will be of some use to us?—I hope that it will become less.

10,420. Mr. Knipe.—You say that the tenants would be willing to buy in your part of the country?—Yes.

10,421. You do not think that the judicial rents as fixed are fair?—I do not think that they would be a fair basis to purchase upon.

10,422. Are you aware that the rents which have been fixed from 1865 are lower than the rents which were fixed before that?—I believe that latterly they are.

10,423. That being the case, would the tenants in your locality think the judicial rents fixed in 1865

for basis upon which to buy?—I am afraid they would not.

10,424. Are the landlords willing to sell in your locality?—I do not know that. I don't think the landlords in our part of the county would be willing to sell so long as they get their rents so well paid. The Bill should be made compulsory.

10,425. And that, you believe, is because they get their rents paid so regularly?—I do.

10,426. Would there be the same desire to sell in the North that there is in the South and West?—I do not think so. It would be a general case in the South. I believe that the agents have made more bad landlords than anything else in Ireland. I myself was almost robbed by an agent, and compelled to pay my brother's widow £700 just before the Land Act. There was no way out of it, and I had to submit. He broke my brother's lease.

10,427. Especially those landlords who did not reside in this country?—Yes.

10,428. You think they are the worst class of landlords?—I do not know. There are some who do not reside that are not bad; but the landlords, as a rule, do not reside with us.

10,429. I mean comparing them with the old resident landlords?—They are not to be compared with them at all. I believe that if the landlords resided with us, and went in and out amongst the tenants, and sympathized with their affairs, there never would have been a word between landlord and tenant. It is the agents who have created all the rifts that was brought upon them.

10,430. Have the landlords sympathized with the tenants lately?—Not as much as in former times.

10,431. Has there been any reduction in the rents given in your place?—Sir James McGarel Hogg is the only one that I know of. Although the tenants took losses from the previous landlord, he has given them 10 per cent. reduction on several occasions, and allowed them either to take the lease or a judicial lease at 15½ per cent. reduction; and I believe some of them have taken the terms, but others who have not waited for better terms. But the rents were high under the old lease.

10,432. Lord Milnes.—Do you think it would be well to compel such a landlord as Sir James McGarel Hogg to sell whether he likes it or not?—Every law is injurious to some parties. If a law is passed for the good of the general public, some individuals must be hurt.

10,433. Would it be for the good of the tenants to do this?—In our country it would be for the good of the people.

John Wallace, of Carrickfergus, examined.

10,434. The President.—You are a tenant farmer, Mr. Wallace?—I am.

10,435. You are from Carrickfergus, I believe?—From the neighbourhood of Carrickfergus. Noctingham is the name of the place.

10,436. How much land do you hold?—118 acres.

10,437. Irish or statute acres?—Statute.

10,438. Is it all one holding?—Yes, the acres used to be Irish.

10,439. Is this holding under a judicial rent?—Yes.

10,440. When was the judicial rent fixed?—It was fixed in 1862, I think.

10,441. What rent do you pay?—£118.

10,442. £1 an acre?—Yes, which I think is a great deal too much.

10,443. Was it reduced in the court?—How much was it before?—This was on the estate which was formerly held by Mr. Kerr.

10,444. What was the old rent?—That was in 1838.

10,445. They left it alone?—Yes.

10,446. They did not make any alteration?—No.

10,434. Even in the case of such a landlord as that?—As far as that goes, in the case of that particular landlord I say that I could not form an opinion, because there is no doubt it would be an injury in some cases. But I know that nothing else will satisfy the landlords with an except buying out the landlords, and extending the term for the repayment of the instalments to forty-nine years.

10,435. That is what it is now?—Yes, under Lord Ashbourne's Act. If it was improved a little, it would be well.

10,436. You don't want it for a longer term?—I think that would be long enough; and I would prevent the tenants from sub-letting their farms.

10,437. Mr. Nelson.—You know that, pending the repayment of the instalments, they are already prevented from doing that?—I would be particular about preventing that. It has set a bad example to the landlords on several occasions, the tenants letting the land to small people at big rents.

10,438. Lord Milnes.—How would you prevent them?—I would insert a special clause in the Act.

10,439. How could the Government enforce it?—Why, if it was the law of the land that they should not sub-let, would not that meet it? It should be prevented, unless the new tenant were to occupy the same position that the man who let it occupied. That is what I would do.

10,440. You probably know many cases in which the landlords lost their lands?—I do.

10,441. That has led to a good deal of discontent, has it not?—It has led to a good deal of discontent, and especially in the case of the Kerr estate, which was cut up and sold to speculators.

10,442. And the country, you say, would become more peaceful if purchase was carried out?—Yes.

10,443. If the people became the owners of their land, do you think that they would employ more labour?—Yes; because they would improve the land, for they would know that the landlord then would not be able to come round and raise the rents. No doubt, tenants would now and again pay a lump sum, in order to get rid of the Government altogether.

10,444. You think that the importation of produce from America has affected the price of produce here a good deal?—It has. There is no mistake about it.

10,445. You do not think that prices will go up to what they were—that we are likely to have higher prices?—I do not see it—I cannot pretend to prophesy.

10,438. And you felt that they should have reduced it?—When it was sold in 1862-70, the rent was raised £25, 5s. 6d., and the court reduced it to the old rent, which I thought was very unfair.

10,440. What was the amount of the rise in 1870?—£25, 5s. 6d.

10,441. And it was then made £140?—Yes, £140, 5s. 6d.

10,442. It was put by the Commissioners at the original rent?—Yes.

10,443. Lord Milnes.—What is the poor-law valuation, Mr. Wallace?—The poor-law valuation was £70 when I went to that place, and it is raised now to £127. Griffiths' valuation was £70 upon this farm.

10,444. Who has raised it to that?—The purchaser.

10,445. The poor-law valuation is £70?—That is Griffiths'. The poor-law valuation is £127.

10,446. How was it raised?—Step by step, according as I improved the farm.

10,447. That would not raise the poor-law valuation?

10,448. Mr. Nelson.—Have new buildings been

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Samuel McDowell.

John Wallace.

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put on the farm?—I cannot say how it has been done, but I am telling you the facts. I pay poor rates and county cess upon that valuation, which I think is very unfair.

10,468. Lord Althorpe.—That is very curious.

10,470. The President.—You do not approve of the judgment arrived at by the Commissioners? Do you think they valued your own improvements?—I think they were quite too high, and it happened at a time when the Government were urging the Commissioners to get on with their work, and it was a very brief hearing that my case got, and my valuers were neighbouring farmers who were acquainted with farming business, and my landlord's valuer was a man I did not know anything about, except that he was connected with the waterworks in Belfast, and another was a civil engineer. Now I hold that these men knew nothing about farming. A man ought to live by it in order to be a judge of it. The map that I got I paid £4 for, and it shows how much waste land and public roads there is on the farm, and you can see that it amounts to 9a 3r. 11p., and they almost refused to look at it at all. When I took the Commissioners over the ground to show it to them afterwards, I asked them what they thought of it, that I understood the landlord's valuer put 9c. or 10c. an acre on part of it, and they said, "It is not worth 1s." and yet you see what they did.

10,471. And if you considered it was high then, I suppose you think it is higher now?—Yes, a great deal. Mr. Croser, the chairman of the court, when they looked over it, said, "Now, Mr. Wallace, what do you say is a fair rent?" I said, "That is a very difficult question to ask me," and he said, "Yes, but it is one we have to answer." "Well," I said, "when I take into account the great rise in the cost of labour, and other things, I think that £100 a year would be a very full rent;" my valuers made it a great deal less than that. Now, there is one other thing which I would desire to refer to, namely, that all the soil of that estate which went through the court was brought to about the same as mine. There is very little difference in the rents there, and therefore I hold that as a standard they laid down too high a scale.

10,472. Have you been paying your rent up to lately?—Yes.

10,473. Have you any arrears of rent due at all?—No, I have not.

John Sinion, of Lisburn, examined.

John Sinion.

10,485. The President.—Mr. Sinion, you are a tenant farmer?—Yes.

10,487. From the Lisburn district?—Yes; and I am also a linen manufacturer.

10,488. What is your holding?—I hold at Lisburn about 70 acres.

10,489. In one holding?—Under two landlords. I hold nearly all of it under the Marquis of Downshire or his trustees.

10,490. How much is that portion?—I hold 80 acres under the Marquis of Downshire.

10,491. And what is the other portion?—It is under Colonel Muscenden. I also hold in the county Armagh. I came from there about fourteen years ago, and I have two holdings there. I hold there under the Count de Salis and Mr. McCross.

10,492. Which of these holdings do you wish to give information about first. Will you take the Marquis of Downshire's?—Yes.

10,493. Is that under a judicial rent?—No; it is a lease for lives for thirty-one years. That is the principal part of the holding. I hold a little from year to year.

10,494. What is your rent?—Under the Marquis of Downshire it is about 21s. per English acre.

10,495. They are statute acres?—Yes.

10,496. Is there any of the land which is under a judicial lease?—A few went into court on the

10,474. Do you pay it with difficulty?—If I had no other means but the farm, I could not do it at all.

10,475. You have something else to draw upon besides the farm?—Yes, I have property in this town.

10,476. You pay the rent out of other money, and not out of what you made from the land?—Yes.

10,477. How many years has that rent been on the land?—From 1870.

10,478. Have you never made the rent out of the farm since that time?—I mean that it was in 1830 this gentleman came in.

10,479. How long is it since you have been unable to make the rent out of the land?—It is latterly, only within the last three years. The landlord had my farm measured, and I have his letter, in which he says that he will only charge me for the short measure, but he never made me any allowance, though it ought to amount to £3 a year. That, as you see, would have been £30 from that time to now. I took his letter one day when I was served with notice to pay the rent, and I wrote saying that I hoped he would take into account the short measure, and give me credit for the difference in the rent. That was after I had been through the court, because I dare not speak of it before that. He wrote back to me saying, "The Government have settled all."

10,480. Mr. Sinion.—You should put down the acreage in the originating notice.—I was not acquainted with that, but that did not alter the fact which I have mentioned.

10,481. The Court acted on your own statement?—I was thinking of applying to the Court again. £30 is a good deal.

10,482. Yes. But the Court gave you an opportunity of fixing the acreage?—I hope they will.

10,483. They did; but whether they would go back on it again or not is another question?—They ought to do it.

10,484. Do you wish to purchase your farm?—No.

10,485. You only wish to get a lower rent?—Yes, a fair judicial rent. I like the Bill of 1881 if it was fairly administered. My valuer valued the land at £80. I said a fair rent would be £100, and I would have been satisfied with it at £100. What I wish to express is that the Court started with too high a standard as to what the condition of the land is able to support.

Marquis of Downshire's property, but those who did go in did not gain anything by it.

10,497. Were their rents raised?—In one or two cases they were reduced a little, but I advised any who went in to stay out. I had been in the court on other estates, and I considered that the rent was as low as the Commissioners would put it at that time.

10,498. And you think that 21s. an acre at that time was not too high?—Most of them held at less than I did. I have a mill, and I paid a little more on that account. I did not think that if I went into the court I would get a reduction.

10,499. Then you have not much to complain of?—Not there. But I went into the Land Court, and I noticed what was called the first day that the Commission sat, and the price of produce has gone down so much since then that I think some of them will get a fair reduction now upon that estate. I went into the court in 1882, and got some settled in Armagh.

10,500. We will now take the holding you have under Colonel Muscenden?—The tenants there asked for an abatement of rent.

10,501. Is it under a judicial lease?—No. He told us that he would send a valuer round, and if they were satisfied he would give it to them upon that rent. He would permit them to go into court

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He did so. They were all satisfied with the rents, and even since that, last year, he gave 10 per cent. reduction, which pleased them very much.

10,522. You have nothing to complain of there? *No*; and under the Marquis of Downshire I am a landholder, and could get no relief. The tenants were well satisfied there until lately. I consider that the tenants there were contented when I went there, able to live well and pay their way. I do not think there was any lack rent upon that estate. I heard there was only one instance, but since the prices of things have fallen so much things are altered. I believe they have fallen so much that the difference would make the whole rent. On the Count de Salis' property, I went into the court and got a considerable reduction. A great many others did the same. They were satisfied with the reduction they got, and appeared to be well satisfied, but the prices have fallen so much since that, that it would nearly absorb the whole rent. I believe that ten or twelve years ago the tenants would be safer paying the rent than they would be now even with no rent, in consequence of the reduction. The argument that I put forward in court was that wheat had fallen from 11s. 10½d. to 9s. upon twenty years.

10,523. You don't have anything to do with wheat? *Yes*. It was the principal thing and paid the rent. Now it has fallen to 5s. 6d. The argument used was that beef was high, and so it was. Grass seed was from 9s. to 12s., and some kind of it 5s. 9d. Better about a penny per lb. more than now. Beef, of course, means the same thing as cattle. My views, if I may express them, are that I would rather have the rent fixed instead of buying out, to which there are many objections. A board of independent men composed in a proper way could arrive at what would be a fair rent now, considering that the judicial rents were settled when prices were so much higher than they are now. They could see how much less the rent ought to be now. They could calculate, if it was worth so much four years ago, how much per cent. less should it be now. I should say that such a thing as that could be done.

10,524. Mr. Nelson.—The sliding scale would meet your view?—*Yes*; fix them for the next three years, and if the prices went up let the landlord get the advantage.

10,525. Varying every year?—*Varying every three years, and considering the price of labour. Labour was never higher in Ireland at any time than it is now, and the price of produce is lower than ever it was.—The price of produce is lower?—It is lower than it was at any period that I can think of.*

10,526. Lord Milltown.—Do you know that it is 30 per cent. higher than at the time that Griffith's valuation was made?—*I do not think that would be so. What year was that—after the repeal of the Corn Laws?*

10,527. 1835.—*Yes*, that was shortly after that. And labourers' wages were 1s. a day at that time.

10,528. But you stated that produce was at a lower price now than it had been before?—*Well, I am wrong in that.*

10,529. Mr. Nelson.—*I believe you are.—Of course, I was very young then.*

10,530. Mr. Nelson.—What about the linen trade in your time?—*The county Armagh and the districts that I am acquainted with are linen districts.*

10,531. Was it an advantage to farmers to have loans in their houses?—*A decided advantage. My father had a number of cottages built upon his farm, and he let them to the weavers on the condition that they would pay with work.*

10,532. And a number of the sons and daughters of the farmers were weaving?—*Yes.*

10,533. Were they able to make the rent of the farm by the work of the looms which were in the houses?—*Yes. Linen-weaving in the houses must*

soon be out entirely. Some years ago we could not weave so fine by the machinery; we could only weave "thirteen hundred," but now on the power-loom we can weave "twenty-two hundred." So that the hand-loom weaver has died out.

10,534. Speaking of the time to which you referred, when prices were so very low, did the additional advantage that the farmers had from the loans do more than compensate for the low prices?—*I could not answer that question, because I was very young at the time. But I think that was a very exceptional time.*

10,535. It is done away with—the weaving in the houses—to a great extent?—*Yes*, so far as the weaving is concerned that great advantage is done away with in Down, Armagh, and Antrim, and other places. I could scarcely get a man to come and do a few days' work. I should keep him the whole year round. My view would be that a fair rent should be settled, and that the tenants should pay that, and that when the land afforded it it should, if necessary, be more. Actually we do not see now where it will end. Produce is coming into the markets from all parts.

10,536. Is there not a general desire amongst the tenants in your part of the country to become the owners of their farms?—*On the Marquis of Downshire's property they would. But the Land Purchase Bill, I consider, won't be of any use to us, nor to any man who is a good tenant and a good farmer, because in his case the landlord would not sell. If we are to get any benefit from the Land Purchase Act, we would require first to pay the rent, and to commence and agitate. That is what we would have to do first. Then the landlord would become willing to sell, but in our case he has got all our property as the security for his rent. I believe that to the industrious tenants the Land Purchase Bill has been more harm than good.*

10,537. You believe that the landlords in such cases will not sell in consequence of the security which they have?—*Yes. My idea is that there should be judicial rents fixed.*

10,538. Mr. Nelson.—On a sliding scale, so that if the prices fell the rents would fall, and that if the prices rose they would rise?—*Yes. With reference to congested districts, I may say that I do not know anything about them, because, though there is a large population, there are mills in our neighbourhood, and where there is a mill or large public works a small farm should pay well.*

10,539. I think that question does not refer to your part of the country?—*The great fall in the price of produce is the cause of the present state of affairs. If there was relief from that, it is what would be needed. I think it is hardly a fair thing that the landlord should be compelled to sell; but we are half owners with the landlord. I think that the country should collect the rent for the landlord, that is to say, with regard to the Downshire property, that if they have to take a judicial rent the Government should collect the rent and charge the estate for collecting it, and every man in that district of country should be made responsible for the whole rent the same as for the county cess. If a man refused to pay in that case, we would soon have another man in his place. It would be the right way to make the locality responsible.*

10,540. Mr. Nelson.—*I think the landlord would take a very low rent upon these terms?—I believe it could be worked well, and a board should be appointed to collect the poor-law county cess and land rent. At the end of fifty years—I do not content myself with looking merely to the present—I can imagine a state of things existing ten times worse than now. We would have thousands of small bad landlords instead of a small number of middling ones. There would be sub-division.*

10,541. As the Act stands at present, you know they cannot do that?—*Under the Act as it stands at*

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John Stokes

present, when they become owners they can do what they like. The principal part of my evidence to which I wish to call attention is this, that the price of produce has fallen to so low a figure that it has left the farmer unable to pay rent. But there is no

combination in our place against the payment of rent. We did apply to the Downshire estate last season for a reduction of rent, and we were greatly disappointed that we did not get anything at all.

Thomas Stewes, of the Mann, Lisburn, examined.

Thomas Stewes.

10,522. The *President*—Mr. Stewes, you live in the Lisburn district?—Yes.

10,523. How much land do you hold?—The valuation is £103.

10,524. Is it in one holding?—No; it is several holdings.

10,525. Under the same landlord?—Yes.

10,526. Are they under a judicial rent?—None of them are under judicial rents. The larger portion is under a lease, of which you may have heard,—a fine down lease, a lease for which a fine was paid.

10,527. Who is the landlord?—The Marquis of Hertford.

10,528. The fine was paid when the lease was taken out?—Yes; it was taken out forty-six years ago.

10,529. And, of course, on account of the fine, the rent is lower?—The amount is 5 per cent. on the fine—that is about the amount of the reduction. I have two farms that are not included.

10,530. They were not fixed by the courts?—No; the subject that I wish to introduce to your notice is this: on the property, generally, the judicial leases have not been taken out. There was a good deal of friendliness between the landlord and the tenants. At an earlier period the landlord, the Marquis of Hertford, was known as the Earl of Yarmouth, and the estate is known as the Hertford estate. About fifteen years ago it passed mainly into the possession of Sir Richard Wallace. A small portion of the same estate, however, by means of a family settlement, was still linked with the marquise, and became the property of the late Marquis, who gave it to his son, then the Earl of Yarmouth. This property consists of five townlands, containing 1685 acres, and lies mainly to the west of Lisburn. When the division took place, the lands, being essentially a portion of the larger estate, were managed and rented in precisely a similar manner under the same agent, and did not differ in any essential particular from the surrounding Hertford property. The crops cultivated were the same, the rents laid on the lands were the work of the same officers, and indeed many of the tenants hold portions of their farms in both divisions of the lately-severed estate. A few years ago Sir Richard Wallace ordered a general revaluation, and reduced his rents to what was then considered the level of value and prices, which have probably sunk still lower since the revaluation was made. The Earl of Yarmouth, now the Marquis of Hertford, did not follow this example on his share of the property, though in a few instances, on pressing personal solicitation, some of the rents were lowered. Many of the farms lie within water-mark of the Lagan, which frequently, so on a recent occasion, causes destruction to the standing crops of hay and grain. Recently the tenants, feeling that the depressed condition of agriculture caused by low prices, and also their losses from flooding, warranted them in seeking a revaluation of their farms and a readjustment of rents to prices, forwarded a memorial to the Marquis. Whither, in general, to avoid the Land Courts and to ease his lordship no trouble or expense, it was thought that such a course would be as effectual as the intervention of the Land Commissioners. The following is the tenants' memorial:—

"TO THE MOST NOBLE THE MARQUIS OF HERTFORD

"MAY IT PLEASE YOUR LORDSHIP,—We, the undersigned, tenants on your estate in Ireland, wish respectfully to draw your attention to the fact that a general revaluation of the Hertford estate was effected a few years ago, and a reduction offered to the

tenants; but that portion of the Hertford estate of which your Lordship became owner has not been revalued, and no general reduction of rent offered, although in a few instances, on special application, rents have been lowered. We believe the time has come when, in justice to the circumstances of our condition and the great fall in grain and cattle, we must ask your Lordship for a general revaluation and reduction of rents on lands out of lease, so as to bring our rents more in conformity with the present prospects and conditions of the times. We need not remind your Lordship that applications of this kind have been generously responded to by thousands of land lords, both in this country and in Great Britain, and that very few tenants are now supposed able to pay such rents as were considered fair ten years ago, the circumstances of agriculture having totally altered since then. We have hitherto studiously avoided giving your Lordship any trouble, but we feel that this step is taken because it is unavoidable.—Always wishing you health and happiness, and remembering warmly your kindness towards us personally, whilst the honour to be, your Lordship's obedient servants" (Signed by fifty tenants.)

THE LORDSHIP'S REPLY.

"RAGLEY HALL, ALDINGHAM,
October 4, 1835.

"GENTLEMEN,—I beg to acknowledge the receipt of the memorial signed by some of the tenants on my Irish property, and to express my appreciation of the terms in which it is worded. It has always been a source of great pleasure to me to feel that my Irish tenants and I were on the most friendly terms, and I would take this opportunity of recording my sense of the honourable manner in which they have always fulfilled their engagements, refusing to be led away by the specious arguments of those political agitators who are the curse of the country. In the memorial you mention that a general revaluation was effected a few years ago on Sir Richard Wallace's estate, which affirms mine, but you must allow me to point out that the circumstances of that estate and mine are very different. A revaluation of my property would cost a very large expenditure on my part, and I honestly believe that it would not prove of any corresponding value to the tenants, because I am aware that the rents charged on my property compare very favourably with those on the neighbouring estates. For example, I do some three thousand acres of land in the county of Warwick (most of it arable), no one knows better than myself how much the price of wheat has fallen; but I must point out that such a small amount of wheat is grown by you that you are little affected by its diminution in price, and I believe that the prices of oats and cattle, though still low, are improving. You are, no doubt, aware that in many instances I have lowered the rent where the tenant complained of its being too high; also, that very lately, where a large tract of land fell out of lease, although I was entitled to a considerable increase of rent, I did not raise it, feeling that there are no time to raise rents. I am the last man to wish to exact unfair rent from any tenant, and I have now given up agent, Mr. Stewes, in whom I hope and believe you have confidence, authority to thoroughly go into the question with any tenant who may, from pressure of the times, be unable to meet his engagements, and have authorized him to make a reduction of rent in those cases where, having regard to present depression in prices, he may consider an abatement necessary.

I am no lover of the Land Courts, believing that the landlord and the tenants are the proper people to manage an estate; but, feeling as I do that my property compares favourably with surrounding and several estates, I can have no objection to any tenant who should so desire appealing to the judgment of the Land Commission. It is my earnest wish that the same friendly relations that have existed between us for the last fifteen years should always continue; and, with the sincere hope that every tenant of mine may, under God's providence, be able to live on his farm with comfort to himself and family, I remain, yours faithfully,

—HARTFORD.

10,531. Do you think that in the Land Court the rent would be reduced?—I think so.

10,532. What prevents you—that prevents the tenants from going into the court?—Well, there is a reluctance to go for one reason, so that although we were certain to get a reduction it would hardly be a compensation to us for falling out with the landlord, and taking a course that would awaken all kinds of bad feeling. We were most anxious to deal with the thing in an amicable way.

10,533. Mr. Nelson.—You see the landlord says that he has given his agent directions to go thoroughly into the question with any tenant who may from pressure of the times be unable to meet his engagements; and he says that in cases of that kind he has authorized him to make a reduction of rent in those cases where, having regard to the recent depreciation of prices, he may consider an abatement to be necessary?—No doubt.

10,534. He said that he had no objection to any tenant who should desire to do so appealing to the judgment of the Land Commissioners, and he adds "it is my earnest wish that the same friendly relations that have existed between us for the last fifteen years should always continue." He rather encourages the tenants to go to the landlord or to the court if they should prefer it?—Yes, of course. That is, tenants who are unable to meet the rent, tenants who have dropped into such a state of poverty that of course they cannot bring in the rent any longer.

10,535. The President.—Then I do not see that any ill-feeling would be caused by their going into the Land Court?—A good many are determined to go into the Land Court, but this is to show that the Northern landlords are not going to move—that they stand so stiffly upon their rights.

10,536. Mr. Nelson.—Do you call that a stiff letter?—Allow me to point out that those who are unable to meet the demands for rent—I cannot class myself amongst those who are unable, because I have other means—must approach him in that way. And although it might be fair for me to have a reduction, and desirable, at the same time I am not in the form of a pauper to go to him.

10,537. I think his letter is exactly worded to meet such a case?—It is quite on a par with the Downshire estate, where emphatic details of the tenants' case have been given.

10,538. Is it possible for a man to write a kinder letter?—I think it is a kind letter, but I think it is also a virtual refusal of the request of the tenants.

10,539. I do not read it that way.—I am sorry that I have not a copy of the letter of the *Wigan* which is an official copy, that it is so.

10,540. Surely we do not want the *Whip* or any one else to help us to interpret that letter. Have you anything further to say?—The trustees of the Downshire estate have exactly assumed the same attitude. They have refused to fix judicial rents except through the pressure of the Land Court.

10,541. The tenants can go into the court if they wish?—Yes; but that is an immense amount of expense.

10,542. You see the estate at present belongs to a minor, and at most as a matter of necessity he done through the court. The minor cannot act for him-

self?—I furnish the agricultural article to the *Wigan*,—the Presbyterian paper of the North,—and I claim that my views are in a line with the Presbyterian North. I furnish all the agricultural articles to that newspaper, and from that point of view I should know what will satisfy the Presbyterian farmers of the North. I have said—in a communication to the *Northern Whig*—I have said that in reviewing the prices of beef and butter the author of the pamphlet takes Dublin market as his standard. Such a standard cannot be the measure of our hundreds of country towns, where the vast majority are forced to sell their produce. It is a fact that the land round our large cities is rented exceptionally high in consequence of the greatly enhanced prices that can be obtained in such places. To obtain a just standard of prices it would be necessary to take a hundred of the country towns scattered all over Ireland, and include, perhaps, one city, and then strike an average. I have visited country towns in which some kinds of farm produce were selling from 25 to 40 per cent below what could have been obtained in Dublin or Belfast. Even in the matter of butter, Cork prices would afford little or no indication of the prices that must be accepted in Donegal, Londonderry, Tyrone, or Cavan. I think, therefore, the case of the tenant is very unfairly put, who is told he ought to be able to pay so much rent because produce brings so much in the metropolitan market, whereas the prices he is forced to accept in country towns are frequently from 20 to 30 per cent lower than those quoted in the *Northern Whig*, or other authorities of the kind, as I have often had occasion to verify. Not only in the pamphlet to which you refer, but also in Parliament and elsewhere, a great case is supposed to be made out against the farmer because he gives such high prices for tenant right or the tenant's interest in land. It is argued that, because the farmer is able to give so much to obtain possession of a farm, consequently he is able to give a good round rent for the same. I hope your readers will follow me patiently while I dispel the illusion on which landlords and others trade, and which is supposed to be unassailable. I will take an extreme case in the landlord's favour.

10,543. I must interrupt you for a moment. We are limited in our inquiry to the working of the Acts of 1881 and 1885, and therefore cannot go into the general question.—Well, with regard to the Act of 1885, I think there is a feeling in the North of Ireland that the extension of the principle of that Act would be a very happy event, and one very much to be desired. I am sure that if I had an opportunity of purchasing my holding I would purchase it with the greatest willingness, and there are tens of thousands of tenants in Ulster who hold similar views, and I dare say our only fear is that the Northern landlords will not afford us a chance. We hope that we may get the chance. There is one thing certain, however, that the agitation on the land question will never cease until the Ulster farmers have had the opportunity of buying out their holdings.

10,544. You would make the Act of 1885 compulsory?

10,545. Mr. Keble.—You complain that the rents at the commencement of 1881 were fixed far too high?—They were certainly.

10,546. Are you aware that the Commissioners have been giving further reductions of from 10 to 30 per cent since then?—I saw that stated, but, looking over the decisions as I noticed them in the paper, they did not strike me as being that. I do not think they are that. They did not strike me as being so, at all events.

10,547. We have it in evidence by the Commissioners themselves.—Well, of course, they know best.

10,548. And these rents were fixed in consequence of the reduced price of farm produce and cattle?—I think they are merely fixing rents in the air—rents that will never be paid.

Oct. 20, 1885.
—
Thomas Swann.

Oct. 20, 1886.
Thomas
Knappe.

10,549. Your idea is that the landlords in the North will not sell? Yes; and just simply because the Northern farmers are certain to pay their rents, and that they are better security than those of any local authority, and as good as the State.

10,550. And that is the reason that the landlords of the North will not sell?—Yes.

10,551. Do you think that the landlords in the South will take lower terms than the landlords in the North?—Yes, I do.

10,552. And that is because of the agitation in the South?—Because the rents are insecure.

10,553. Provided that be the case, and that the landlords in the South and West of Ireland sell, what will be the effect if the landlords in the North do not sell?—It would redouble the agitation, and, in fact, throw the whole of the North into the hands of Mr. Parnell.

10,554. Mr. Nelson.—Do you know that two-thirds of the money under the Purchase Act has been taken in the North?—The Salters' Company and the other London companies have had a great deal to do with that.

10,555. No doubt.—They have.

10,556.—Mr. Knappe.—At all events, you say it would produce a bad effect in the North of Ireland?—It would produce rather a regular configuration. I do not see any other way out of the dilemma. I know there are certain landlords in the North of Ireland who have been admirable in their way, but I do not see any other way out of the dilemma.

10,557. It has been suggested to this Commission that the Land Court could be affirmed, and that if a court of that sort was established it would have the effect of bringing about more sales than would otherwise take place. Do you think it would be possible to establish a court of that sort, which would

give general satisfaction?—That is rather a difficult question to pronounce an opinion upon.

10,558. But look at the Land Act and the court established then?—A tribunal could be formed, of course.

10,559. Would the people be satisfied to leave it to the decision of such a court?—Yes; if a portion of that tribunal were more in touch with the farming community, and, of course, there should be a portion of it in touch with the landlords; I mean that it should be representative of both interests.

10,560. Have you made money within the last two or three years by farming?—I will just answer you that question quite plainly. If it were not for external means, I would not be making money, but would rather, instead, be going very much to the bad. There is a report of an institution which I believe you have inquired into, as to the Brookfield Agricultural School?—

10,561. We want to put your evidence on the notes, and I wish to have your answer to that question. Is it your experience that farmers in general have been making money this last number of years?—I have been making none. I am entirely dependent upon external means for holding my position. The fact of the matter is that if I were solely dependent upon farming I would not be farming now at all. I would be forced out of it altogether.

10,562. Is that caused by the low prices for produce of every kind?—Yes, of course it is.

10,563. What are your prospects for the future?—My prospects in the future are to knock out from the journals as much as will keep me afloat until better times come for the farmers. I could not possibly answer that question with greater candour.

10,564. You do not think that the farmer's prospects are very bright?—No, I do not.

Inquiry adjourned.

SIXTEENTH DAY, MONDAY, NOVEMBER 1st, 1886.

GRAND JURY ROOM, ARMAGH.

Nov. 1, 1886.

Commissioners present.—Right Hon. EARL COWPER (President), Sir JAMES CAIRD, Mr. NIELSEN, Q.C., Recorder of Londonderry, and Mr. THOMAS KNAPPE.

John Robinson, John Blacher, Thomas Keegan, and James Hobson called in.

John Robinson, of Armagh, examined.

John
Robinson.

10,565. The President.—I believe that you have come as a deputation from the tenants of Armagh?—Yes, this deputation is connected with the County Armagh Tenants' Association, and we have always tried to give the Land Act fair play, while in other places the farmers were against it.

10,566. Sir James Caird.—You mean the Land Act of 1881?—Yes; that association held a meeting, and sent out resolutions, of which I hand in a copy. A complaint that we have had to make in the county Armagh was with reference to the valuation, namely, that it was higher than any other county in Ireland.

10,567. Mr. Nielsen.—Do you refer to Griffith's valuation?—Yes, they believed that it was too high, and we sent a memorial to the Land Commission to that effect. The following is the memorial which we sent in:—

"TO THE IRISH LAND COMMISSION.

"Gentlemen, in consequence of the circumstance that the rules issued by you require the poor-law valuation of the holding to be stated in the notice originating proceedings before the court, the impression has been extensively produced that it was the intention of the authorities that this valuation should largely influence

the determination of a 'fair rent,' and the estimate by the court of the respective interests of landlord and tenant in the general administration of the Act. The results of this impression are seen in the widespread uneasiness and apprehension prevailing in the minds of the tenants in regard to the effect likely to be produced in the adjudication of judicial rents, as well as in the misapprehension at the hearings of the subject, and of the nature of the poor-law valuation, evident in the public mind, as shown by the newspaper press. Fully informed on the subject as you are, it may seem unnecessary for us to urge upon you the reason why the poor-law valuation is entirely unsuited as a basis to assess rents or to fix values. But there does not appear any other sufficient design for introducing it into the originating notice; and we have no doubt the remaining one of the particulars required to be stated therein will form an increased difficulty in the equitable administration of the Land Act. We have, therefore, taken the liberty of addressing you in the present communication, to ask you to consider and amend the rule by omitting entirely from all proceedings under the Land Act any reference whatever to the poor-law valuation, for the following reasons, that is to say:—1st. The valuations hitherto

made in Ireland under authority of Parliament, whether you take 'general valuation,' made in 1839 by Sir R. Griffith, or the poor-law valuation begun in 1842, and completed in the county Armagh in 1864, as an approximation of the annual value, as it was found to be at the period of such valuation, and are based on the then letting value, including such increased value as has resulted from the outlay of capital and labour by the occupier. 2nd. Conditions affecting the prosperity of agriculture have entirely changed since the valuation was made, prices of farm produce having greatly varied since 1844, and depression, where it occurs, in the price of every article of farm produce, as a rule, reaches a lower point and operates for a longer period than formerly. While some of those crops that had proved most suitable for cultivation in this county, and most remunerative in the past, are now those most depressed in price,—and it is also adverse to firmness in this county that those articles which have advanced in price, such as beef and butter, are only produced in small quantities proportionately,—at the same time, the cost of labour has very seriously increased, so that the difference in wages paid for cultivating an ordinary tillage farm is found to be from 22s. to 25s. per acre more than formerly; and, taking the probabilities of a judicial term of fifteen years, it is most likely that this cost will still further increase and become more nearly equalized with the cost of English and Scotch labour. 3rd. The poor-law valuation is itself unequally adjusted over Ireland, as has been acknowledged by Sir R. Griffith. Many parts of Ulster, although naturally poorer soil, have been valued more highly than other parts of Ireland, because the valuers found that greater improvements had been effected by the occupiers, the partial security afforded by the Ulster custom having stimulated the Ulster farmers to a more liberal outlay on permanent improvements. Also, a special kindness would be implied on the terms of this county by retaining the poor-law valuation as an element even remotely influencing judicial rents because this county was the last valued in Ireland. And in that year of 1864 the linen industry, in consequence of the demand caused by the American civil war, had reached the climax of its prosperity; prices were exceedingly inflated in that trade. Wages were good, and flax had risen to a point it has never reached since, and farmers who were also weavers were able to pay enormous rent out of the high wages earned for weaving. Immediately after that period reaction set in, which has steadily progressed towards depression, and the gradual extinction of much of the hand-loom linen trade up till the present. 4th. Local circumstances have in many cases greatly changed since the valuation was made. As is referred to above, in this county weaving linen by hand-loomers by the small farmers has in many places greatly declined, as is evident by the closing for some years past of the linen and drape market in Lurgan, and of the linen market in Armagh, weaving in large factories by power having taken its place. The effect of this linen industry where it flourished was to create a great demand for small farms with large houses on them, and because every member of the family was earning weekly wages a very high rent could be paid, not out of the earnings of agriculture, but of weaving. Hence a relatively higher rent prevailed in these manufacturing districts, which naturally increase their valuation. 5th. The poor-law or 'tentment' valuation is largely in excess of the general valuation of Ireland, made for County Armagh in 1839; although at the time of the old valuation the cost of production was much less than in 1864, and there is not such a difference in prices of farm produce, particularly of the produce of this county, as would justify the increase. To compare the two valuations in County Armagh we give below the valuation per acre of an agricultural townland in each barony of

the county in 1839 and in 1864 respectively. By this it will be seen how much the valuation has increased, as rents were forced up on the improved state of the holdings, and from the special circumstances in this county, referred to above. In the barony of Oneilland East, townland of Anghocommon, acreage 240, annual value under Griffith's valuation in 1839, £160, 15s. 6d., or 16s. 3d. per acre, poor-law valuation of 1864, £281, or 13s. 4d. per acre, showing an increase in twenty-five years of 43 per cent. Barony of Lower Orton, townland of Maghnavery, area, 378 acres; Griffith's valuation, £347, 5s. 6d., or 18s. 5d. per acre, poor-law valuation, £417, 5s., or 22s. per acre—an increase of 20 per cent. Barony of Upper Fews, townland of Tullybrann, area, 263 acres; Griffith's valuation, £163, or 12s. 3d. per acre; poor-law valuation, £214, or 16s. 1d. per acre—an increase of 32 per cent. Barony of Armagh, townland of Knockanorey; area 145 acres; Griffith's valuation, £116, 4s. 9d., or 16s. per acre; poor-law valuation, £163, 5s., or 23s. 2d. per acre—an increase of 44 per cent. Barony of Turinny, townland of Armagh; acreage, 300; Griffith's valuation, £128, 17s. 6d., or 12s. 10d. per acre; poor-law valuation, £182, 5s., or 18s. 10d. per acre—an increase of 47 per cent. Barony of Lower Fews, townland of Ballynascany; area, 1026 acres, Griffith's valuation, £284, 13s. 4d., or 11s. 5d. per acre; poor-law valuation, £408, or 15s. 7d. per acre—an increase of 57 per cent. Barony of O'Neilland West, townland of Corlewsky; area, 302 acres; Griffith's valuation, £161, or 11s. per acre; poor-law valuation, £290, or 13s. 2d. per acre—an increase of 78 per cent. This is a fair illustration of the valuation of agricultural holdings in the county. We are aware that it has been publicly stated by some of the Sub-Commissioners that the poor-law valuation does not influence their decisions, and we give full credence to such statements as regards the occasions on which they were made. Yet we cannot but observe that judicial rents in so many cases bear a close likeness to the poor-law valuation, a valuation confessedly inclusive of the tenants' improvements, and which in this county is relatively higher than the rest of Ireland. We therefore, as representing a large body of farmers, and cognizant of the feelings of the farmers of Ulster, most respectfully urge you to discontinue from all proceedings under the Land Act any official reference to the poor-law valuation. So strong is the feeling amongst farmers in this district, and so much do they fear the effects of the matters stated above, that many of them, who have served notices for judicial rents are anxious to withdraw them, lest they should have imposed on them for fifteen years an impossible rent, through the gratuitous introduction of the question of poor-law valuation into the originating notice. As the sitting of the Sub-Commission in this county is so near at hand, we earnestly request that you will give this matter your earliest possible consideration, and let us know, either by public announcement or by communication, the decision arrived at."

* They should not have taken it as a basis for a fair rent, especially in North Armagh, which is a wheat-growing district. The valuation is very high.

10,568. Sir James Caird.—You say that this was a wheat-growing district?—Yes.

10,569. And is it not that now?—It is not a paying crop.

10,570. Is the wheat diminished much in the extent of its culture?—Yes.

10,571. And in price also?—Yes; there is not the same yield; we cannot make it produce as large a crop as previously.

10,572. I understand you to say that it was a large wheat-growing county?—At the time the valuation was made wheat was at a very high price.

10,573. Do you grow much wheat now?—No;

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John Robinson.

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John
Robinson.

we have stopped growing it as a crop to get straw for the thatch.

10,574. Now, it is not a prying crop, and therefore the valuation does not apply to the present circumstances?—Quite so.

10,575. Mr. Nelson.—In what year was the valuation made in this county?—I cannot say, but I think it was made in 1864. This was the last county in which it was made. Another thing that the Association complained of was the action of the landlords in appealing so many cases, and therefore punishing the people. The farmers held a meeting in the Tontine Rooms, to protest against it. The Rev. Jackson Smyth was the chairman, and the following is the notice convening the meeting:—

"A Meeting of the County Armagh Tenant Farmers' Association will be held in the Tontine Rooms, on Monday, the 16th instant, to take into consideration the action of the Irish Landlords in denouncing the administration of the Land Act at their late Meeting in Dublin, and in endeavouring to prejudice and obstruct the Land Commissioners in the decision of judicial rent. While there is good ground for believing that many of the reductions made by the Commissioners are inadequate, and that the rents are in many instances partly levied on the property of the tenants, the landlords, by a mischievous agitation, are attempting to prevent the Land Courts from settling fair rent. In no spirit of hostility to landlords as a class, but in defence of their own legitimate rights, it is incumbent on the farming classes to take the present state of affairs into their most serious consideration. At the request of the Committee the meeting will be presided over by Rev. Jackson Smyth, D.D. (By order of the Committee), John Robinson, Hon. Sec. Armagh, 6th January 1887."

10,576. Were the appeals heard?—Yes; but in a great many cases the landlords withdrew them. I was the valuer in a number of cases.

10,577. Do you remember what was the price when the valuation was made?

10,578. Mr. Hobbs (secretary).—It was in the year 1865 that the valuation was made.

10,579. Mr. Nelson (to witness).—How much was wheat per acre?—It was 13s.

10,580. In 1864?—Yes; I think so. I remember myself selling it as high as 17s. 6d.

10,581. But I mean what was it in that year?—Well, I cannot exactly go into that.

10,582. According to the published returns it was about 8s. 3d. in 1864.

10,583. Yes; 1864 and 1865?—I think that is wrong.

10,584. It would be well if you could give us this.—We can get it for you.

10,585. The President.—In these appeals, were the Sub-Commissioners' decisions reversed, or any alterations made in the rents that were fixed by them?—Yes; some of them were lowered, and some of them were raised, and in a great many cases the landlord, after putting the tenant to all the trouble and expense, and the trouble and the worry of getting

up his case for the court, with drew the appeals. Some of the tenants were brought away a distance of thirty miles to Belfast, and then the appeals were withdrawn; and I myself know a case in which the money had to be gathered to enable the tenants to go up and fight the case.

10,586. You think the judicial rents were too high at the time they were fixed?—I think some of them were fixed fairly, but since 1862 and 1863 produce is nearly 30 per cent. lower, and in some things it is a good deal more than that. Grass-seed, for instance, is more than 50 or 60 per cent. lower than it was in 1861. That, of course, is a local thing—I mean producing the grass-seed.

10,587. You found it difficult to pay the rents in 1861?—Have the rents been paid in this part of the world, or rather, is there much arrears?—There are a great many arrears; the farmers had borrowed money from the loan funds; as far as I know, 75 per cent. of the farmers here are in a bankrupt state.

10,588. Are there many leaseholders in this county?—Yes, my lord, a great many; and they are the most worthy class of tenants that there are in the country, and they are particularly oppressed by the state of affairs.

10,589. And they are higher rented than the others?—Yes.

10,590. Since the judicial rents were fixed?—Some landlords have put them on a footing with the yearly tenants, and settled with them without going to the court. My landlord did that. Another landlord does quite the reverse, and is against the tenants.

10,591. They went in under the Act of 1881?—Yes.

10,592. Then with regard to purchase, have you thought about Lord Ashbourne's Act?—The tenants don't feel inclined to buy, as far as I can see, at the present rents.

10,593. They have got no great wish to buy so long as their rents are as high?—There would be a wish to buy if the rents were fixed at fair rents, and for a fair number of years' purchase.

10,594. What would you call a fair number of years' purchase?—If a farmer is competent to go into that question, the number of years ought not to be great. I may make a statement, and you may think it very extravagant.

10,595. I understand, then, that you would give a very few years—you can answer the question if you like?—Well, I would give from ten to twelve years' purchase. I hold that we have attained to ownership at the present time, but I will give ten years' purchase.

10,596. That would be an enormous reduction from the rental?—I hold as a practical farmer that it is as much as the farmers can pay at the present time. I am willing to give or take. I made that same proposal to my landlord.

10,597. Sir James Corry.—Do you think your interest is equal to the landlord's in value?—I hold it is; the holding was originally low, and the landlord never expended a shilling upon it.

10,598. Where is the holding?—About eleven miles from here; it is near Portadown.

10,599. Is there any statement that any of the other gentlemen with you would wish to make?—Yes; they have all statements to make.

John Hobbs, of Mullinhead, Tonerage, examined.

John Hobbs.

10,600. The President.—Do you agree with the last witness in the most of what he said about the rents and their being very difficult to pay?—Yes; that is my great grievance, that the rents fixed in 1861 and 1862 and 1863 cannot now be paid owing to the fall in prices of farm produce and cattle.

10,601. Sir James Corry.—Are you under a judicial rent?—Yes; the Duke of Manchester is my landlord.

10,602. In what year was it fixed?—It was fixed in the spring of 1863.

10,603. Was the old rent reduced much?—It was

reduced 33½ per cent. The farm contains 55 acres; it was reduced to £53, but I was rack-rented, and the Commissioners saw fit. I was satisfied almost with it then, at least, I believed that I should try and pay my contract.

10,604. You thought the rent was high?—It was something like 30s. the statute acre before.

10,605. Are there many leases upon that property?—There are very few indeed.

10,606. Did most of the tenants go into the Land Court?—The agent settled with a few.

10,607. Have you a great wish to purchase in that

part of the world!—The tenants are inclined to pay the rents if they could.

10,498. Is there a wish to purchase?—I find none at the present time; they did not know the great depression that was coming on—the times here have been so bad that they have no desire. To have fair rents fixed is what they would want.

10,499. The substance of what you wish to say is that it is very difficult to pay the rents that have been paid in the years 1883, 1884?—Yes; it was quite impossible to pay them, on account of the fall in prices. The articles that are used to pay the rents with are falling—cattle and grass-seed are falling. First, wheat, and then it fell; then flax, and the flax fell, and I do not see anything now that there is to pay the rent with.

10,500. Mr. Nelson.—Is there any means of getting a record of the prices of grass-seed?—Oh, yes; I only got 7s. 6d. this year; the price of cattle has fallen greatly. We keep a very good description of cattle. In the year 1885 the price for two-year-olds was £25, 15s. 6d. We always sold in June. In 1884 I sold the same class at £15, in 1885 the same class only brought £18.

10,501. The President.—Do you think that the Commissioners went very much upon the Government valuation in fixing the rents?—I cannot say that, because the Government valuation was £47, 10s. It was very high, and they reduced me to £20, which is considerably under it, so that in that case they could hardly have done so. Better was another item that enabled us to pay. It has fallen greatly.

We have got a good deal of evidence about the fall in prices, so I do not think I need ask you about that.

10,502. Mr. Keipe.—£10, 15s. per head was the price of cattle in 1886, and they were in good condition, because the grass was very good?—We always sold in June. Tillage land will not now pay the expenses without paying the rent at all. If you wish I will give you the figures to prove this.

10,503. Is there a desire among the farmers in your locality to purchase?—Not at the present time.

10,504. Do you believe that the judicial rents fixed after the passing of the Land Act are too high?—Undoubtedly, because the last revision of rents in that year was 20 per cent. lower. I was a valuer in a case, and the Commissioners gave 20 per cent. more reduction now than at a former date. There was a case in which it was very much reduced. There was one case in which I was interested where it was 10 per cent. lower.

10,505. Did the landlords appeal against the decisions of the Sub-Commissioners?—They appealed against all the decisions on our estate, and afterwards withdrew them here, all except a few.

10,506. Were the decisions reversed by the Chief Commissioners?—On legal points they were. In two cases, where the tenants appealed, they lowered them. I was upon one case in which they raised it, but a little raising or lowering of it would not pay the expenses and the trouble.

10,507. As a rule they confirmed the rulings of the Sub-Commissioner?—Yes.

10,508. And at the commencement tenants had to go to Belfast before the Chief Commissioners?—Yes; and had to pay great expenses, and it cost them a great deal of trouble. As soon as they came into court, the appeals were withdrawn. There was a great argument about expenses, and we got nothing.

10,509. Have the tenants at all thought about Lord Ashbourne's Act?—I have thought about it myself, but I have always considered that the land was not at a fair rent. The lease expired in 1854, and it was at 11s. an acre. I held that that was all he was entitled to, because if it was worth more it was the tenant who made it so. I am paying the full letting value of my land. The fair rent would be the rent at which it was leased—12s. or 13s. an acre. I have a list here to prove that it is as much as I could pay,

but I cannot pay it using it as tillage land. I am rearing cattle, and that is the only way I do it.

10,510. You think the landlords would not take a fair rent?—I do.

10,511. Is that the reason the tenants will not buy at present?—Yes.

10,512. Mr. Keipe.—Have you thought that a court should be established to interfere between landlord and tenant?—I think it would be necessary to establish another court, and fix a fair rent. We have not got a fair rent at present.

10,513. But I am speaking of the Purchase Act—of Lord Ashbourne's Act. Would it be possible to establish a court to interfere between landlord and tenant for the purpose of purchase?—Do you mean to make it compulsory?

10,514. Yes.—I would not wish for compulsory sale. I think the landlords and tenants may be brought together to make their own bargain.

10,515. But in the event of their being unable to do so, do you think that a tribunal might be established?—If they could not make an agreement, it would be well to have some one to try and do it; but I would not like to have compulsion.

10,516. But already I understand you to say that the landlords would not sell?—Yes; the tenants are inclined to wait until they get fair rents fixed.

10,517. Would you and the tenants be satisfied to leave the price to the court?—I want first a fair rent fixed.

10,518. Mr. Nelson.—That is the chief point with you?—It is.

10,519. Mr. Keipe.—Are there any leases? Yes; under the Count de Salis, and one of the tenants is very much oppressed there.

10,520. Have the tenants on the same property got judicial rents?—Yes; and it is 10s. per English acre lower.

10,521. Has the landlord refused to give that man any reduction?—Yes.

10,522. Do you think that the leaseholders should be admitted to the benefits of the Act?—Yes; it is not fair to hold a man to a rent that he is not able to pay.

10,523. Would that apply to a great many of the old leases?—Yes.

10,524. As a rule, the leaseholders are most industrious farmers?—Yes; they do all they can to pay the rent. The Duke of Manchester gave me no quarter at all. I am paying 7½ per cent. for money that I got for the purpose of paying him.

10,525. The President.—Have you got an statement elsewhere?—No; we got a memorial, which we sent to him.—I have a copy of it here,—but he would not give me any. He said that he would not give any general statement.

10,526. Mr. Keipe.—Do you know any landlord who did give a reduction on the judicial rents?—Not in my locality.

10,527. Has it been general in the North of Ireland?—It has not. I saw it in the papers, but it is not in our particular locality.

10,528. The rents are fairly well paid in your locality, I suppose?—Yes, they seem to be, although we were behind last year. It would take 50 per cent. off to enable us to pay them. I know a man beside me who is not able to pay at all.

10,529. Mr. Nelson.—Do you say that some of the tenants would need to get 50 per cent. off?—Some paid only one gale last year; they got into arrears.

10,530. Mr. Keipe.—What is the financial position of the tenants?—If the landlord pushes this year for the rent, he will get a good deal of land into his possession. I know one man with forty acres who tried to get a buyer, and it came into the hands of the Duke. That was divided into three holdings, and was given to men who carried on weaving, but that did not last long, and one of the men has gone away to America, and it is quite unworkable; that is the state of the farmers generally.

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John Blacker.

Nov. 3, 1886.
John Blacker.

10,641. And that state of affairs is caused by the low price of produce and foreign competition?—Yes.

10,642. You mentioned the linen trade. What is the effect of the present state of the linen trade on the farmers of the locality?—Why, just this: the weavers that we used to have are gone into the mills, and the houses are tumbling down, and now we have not one to assist us to get the crop in. I had to pay 2s. to an old woman for watching the flax crop.

10,643. There is a scarcity of labour?—Yes; and there are some farmers with from two to ten and eleven acres, and the rent is kept up upon them, and that makes it too high. The rents were fixed very high. In some cases the men are able to pay their rents from trade without the land.

10,644. Was it in consequence of having loans in the houses that the Commissioners fixed the rents so high?—I assume that it was so.

10,645. There is not the same number of loans now?—No; but still there are some, and they have the effect that I tell you. Of course, there is not the same number. If those people had not a bit of land, they would be away to the factory. It enables them to pay the rent, which otherwise they could not do.

10,646. Mr. Nelson.—In fact, they are injuring you?—Yes.

10,647. Mr. Knap.—What part of the country is that?—In the locality of Portadown and round about Gifford. They are an injury to us. The Duke of Manchester would not allow that unfortunate tenant to whom I have referred to divide the place. He left him in a very bad way with his family. He might have realized something to pay his debts, but he would not let him.

10,648. Do you know that the loans have disappeared?—Yes, from the better tenants, but any who have a little holding are keeping to them.

10,649. In that part you speak of?—Yes, and that is what binds them to it.

10,650. Sir James Crichton.—You state that the tillage of the land won't pay expenses. In the land itself losing its quality?—The way we try to cultivate it is that we try to improve it. I find it is becoming very bad, but worse in cultivation. It is my whole desire to be able to pay the rent.

10,651. You expect it will improve it by going into pasture?—It will never recover, I think it is ruined.

10,652. You are reducing its quality at present?—No.

10,653. You say you laid it down because you found it would not answer tillage?—Yes.

10,654. And you wish to recover it as pasture?—Yes.

10,655. Do you find that it does so?—I find that cattle is more profitable than tillage.

10,656. Would you lay it all out in grass?—I must try to do so.

10,657. You would grow hay for the winter feeding?—Yes, and turnips, and then lay it down again.

10,658. Of course you would always have a little turnips and corn?—Yes.

10,659. You are reducing your tillage very considerably?—Yes; I must reduce it, because cropping won't pay the expenses.

10,660. You know the country a good while now.

Thomas Knap, of Loughgall, examined.

10,661. The President.—You are a farmer?—Yes.

10,662. Where do you live?—I live beside Loughgall.

10,663. How far is that from here?—About four miles from here, I live between it and Portadown.

10,664. Do you hold under a judicial rent?—An agreed rent.

10,665. When was that made? It was made in the year 1884.

10,666. Sir James Crichton.—And it was confirmed by the court?—I agreed with my landlord. I have

What is your experience of the condition of the agricultural labourer?—I think they are a great deal better off.

10,667. You say that they are better paid?—Yes, and food and clothing is cheaper.

10,668. You speak of the want of labour just now?—Yes; we must keep the labourer altogether now. Formerly it was quite different, we could get a man who was wanting occasionally.

10,669. That class is gone now; of course you cannot do that?—Yes.

10,670. And now you are altogether dependent upon the regular labourers?—Yes.

10,671. And their condition is improved?—The labourer's condition is improved undoubtedly. The man that I have now has money in the bank; I give him 6s. a week and his meat, and he is better off than some of the farmers.

10,672. The labourers are becoming better off than some of their masters?—A great deal, and they get everything so cheap—flour and everything—and they can buy beef. They are better off than the farmers.

10,673. If the farmers gave up their farms, would the labourers take them, do you think? Yes; the very man that I speak of is looking out for a farm.

10,674. He wanted to buy a tenant's interest?—Yes.

10,675. Was the Duke of Manchester selling the tenant's interest?—He took it for his arrears, and he was selling it, and wanted to bring in another tenant.

10,676. When this man offered for it?—Yes.

10,677. Then the tenants of this neighbourhood hold this fact before them, that if they give up the farms there are other people who will take them?—Yes, between the debts and arrears, these places will fall from us, and other people will take them.

10,678. Is there still a valuable tenant right?—Not on the present rents, there is none at all.

10,679. If you wish to sell the tenant right, on you sell it?—I could not since the Land Act of 1881 passed. I was in the bank with reference to the money lent. A man got behind in rent, and he had sold brought on auction, and I had to go and take the farm up and get £105 and pay the rent. He was £220 in debt, and there were only 34 English acres. I put the farm up for sale, but I could not get any offer. There is that great debt, and I cannot get the farm sold. I am paying £4, 14s. a year. I am losing money. However, I must wait until some better time comes.

10,680. Mr. Nelson.—Would 6s. a week and his meat be the ordinary cost of a labourer?—Yes, 6s. a week and his food.

10,681. The President.—What size is an average farm on the Duke of Manchester's estate?—From 3 to 100 acres—the average would be 40.

10,682. The most of them would be 40?—Yes.

10,683. Mr. Knap.—Can you mention any case in which the tenant has been offered for sale by the Duke of Manchester?—It is quite undesirable at present. I know many cases in which it was put up.

10,684. Mr. Nelson.—You know your own case.

10,685. There were several farms offered for sale, and no bid was made.

two farms, and I offered him a rent, and he declined, and I did not wish to go into court, but I thought I was making him a fair offer. He said he could not accept it, and I thought I would give him a whole to decide. He offered to divide, and I would not advance a shilling, and he came round to it, and gave it to me at what I said.

10,686. The President.—You thought that you fair them?—Yes, and the same with regard to another farm which I had.

Thomas Knap.

Dec. 1, 1886.
—
Thomas
Kempson.

10,487. In the last two years the prices have fallen so low that you found it not easy to pay the rent?—I believe it is worse now to pay the present rent than it was before to pay the old rent.

10,488. Have you any wish to purchase?—I would.

10,489. At how many years?—The number of years would depend upon the rent. My rent I consider a rock-rent.

10,490. You see it would be difficult to fix the rent every two or three years?—I see that.

10,491. At the present time the rents are fixed for fifteen years?—The judicial rents from first to last were too high.

10,492. Even at the time they were fixed?—Yes.

10,493. With the fall in prices since it is worse?—Yes.

10,494. Sir James Caird.—But in your case you find your own rent?—Yes.

10,495. And yet you say at the time it was too high?—I am not speaking of my own case. I am speaking generally.

10,496. The President.—Were most of the rents that were fixed by the court higher than yours?—I believe I would have got it perhaps less by going to the court, but there was a peculiar circumstance connected with my case. Mr. Cope, my landlord, treated me with great kindness, and in a very bad year he would give a reduction; I never asked one, but he would give liberal reductions, and I believe I had always the farm at a fair rent; and I believe I was bound in gratitude to give him the very middle rent.

10,497. Did he give you any statement this year?—Not that I am aware of.

10,498. But he is a good landlord?—I would call Mr. Winder a first-class agent.

10,499. He would not be too hard upon you?—He would give any time to pay. I know a great deal about him, and he was beforehand all that an agent should be. I believe the judicial rents were put on too high a scale.

10,500. Have you any suggestion to make with regard to purchase?—I do not see any other solution for the question except that of purchase. I do not see that we can work in this way any longer, having a sleeping partner and a working partner; and the working partner losing all the money.

10,501. Would your landlord be willing to sell?—Before I made the settlement he made an offer to me. He said he would take so much, and I would not agree. He offered it to me for twenty years' purchase.

10,502. What is about the rent per acre?—24s. 6d.

10,503. I suppose the landlord would be willing to sell, and the tenants to buy, but for the difficulty of changing the price?—The tenants have no confidence in the administration of the Act, and the fact that the profits they bought from the Church got on so badly means in their money. They think it would be wasted out on much about the same time.

10,504. The Purchase Act, you know, gives much more liberal terms?—Yes; but the circumstances are different now from what they were then.

10,505. Still, the example of the people who bought under the Church Act has prevented the people from buying now, you say?—I believe so.

10,506. Mr. Nelson.—Under the Church Act the purchaser had to find the money himself, and now the Government finds the money?—They think they could hardly get at low enough at present, but they are afraid that there would be a compulsory price on it.

10,507. The President.—You don't go so far as to make the purchase compulsory?—Well, I do not see any other solution for it; if it is not made compulsory to sell, there never will be any satisfaction or peace of mind in the country. Perhaps my landlord, for instance, would wish to sell, and I could buy and have my rent fixed on a certain line, but then

there might be others who would not be satisfied to do the same thing. In other cases the landlords will not be so easily dealt with.

10,508. Mr. Nelson.—Don't you think the force of such an example as that would be that the landlord would bring down his rents?—I believe that would be the result.

10,509. The force of moral pressure would compel him?—Circumstances would compel him to do so. In my own case, I do not think so much about the Purchase Bill. I go in for fair rents. I do not see that the landlord should lose all.

10,510. The President.—You see a difficulty in interfering with the arrangement made and guaranteed by law two or three years ago, that the judicial rent should be fixed for fifteen years?—The people believed that they would get fair rents; but I hold that they did not; they got judicial rents, but they did not get fair rents.

10,511. They did not get what were fair rents even at the time?—No.

10,512. Since then these rents have become worse?—As far as my experience went, I believe that the courts were intimidated.

10,513. Sir James Caird.—Who intimidated them?—The head court.

10,514. The President.—And I suppose the landlords, on the other hand, thought the rents were too much cut down?—Some of them did, but I have known cases of landlords reducing their rents since. I know a case tried lately, in which the agent offered a reduction more than the Commissioners gave.

10,515. What do you think would be a fair period in the future to fix the rents for?—I would say for fifteen years would be short enough and long enough, that is what it is now.

10,516. The President.—How would you meet the case of a steady fall in the prices, year by year, like this?—If they went down at the same rate for the next five or six years, I do not see that any human tribunal could fix the rents.

10,517. Mr. Nelson.—It would require the gift of prophecy?—Yes. The most extreme man in 1881 could not and did not anticipate the fall that has come upon farming since.

10,518. The President.—Have you thought of what is called the sliding scale by which the rent could be arrived at, according to the price of produce, taking the period of prices for five years, or three or seven, as the case might be.

10,519. Sir James Caird.—The prices in each year?

10,520. The President.—Varying according to the price of produce?—If that could be arrived at in a simple mode it would be the proper thing, but it is so much expense upon poor tenants getting judicial rents fixed, that they are sick of the thing altogether. It is enormous inconvenience and trouble coming here to the court-house and standing in the court day after day, and waiting till the case comes on. I know of cases tried three years ago, and I see that they are not decided yet.

10,521. Sir James Caird.—The President means a self-acting thing, such as would not require that the tenant should go into court at all.

10,522. The President.—What I mean is an arrangement by which the rent should be paid according to the price of produce, during, say, the last five years, and when the rate was once fixed, it would be decided according to the price of produce, what it should be in future years?—There might be some considerations which would not cause it to be altogether satisfactory.

10,523. Mr. Nelson.—There might possibly be a rise in prices, and a rise in rent would follow that, once the rate was fixed.

10,524. Sir James Caird.—Is that your objection to it?

10,525. Witness.—No, it is not my objection.

10,526. What is your objection, then?—I do not say that I object to it at all.

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Kings.

10,727. The *President*.—You have not thought about it?—Well, yes; I have thought a little about it. Most farmers like to know for a certainty what their rents will be. People place great value upon the security, and when the time improved, the rent was always increased.

10,728. Has tenant right been sold here lately?—I think it is not saleable at all. I know a farm which was bought at £20 an acre, and there was any amount of competition, and it has been sold lately at £12; and the person that told me thought he should have got it far less—I think he regrets his bargain. I think that tenant right is a thing of the past.

10,729. You do not think it will come back again to the same price?—No.

10,730. Sir James Caird.—The price, of course, must depend upon the demand?—Yes.

10,731. And you say that that demand has practically ceased now?—Yes.

10,732. But things are looking better again, and they might improve?—Yes.

10,733. Then, of course, it would not be a thing of the past?—I do not see any prospect of prices getting up to the necessary extent with foreign grain coming in, and with the introduction of telegraph wires, railways, and increased means of communication, the markets of the world are being equalized.

10,734. The *President*.—Have you got any leaseholders in your locality?—Yes.

10,735. Are they higher rented than the tenants who have judicial leases?—Yes; there is a neighbour of mine who had a farm which he took some years ago, and he improved it greatly, and when he found himself so well fixed his rent was raised from 25s. to 45s.

10,736. When was that?—He brought it before the sub-commission at Belfast at the first sitting, and thought to get the lease broken.

10,737. Did he?—No, he had a public-house and a grocery place, and was doing a splendid trade, and he had planted 10 acres of orchards in the belief that he should get a lease. He died, and it came into the hands of his friends, and they were threatened to be evicted. They applied for a lease, and that was what brought them into court.

10,738. How much do you say the rent was raised to?—Originally it was 20s.

10,739. Mr. Nelson.—Is that an agricultural holding?—It is.

10,740. You say that that man should be allowed to go into court as an agricultural tenant?—Yes; the fact of a man having a lease does not enable him to grow a better crop or to get any better price than the man who has not.

10,741. You think that the leaseholders should be allowed to come in under the Act of 1861?—Yes.

10,742. You do not see any reason for their being placed in a different position from the other tenants?—I do not; it is nothing more than an ordinary contract.

10,743. There is no difference really between the one case and the other?—I think not.

10,744. Mr. Kings.—You were speaking of the Commissioners being deterred from fixing the rents in the way that they ought to do?—Do you mean the Sub-Commissioners?

10,745. Yes?—I did.

10,746. Was that by reason of the combination of landlords or what?—I think that the landlords' interest was working very hard to get the Commissioners removed, when they thought they were giving too great reductions. They blamed them for that.

10,747. Are you able to state whether there were officers made to have some of the Sub-Commissioners removed?—I heard it, and I believe it. The fact is, that the parties were removed or changed to other places.

10,748. Was there afterwards an association got up

by the landlords to work against the Act?—Yes; that is a well-established fact.

10,749. Is it that to which you refer?—Yes; that was a clear case. I have it from some of the Commissioners, who told me themselves that they did not believe that the judicial rents were fair. There was some farms upon which I was myself, and I spoke to them with reference to them, and said that they put too much upon the farms, and that they ought not to put more than the value upon the land. The answer that was made was that they did as much as they dare, that, if they reduced them any more, the landlords were appealing and putting the tenants to great costs, and so on.

10,750. And at that time, at the request of the landlords, were court valuers appointed?—Yes.

10,751. And the tenants found that the court valuers were not favourable to them?—They had no confidence in them at all. They kept many from going into the courts who otherwise would have gone.

10,752. There was a deputation appointed by the locality to wait upon the Lord-Maintenance asking him to remedy this state of things?—Yes.

10,753. Was there any remedy?—Yes. I believe there was something resolved from it.

10,754. Does that bear you out in saying the rents up to a certain date were too high?—Yes, the first decisions were all above the proper valuation.

10,755. You valued land, I believe, and gave evidence before the Sub-Commissioners?—Yes.

10,756. Is it your experience that the landlords as a rule appealed in almost every case here?—Yes, it was the general thing.

10,757. Do you think that the Sub-Commissioners were afraid?—Yes; three or four of them told me that they did not believe that the judicial rents they were putting upon the land were fair rents, but they could not help it.

10,758. There are hopes entertained that the prices of produce would improve. What, may I ask, is your idea about the prospects of the future?—Will prices get up again?—I do not think so. My belief is that they won't, from all I can gather from various sources, and from conversations with people. They say that the Americans can send in any amount of grain, and we are so badly handicapped in the race that we cannot possibly succeed.

10,759. You know, of course, a great deal about the farmers in the locality; will you be kind enough to tell us what is their present state?—I should say they are in a state of bankruptcy. I do not know one man out of twenty that is clear.

10,760. Do you know some men who had money saved that have had to draw upon it?—Yes, that is the rule; men who had money four years ago got through it. I know lots of cases like that, and it was simply impossible that it could be otherwise.

10,761. The *President*.—If there was any sale of tenant right, I suppose a good many people would sell?—Yes, but they cannot get any price at all now.

10,762. Mr. Kings.—Do you think if there is no relief that they will be able to cultivate the land?—They are not able to do it at present.

10,763. Is the land not as well cultivated now as it was formerly?—The cost of labour is so high, it is as much again as it used to be. We pay twice as much for men now. It used to be 6d. a day and no more, and now you pay double that for a good man. Labour is scarce, and people are going over to America.

10,764. What effect upon the condition of the people did the existence of the loans in their houses produce?—The linen trade was a grand trade in my part of the country, and all round about the country that Mr. Blacker spoke about. Men from twenty acres down paid the rent with their looms.

10,765 Mr. Neligan.—How long is it since these looms have been disappearing?—Twenty years.

10,766 They could not stand the competition against machinery?—Just so; as mills were erected they commenced to fall away, and the trade left them. I know people who formerly did not look at all to the land for the purpose of paying their rent. It was as easy to get the rent as possible through the weaving.

10,767 Mr. Keizer.—And at that time the tenants' daughters and the young men, portion of the time, laboured in the fields?—Yes; if they went out from the houses where they were working at the looms into the fields, it was only recreation for them to go into the fields.

10,768 With reference to the Purchase Act, would there, do you think, be a general desire to buy and to give a fair price to the landlords?—I think there would be: I think it would be the desire of every man to become the owner of his farm.

10,769 And do you think that that would have a good effect upon the condition of the country?—Yes; it would do the farmer good; it would give him an interest in the country.

10,770 And do you believe that he would employ more labour and cultivate his farm better than he does at present?—Yes; it would have the very natural effect of stimulating him to improve the place as much as ever he could.

10,771 Is there any possibility of the landlord and tenant coming to terms with regard to the price?—Not in the immediate future.

10,772 Would you think that a Court could be established to interfere fairly between them?—I believe there could.

10,773 Mr. Neligan.—And make the one buy and the other sell?—I think the first thing we should start with is compulsory sale. It should be made compulsory wherever the man does not occupy the land himself. The tenants ought to be the owners on fair terms.

10,774 You thought the Sub-Commissioners fixed the rents too high owing to the fact of their being stimulated by the head Commission?—Yes.

10,775 And from the fact that they were afraid of being dismissed from their situations?—Yes.

10,776 I suppose you knew that the county court judges were fixing rents?—Yes.

10,777 And you were aware that the county court judges could not be dismissed?—Yes.

10,778 That they could hold their situations in spite of any one?—Yes.

10,779 Have you considered the rents that they had, as compared with the rents fixed by the Sub-Commissioners—have you taken the results of these?—I have not.

James Hobson, of Kilmore, examined.

10,780 The President.—You are a tenant farmer, Mr. Hobson?—Yes.

10,781 Where do you live?—Kilmore, about five miles from here.

10,782 You have been listening to what has been said by these other gentlemen?—Yes.

10,783 Do you agree with them?—Yes.

10,800 You think they are right?—Yes.

10,801 You think on the whole the judicial rents were fair when they were fixed?—Yes; some were fair, and some were rather high.

10,802 And that owing to the fall in the prices of produce since then, it is very difficult now to pay those rents?—Yes; a great many won't, and cannot pay them.

10,803 You agree that there is a very bad sale for tenant right?—Yes.

10,804 Now, with regard to purchase, what do you say about it?—I think that most of the tenants are desirous to purchase their farms at a fair price.

10,805 I suppose the landlord would be willing

10,780. Would you be surprised to find that they ran very much side by side?—The whole thing ran in the same groove.

10,781 But intimidation did not apply to these?—Just in this way—that the barriester, of course, wished to go as near them as he could.

10,782 He looked upon the Sub-Commission as a model; at all events, that was a tribunal appointed between landlord and tenant, and it failed to give satisfaction?—That is the Land Court?

10,783 Yes.—It did fail.

10,784 Then would this other court that has been mentioned, do you think, give satisfaction?—I should say it ought.

10,785 Supposing that the tenant was dissatisfied with the result, how would you compel him to buy if he was not satisfied?—It is a hard case.

10,786 Then how could you fix it? If a man said, I won't buy, what would you do?—Well, I must say it is a most difficult thing to decide.

10,787 Mr. Keizer.—In the event of 75 per cent. of the tenants being willing to buy, would you compel the landlord to sell?

10,788 Mr. Neligan.—Then it would be rather a one-sided operation?—I would say so.

10,789 Sir James Clerk.—Is there the same amount of credit given to the farmers now in the country, by the banks, as there used to be?—I think not.

10,790 How that state of affairs in any degree rendered their condition less favourable?—Of course it has; it gives them no opportunity of getting money. I do not think that the banks would advance money to a farmer.

10,791 Has that had anything to do, do you think, with the price offered for the tenant right now?—I should say so. I know people who would have bought the land if they could have got the money in that way.

10,792 You say that they could not get it now?—That is my opinion—my opinion is that they could not.

10,793 Upon the security of the tenant right?—I think not; the local banks have withdrawn that sort of assistance. They will only give it to a very few people.

10,794 I believe you said that in consequence of the tenants becoming poorer the land was not so well cultivated?—The poor tenant cannot cultivate the land so well.

10,795 And the soil is weakened in consequence of this?—The producing power of it is certainly weakened. There are some farmers who try to do their best, but they find that they cannot produce the crops that they used to do. I am an average farmer myself, and I cannot produce half of the crops.

to sell at a good price?—Yes; most of them stand out for too large a price.

10,806 The difficulty would be, of course, to arrange the price between the landlord and the tenant?—Yes.

10,807 Do you think the tenants would be willing to leave the price in the hands of the Commissioners of the Purchase Act?—I think not.

10,808 They would be afraid that they would put too high a price?—Well, I think the Government might appoint independent men.

10,809 Are you in favour of compulsory purchase?—Yes.

10,810 How would you arrange about the price?—I am just considering that point. I think it would all depend upon what the rent was. If the rent was a fair rent I think the tenant would agree at once to purchase, but the present rents must be reduced before the tenants agree to purchase; that is my experience, and I have been talking to a good many farmers about it.

See L. 1284.
Thomas Keizer.

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James Hobson.

10,811. When that was done, how would you fix upon a number of years?—It would depend upon the amount of the rent.

10,812. If you wanted one thing and the landlord another, how would you have it decided?—If the tenant wanted what was fair he should get it, and if he wanted what was unfair he should meet the landlord; that is the only way to meet the difficulty.

10,813. Would you have it on hard-and-fast lines, or would you give discretion to the Commissioners?—I would give discretion to the Commissioners.

10,814. Sir James Caird.—I think you hardly observe the force of the President's question. You said it should be compulsory; well, if it were compulsory, both parties would have to submit to the decision of whoever was appointed?—Certainly.

10,815. The President.—And you don't trust the Commissioners sufficiently to allow them to do that?—Yes; if both parties were satisfied to leave it to arbitration, then we ought to abide by that decision.

10,816. Sir James Caird.—But compulsion would oblige them to abide by it?—I have no doubt but the courts would do it fairly.

10,817. The President.—You would give whatever they said was right?—Yes.

10,818. Do you know any leaseholders?—I know some; I am a leaseholder myself.

10,819. Is your rent higher than the judicial rent would be?—Doubtful—I think doubtful.

10,820. Do you see any reason why you should pay more rent than under a judicial lease?—I do not. I am now agreeing with the landlord about purchasing, and I am waiting an answer from the Government as to whether they think the security of the form is good enough. I have purchased 23 acres at £1,000, which you would think too high, but I had it at £2, 10s. an acre, and I availed myself of Lord Ashbourne's Act.

10,821. Twenty-three acres for £1,000?—Yes.

10,822. Sir James Caird.—And that is exclusive of any tenant right you have?—Yes.

10,823. That is for the landlord's interest?—Yes.

10,824. The President.—You were giving £43 an acre?—Yes; it is undoubtedly very good land.

10,825. That is a great price. How far have the negotiations gone? Have they gone far enough to show you how the Purchase Act works?—Yes.

10,826. Is there anything you can suggest with regard to the purchase which you think would make it work better than it does at present?—No; the only thing I have to say is this: the parties are not willing to avail themselves of it, because they cannot come to terms with the landlord. The landlord has been looking for a price that the tenants cannot pay; although I know I paid quite too high, it was to get immediate relief.

10,827. Do you think the landlords would sell if they got their own price?—I do.

10,828. Sir James Caird.—You are aware that that is seventeen and a half years' purchase on your present rent?—Yes.

10,829. Do you consider the present rent a fair rent?—I do not consider it that.

10,830. Then it is because the land is of such high quality that you are willing to give so large a price?—It is not exactly that, but to get relief; the land is good, but that was not the only ground—you see it reduced the rent.

10,831. Mr. Nelson.—It reduced it by 30 per cent?—What I wanted was to get immediate relief.

10,832. Mr. Keipe.—Did you give any purchase for this land when you got it?—I did not.

10,833. And in consequence of your having given no tenant right the rent was more?—Yes; and I took it in very good times, when crops were double what they are now.

10,834. What part of the county Armagh is this in?—Between Portadown and Armagh, five miles from one, and four from the other.

10,835. Is that particular spot called the "boney pot" of Ireland?—Yes.

10,836. Would that imply that it is amongst the best land in Ireland?—Yes.

10,837. Is this particular farm close to your own residence?—Yes.

10,838. Beside where your predecessors lived?—Yes.

10,839. Did you make all the improvements there?—Yes.

10,840. And you found that it would be an advantage to get a little additional land?—Yes.

10,841. Consequently you took this farm at a very high rent?—At a very high rent. It was an accommodation. If it was a mile from me I would not have thought of taking it at that price.

10,842. Speaking of the tenants in your locality, is there a desire on their part to become the owners of their own land?—Yes; every tenant that I have spoken to says that. They say that if they could purchase at what the land is really worth they would do so. They do not want to take anything from the landlord.

10,843. But I think you said to his lordship you would leave it to a tribunal to say what the fair price should be as between landlord and tenant?—I think that is the only solution of the difficulty.

10,844. The President.—At first you said not?—I thought you spoke of the old Commissioners.

10,845. Of the Purchase Commissioners?—I did not understand you.

10,846. Mr. Keipe.—Is that the general feeling in your locality?—Yes.

10,847. And they would be satisfied to leave it to a court?—Subject to what I call having a fair rent fixed. Some of them are rack-rented, and they would not say upon that. I think you understand what I mean?

10,848. Yes. Would they buy upon the judicial rents at the present time?—I think not; some might, and some would not.

10,849. Are you aware that the judicial rents now are from 7 to 14 per cent. lower than the judicial rents that were fixed in 1881, 1882, and 1883?—How much lower, do you say?

10,850. From 7 to 14 per cent?—I think they are, but at the same time produce has gone down more than that in the same time. Here is a list I took from a merchant's book—a man who buys in every market. It is a list showing the prices from 1881 to 1886: wheat in 1881, 9s. to 9s. 3d.; in 1882, from 7s. 4d. to 8s. 6d.

10,851. Mr. Nelson.—Is that per cent?—Yes.

10,852. In what market?—Portadown; the last week in the month of October. In 1881, it was from 6s. 10d. to 7s. 6d.; in 1882, from 6s. 1d. to 6s. 8d.; in 1883, from 6s. 8d. to 6s. 5d.; and in the present year, from 4s. 6d. to 5s. Oats in 1881, from 4s. 3d. to 4s. 10d.; in 1882, from 4s. 1d. to 4s. 6d.; in 1883, from 3s. 8d. to 4s. 1d.; in 1884, from 3s. 7d. to 3s. 9d.; in 1885, from 3s. 4d. to 3s. 3d.; in 1886, from 4s. 6d. to 5s. 2d. Then I have grass-seed, which is a local product. It is produced in Tyrone, Antrim, and Down, and part of Monagh, and the prices are as follows:—in 1881, from 29s. to 24s. 6d. per cwt.; in 1882, from 14s. to 18s. 6d.; in 1883, from 13s. 6d. to 13s.; in 1884, from 8s. to 12s. 6d.; in 1885, from 8s. to 10s.; and in 1886, from 8s. to 9s. 6d.

10,853. Have you ever looked at its price in the year of Griffith's valuation?—I have.

10,854. Mr. Keipe.—Have you any return of the prices of stock?—Yes; those prices are the prices of ordinary stock coming into the market; they are not highly-bred cattle. In 1881, yearling calves were from £6 to £8; one and a half year olds, from £8 to £10; two year olds, from £11 to £13; three year olds, from £14 to £20. I did not take the prices from that up to 1883, but in 1883 the prices were: yearlings, £3 to £4; one and a half year olds, from £6 to £8; two year olds, from £7 to £9; and three

year olds from £12 to £15. The potato crop this season is a very bad crop, but it is a most important crop to the small farmer. I do not think it will average more than two and a half tons to the acre.

10,853. Mr. Nelson.—What would be the usual crop—what would be the fair return to the acre?—I think a fair return would be five tons.

10,854. Mr. Knipe.—Did you ever hear of twelve tons being the average?—No; I heard of it being exceptional.

10,855. You think it would be a very fair part of Ireland that would produce that?—I have grown as good crops of potatoes as any man, and I have never grown twelve tons.

10,856. Sir James Caird.—Is your good land?—Yes.

10,857. Mr. Robinson.—That was Professor Baldwin's notion.

10,858. Mr. Knipe (to witness).—You have some of the best farmers in your locality?—Yes.

10,859. The farmers as a rule are very well off, and have made a good deal of improvements?—I cannot agree about their being well off at present.

10,860. But they have made a good deal of improvements?—Yes.

10,861. I want to know something about their true position, whether they have been making money for the last two or three years?—They have not been making money, and I have been losing money myself. I believe for the last five years I have lost £500.

10,862. And you have been industrious, I suppose, and have done your best?—Yes, I think so; at any rate, I do not know what other people would say, but I believe I have done my best.

10,863. What do you attribute the fact of your losing money to?—The bad seasons. We have had a large number of wet seasons, and labour is dear; the land has not produced as much as it usually did, for want of heat principally, I believe. I labour as

well as I ever did, and put as much manure as ever on, and I cannot grow the same crops or anything like it.

10,864. Would your case be a fair representation of the farmers in your locality?—I think it would, I am sure it would. I think, if I am losing money when I am in no need of capital, that others must be a great deal worse off. I may tell you that I never made any money by farming.

10,865. You mean if it had not been for other business you had, you could not pay the rent?—Certainly not.

10,866. Sir James Caird.—You mentioned just now about bad seasons, and of labour being dear, and of the land not producing for want of heat; you don't say anything about the lowness of prices, but of course you include that as an element?—Of course.

10,867. Mr. Knipe.—What is the cause of the low prices according to your idea?—The foreign competition—of course we all know that.

10,868. Do you see no prospect of prices becoming higher again?—I do not. I may tell you as an instance, that I know a merchant who got his wheat from America at 1d. per bushel landed at Liverpool as ballast.

10,869. That is very low?—Yes; it was landed at Liverpool.

10,870. 1d. at Liverpool?

10,871. Mr. Nelson.—Is that one of the cases in which ships brought it over as ballast?—Yes.

10,872. Sir James Caird.—I am not sure what you said about the purchase, at seventeen and a half years' purchase and £3, 10s. rent. I think you said you would purchase at a fair rent reduced from the present rent?—Yes.

10,873. Your present rent is £3, 10s. an acre?—Yes.

10,874. Am I right in saying that you are paying twenty-one and a half years' purchase?—Yes.

James Christopher Burns, of Markethill, examined.

10,875. The President.—I believe that you are the agent for Lord Gosford's estate?—I am.

10,876. Do many of the tenants hold under judicial rents?—The greater part of them.

10,877. When were the rents fixed?—A great many notices were served immediately after the passing of the Land Act. I think they are all nearly dead now. The greater part of them were fixed in 1884.

10,878. Were they raised much or lowered much?—No.

10,879. To what extent were they altered?—I think about 20 per cent. was the average amount of the reductions; it was about that as far as my recollection goes.

10,880. 20 per cent. below the old rent?—Yes.

10,881. Do you think that they were mainly lowered?—I do unquestionably swear they were. I believe that the old rents were fair rents.

10,882. But they been raised for some time previous, or left very much about the same as they were?—Very much about the same as they were.

10,883. Do you think that the tenants have a difficulty now in paying their rents in consequence of the fall in prices?—I do not see how they should. I will give you an idea of how the arrears were—I have this from the Land Commission Court. I will give you the arrears from 1870 to 1883, which will show you that up to the passing of the Land Act the arrears were practically nothing. In 1870 there were none, that is, on a rental of £12,343; in 1871, the arrears were £57; in 1872, the amount was £164. If you wish I will give you the number of judgments served, and the number of decrees obtained. In 1873, the amount of the arrears was £40; in 1874, it was £32; in 1875, £25; in 1876, £68; in 1877, £136; in 1878, £131; in 1879, £394; in

1880, £103; in 1881, £1563; and the arrears in 1882 were £1570.

10,884. Sir James Caird.—Why not go on after 1881 as before?—I did not know whether this would be required at all; in fact, it was by accident I brought it. I have skipped from 1881.

10,885. And 1882 was about the same as 1881, how much was it in 1882?—I think you said £1570?—I should state that I close my rental at the end of April for the previous November.

10,886. The November rents are paid in April?—Some half of them might be.

10,887. This is a rental of £12,343?—Yes.

10,888. It was £12,343, you say, up to what year?—Up to the passing of the Land Act.

10,889. Up to 1881?—Yes; and the arrears that I have given you, except the last one, were upon the rental I have mentioned.

10,890. How much was the rental afterwards?—The rental has been set down about 10 per cent.

10,891. The President.—Do you think that the arrears that are due now are caused by any inability on the part of the tenants to pay?—I am afraid in many cases they are.

10,892. Have you given an abatement?—Not on the judicial rents since 1881. I consider it a very unwise thing for any landlord to do, because he is taken advantage of the very moment he does it. The fact of abatements having been given was mentioned in the Land Act, and I think, if the landlord gives abatements now, it will be used afterwards that he considered his present rent was too much, and that fact will be brought into argument when it comes to purchase.

10,893. Do I understand you to say that the giving of abatements was quoted against you before?—Yes; in the fixing of rents it was. I wish to put in evidence a statement with regard to the way in which,

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James
Christopher
Burns

Nov. 1, 1886

James
Christopher
Wynn.

in one particular case, the rents were fixed. It is a list of rents fixed in May 1882 by Mr. Romney Foley's Commission. Mr. Foley was accompanied by Messrs. Davidson and Meek. Mr. Davidson had said that all he wanted was the landlord's highest valuation, and the tenants' lowest valuation. I took notes in these cases, and, after simply splitting the difference, I conjectured that I would have the judicial rents. I except two cases, one in which the landlord

was not taken into account, and it makes a difference. I except that one, and the case of another tenant whose valuation I did not get. The result, as you will see by the list, shows that the tenants' valuation was £351, 11s. 3d., and that the landlord's valuation was £515, 9s. 2d.; the mean between the two was £433, 10s. 2d., and the judicial rents £506, 12s. 6d. The table which I have compiled shows the particulars and the facts:—

Tenant's Name.	Tenant's Valuation.	Mr. Barton's Valuation.	Mean between Tenant's and Mr. Barton's Valuations.	Judicial Rent.	£ l. s. d.	£ l. s. d.
Mary McCullagh, . . .	24 18 0	25 12 9	24 15 14½	32 0 0	32 10 0	32 10 0
Andrew Marshall, . . .	25 10 0	34 14 1	29 15 5½	32 0 0	36 10 0	36 10 0
Alexander Burns, sen., . . .	5 10 0	14 2 6	11 9 6½	11 8 0	14 10 0	14 10 0
Alexander Burns, jun., . . .	10 12 8	17 13 11	14 6 24	24 0 0	17 0 0	17 0 0
James Fergus, . . .	9 2 6	17 4 0	13 4 10	18 12 8	—	—
John Hogg, . . .	19 3 1	25 8 11	26 0 0	35 2 0	29 4 0	29 4 0
David Cullen, . . .	22 6 0	26 8 8	19 7 1	17 10 0	25 0 0	25 0 0
Stephen Allen, . . .	5 1 6	11 7 8	8 1 5½	6 0 0	12 10 0	12 10 0
Robert Allen, . . .	17 2 8	24 0 0	25 11 2	25 0 0	30 0 0	30 0 0
David Moffat, . . .	14 12 4	28 9 7	20 12 6½	28 0 0	25 0 0	25 0 0
George Coyne, . . .	23 0 0	35 10 8	29 18 10½	31 12 8	36 0 0	36 0 0
John Keeth, . . .	3 12 6	5 0 3	4 8 2½	4 12 0	4 12 0	4 12 0
John McKeown, . . .	26 0 0	45 4 2	26 9 1	32 0 0	69 0 0	69 0 0
Thomas Scott, . . .	—	36 2 2	—	38 10 0	38 0 0	38 0 0
James Armstrong, . . .	5 10 0	12 16 9	9 3 4½	10 0 0	11 10 0	11 10 0
Anna Douglas, . . .	26 0 0	35 3 11	30 11 11½	37 10 0	32 0 0	32 0 0
Hugh Reid, . . .	26 10 0	41 2 6	34 15 8	34 15 0	42 15 0	42 15 0
Francis Agnew, . . .	14 7 4	18 10 3	18 8 24	16 0 0	15 0 0	15 0 0
Robert Marshall, . . .	36 15 8	53 13 1	45 6 8	45 9 8	59 0 0	59 0 0
Thomas Carr, . . .	10 2 8	18 15 2	18 8 10	11 5 0	14 15 0	14 15 0
James McDowell, . . .	21 7 0	29 6 8	25 6 19	34 15 0	30 15 0	30 15 0
Agnes Lee, . . .	9 4 4	11 13 9	10 9 2½	12 5 0	13 8 0	13 8 0
George Porter, . . .	12 8 6	17 7 4	14 17 11	15 10 0	19 0 0	19 0 0
Hugh & Thos. Holmes, . . .	26 9 1	49 12 4	36 19 2½	36 0 0	43 10 0	43 10 0
Patrick McConnell, . . .	9 14 3	15 16 7	12 15 6	13 0 0	16 0 0	16 0 0
	400 14 11	666 15 5	534 15 0½	533 14 8		
Daniel James Fergus and Thomas Scott, . . .	9 5 8	53 6 8	13 4 10	42 3 8		
	362 11 3	685 9 2	533 39 2½	600 32 8		

Houses belong
to landlord,
not included
in Mr. Bar-
ton's valua-
tion.

10,896. You consider that they took the mean between the two and struck the rent?—Yes, I believed that that was what was going to be done. I thought that from the observation that was made. I made that inquiry, I may tell you, the results of which you have before you, before the rents were fixed at all. In the case of Conlon there was a dispute of measurement.

10,897. I see in a great many cases they went very near that mean to which you refer?—Yes.

10,898. Mr. Nelson.—It is a coincidence?—Yes; and I asked Mr. Davidson if he did not do that that we would like to know what he did.

10,899. The President.—Do you think that some of these people who are in arrears have a real difficulty in paying?—There is no doubt about that.

10,900. Farming has not been profitable for the last four or five years?—I can supply to you some facts which I have taken from the *Daily Express* of March 1886, which will show some particulars about that. There is a list of prices from 1850 to 1885. It gives the basis of Griffith's valuation, and shows what he took into account. Lord Gosford's property is valued lower than Griffith's valuation, and you can see the figures that he values upon. The paper which I mention quotes the following from the *Farmers'*

Gazette:—"Mr. Mulhally's history of prices, which was noticed in our issue of December 5, 1885, having attracted considerable attention, we think the following table of prices in Ireland during the last forty-five years will be of special interest to our readers. For economy of space, and to facilitate reference, we have given the average prices of each five years, from 1840 to 1885 inclusive. The averages, which are taken from the files of the *Farmers' Gazette* for the past forty years, are based, as regards grain, beef, mutton, pork, and wool, and also lambs, on the quotations of Dublin market, the item butter on the prices of 'first,' 'seconds,' and 'thirds' (but not lower qualities) in the Cork market, and store cattle on the reports of the most important country fairs. Prices current in 1885 derived from the same sources are added, and also the quotations on which the surveyors and valuers employed in making the tenement valuations were instructed by Sir Richard Griffith to base their estimates. To make the table more useful to those who may use it for the purpose of computing the present purchasing value of a working man's savings with those of the past, we have reprinted an extract from Mr. Mulhally's book already referred to, showing the variation in price during the last thirty years in four important articles in very general use in the United Kingdom."

THE AVERAGE PRICES OF AGRICULTURAL PRODUCE EACH FIVE YEARS FROM 1850 TO 1885.

	Wheat per 112 lb.	Oats per 112 lb.	Barley per 112 lb.	Rather per 112 lb.	Beef per 112 lb.	Mutton per 112 lb.	Pork per 112 lb.	Wood per 100 ft.	Eggs per 100.	One year old Cattle.	Two year old Cattle.	Lambs.
1850 to 1854.	8 s. 4 d.	6 s. 7 d.	4 s. 6 d.	5 s. 4 d.	5 s. 4 d.	2 s. 11 d.	2 s. 6 d.	0 1 0 6	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1855 to 1859.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1860 to 1864.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1865 to 1869.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1870 to 1874.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1875 to 1879.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1880 to 1884.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
1885.	0 12 0	0 7 5	0 7 1	3 11 7	3 5 3	2 11 3	2 6 3	0 1 3 0	8 s. 7 d.	4 0 0	6 12 0	4 s. 8 d.
Mean of Griffith's Valuation.	0 7 6	0 4 10	0 5 6	3 5 4	1 15 8	2 1 0	1 12 0					

10,901. The prices were lower then than now?—Yes; I might refer to another gentleman, and the way in which he fixed his rents, but I should like to bring before you the manner in which Mr. Waters in some cases fixed them. I have not the slightest doubt that he did what was illegal.

10,902. Who is he?—He is the county court judge. I would have appealed in one case, but for the costs that would have been incurred, and in another case I told the tenant to consult his solicitor, and he did it, and paid me up to the proper date. This is a letter in the matter, which was received:—

"REVEREND FREDERICK CAYNE,
26th May 1883.

"EARL GOSFORD & THOMAS DUFFET.

"DEAR SIR,—In answer to yours of 14th inst., the judge stated in open court that all his orders made at the adjourned Land Sessions on 8th May and following days should bear date as if made on 30th March 1883, as he had adjourned the Land Sessions from that date.

"In several cases this order was brought under his notice, also the clause of the Act which you mention, and he stated that he would not alter his order.—Fidelsity yours,

"RICHARD ALLEN.

"JAMES C. WAXS, Esq.,
Godolphin Office, Market Hill."

He heard the cases in the month of May, and dated them in March throughout, making the rent run from the 1st of May, instead of the following November.

Mr. Nelson.—I don't think there is any real cause of complaint in that.

10,903. The President.—Since the time of Griffith's valuation the price of labour is much higher?—Yes.

10,904. It is twice as much?—Yes.

10,905. And the tenants' manner of living is twice as expensive, and I believe there was a great number of farms formerly on this estate?—Not on this estate.

10,906. That did not apply to Lord Gosford's property, then?—No.

10,907. There is no doubt that the price of produce is much lower than it was four years ago, when these judicial rents were fixed?—Not at Lord Gosford's. I don't think there has been a very sudden fall since. I believe that cattle had got up to a fifteen value.

10,908. Do you think that a good many of the tenants have been unable to pay their rent?—I was paid due amongst them during the last year or two, and I do not see that they should. It is a very strange thing, when farming is so bad, that they pay so much for the tenant right.

10,909. That is what I was going to ask you?—I will hand in a return of those estates with which I am connected.

10,910. Sir James Caird.—From what date do you give the figures?—From 1879.

10,911. It was a very bad year?—Yes.

10,912. The President.—And you bring it up to now?—Yes.

10,913. Sir James Caird.—1879 was a year in which the tenant right would not sell very well?—I have only one in that year, which was sold at £15 an acre.

10,914. The President.—Have you got the average price?—No.

10,915. Sir James Caird.—How many were sold in 1880?—I only saw one here for £14; there is one here which is only a transfer, and should not be counted. The last, I see, is £5, 15s.

10,916. In what year was that?—That is in 1883.

10,917. How many sales were there in 1885?—You may say eleven. The highest was £25, 4s.

10,918. What year was that in?—In the year you have mentioned—1885.

10,919. How many years' purchase would that be?—It is a small farm of 4 acres 3 roods 29 poles, at 24, 5s. 8d.

10,920. That £25, 4s. was for the tenant right per acre?—Yes.

10,921. The President.—And the rent was about £1 per acre?—Not quite. I have got the tenants' signatures for all these sales. That sale was on the 24th November 1885.

10,922. It is about twenty-five years' purchase?—About that; there is another, £15 an acre, Mr. Matthew Bell sold on the 3rd of December 1885; the tenant right runs from £5 to £16, 10s. on the Bellock estate.

10,923. How many sales?—Seven.

10,924. In what year?—This year; the tenant right runs from £5 to £16, 10s.

10,925. Per acre?—Per statute acre.

10,926. It ranges from £5 to £16, 10s?—Yes.

10,927. On what estate?—On the home estate.

10,928. Mr. Nelson.—Is that a large estate?—It is £12,000 a year. I like to bring under your notice the sales of tenant right on the Royal School estate, for which I am agent. As far as I recollect, that is £1248 rental, which was reduced from £1453.

I want to bring under your notice the fixing of rents on that property. The tenant right sales since 1882 were only seven in number; they were only seven in 1883, and the lowest was sold at £17, 7s. 9d. per acre, and one was sold for £37, 11s. 3d. per acre, that is only 3 roods and 6 perches; and the next one, 8 acres 3 roods 31 poles, was sold at £23 per acre.

10,929. The President.—So that, in fact, there is no decrease in the value of tenant right?—I believe that every shilling of rent they got off increased the tenant right.

10,930. Sir James Caird.—There has been neither a falling-off in the price given nor in the number of sales?—Neither one nor the other. I wish to mention the case of the Royal School estate. In the year 1879 a man had 45 acres, but he purchased 5 acres at £31 per statute acre, but the Sub-Commissioners reduced his rent very considerably, notwithstanding that.

10,931. The President.—Have you had ejectments against any one lately?—I have several ejectment decrees that I took out last March. I have them

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still, but I always like to give the tenant an opportunity of paying if he can. It is a last resource to proceed. It is utterly useless now to take out a common process.

10,932. In these cases in which you brought ejectments, have any of the tenants sold in consequence?—No.

10,933. They are still on the property?—Yes.

10,934. If a man is evicted, will there be a market for his tenant right?—If he chooses to sell it himself, there would be.

10,935. But if you took it, would there be a market?—No one would buy it from the landlord.

10,936. Is that owing to a combination amongst the tenants on the property?—I do not know why it is; I do not say that it is a combination. In the first place, I think Lord Gosford could not sell the tenant right, as, if he did, the money would have to be refunded. If the tenant did not redeem, it should be fixed by the court.

10,937. Mr. Neligan.—Surely the money would be applicable in the first place to your arrears?—Yes, if he sells to me; it is very conclusive evidence that the rent was not too much, when men gave that much for farms in 1870.

10,938. Sir James Caird.—Do you think that the land is being cultivated now as well as it was?—I think it is fairly well cultivated.

10,939. It is as well cultivated as it was four years ago?—I think so. I think the people are cultivating their farms fairly. There is just another case that I would like to mention—I can swear to the evidence given in August 1884.

10,940. Is this a case of tenant right?—It was a case in which the rent was fixed, as I say, unfairly, and it is a fair sample of what has been done. We got this man's evidence from himself. William Thomas McCartney held under the Commissioners of education in Ireland, 88ac. 1ro. 26po. in the size of the holding; it was held at a rent of 26s. 18s. 10d. That rent was a valuation made in 1835 by Mr. Noble, and it has not been altered at all; the peculiar valuation of the land was 28s.

10,941. The President.—The same as the rent?—Close to it; there is £7. 10s. on the house.

10,942. The amount of the rent is the same?—Yes, about the same. Now, the Sub-Commissioners fixed the rent in March 1884 at £32. 7s. 6d. I appealed, and the Chief Commissioners fixed it at £35 in August 1885. Now, I say that the tenant's own evidence carried out my argument that the old rent was unquestionably a reasonable rent.

10,943. Sir James Caird.—What was the amount of the last fixture?—£35 was the amount fixed on appeal by the Chief Commissioners.

10,944. You appealed in that case?—Yes; it was heard in the month of August. The tenant's sworn evidence in the box on cross-examination was that for ten years he sub-let this farm, with the exception of 6 or 7 acres.

10,945. For how much?—And that during the ten years the best rent that he received for any portion, and not a large portion subject to flooding, was £1. 10s. per acre; and for the balance of the farm it averaged from £3. 14s. to £4. 10s.

10,946. Did he let it?—He sub-let it.

10,947. For £3. 10s. to £4. 10s.?—Yes, with the exception of a small portion which was subject to flood, and for which he got £1. 10s. an acre.

10,948. That would be considerably beyond his rent?—Yes; he was paying a guinea an acre rent, and I think it shows that he was making fair reasonable profit, and yet they cut him down in the way that I have stated. I believe it is not a bit of a better farm than any of the others.

10,949. Did they reduce the other rents in proportion to this?—I may mention that I myself recommended the Commissioners—the Royal Commissioners—to give a reduction and settle the cases out of court, but I said not by any means on the

grounds that the rents are unreasonable, but because I believe that the Sub-Commissioners will reduce the rent. I do not believe that the rents at present are unreasonable. I put it at 12s. per cent; on a farm lying close to the river and subject to flooding, I gave 19s. per cent.

10,950. That was voluntary?—Yes; there was no very exceptional case which is a portion of what is known as the Black Bog, subject to flooding most of the year, and upon it I gave a reduction of 25 per cent.

10,951. In what year was this?—These were done within the last two years. I may mention that there are still three small rents unfixed upon that property.

10,952. Did you ever turn your attention to the subject of purchase?—I have not been asked about it. I have spoken to several tenants myself. I do not know whether Lord Gosford would or could sell, he being a limited owner; but I have spoken to people, and they gave me the same answer. What they say is, if I were under the Government, I would be compelled to pay up to the very gale day.

10,953. The tenants say that?—Yes, my recommendation would be that it would be a great matter if under the Purchase Act it could be arranged that the tenants could get to the 1st of January to pay their instalments, and they would have an opportunity of turning their crop into money.

10,954. When do they think they should pay up their instalments now?—They understood that they would have to pay them up in November, but if it could be arranged, and if they were aware that they would have up to January to pay the November gale, I believe many of the people would take advantage of it who will not do so now.

10,955. Do you mean that it should be paid in one payment?—And that to be due, if you wish, in November, but not to be paid until January, so as to enable the tenants to turn their crops into money.

10,956. The President.—Do you think there are many landlords who would be willing to sell?—I was talking to one to-day, and he told me that he sold three-quarters to his tenants, and he was going to complete the bargain, and he told me, if I do not mistake it, that they were buying at twenty-one years' purchase on the gross rental of the property.

10,957. Did you recommend the landlords in these parts to sell?—I believe unquestionably it would be a loss to them if they sold.

10,958. That, of course, would depend upon the number of years' purchase?—I may tell you, with regard to Lord Gosford's Cavan property, which is about £4000 a year, or a little over it, that within ten years we sold the half of it, and twenty-five years' purchase on the old rent was what they offered.

10,959. That was before things looked so bad as they do now?—Yes.

10,960. Sir James Caird. How long ago is that?—It is within the last ten years.

10,961. Mr. Neligan.—At that time they could find a good deal of the money themselves?—I do not think this bill of Lord Ashbourne's is understood at all by the people.

10,962. The President.—Do you think, if they got a price at which they would not lose, that a good many of the landlords would be willing to sell?—I believe they would. I heard a Sub-Commissioner—I will not give the name—say in a public place, when talking about Lord Ashbourne's Act, which I said was a very good Act, remarking that twenty years' purchase would be a 20 per cent. reduction—he said—

—There is not one lunatic in every thousand people who will give twenty; ten would be enough. I think there is very little prospect of the Act working when there are men going about talking like that. I think no landlord could sell under twenty years' purchase.

10,963. That would be a loss unless he could invest at 4 per cent. 1—Yes.

10,964. What is the amount of expense on the estate?—What is the difference between the gross rental and the net rental?—I can show it to you upon this small property.

10,965. Sir James Caird.—Is that the school property you mean?—Yes, I was giving evidence about it, and I happen to have it here. This will be scarcely correct, because I go to 1879 to find an average of seven years, and a good part of it would be that old rental, but you may take the rental at £1248, 14s. 8d., and you may take the average expenditure to be £350 a year.

10,966. That reduced it to £1000 a year?—Yes; I can tell you what that includes; it includes rent charges and poor-rates, and so on.

10,967. What is the rent charge?—Tithes rent charge; it is paid on nearly all estates.

10,968. Mr. Nelson.—It is a fixture, and in some parts of the country it was fixed higher than in others; the tithe rent charge was made perpetual?—The tithe rent charge amounted to an average of £90, 15s. 6d., the poor-rates, the landlord's portion, to £33, 15s. 7d. You understand that this is an average of seven years. The income-tax was £31, 15s. 4½d. I have an item here for estate improvements—there was £100 spent in trying to drain a bog.

10,969. Sir James Caird.—That is not an annual charge?—No; then there is the bellif's salary and my fees as agent, amounting on an average to £68, 15s. 10½d.; country cess amounts to £1, 9s. 2½d.

10,970. That makes up £350?—I think so; there is one item which I have referred to that is left out.

10,971. The President.—Thus, you think, is a fair specimen of other properties, or do you think that these charges would be high upon this estate?—No; I think it would be a fair specimen.

10,972. It is for 50 per cent?—It would be; I think it would be a fair specimen.

10,973. If the landlord could invest at 4 per cent., he would not be losing by selling at 20 years' purchase?—I do not suppose he would. He would get £80 a year instead of £100, and the other £20 he would save upon estate matters. Of course you understand that on a large estate I do not get fees. On this estate I get fees, but that is not the case on Lord Gosford's.

10,974. The expense is larger on a small property than on a larger one?—Yes, I think so. With regard to combination, I may say there is no combination lady. They wanted lately in Cavan to force us to give 20 per cent. reduction. I was written to by the lady to say that I need not attend on the next day that I had fixed, as the tenants would not pay; but I went on, and they were obliged to come in, and I told them I did not think Lord Gosford should be called upon to give a reduction on judicial rents, and, in the first place, that he could not afford to do so, that there were charges upon his property, and that the reduction would have to come out of the balance of his income. An old lady was sent in as a feeder. She is the mother of the president of the Land League. She came in, and she said she was come to pay the rent if I gave her so. I had not the slightest idea of doing it. Once before we had a little squabble, and I said, "Once before I gave you an advice," and she said, "I wish I had followed it." I said, "I know you have the money, and if you don't pay, I will issue a writ before Saturday night." So the tenants came in and paid their rents without asking a reduction at all. I believe she was sent to me on that occasion as a kind of feeder.

10,975. That is the nearest approach to combination that you know of?—Yes; that is the nearest approach to it; I don't believe there is any combination on any of these properties.

10,976. Sir James Caird.—Do you know that there

has been an exceptional fall in prices?—I do not know it.

10,977. We want to get your opinion upon that subject?—I do not think so.

10,978. We have been told what the price of oats is. No doubts oats are cheap?—I got myself 5s. 3d., and I thought it paid well enough.

10,979. Mr. Keble.—You do not think that the landlords would be justified in giving the tenants further reductions?—I do not.

10,980. And you think that the judicial rents are fair rents still?—I consider them below the fair rent of the land on certain properties; I believe on other properties they are high. I will give you Mr. Percell's property as a sample.

10,981. Looking at it in another point of view, looking at the price of produce in 1881, and the price of cattle, and then taking the present prices of wheat, oats, flax, cattle, and so on, would you say that the rents fixed then were fair rents?—I know this, that when farmers have been earning money, they did not give any increase; and I do not think the landlords should be asked to reduce in the case of any depression that comes on. It is the tinkering of the Land Acts that has caused this state of affairs.

10,982. And you do not think that the landlords should give any reduction upon the judicial rents?—I do not think so.

10,983. And so you think that the landlords in other parts of Ireland are acting foolishly?—If I was a landlord I would not do it.

10,984. Is that in consequence of the rents being so well secured?—No; it is in consequence of the judicial rent being fixed below the fair rent; I have given you a sample of how I believe some of the rents are fixed. You have been in court, and have heard the tenants, and the tenants have stated that they would rather get what I offered them than go into court and swear in the way they have to do to get the reductions. Unless they swear that the land is worth nothing, they would get nothing from the Commissioners.

10,985. I cannot go so far as to charge them with swearing falsely.—And I had a great deal more dealings with the court than you, and I tell you what is my experience. I say that the landlords should not reduce the judicial rents, that is, the landlords of the property with which I am connected.

10,986. And the landlords that have done so are wrong?—I am not speaking about other landlords. I am speaking of the landlords of the property with which I am connected.

10,987. Are there no landlords in your locality who have given such reductions?—Not a penny.

10,988. It is not customary?—No.

10,989. I think you said that farming is not profitable?—I did not say so.

10,990. I beg your pardon?—If I did say so I made a mistake. What I did say, or what I intended to say was that it is not so profitable. I am a little myself, and I have found it profitable enough. It is the same as it was eight or ten years ago. I have already stated what I believe, that at one time cattle were up to fictitious prices.

10,991. Why is that?—This Commission is sitting to find that out.

10,992. We want to know it from you?—I cannot tell you.

10,993. Does not labour cost a little more than it used to do?—Yes; that would effect the result of farming operations, and there is foreign competition of course.

10,994. That of course keeps the prices lower?—No doubt about that.

10,995. Mr. Nelson.—Those figures that you have given us I see are taken from the *Farmers' Gazette*?—I took them from the *Daily Express*.

10,996. Yes; but it is quoted from the *Farmers' Gazette*. You gave us a list from the time of Griffith's valuation to the present time?—Yes.

Nov. 1, 1885.

James Christopher Wynn.

Nov. 1, 1886.
James
Christopher
Wynn.

10,997. The prices are exceptionally low in that year?—You have them there.

10,998. Do you think is Griffith's valuation suitable for the fixing of a fair rent?—No, certainly not; I always understood it was 25 per cent. below the fair rent.

10,999. Below the fair rent?—Yes.

11,000. And you think that the rents in Ireland should be 25 per cent. over that?—I believe Griffith's valuation has always been understood to be 25 per cent. below the fair rent.

11,001. Below the letting value?—I believe Sir Richard Griffith stated that himself, and that the valuation was made for the purpose of taxation, and that therefore it was very properly made low. I think it is an outrageous thing to have landlords taxed on Griffith's valuation when the rents are out down far below it.

11,002. You are speaking of this property with which you are connected?—Yes.

11,003. And you say that the tenant right is not reduced?—Not at all.

11,004. It has increased rather?—It is not lowered.

11,005. And you say that the statements made by the Land Court increase the value of the tenant right as they are made?—Yes; there is no question about that at all.

11,006. Sir James Card.—How long have you been connected with Lord Gosford's estate?—Twenty-five years.

11,007. Is the condition of the tenant farmers improved or otherwise in regard to monetary circumstances during that time?—It is very hard to know that. It is very difficult to know whether the people have money or not. They might have it in the savings banks, but I could not tell. They certainly dress and turn out as well or better; and many of them are able to keep houses and cars and gigs—a thing that they were not able to do in the old times. The tenants themselves will admit at once that they live in a different style as compared with the old times. I have not the slightest objection to them living as well as they like, but if I find I have been living up to £300 a year, and that my income is not down to £300 a year, it is my duty to live upon £300. There have been changes in the tenantry.

11,008. Do these changes indicate very much?—I can scarcely tell; some people buy farms, and others go to America. I will tell you one great source of evil. What I am speaking of is a case where they have to borrow money to buy, and they pay 15 or 20 per cent.

11,009. You mean borrowing at excessive rates?—Yes.

11,010. Not from the banks?—No; from the moneylenders. In the case of the man to whom I refer, he is in debt because of that. I know lots of people in the same way, and cases of tenants borrowing money at large interest; it causes them to be in difficulty.

11,011. Have the changes been rather common on the estate?—There is nothing unusual about them.

11,012. With regard to the labourers on the estate, is their condition better or worse than it was formerly?—There are very few labourers in the locality.

11,013. The farmers as a rule do their own work themselves? I believe there is no farmer so safe as the one who has sons who are able to cultivate the land; but certainly the price of labour is falling against the farmer.

11,014. And in favour of the labourer himself?—Certainly; I suppose you should pay 2s. a day.

11,015. The President.—About 12s. a week; 6s. in money, and his keep?—Yes, and 1s. for women; in old times it was only 1s. and 6d. for men and women.

11,016. Sir James Card.—Have you considered whether the Purchase Act can be altered in any way that can facilitate its operation?—As regards having local banks started, do you mean?

11,017. I only asked you whether you have any suggestions to make with regard to the Purchase Act—any suggestions that you think would facilitate its working?—I cannot say that I have any. By cashing landlords to pay old mortgages, the landlords would be better able to give their tenants good treatment. They are fettered with large mortgages.

11,018. You would have reciprocity in that?—Yes; I am sure that in ten years you will have had lands again, even if you make a present of the lands now to the tenants. When a man has money who wants to make money by farming, he will go on buying, buying, buying.

11,019. Mr. Naigau.—You think that the properties will gradually come together again?—Yes; and you will have a different class of landlords before long.

11,020. You do not think it would be a good thing for the country if these changes should be made in a universal manner?—I think what I told you will happen. I dare say it will do an amount of good, but not much good in that way; there is a class of people who would be obliged to sell their farms, and farms of a different class and landlords will spring up.

11,021. Sir James Card.—Supposing the tenants bought their farms, would the landlords continue to keep their houses here, and receiving a regular income from the price of the land which they have sold, would they be disposed to remain as residents in the country?—I question it very much.

11,022. What would they do with their places?—It would be very hard to say; but why would they stay?

11,023. They might, their tenants having become the owners, if they remained, be quite as friendly with them as ever; there would no longer be any reason to have a difference with them?—My impression is that they would not reside in the country. There are several reasons that might be assigned—for instance, there is not the same society here as London, and, of course, after that would have been placed, they would not have the same interest in the locality, or the same interest in the people, or the same reason for remaining.

11,024. In Scotland there are many men who go to London in the season, and who go back to their country places again?—They do that now, but still they would not have the same interest in continuing.

11,025. They would not hold the property directly, but they would have an income of another character coming in to them regularly which had been derived from the property?—Yes; and they could spend that elsewhere as well as in Ireland.

11,026. Well, yes; except that, of course, they would have their houses and parks here?—No doubt.

11,027. Which otherwise possibly they could not sell?—That might be.

11,028. Have they no love of country that would keep them here?—(A laugh.)

11,029. Do you know many landlords who live in this country?—I know some. I believe the landlord who remained was just as ill-treated as the landlord who did not. Can you point out a man who has spent his time with his tenants, and spent his money, that was very much better treated?

11,030. Mr. Naigau.—Can you form an opinion as to the financial position of the tenants here?—Would you say that 75 per cent. of them are in a state of hopeless bankruptcy?—Nothing of the kind; indeed I would be very sorry to think anything of the kind, nor 25 per cent.—that is, of the tenants that I know. I believe that it is the contrary—that it is untrue. I believe I would be safe in saying that there are not 10 per cent. of them, unquestionably I would. I would not like to have to deal with tenants like that.

11,031. Then you don't agree with 'any opinion which would say that more than a quarter of the tenants of the country were in a state of entire bankruptcy?—No; I think that it is quite untrue.

would like to ask the person who said that, to whom does the money belong that is in the savings banks?
11,432. Mr. Knipe.—Have you known tenants to draw upon the money which they had?—Just so.
11,433. And you don't care where it comes from, so long as the rent is paid?—No.
11,434. You don't care so long as they bring it to

you?—I could have sympathy with the tenants, and no one would like to put costs upon them.

11,435. But notwithstanding the low prices, you could not see your way to give them a reduction?—I have answered that question several times, and I have given you my reason.

11,436. Is there anything else?—No; I think not.

Thomas Small, of Kendy, examined.

11,437. The President.—I believe you are the agent of the Norton estate?—Yes.

11,438. Held under Trinity College?—Yes. With reference to what I have to say, I wish to inform you that if you desire to have any information about the College Act, I can give it to you. Previous to 1851 the college estates were held under *locus quæsit*.

11,439. What is the meaning of it?—It is a lease reasonable for ever.

11,440. Mr. Nelson.—Trinity College had only a limited leasing power?—In 1851 the college got an Act of Parliament to enable them to give leases in perpetuity to their tenants.

11,441. What was the nature of the Act?—The Act was obtained in 1851, and the standard of prices was to be regulated every ten years by the value of the articles of produce—wheat, butter, pork, and some other articles.

Mr. Nelson.—In fact, there was to be a sliding scale.

11,442. The President.—And there was to be a revision every ten years?—The decrease or increase was to be according to the price of certain articles of agricultural produce, the price of wheat, pork, corn, and other articles.

11,443. Sir James Caird.—Would that be in equal proportions?—Yes; the average in equal proportions.

11,444. And then it was fixed in ten years?—Yes; four leases were taken out by the Trinity College tenants, and they gave a special grant in perpetuity to their under tenants. The under tenants, I believe, thought these leases were to be free from any increase of rent for ever—they did not realise the meaning of that clause at all. They thought when they were giving the perpetuity leases that there would be no change in the rent whatever.

11,445. If the change of rent depended upon the price of these ten years, the rent would be lower now?—In 1851 the prices were lower.

11,446. In 1861?—In 1861 they increased.

11,447. In 1871?—In 1871 they increased.

11,448. And in 1881?—In 1881 they remained about the same.

11,449. Mr. Nelson.—Trinity College raised them up again?—At the end of the first ten years they raised them 20 per cent.

11,450. Sir James Caird. Do you mean according to the prices?—Yes.

11,451. The President.—Well, what happened in the next ten?—In the next ten they increased them 10 per cent. more.

11,452. On the top of the other increase?—Yes; owing to the depression and the influence brought to bear upon them in 1881 they did not put it on.

11,453. They left it as it was?—Yes; there has been no change since.

11,454. In 1881 they made no change?—No.

11,455. Sir James Caird.—The prices they are paying now were regulated by the prices in the ten years preceding 1861?—Yes; the college tenants put the increase on the sub-tenants.

11,456. The President.—Are they all the same?—Not quite so much as Mrs. Norton's tenants; it was about 7½ per cent. only.

11,457. They increased the rents on the sub-tenants, but not all to the same amount?—Yes.

11,458. Who are the head tenants to whom the original leases were granted?—There are five or six; I do not know exactly all their names.

11,459. The President.—Was Lord Leitrim one of them?—Yes.

11,460. They were all over Ireland?—Yes.

11,461. Sir James Caird.—And the same condition applies to all their head tenants?—Yes.

11,462. The President.—Trinity College must have a very considerable property?—A very large property.

11,463. The tenants added to the rents of the sub-tenants, but not in the same proportion?—In the same proportion.

11,464. I thought you said they did not put on the whole percentage?—Because it did not take so much to do it.

11,465. Sir James Caird.—What advantage had the chief tenants if they only charged the same—what advantage had they by having these leases from the college?—It gave them the power of keeping still from the sub-tenants.

11,466. But when the rent rises they have to pay the increase to the college. People do not take trouble about a property without reaping some visible advantage?—They could not help themselves; they were bound to pay it.

11,467. The President.—But I think that is not understood—they are receiving higher rents from the tenants than they are paying the college?—Very much.

11,468. Mr. Knipe.—The occupying tenants are paying larger rents to these gentlemen?—The tenant of the college is paying, say 8s. an acre, and he has let it to the sub-tenants, say at 10s.

11,469. And that varies the same as the other rent varies?—Yes.

11,470. The President.—That was part of the agreement with the sub-tenant, that the rent should vary according to the scale of prices and in proportion with the rents that they had to pay to the college?—Yes.

11,471. Mr. Knipe.—Their rent varies according to the price of produce?—Yes.

11,472. Have you known them to give any abatements?—(No answer).

11,473. The President.—They have not been in court?—Wherever they had no leases, they got considerable reductions.

11,474. Are there many of them under lease?—Some of them are; they did not take out perpetuities many of them, but still the Land Commission Court held them bound by their old renewable leases.

11,475. Mr. Nelson.—The whole difficulty of this case is that you cannot deal with the occupying tenants unless you find relief in the intermediate ones?—I can give you a very striking case indeed. Mrs. Norton holds under a college tenant 1400 statute acres of land. She pays 10s. an acre, a total of £1400; she had it sub-let to farmers for about 15s., which would give her a profit of about £250 a year, but for some years past she has not been able to get so much as paid the head rent.

11,476. The President.—Is that owing to the judicial rents or to the non-payment of rent?—Inability and unwillingness to pay both. I had a letter showing she would be very glad to give her interest to the head landlord if he would let her go, and she would lose all the purchase-money.

11,477. And yet she cannot get out of it—it is a lease?—She is bound in perpetuity.

11,478. That does seem a hard case.

11,479. Mr. Nelson.—I know it is for some of them a very hard case. If it comes within the scope

Feb. 1, 1886.
Thomas Small.

of our inquiry I am glad that there is an opportunity of explaining it. I am glad Mr. Small presented himself, and if we come to the conclusion that we can go into this question, you will find cases a great deal more startling even than this.

11,060. *Sir James Caird*.—I want to ask you a question before we leave Mrs. Norton's case. You say that she used to have about £250 a year profit out of this land?—Yes.

11,061. And the head tenant to whom she paid had a profit of a much larger amount?—Yes, very much larger.

11,062. Then there seemed to have been three interests created?—There was the college interest, and Kirk's, and Mrs. Norton's, and the occupier's.

11,063. That is three and the head rent?—Yes, Kirk, Norton, and the occupier.

11,064. The President.—Kirk came between Mrs. Norton and the college?—Yes.

11,065. And it was to Kirk she paid this £1117 a year?—Yes, to Kirk and Mrs. Dobbyn; she has two landlords.

11,066. What did they pay to the college?—About 8s. an acre.

11,067. *Sir James Caird*.—She has made this offer which you refer to, not to the college, but to her immediate lessor. She has offered to them to give up the land?—Yes.

11,068. Has that offer been accepted?—She has not made a formal offer, but through me she is prepared to do it. I myself am a small landowner, and the Act of 1881 has done away with my interest. My tenants went into court, and got such reductions as accept away my income altogether.

11,069. The President.—You were under the college?—No; under Kirk, the same as Mrs. Norton.

11,070. Kirk continues to make a very good thing of it?—Kirk paid £40,000 or £50,000, therefore he does not get more than 4 per cent.

11,071. But you are swallowed up?—Yes.

11,072. You get nothing?—Nothing.

11,073. *Sir James Caird*.—Do you still hold?—Yes.

11,074. You are still responsible for the rent?—Yes.

11,075. Mr. Aspin.—How many tenants have you?—Not many—ten or twelve; and since the judicial rents were fixed they are all very much worse than they were before.

11,076. The President.—Are there other cases like this under Trinity College—of course, it was only the middleman, and not the college that acts in this way?—Yes.

11,077. Mr. Nelson.—The man between the college and the occupier.

11,078. The President.—There is a middleman between them here.

11,079. Mr. Nelson.—But there are cases in which there is not?—Several others have been very hard hit.

11,100. *Sir James Caird*.—If 8s. is the average charge by Trinity College for good land, the first tenants will be safe enough, of course?—Wherever they or their forefathers had it they were safe enough, but we are not. A man gives £1600, and he has no return for his money.

11,101. I suppose the college gets its rent?—Yes, another very good change has taken place. The land held under these old leases, and in better times, would sell for £10 or £20 an acre if the farmer wanted to sell and go away.

11,102. You mean he would get that for the tenant right?—Yes, he would; but I may tell you that it is quite undesirable now.

11,103. Do you mean with reference to Mrs. Norton's tenants?—Yes.

11,104. Do you mean in her own case or in the case of her tenants?—Her tenants.

11,105. The Keady tenants?—Yes.

11,106. In what part of the country is this—does

it apply to all the College estate?—To the Keady estate in this county.

11,107. The President.—That tenant right to which you have referred as undesirable is rendered undesirable from the bad times?—Yes, and Trinity College further increased the rents.

11,108. Taking into account the price of produce, is there not likely to be a decrease now?—They are afraid of it; it was with great persuasion they were got not to put on the 10 per cent. which I have mentioned.

11,109. Have you ever thought of a remedy for this state of things?—What do you recommend?—Trinity College should be got to take off this 20 per cent.; if it did that it would be a very great relief.

11,110. You want Mr. Kirk to be compelled to take something off?—Yes; if he got the 20 per cent. off, he would make a reduction to his tenants.

11,111. By the agreement?—In the same way as he made the increase when they increased it.

11,112. *Sir James Caird*.—That is 20 per cent. up to the end of the first ten years?—Yes.

11,113. You mean that you should go back to the end of 1881?—Yes; I believe that would satisfy the immediate tenants of the college.

11,114. The President.—The difficulty that Mr. Norton has in getting her rent is not from the fact of there being judicial rents fixed, but partly from inability and partly from combination?—Yes, that is so; in addition to the land being unsaleable, we find that when a farm becomes vacant by eviction or otherwise, it is almost impossible to get a solvent tenant without any price and all the arrows lost.

11,115. Mr. Nelson.—Mrs. Norton's condition prevents her from giving any voluntary abatement to the tenants?—She cannot afford to do it.

11,116. Has the college brought any objections against their immediate tenants here?—Not here.

11,117. In the South they have, I believe?—Yes.

11,118. The President.—This is a fair example of a good many other cases of the same sort, I suppose?—Yes; it is a very fair example of a good many.

11,119. *Sir James Caird*.—There has been no necessity to bring objections here?—No.

11,120. Because the tenant has always paid?—Yes. I think that is all I have to say about the Act of 1881; but with regard to the Act of 1885, I wish to say that I think that the tenants are unwilling to purchase. If they are spoken to about this they give two reasons for it: the first is, that they expect to get far better terms in the same way at some future time, if they do not indeed expect to get it for nothing at all; the next reason that they have is that they are unwilling to become tenants to the Government, fearing that they would not get any forebearance from the Government with regard to the payment, the same as they do from the present landlords.

11,121. The President.—Did they give any reason as you say for being unwilling to purchase?—These are the two reasons, I think. I am an occupying tenant myself, and I would be very glad and anxious to buy, but it is said that the college has no power to sell.

11,122. You would merely buy from Kirk?—Yes.

11,123. And it would be still subject to the head rent?—Yes, unless the college had power to sell their estate.

11,124. What do you think would be a fair price to give if the college was not in the way. Would you buy it at twenty years' purchase?—The tenants would consider twenty years' purchase very high.

11,125. But that would be a reduction of the rent at once?—Yes, it would be a reduction of about 20 per cent.

11,126. Yet the tenants think that that would not be good terms?—I do not, but the small tenants differ; I have been talking to them, and have been showing them what a decrease it would make in their rents.

- 11,127. You mean 20 per cent. 1—Yes.
- 11,128. *Sir James Caird*.—What reason do they *seem* for still being unwilling to buy when you explained that they would be paying 20 per cent. less rent or instalments, and be gradually becoming the owners of their farms?—They expect to get better some afterwards.
- 11,129. Do they say that?—They say that.
- 11,130. *The President*.—You say that Mrs. Norton has found a difficulty in getting her rent, partly in consequence of the bad times and partly in consequence of a combination. What has been the nature of the combination?—I do not think that I mentioned combination.
- 11,131. *Mr. Nelson*.—You said that there was an amalgamation?—Yes.
- 11,132. *The President*.—There is no combination? There is a branch of the National League on the estate.
- 11,133. What is their line of conduct?—what do they do?—They forbid the tenants to purchase an evicted farm, or to rent it, or to have anything to do with it whatever.
- 11,134. And the tenants obey their injunctions?—They do.
- 11,135. Do you think that they obey their injunction out of fear with regard to the consequence of their not doing so?—Well, there are not many cases of it on the estate.
- 11,136. Have you ever known tenants to suffer for buying an evicted farm?—I have just known one case of a man who had taken an evicted farm, and some of the cattle were driven off the farm.
- 11,137. *Sir James Caird*.—Where were they driven to?—They were driven off the land, and they were allowed to wander wherever they liked. A part of the land had a lot of iron spikes driven into it, so that it was impossible for the men to work upon it.
- 11,138. *The President*.—Did they ever find out who did this?—No, they did not.
- 11,139. *Sir James Caird*.—Did the man who took the farm remain upon it?—He was not living on the farm; it was at a distance.
- 11,140. Does he still hold the farm?—Yes.
- 11,141. Is this practice still continued?—This was the first reason for him to leave it. Perhaps I might also state that the people in the neighbourhood did not look at this man who took the farm.
- 11,142. You mean that they avoided him?—Yes.
- 11,143. *The President*.—They boycotted him?—Yes, a sort of mild boycotting. They have not done him any harm; they showed him no violence, except perhaps cheating and shouting.
- 11,144. *Sir James Caird*.—Does he live very far from this farm?—He lives more than a mile away from it.
- 11,145. He must be quite well known to them, of course?—Yes.
- 11,146. *The President*.—He is a native of the place?—Yes, and this sort of thing makes you very unwilling to evict any person from a farm, knowing that

it will not be taken, or, if it is taken, the person who takes it will be placed in that position.

11,147. And I suppose it makes it difficult to cultivate the land?—Yes, evictions have been almost entirely given up.

11,148. Is there only this one farm that was evicted, or are there any other evicted farms in the locality?—There is another.

11,149. Was that taken up by anybody?—No, it was not taken.

11,150. It is lying empty?—It is lying in grass, and the landlord had to work it himself, and he had no profit out of it.

11,151. *Sir James Caird*.—The landlord could not let it?—No; they would not take it. He could not get any one to take it.

11,152. Practically, then, eviction means that the land would be lying unoccupied and idle?—Yes, unless the tenant is put in as a caretaker. I find now that the landlords are serving civil bills instead of ejectments.

11,153. He leaves them their house and holding?—And seizes the cattle.

11,154. *Mr. Nelson*.—It is an action to recover the rent as money due.

11,155. *The President*.—How do they proceed in that case?—They seize the cattle.

11,156. *Sir James Caird*.—It is a civil action instead of an eviction?

11,157. *Mr. Nelson*.—Under a County Court decree he could not take the land. They must go into the Superior Courts in order to take the land.

11,158. *The President*.—Has there been any opposition to the sale of cattle under a civil bill?—Not much of that. There was one case, I recollect; when the cattle were being sold a crowd gathered, and they cheered and shouted, and offered a penny, and so on, and the landlord had to buy them in for the landlord and brought them home.

11,159. Now, do you believe that if it was not for this opposition, that most of these people could pay?—I think many of them could not, because they have got so very poor and have no cattle, consequently the crops are very bad when they have not manured them. They are in poverty.

11,160. And in that case I suppose you would be glad to give time for the payment, or to give an abatement, if it was not for the rents that have to be paid to the head landlord?—Quite so.

11,161. In fact, the peculiar condition of things makes you deal hardly with the tenants, which you would not do if it were not for that?—Certainly; the last point that I wish to refer to has reference to providing security. I mean the establishment of a local authority. I do not know very much about that suggestion; but I do not see how it could be worked.

11,162. You do not think it could be worked?—I am afraid not.

11,163. *Mr. Nelson*.—I see that they take as the basis of their rent wheat, oats, beef, and butter, and I find that these prices are given: wheat, 8s. 4d.; oats, 6s. 6d.; beef, 4s. 1d.; butter, 6s. 6d.

Robert Gillespie, of Armagh, examined.

- 11,164. *The President*.—I believe you are a tenant farmer?—Yes.
- 11,165. And that you have four holdings?—Four separate holdings.
- 11,166. There is one which you keep yourself, and the others you underlet?—Perhaps I should explain how I got the other three. One farm was sold in the sheriff's office, and I purchased, and put the tenant in again.
- 11,167. The tenancy was sold up?—Yes.
- 11,168. You bought it?—I bought it.
- 11,169. Who occupies that place?—James Guin is the name of the man; he is the former tenant.
- 11,170. *Mr. Nelson*.—You retained him as tenant?—Yes, of course I got no profit out of it.

11,171. He pays you the rent?—Just the same as I pay myself.

11,172. Then you have lost your purchase-money?—I had to pay £150 for it.

11,173. *The President*.—How do you get the interest for that?—I never charged him anything. I had a long acquaintance with him, and that is the reason I purchased on his account.

11,174. It was a kindness, and it was like lending the money for him?—Yes, I purchased for him, and I did not charge him anything for the money.

11,175. *Mr. Nelson*.—In point of fact, you made him a present of the sum of money which you gave for it?—No; I have the farm, he will pay me as

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Thomas Russell.

Robert Gillespie.

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Robert
Chilcote.

soon as he is able to do so, but unfortunately he is not able to pay it yet.

11,176. You lent him the money?—Yes; the next one I purchased from the landlord, the time of redemption was expired, but I took back the tenant.

11,177. And that was done out of kindness too?—Certainly, yes.

11,178. Was it under the same landlord?—No.

11,179. Very well; now with reference to the third?—With reference to it, I am the executor of a man who died in difficulty, and I took up the farms to try to work it for the benefit of the people. In all three cases I have got judicial rents.

11,180. And do you think that the rents were fixed fairly on those farms?—I think they were fixed fairly at the time.

11,181. What time was that?—It was in the year 1882.

11,182. Were they all fixed at that time?—Yes.

11,183. Do you think now rents have become more difficult to pay than they were at the time the rents were fixed?—Yes, I do; I am sure of it.

11,184. It is difficult to pay the rent now out of the proceeds of the farms as compared with what it was?—The two farmers to whom I refer were very hard-working, industrious men. They worked their farms.

One of the farms is about 30 acres, and the other about 20 acres, and I know they are industrious and careful, and yet it is with great difficulty they can pay, in fact, they cannot. I had to lend them money within the last two or three years to enable them to pay it.

11,185. When were these people put out?—Before the passing of the Land Act.

11,186. Were they much more highly rented than the amount which was fixed by the court?—In one case the rent was £35, and it was reduced by the court to £18. The other was from £27 to £24, 10s. by arrangement.

11,187. The rent of those four holdings is higher than you think can be paid at the moment?—I am not speaking of the one I hold in my own possession.

11,188. You are referring now to the other three?—Yes, that is globe land, and I know it does not come within the scope of your investigation, consequently I did not mention it to you at all. I thought it was not necessary.

11,189. There has been a steady fall in prices since the rent was fixed in the year you have mentioned?—Yes, I am under the delusion. I have a list of prices. I took the month of October as prices were up to Saturday night last. If you wish I will state to you the average. The grass-seed is a local thing, which only affects some of the counties around here, but it is a very important factor here with the farmers in getting up their rents since the time when the fax crop failed, or when it ceased to pay so well.

11,190. Very well. You may give us the prices. This is the average of oats for the month of October: in 1881, 6s. 3½d.; in 1882, 6s. 7½d.; in 1883, 6s. 1½d.; in 1884, 6s. 9½d.; in 1885, 6s. 4d.; in 1886, 6s. 1½d. Wheat, in 1881, 7s. 1½d.; in 1882, 7s. 1½d.; in 1883, 7s. 1½d.; in 1884, 6s. 7d.; in 1885, 6s. 5d.; in 1886, 6s. 1½d. Grass-seed, in 1881, 18s. 6d.; in 1882, 14s. 9d.; in 1883, 11s. 7½d.; in 1884, 8s. 8d.; in 1885, 8s. 6d.; and in 1886, 7s. 1d. per cwt.

11,191. Mr. Nelson.—You start with the year 1881?—Yes, at the time of the passing of the Land Act.

11,192. And in the case of grass-seed the price has gone down during that time from 18s. 6d. to 7s. per cent?—Yes, that is the state of affairs with regard to grass-seed; as I say, it is a local thing; it is not general in the South of Ireland. I remember paying 39s. per cwt.

11,193. The President.—To cultivate grass-seed is very exhausting on the land is it not?—If it is at a low price I think it is not good farming to move it at all.

11,194. Mr. Keble.—How much grass-seed is there to the acre?—From 4 to 5 cwt.

11,195. The President.—Do you think there is any wish on the part of the tenants to buy their holdings?—I do.

11,196. And do you think they would give a fair price?—I think they would be inclined to buy at a reasonable and fair price.

11,197. And there is a wish not only to get the rent reduced, but to get possession of the holdings?—There is a wish to become the owners of their farms.

11,198. Mr. Nelson.—A reasonable and fair price would have regard to the interest of the vendor as well as the purchaser?—A reasonable and fair price taking them both into account.

11,199. The President.—What would you consider a fair price on a fair rent? how many years' purchase?—I should say it would be hardly fair for the tenant to say that or for the landlord either, because I suppose we are all a little selfish, and we would be inclined to take our own interest too much into consideration; I think that should be left to an impartial tribunal to do.

11,200. Mr. Nelson.—You mean a tribunal to do it, if they could not agree themselves?—Yes.

11,201. The President.—Such a tribunal as, for instance, the Purchase Commissioners?—Wherever body Parliament might, in its wisdom, think proper to appoint for that purpose.

11,202. A tribunal that might act as umpire with the consent of both parties?—Yes.

11,203. Did you consider the question of compulsory purchase at all?—Yes.

11,204. Are you in favour of compulsory purchase?—I am.

11,205. Sir James Caird.—Compulsory on both sides?—Yes; if it is not made compulsory, you will only create dissatisfaction throughout the whole country.

11,206. Those tenants whose landlords are not inclined to sell would be alienated when their neighbours were buying, and were paying less and less instalments, and were at the same time gradually becoming the owners of the farms. You think that the people in that position would be discontented?—Yes, I think at the present time in this county I could point you a case where a landlord sold a part, and yet would not sell the other part.

11,207. And the tenants on the other part would, you say, be discontented?—Yes; I think it would be putting a premium upon inattention and agitation if it was not made general.

11,208. Mr. Keble.—Are they willing to buy in the part of Ireland?—I say I think I could point to the county to a case where the landlord sold one part and not the other. On the one portion of his estate the tenants do their best to pay the rent, and on the other they won't pay.

11,209. Mr. Nelson.—Is there much bog in the county?—Yes, nearly all cut out.

11,210. Where there is a large tract of bog, what would you do?—As a rule the bog is always cut.

11,211. I am speaking of a case where a man has a large tract of bog on his own land?—Then he is already paid for it.

11,212. There are large tracts of bog in their own hands?—The people at present pay for the turf.

11,213. But, for instance, what would you do with a case of that kind, where the landlord had the bog in his own hands?—He would find a ready market.

11,214. Would you leave him the bog and sell the rest?—Yes; the tenants are already in possession of the other part.

11,215. But you would not find him a means of getting rid of that?—He will find a ready market, we cannot get turf in this county now.

11,216. You would leave him with his chance of finding a purchaser?—

11,217. The President.—You would compel the tenants to buy as well as the landlords to sell?—Yes.

11,218. Mr. Nelson.—Supposing a tenant was to

presented with the ascertained price, and said, I won't have it, what would you do then?—I would give him the option of taking it, and if he didn't take it, I would compel him.

11,219. In what way would you compel him? Would you lock him up?—I question the locking up business very much. I am speaking with a general knowledge with regard to affairs here.

11,220. But we must put you a particular case.—The people in our county would be very glad to do this.

11,221. But cannot such a case occur, when you are already that there is a tribunal in the country which does not commend the entire confidence of the people—that is, the Land Commission? Supposing that the people had not confidence in the new tribunal that you would appoint for this purpose, and that the tenants said they would not buy, what would you do?—I know that that would be a difficulty; it would be decidedly a difficulty, but I am inclined to think that others would be ready enough to take it.

11,222. But what would you do with the tenant? Would you put him on the roadside?—Well, it would be for his own advantage.

11,223. Sir James Caird.—Is it not natural that the landlord would try to keep the good land, and let the other go?—Yes; if I was a landlord I suppose I would do the same thing.

11,224. Would you compel him to sell both?—Yes.

11,225. And compel the tenants to buy?—Yes; I do not think that the one should be compelled and the other not.

11,226. Do you know anything of the value of land yourself?—Yes.

11,227. Would you pay the same number of years' purchase on good land as you would pay on bad?—If it was rented according to its quality I would.

11,228. Mr. Nelson.—I assume that you would expect the landlord to make sacrifices?—Every one must make sacrifices.

11,229. But that would be all on the one side?—The tenant might value his land as gone down.

11,230. Supposing that a man's income was £700, would you make him sell? How much income would you give him—how much would you leave him?—Whatever might be arranged as the price would be his income—the number of years' purchase.

11,231. Mr. Knipe.—Could you mention any particular case in which farmers have offered their places for sale lately, and in which there were no buyers for them?—I sold one man's. In that case I was acting as executor of a party who had a mortgage, and I remember in his lifetime the tenant paying over £700, and it was sold for £350.

11,232. Do you know of many other farms in the county about Armagh which were offered for sale?—In some cases they are not, and in other cases they are sold at a great reduction.

11,233. And the land about Armagh is regarded as being more than the average quality of the land in Ireland?—It is good both for grazing and for agricultural purposes.

11,234. And there is no combination of any sort against the payment of rent, or the taking of these farms?—No.

11,235. Have you a general knowledge of the farmer's financial position here?—I have.

11,236. You are in business, I believe?—Yes.

11,237. And you are called upon to give advances in many cases?—I have lent off and on inside of three years to tenants about November, £1500; they have repaid me a great many of them; some of them have not.

11,238. The President.—Since when?—During the last three years, that is, about the rent time, and they were people who were short £20 or £30. I did not do it for any one except those I can really depend upon. Some have paid it back, and some have not.

11,239. A few years ago some of these people had

savings of their own, I believe?—Yes; I know some of them who had savings in the bank, some eight or ten years ago.

11,240. Is it your experience that farmers are becoming poorer, and that land is not so well cultivated for the last three or four years as it was formerly?—Yes; that is my experience.

11,241. They have been looking forward to a reduction in rent or some other help or assistance?—They are expecting relief, but if you ask them from where they expect it they can hardly tell you.

11,242. Speaking of Lord Ashbourne's Purchase Act, is there a general desire on the part of the people that you are acquainted with to purchase their holdings upon fair terms?—I have spoken to thousands, and that appears to be the general opinion. I think that is the final solution of the land difficulty.

11,243. You do not think the landlords will sell upon terms that the tenants would be justified in giving?—I think that up to the present the rents are pretty well paid, and that they would not therefore be prepared to sell here.

11,244. You do not anticipate that they would sell upon the same terms as the landlords would be willing to sell upon, in the South and West of Ireland?—No; I do not.

11,245. Have you considered at all what effect that state of affairs is likely to produce upon the people in the North of Ireland?—I think in all probability the farmers in the North, finding that the people in the South have been able to accomplish their ends, will be inclined to follow in their footsteps.

11,246. Do you think there will be a greater and stronger combination against the payment of rent in the future than in the past, for the same terms are not offered as are offered in the South and West?—Decidedly.

11,247. With reference to the leaseholders, have you a general knowledge of their position?—I have.

11,248. Do you know anything about the renewable leases that were turned into perpetuities after the passing of the Church Act?—Yes; I had a practical experience with one case.

11,249. Kindly explain your experience with regard to that case?—After the passing of the Church Act of 1869, the tenants who had leases were leased for twenty-one years, and after the passing of the Act they were turned into perpetuities; the tenants were compelled to execute perpetuities.

11,250. Mr. Nelson.—How were they compelled?—They had to execute them.

11,251. How was the compulsion applied?—Simply in this way: that they would lose their interest in their places, and be turned out of them if they did not execute them.

11,252. Have you a copy of the Act of Parliament?—I have not; in addition to that some of them had to pay a very small amount. I knew a man who had to pay £150 for his lease, and he had to execute a perpetuity which cost him something about £30 or £40. I will speak to some of my friends who are solicitors in town here, and if they have any information upon this part of the subject I will send it to you to-morrow morning.

11,253. Mr. Knipe.—I suppose there is a general complaint on the part of leaseholders here that they have not been admitted to the benefits of the Act of 1861?—Yes; I think that now nearly every one admits that it was a mistake to exclude them, and that they ought to be admitted.

11,254. Do you confine that observation to a certain class of leaseholders?—I think it should be general.

11,255. Mr. Nelson.—But confined to agricultural holdings?—To agricultural holdings. I would make it applicable to agricultural holdings.

11,256. Mr. Knipe.—Do you think that the landlords should have a right to bring the tenants into court where the rent was exceedingly low?—That would be conditional, because I would assume, if the rent in the lease was very low there must have been

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some equivalent given for the lowness of the rent. I have told you of a case in which I knew a man who gave £150 for a lease.

11,257. Mr. Nelson.—What limit would you apply to that assumption, that there had been an equivalent given?—The landlords would have the means of proving from their books what it was.

11,258. But if a man had no books, would you throw the burden of proof upon the landlord?—I

would be rather surprised that if a professional of mine in a bidding gave a sum of money for the privilege of getting a lease to find that it was not recorded in the office books.

11,259. But suppose it was not recorded?—Well, it ought to be, that is all I will say.

11,260. Mr. Knapp.—In that case you would take it for granted that there was a consideration given?—I would.

James Anderson, of Patch Mills, Keady, examined.

James
Anderson.

11,261. The President.—Mr. Anderson, I believe you are a tenant farmer?—Yes.

11,262. What is the nature of your holding?—It is a tillage farm.

11,263. Have you only one holding?—I have three holdings altogether.

11,264. Do you wish to give evidence to us about all three?—If you wish.

11,265. What do they consist of?—One consists of 80 acres.

11,266. Is it held under a judicial lease?—No, it is not yet, it is pending in the Court of Appeal at the present time.

11,267. Are you appealing or is the landlord?—I am.

11,268. You think that the rent was not fair enough that was fixed?—Yes.

11,269. When was the rent fixed?—The Sub-Commission met in February 1886.

11,270. And the appeal is pending, you say?—Yes.

11,271. What is the second holding? Is that under a judicial lease?—No.

11,272. Has it been before the court?—It has not been before any one.

11,273. You are waiting to see the result in the first case, I suppose?—Yes; and besides it is under a different landlord.

11,274. Do you think it is too highly rented?—Yes.

11,275. Mr. Nelson.—Is the tenancy from year to year?—Yes.

11,276. The President.—What is the third?—A little grazing farm, of eight acres, belonging to the same landlord as the first.

11,277. Sir James Caird.—What is the acreage of the second?—About 20 acres, I think.

11,278. The President.—Have you a difficulty in paying your rent these times?—I have a difficulty in paying it from the farm, a very great difficulty.

11,279. Do you think you could sell the tenant right for anything?—would you get a good sale for it?—I do not believe I would at the present time.

11,280. Have you ever thought of becoming a purchaser under Lord Ashbourne's Act?—I would be willing to buy if it would relieve me.

11,281. You would buy for the sake of having your rent lowered?—Certainly.

11,282. But unless you got a substantial reduction of rent, you would not care much about it?—Certainly not.

11,283. Are there any suggestions you wish to make—any suggestions which, in your opinion, it would be desirable for us to hear?—I wish to say that the produce of our farm has gone down, and is lower now than at any period of my experience.

11,284. Sir James Caird.—You mean the price of farm produce?—Yes.

11,285. The President.—What are your principal crops?—Oats, grass-seed, flax, and wheat.

11,286. And all these things have gone down in price, particularly grass-seed?—They have gone down, and I should say that the reduction is upwards of 25 per cent; since 1881 cattle have gone down more.

11,287. What do you employ in the way of labour?—Employ horses and men.

11,288. Do you find labour is more expensive now than it used to be?—Yes; the expense of labour is higher than it was.

11,289. Have you been paying your rent lately out of your capital, or the money you derive from other sources?—I may just mention that we have had able-bodied men in our neighbourhood, and we have to employ old men and women. The able-bodied men emigrate and go away to other countries.

11,290. There is a want of labour in this country?—Yes; there is a want of good labour.

11,291. Do you know any particular cases in which the people have emigrated where they have gone to?—I know five or six young men who went away last spring from our neighbourhood.

11,292. Where did they go to?—To America.

11,293. To the United States or Canada?—To the United States.

11,294. Did they go out as farmers?—They went as farm servants.

11,295. Did they go to the West?—One was a gardener. I knew friends of his who hear from him.

11,296. They did not go to get land there?—No, they went for wages.

11,297. Do you know how they have done—how they have been getting on since they went?—I believe they have been doing well.

11,298. Mr. Knapp.—Will you just give us your own experience with reference to farming this last few years?—I can give you my own experience. Up to 1877 I used to sow wheat every year. The last year that I cultivated wheat to any extent, I had it valued in my own mind at £100. However it was very disappointing, and it did not bring me anything like that. The price of it has greatly gone down.

11,299. The price is so low that you have ceased to grow it?—Yes; oats I grow, and they are not so much down in price as wheat, but very considerably lower than they have been in my experience. I have a little mill upon my farm. As to cattle, I used to live fairly by cattle, but for these last five or six years I have lost money on them. I have fed as much as forty in one year.

11,300. Is that in the winter months?—Yes; and put them into human. I have followed the same system, but on a smaller scale, and I have scarcely realized my own money on many sales. I buy cheap of course, but sometimes I have to sell cheap still.

11,301. How many years has that state of affairs continued?—1883 was pretty fair, but prices have gone down since.

11,302. You were dependent to a great extent upon cattle?—To a great extent. I have been converting a good deal of my farming into cattle-farming.

11,303. Have you been making money by cattle these last few years?—I have not.

11,304. What is the tenant right in your part of the country?—you just live in an opposite direction to the witnesses that we had here a while ago. Here there been many farms offered for sale in your locality?—There were none this season; there were some the year before.

11,305. Has the amount which they would bring increased or decreased?—They were not sold.

11,306. Tenant right is lower than it was a few years since?—Certainly.

11,307. Do you think it possible that farms will be selling higher again?—Certainly not in my neighbourhood; except in the case of an exceptional farm, it would not sell.

11,308. Do you mean it would not sell at all?—Yes; except it was an exceptional farm; there are some kinds of places that would sell, but the ordinary place would not sell.

11,309. There have been farms put up, and no buyers were got for them?—Yes; in fact, there was no bidder.

11,310. Were the judicial rents fixed upon these farms?—Yes.

11,311. And yet that did not improve the tenant right?—I believe there was one Kille farm taken up

by a neighbour at the judicial rent, without any purchase.

11,312. I suppose your experience is about the same as that of the people in your locality, that farming has not been profitable for the last two years?—Yes; flax is very much grown, and it has gone down to a great extent, and I may say that in this place the farmers depend very much upon it to pay the rent; it has gone down more than a half.

11,313. And grass-seed?—Grass-seed is down much more.

The Inquiry adjourned.

SEVENTEENTH DAY, TUESDAY, NOVEMBER 2nd, 1886.

GRAND JURY ROOM, ARMAGH.

Commissioners present—Right Hon. Earl COWLEY (President), Sir JAMES CAIRD, Mr. NEILGAN, Q.C., Recorder of Londonderry, and Mr. THOMAS KNIFE.

John Joseph Wilson, examined.

11,314. The President.—Mr. Wilson, you are a tenant farmer, I believe?—Yes.

11,315. From what district do you come?—From the district of Portadown.

11,316. What is the nature of your holding?—Is it all one holding?—I have two holdings; I have one under a lease, and the other under a judicial rent.

11,317. Are you paying more in proportion for the one you have under lease than the one you have under judicial rent?—No, I am not; it is not of so good a quality, and it was taken over thirty-five years ago for a term of forty years.

11,318. So that it has now five years to run?—Yes.

11,319. You say it is not of such a good quality as the other holding?—Yes.

11,320. And do you think if you were to go into the court that you would get a reduced rent?—I mean, if they acted as in the other cases where there was no lease?—I believe I would, although it is reduced cheap. My father gave an input to get it as cheap as possible. The lands round it are cheaper than under a judicial rent.

11,321. You think it would be an advantage to you to come in under the Act of 1881 like other people who have not got leases?—Yes; I believe it would.

11,322. Now tell me of the other holding which is under a judicial rent.—I bought it thirty years ago, when I was married, and it was under a lease at 6d. time at 14s. 7d. an acre, and when the lease fell out in 1870 they raised the rent up to 25s.

11,323. Mr. Neilgan.—The rise of rent took place in 1870?—Yes.

11,324. The President.—When was the judicial rent fixed?—It was fixed in 1882.

11,325. Do you think it was a fair rent at the time that it was fixed?—No; I do not think so, because I have lost my tenant right altogether from the pressure of the times.

11,326. Sir James Caird.—What was the amount of the rent that was fixed in 1882?—25s.

11,327. So that it was a reduction to 25s. from 35s.?—Yes; the reason that I say I have lost my tenant right is that the times were better when I was paying the large rent. I offered it for sale, and I could get £14, but at the sale by public auction no one bid me anything for it.

11,328. What did you give per acre?—£15, 10s. per acre, and I bought it thirty years ago. At that time I got 21 per cent. for the stock, now I would get only 16, 17, per cent. In fact, I sold it at that for years.

11,329. The change that you speak of is owing to the bad times and to the low price of agricultural produce?—Yes; if you stand on the highest hill in our country and look around you and see the condition of the farms, and ask who it was that did this, you would be told that the tenants did everything. I am informed that in England the landlords put up everything and sold the land. The fact of the matter is, that there is 75 per cent. of our country in a state of bankruptcy.

11,330. Do you think that the Commissioners, whenever they were fixing the rent for you, valued the farm on your improvements?—I do.

11,331. Of course you know that was a thing that they were not supposed to do?—But I believe they did it; produce was at a higher price than it is now.

11,332. So that at that time you were able to make the rent, and now you are not.

11,333. Sir James Caird.—In the year 1882, when the rent was reduced to 25s., were you satisfied with the reduction at the time?—I was not.

11,334. I mean when it was reduced from 35s. to 25s.?—Yes; I was not.

11,335. And you thought that the reduction to 25s. was not a sufficient reduction?—It was not sufficient to enable me to live and support my family. There is one thing I wish to observe to you: I went into the loan banks yesterday morning and asked them to give me in round numbers the farmers who had got loans, and they told me that there was 1000 of them who obtained £13,000.

11,336. Do I understand you to say that you called to ascertain how many farmers had borrowed money from these banks?—Yes; they said there was 1000 had borrowed, and that they had £13,000 out of that bank, and I went to another bank in the same town, Portadown, and they said there were between 700 and 800 farmers who had borrowed there, and that they had got £11,000.

11,337. The President.—They seem to be very willing to give information at the bank?—Yes; it was said that the farmers had money in the bank, but it takes two respectable men along with the man who is to get the money, and a certain amount of interest is charged, perhaps 20 or 30 per cent.

11,338. There are not public banks?—No, money-lenders; I am not referring to banks like the Belfast Bank—these are loan banks.

11,339. And it was from them that you found that these large sums of money had been obtained; it was not in a public bank?—No; it was in the loan banks.

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John Joseph Wilson.

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John Joseph
Walton.

11,340. Did you think they would tell you about it?—Yes; they told me about it; but of course they gave me no names.

11,341. Sir James Caird.—What rate of interest do they charge?—If a man borrows £30 for twelve months, and they charge him £3, 10s., he will only get £26, 10s.; the £3, 10s. will be deducted from it.

11,342. What do you mean?—He gets a loan of £30, but he only brings home £26, 10s.; £3, 10s. is deducted from it. These people get money out of the Buckhill Bank, or at Luggan, in the same way; and I know of my own knowledge that there are a vast number of those who get it who are not able to pay their rents. I find that the country is in a state of bankruptcy.

11,343. The President.—There is hardly a farmer that you know of who has not borrowed?—The most of them have; I suppose 25 per cent. of them have borrowed money.

11,344. Have borrowed money to pay their rents?—Yes, to pay their rents.

11,345. This is, of course, entirely owing to the depressed times, to the low prices of produce that have existed during the last two or three years?—Yes; that state of affairs has been running on for many years, but especially these last few years there has been a great reduction in the prices. The man who has to pay for labour, and has not his family to work the farm, is not fit to do anything. He will have to sell part of the produce to pay the wages. If you only saw those markets, filled with straw and hay that ought to go into the land instead of being brought into the market in that way, you would be astonished, and the fact of the matter is that the land is becoming impoverished.

11,346. Have they been paying their rents in general?—They have; but those who were ruined at only £30 were benefited by the Arrears Bill, and got their arrears swept off, but those above £30 got money; that is to say, they borrowed money.

11,347. Have the landlords been making abatements in your locality?—Not as a rule; there have been no abatements, as a rule, without going into the court.

11,348. I mean, have they been giving temporary abatements on the year's rent?—They have fought the tenants as hard as they could, and tried to make out their case, and to give them as little as they possibly could.

11,349. Sir James Caird.—What is the extent of your farm?—About 60 acres.

11,350. Is 60 acres the extent of the two farms?—Yes.

11,351. The President.—Of course, at the present moment what every one wants to pay is less rent?—Yes.

11,352. I suppose they have not thought very much about the question of purchase except for the sake of reducing the rent?—Some years ago a tenant could sell his farm and go away to the colonies or somewhere else if he wished, but he cannot do that now.

11,353. You cannot sell the tenant right?—No.

11,354. There is no sale for it now?—No; in 1884 I offered my own farm for sale, and no one bid me anything, and the adjoining tenant offered his for sale at the beginning of 1885, and no one bid anything. In the next township but one to us, there is a man who has 35 acres with the judicial rent fixed, and he offered it by public auction last spring, and I happened to be there at the time, and no one offered to bid for it, so that, in fact, the tenant right is swept away, and some one has got it.

11,355. Mr. Nelson.—If the prices of produce improve, would not the farms become saleable again?—If the times improved, the prices are getting worse every year, and I don't see any way of escaping out of the difficulty without some speedy relief.

11,356. We have a good deal of conflicting evidence upon this subject. Some of the witnesses told us there has been a good sale of tenant right within

the last few years?—What I am telling you is the reality, and I could have brought the bills with me for the sales if I had thought they would be required. It is exactly as I tell you, that these farms were put up by public auction, and that there was not one bid for them.

11,357. Sir James Caird.—Do you say that in your own case?—Yes; I offered my farm, and my neighbour's farm was offered, and the farm of another man in an adjoining township.

11,358. The President.—How do you account for that in some places there have been sales of tenant right?—Well, of course there may be sales of the kind, that a man may sell two or three acres that would be adjoining another man who might find a convenient, and who might have the money. I believe in that case you would get a larger price, but a farm of 20 or 40 acres cannot be sold; that is, of course, as far as I know.

11,359. And you only speak of what you know in your own knowledge and of your neighbour's experience?—Yes.

11,360. These cases that you mentioned are of your own knowledge?—Yes.

11,361. Then with regard to the question of purchase under Lord Ashbourne's Act, has any one thought about that?—I do not know of any one thinking about it unless there was a fair rent on the land according to the times.

11,362. And except you got it here?—Yes; and bought it at a purchase that would suit the times.

11,363. But if you got a reduction of rent, and fell at the same time that when you had paid this reduced instalment for a certain number of years that the farm would belong to yourself, would you not be glad to do it?—Yes; if it was bought on such terms that a man would be enabled to live and pay it.

11,364. The great thing that you evidently want is to have a rent fixed that you can pay?—Yes; in that part of the country people are willing to pay, and are not able to do so.

11,365. And you say that the landlords have not met you with any temporary abatement?—No; I am not referring to them. I do not know any one who has got a reduction on the judicial rent. None of the landlords that I know of in this part of the country have done that.

11,366. Well, at all events, your landlord has not given you any?—No; he gave me notice the other day that he would serve me with a writ if I would not go in and pay the rent; the whole crop I have would not meet the rent and leave me a penny to enable me to put in another crop. There is another very serious grievance in our neighbourhood. Under the Act of 1881 there is no protection to any one who lives upon bog land, that is, what we call moss in our country.

11,367. How is that?—That is where the people who live upon that bog, paid their landlords some fifty or one hundred years ago, and when the judicial rents were fixed upon them the landlords said, "I won't allow you to cut turbarry to make money out of it, the same as you used to do from this immemorial."

11,368. Mr. Nelson.—All that, of course, has been made a matter of judicial decision?—Yes, that is so. You have that odd bog that won't grow a crop, and it would require legislation to interfere and enable these people to live.

11,369. What legislation?—I think they should get their former privileges.

11,370. You think they should get such privileges as they were legally entitled to?—Yes; it seems at the present time, though, that they are not legally entitled to it, because the landlords claim it and claim it. Since I remember, and my father before me, they always got the liberty; there was no want of liberty. They cut the turbarry.

11,371. The President.—They do not complain that they cannot get the turbarry for their own use?—No.

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John Joseph
Wilson.

11,372. They are allowed to do that; they are allowed to cut turf for their own use?—Yes, but a man may perhaps have upon his holding a great deal of turf, and yet be only allowed to cut about one acre for his own fire, and then have to pay a judicial rent for the whole of it. It is a very heavy grievance.

11,373. What you mean is, they want to get liberty to cut the turf for sale?—Yes; there are 19 acres of land which are not arable, and they are let at a judicial rent.

11,374. Sir James Caird.—Do you mean that the cost of the land, which is arable, would not pay for the whole of it?—I do.

11,375. Do you think that, when the judicial rent was fixed, any rent was put on the 19 acres?—Certainly.

11,376. But the barren land would not be reckoned as paying rent?—If it was occupied the same as it used to be.

11,377. The President.—Formerly they used to cut the bog and sell it just as they liked?—Yes.

11,378. The Act of 1861 does not deprive you of any right that you had—it strengthens any right that you had. The Act leaves the rights just as they were. If you had a right to cut the turf before that, you have the same right now?—It never was brought into question before. From the time my father died in 1861 it never was brought into question. The landlord said, "I will serve you for bringing me into court, and I will not allow you to cut turf." I would not take a gift of 30 acres of this soft land to-morrow.

11,379. Your grievance is that you can only cut bog for your own use, and that you want to be able to cut it for sale, and the law does not permit that?—Yes; and the tenants cannot live upon it.

11,380. You say that 75 per cent. are bankrupt unless they obtain relief?—Yes.

11,381. Speedy relief?—Yes.

11,382. What kind of relief?—The rent should be brought down, and men enabled to live.

11,383. The judicial rents should be again reduced?—Yes, or something or other done to remedy it, so that men may be enabled to live; the home and most of the country are going away at present, and I believe can't stay in it.

11,384. Mr. Knipe.—Are you aware that, under Lord Ashbourne's Act, the tenants may obtain a solution by purchasing?—That would depend upon the price they bought at.

11,385. Is there a general desire on the part of the tenants in your locality to buy?—There is a general desire, if it could be bought cheap enough.

11,386. Would they buy upon the judicial rents as fixed now?—They would not; it is according to how many years' purchase they would have to give.

11,387. Mr. Knipe.—What percentage would you ask off the present rent?—The times are 30 per cent. worse now than in 1862, and I would ask as less than 30 per cent., and in my own case it should be 52.

11,388. That would be upon the judicial rents and upon a half year's purchase, that would give 30 per cent. off?—Yes, at the present rent.

11,389. Mr. Knipe.—You are assuming that 30 per cent. should be taken from the present rent?—Yes, I say that the times are 30 per cent. worse now than they were in 1862.

11,390. Mr. Knipe.—That would represent about seventeen years' purchase?—I believe that would not be adequate; I think that would be too much.

11,391. Would there be a desire on the part of the tenants to buy at seventeen years' purchase?—I do not think so. At the present rent I do not think the people would give more than ten or twelve years' purchase; it will not pay the labour, and what are people to do? Men with a family growing up are placed in such a position that the boys go away. They leave the country and go to America or

Australia, and after they go away these people are trying to send money to their poor parents to help them.

11,392. Mr. Knipe.—You, I suppose, have a general idea of the financial condition of the farmers in your locality?—I have.

11,393. Are they improved in their position at all?—They are every year getting worse—they never were so bad before—they never were so bad as this in my memory.

11,394. How many years would that statement refer to—would it go back to—before the passing of the Land Act?—Of course, they have got worse since 1847, when the disease came upon the potato crop, but more especially within the last few years; I mean since the crops got so cheap as they are.

11,395. With reference to the question of weaving, do you remember when farmers had looms in their houses?—I know men who had 6 acres, and they could live far better by having two or three looms in their houses weaving, and pay their rents better than farmers who had 40 acres, but that trade is now so low that even that is done away with.

11,396. Have the looms disappeared to a great extent out of the farmers' houses?—Yes, there is no such thing scarcely now. In my recollection every farmer had a Hocklin, and barked it, and now they are not able to buy fuel to make the land what it should be. When I first commenced to labour upon my land I only gave a servant girl 10s. a quarter; that is thirteen years ago. I gave that to the first servant girl I had. The first servant boy I had I paid £1 a quarter, and we should give a servant boy £3 now and far better treatment. The farms want labour. I cannot get a man now under 1s. and his food; it used to be 6d. and his food.

11,397. Is the cost of production higher, and the price of produce has fallen?—Yes.

11,398. Sir James Caird.—You have had a considerable experience with regard to the cost of production, and you say that it is nearly double?—Yes.

11,399. Is the condition of the labourer improved in the same proportion?—No; I don't see that his position is much better, for, as a rule, if you don't give him what he wants he walks away, and leaves you there. He will do that even if he was living in a cottier house of yours.

11,400. That is with regard to the condition of the farmer himself, but I refer to the condition of the labourer himself?—The labourers are getting scarce.

11,401. Labour is scarce in this country?—Yes.

11,402. And therefore as a rule they are independent?—Yes, and they go over to Scotland. I knew a man with 4 acres who was in back water. His son went away in August last to America, and sent him £30 down to work his farm; that is the way we get the foreign money, and that is the way that the people are sent out of the country, and it impoverishes the country.

11,403. Was that money sent to support the father or to enable him to go out and join the son?—To support the father, but sometimes the parents are sent for and brought away.

11,404. Is there emigration from your district?—Yes.

11,405. Are there any farmers emigrating?—Those who can—those who are able to go.

11,406. What do you mean by that?—do you say that they cannot realize the tenant right?—Yes, and they cannot get as much as would bring them away.

11,407. If the tenant right was as saleable as it used to be, would they be willing to sell and go?—Well, I know no man who goes away until he is broken; they do not like to leave their fatherland, as it is called.

11,408. You say they cannot realize as much from the sale of the tenant right as will take them away?—Yes.

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John Joseph
Whelan.

11,400. But would they?—Yes, I have three sons myself in Australia, and they sent me some money. They are nearly four years away, and only for them I would not be in the land. I never spent a shilling upon myself in my life, and yet that is the state of affairs. I have always done the best I could.

11,410. What are they doing?—Two of them are on the police in Sydney.

11,411. They have not got any land out there?—No; they have £12 a month on the Sydney police, the other son is working for farmers.

11,412. They are far better off than if they had stayed at home?—I had a letter from them last week, and they want me to sell and go out, and I have written to them that I cannot sell. I have written to them that I have offered, and cannot sell the farm.

11,413. Would you sell if you could?—Yes, I would lose £200 in purchase-money if I could get it to-morrow and go.

Thomas K. Harbison, examined.

Thomas K.
Harbison.

11,421. The President.—Mr. Harbison, I believe you are a tenant farmer?—Yes.

11,422. What district of the country do you come from?—From Tundage, about five miles from Portadown.

11,423. What is the extent of your holding?—It is about 130 acres.

11,424. Is it all in one holding?—No, it is in four holdings.

11,425. Will you just kindly give us the particulars of the four holdings which you have?—There are 80 acres under lease in two holdings; one is a farm of 63 acres under lease—that is the farm I live upon.

11,426. How many years of that lease has to run?—I bought the property about thirteen years ago, and the man might be about sixty-five years of age who is the life of it. There is one portion of it down. It was in two lives, and one has died since 1881 or 1880. I have not been in the court. I spoke to the agent about it, and he told me to leave it to himself, and he would give me a reduction on the holding, but I have never got any yet.

11,427. What do you pay per acre?—26s. 8d. per acre; that is 26s. 8d. per English acre.

11,428. Is there any land near it which is held under a judicial lease?—Nearly all of it is under a judicial rent.

11,429. Is the land that is under a judicial rent lower than yours?—It is from 18s. to 21s. an acre.

11,430. Therefore I suppose what you wish particularly is to go into court under the Act of 1881?—The Act of 1881 would have done me good up to the present, but it would not suit at all now. The great reduction of prices and high rate of wages has made the Act of 1881 of very little service to us.

11,431. But if you went to get your rent fixed, the Commissioners would take all that into account, if you went before them?—The reason that I kept back from going into the court was that the agent, Mr. Tilgate, said that when the heir came of age he would have my case brought particularly before him in 1883 or 1884 I got a partial reduction.

11,432. The agent asked you not to go in?—He asked me not to go in.

11,433. You were under lease?—There is a portion of it that is out of lease that is part of the 60 acres, somewhere about the half of it. I could have gone in upon that, but the agent asked me not to go in.

11,434. Sir James Caird.—He asked you not to go in, because he would probably make some private arrangement?—Yes.

11,435. Mr. Nelson.—The present inheritor is a minor?—He is of age last July.

11,436. And the agent said he would bring your case particularly before him?—Yes, I have met the heir myself since, and he told me that he would bring it before the agent. I have written to the agent myself since, and he said that he had not had

11,414. What do you mean?—I mean that I will take £200 less than I paid.

11,415. You would take it if you got it?—Yes, and go, for ultimately I will have to go if the things don't mend.

11,416. Since when is the rise of wages?—are they higher now than six years ago?—They are still advancing instead of getting less. The people are becoming fewer in the country—that is the reason of it. I know people who have two daughters, and they have gone away and got into factories, and the daughters are waiting for their parents.

11,417. Wages, you say, are higher now than six years ago?—Yes.

11,418. Mr. Nelson.—You say that you paid 1s. a quarter to your first servant girl?—Yes.

11,419. How long is that ago?—Thirty years ago.

11,420. And are wages higher now than they were then?—Yes, they are.

a conversation with the young Count, but that by and by he would see about it. He has put me of from time to time, and the relief is very much needed.

11,437. The President. You still can go into court if you like?—Yes, with the half of that part.

11,438. And you can see what they do then?—I was not anxious to go in because I believed that the heir and the agent would be likely to look over my land, and see what ought to be done in the case, and give me a reduction over the holding.

11,439. Mr. Nelson.—It is from a wish not to disoblige your landlord that you are holding over?—Yes.

11,440. Sir James Caird.—It is not a long time since the heir became of age, you say?—It is not long. I believe he had power to do it himself, for the agent was one of the trustees, and in other cases he did it for the tenants. I knew a tenant who had got a reduction since 1881 for the lease as well as for the other. This man told me since last November they gave him a reduction since 1881 over the whole land, yet I have got nothing.

11,441. Mr. Nelson.—Do you mean that is the case they made the reduction retrospective?—Yes, from 1881.

11,442. You have no particular wish to be admitted into the Land Court, because you do not think it necessary to go in?—I depended upon his honesty—that was the reason I did not go in.

11,443. And it is not too late for you to go a new?—Relief for five or six years in bad times like this would be of great service.

11,444. If things got better, you would be willing to go back to the old rent, I suppose?—I could not live at it only for my brothers in Australia. I got £400 the Christmas before last from one of them.

11,445. You got that from some relative?—Yes, from my brother in Australia. I could not get the rent out of the land with the price of produce as low as it is since the wet season, since 1879. A great portion of my oats was out seven weeks. The weather was too wet. There never was a such hardship in our county. The people are busy getting the potato crop out now, and I believe it will not average more than one-half of what it was last season.

11,446. I suppose you found it very difficult to sell?—To sell the land.

11,447. I mean difficult to sell the tenant right?—It is quite impossible to do it. I have not tried, but I know a lot of farmers round me who did offer their places for sale, and who did not get any one to buy. There is a farm I have under lease; there is about 18 acres of it; there is 80 between it and I am higher again. I am unfortunate, I must say. My father took out a lease, and it is 30s. 8d. per statute acre.

No. 2, 2886,
Thomas E.
Hobson.

11,448. Is it under the same landlord as the other?—No; under a lady here in Armagh. Mr. Bayle is the agent in Armagh.

11,449. That is land, the rent of which would probably be reduced under the Act of 1881?—I have known people to try, but I did not try. I tried to get a reduction. While other people were getting reductions, I never got anything. I received a notice that if the rent was not paid on such a day there would be a writ marked right away. Only I was receiving money from my friends, I could not hold it at all.

11,450. The President.—Then I suppose with regard to that you would like to go into court, and get the rent fixed?—There are a great many leases, and it is a great hardship for one man living close beside you to get a reduction of 10s. in the £1, while you are tied down by a lease imposed upon you by the landlord, and that there is no relief for you.

11,451. The leaseholders want to go into court?—The present court would not do anything to these leases.

11,452. Most of the leaseholders say that if they could only go into court they would be quite satisfied, as you of that opinion?—Instead of the present rent, it would be a slight relief, but really the judicial rent that have been fixed would be of very little use. The rents that were fixed in 1832 are too high. It would be still an acknowledgment. They would be delighted to have relief, no matter how little. I think, so far as I am concerned, that the best thing to relieve the people would be to adjust our rents and buy out the landlords. If the Government can see their way to do that, I think it would be well. I must say that the landlords and their agents have no mercy. They ask men to do impossibilities. They want you to raise money and to sell the crop to pay the rent, and it won't do. If the land were produced the crop to pay the rent, what is the farmer to do? he has no remedy—he has no relief.

11,453. Your case is that your rent is very high, and that you have great difficulty in paying it?—Yes, and no kindness at all shown from either the landlord or agent.

11,454. And you don't very much trust the court?—Yes; in one case I could not go into court, but only for the remarks of the agent that I have mentioned to you, I would have gone into court with the other.

11,455. Would you like to buy at such a rate that you could get a substantial reduction of rent?—I live seven miles from where the association is—seven miles from them—and I live at some distance from the gentlemen who were here yesterday. I know a great part of the country—since I was thirteen years of age I have been acquainted with it, and I know how the country suffers, and I made it my business to inquire before coming here about the state of affairs that exists. There is a great hardship with reference to loan funds in the towns. Gentlemen, who have plenty of money, lend money; the tenants go there, but cannot borrow except they have clear mortgages, and have bailments as well. They have great difficulty to get it. They must go and bring responsible men as bailment. They will say, "I am very much pressed; I have been served with a writ for my rent, and I have no means of meeting the one, if the writ comes it will destroy me and my family. Will you be kind enough to lend me £20 or £40, I only want it for a week; I will pay the landlord, and when I have paid the landlord, I will go to the loan fund and get the money to pay you." I understood that there are two loan funds in Portadown, and that the number of people who have borrowed amounts to 2000, and that they drew about £25,000, they are just depending upon them, and I found that most of this money has been borrowed since 1881 and 1882. They thought they would be able to pay when they got the rents reduced.

11,456. What interest do they pay?—It is tremendous. Very fortunately I have not been in one of them. I think it is from 10 to 15 per cent.

11,457. You believe it is that, but you do not know?—I asked some of the men who told me that it is according to the way you take it out. You must pay interest on the spot when they give it to you.

11,458. Most of the farmers of your acquaintance have borrowed?—Yes; the country as far as I know is in a very bad way, and I know a great deal about the country and about the state of affairs that exists. It is in a state of bankruptcy. The state of the country never was known to be so bad before. These loan fund men have let back themselves thinking the times would improve, and there they are; their losses will be heavy.

11,459. Sir James Caird.—They won't advance any more?—A man must have four or five people to secure him.

11,460. The President.—I suppose they secure each other?—Yes.

11,461. Have statements been given in your neighbourhood by any landlords except your own?—Most of them, except the leaseholders; nearly all the men have been through the court.

11,462. But have the landlords given statements voluntarily to the tenants?—I know one landlord who gave 20 per cent. last year on the judicial rent without being asked.

11,463. Have most of the landlords done the same thing?—Scarcely any of them have done it; that is only one. They have been petitioned for reductions, but they stated to the tenants, "Where you have got your judicial rents you must abide by them."

11,464. Mr. Keppel.—It has been stated here that the value of the tenant right has increased in some parts of the county Armagh; is that your experience?—I think the tenant right would nearly amount to nothing.

11,465. You gave us one or two cases which happened in your own place, of which you were aware, that showed the value of tenant right?—Yes; cases where farms were offered, and where there was no one to bid for them. That was last season; there were two farms, one of 21 acres and the other of 27 acres.

11,466. Mr. Keppel.—Have you any idea of what they cost originally?—I know that twelve years ago one cost £14 per acre, and the other man got his from his uncle. The 21 acres farm was bought at £14 an acre, it is on the very march with me; there is nothing but the bank between us—that was one of the farms.

11,467. Sir James Caird.—What happened to that farm?—It is there still, and I think there is four years' rent upon it.

11,468. Mr. Keppel.—I understood you to say that it was offered for sale?—Yes, and no one offered to buy it.

11,469. Is it now in the hands of the landlord or in the hands of the tenant?—In the hands of the tenant, but there is four years' rent due.

11,470. The President.—Was it offered for sale by the landlord or by the tenant?—By the tenant.

11,471. There is no intimidation or combination amongst the tenants in your part of the county?—No.

11,472. Mr. Keppel.—Is that a good district of country?—Yes; it is about four or five miles from Portadown.

11,473. Is it in a good part of the county?—Yes; there is no waste land in it.

11,474. It is not, then, your experience that the value of tenant right is going up?—No; the value of it is going down altogether; the tenant right is almost lost.

11,475. We have heard something about the advantage that the farmers used to have from having loans in their houses?—Small farmers are the only men who can have them. If a small farmer has a family, he has loans and can employ his family by them. There is a spinning mill belonging to Mr.

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Thomas K.
Marble.

Syston, and it makes it very difficult to get labourers, there being employment for them there; and there is a hem-stitching machine factory, and these people can get on much better than the farmers. There is a savings bank in Armagh, and they can put money into it, but the farmers are all bankrupt. These other people live by the trade.

11,476. By what trade?—By weaving, and their families in three factories.

11,477. Then they do not live on the land?—The land is accommodation to them.

11,478. Is it your experience that there are now as many looms in the farmers' houses as there were ten years ago?—Not nearly so many.

11,479. These people that you spoke of are labourers and small farmers who have a few looms still?—Yes.

11,480. In this district about Portadown?—Yes, that is the class of men to which I refer; men with from 1 to 3 and 4 acres. You asked me about the quantity of looms, and I may say that there are so many power-looms now that these people are going into the factories, and the hand-loom work is being done away with.

11,481. The farmers are not making so much by the looms now as they used to do?—Not nearly so much.

11,482. What association is this to which you refer that you are connected with?—The Portadown Association—the Portadown Farmers' Association.

11,483. What is it called?—A tenant right association.

11,484. We did not know but it might be some illegal combination.—No; it is a tenants' association, and it is for the good of the people of the country. They come together, and they all attend the meeting. I was deputed by the association to come here.

11,485. Sir James Caird.—Do they combine upon the question of rent?—No; everything is free. I suppose in no county of Ireland is there any people who would pay better than the people here. Their spirit is good, according to their means. They won't let any one know that there is any difficulty in getting money. If they are in trouble they try to conceal it as long as they can, and try to keep up a good face. Until they are actually served with a writ they will not say anything about it.

11,486. Mr. Neligan.—From what you say, some of them would seem to be of the best class of tenants, and to have the worst class of landlords, here about Armagh?—They are very harsh. There is another landlord than I live under. I got the land through the court. I have known tenants, in 1882, when they could not pay their rents, come in and offer half a year. The agent took it, and asked was that all they could do, and they said it was all, that they had even to borrow that to bring it to him; and the next session he brought civil bill judgments against them; and I knew a man to sell the oats he had for seed, and another man to sell the only cow that he had in order to pay the rent. Only I went to raise money for him, he would never have had a cow again.

11,487. Then what we have heard here about good landlords is not true?—I am stating the facts.

11,488. That is the conclusion, at all events, from what you say?—I am stating the facts.

11,489. Sir James Caird.—You say that this poor man had to sell his cow in order to make up his rent?—Yes.

11,490. Do you say it is only the small farmers who can do any good?—This was an old man who lived there with his wife. He is a man who had no trade. Some of them are very poor.

11,491. In your experience, has the land been improving or is its condition falling off?—It is falling off; when they had to sell the cattle to meet the rent there is nothing else for it; if the cattle are sold there is nothing to manure the land, and the consequence is, of course, that the land is very much reduced.

11,492. At the present moment?—Yes, that is the case, with the exception of an odd case.

11,493. And necessarily it is producing smaller crops?—Yes.

11,494. It is getting out of condition?—Yes, it is getting out of condition. I do say, having a knowledge of the country and of the circumstances of the people,—I am not speaking of my own case yet; only for my brothers I would likely be in the same state, and I would likely have been served with writs,—I do state that there would be 40 or 70 per cent of the farmers of the country bankrupt.

11,495. Mr. Neligan.—It appears to be what I have said, that you have here the very worst class of bad lords; they show no consideration, although, as it appears, you have the very best class of tenants.—The first landlord I lived under, the Count de Salla, is a very good landlord; his agent allowed the tenants to go back four years, while other agents would serve judgments for a half year.

11,496. Mr. Keene.—Do these landlords live in the country?—There is one of them lives in the South, and another in Dublin, and one here in Armagh. It was his agent who did this.

11,497. Sir James Caird.—What did the agent do?—When the tenants could not pay their rents—

11,498. Were they judicial rents?—They were. The seed oats and the cow had to be sold; where the rents were not paid processes were issued. I did not get one myself, for I paid my rent.

11,499. The President.—All these who did not pay got them?—Yes.

11,500. They got processes at once?—Yes; for the first session, and the rent was always taken at an early date, never later than the 25th of November.

11,501. You cannot put your hand upon a single soft spot in connection with the matter?—No.

11,502. What is the name of the tenant who sold his seed oats?—William Singleton.

11,503. And what is the name of the man who sold his only cow?—George Pihles, of Ballinacree town, land. If you allow me, I will give you an instance of the agent's cruelty to me. I will state me for myself.

11,504. Is this the same landlord?—It is the same agent; I do not speak of the landlord. I came to pay my rent, I think in 1884,—I came to pay my judicial rent. He asked me for my rent, and I told him I did. He said "That is not enough," and I said, "That is my judicial rent, and I won't give you any more." He said, "Will you give me your poor-law ticket?" I handed it to him, and he wrote on the back of it what the rent was, and I said, "That is not it."—I told him what the judicial rent was. He said, "I won't take that," and I said, "I will lodge it in the bank, and give you no more." There were about a dozen men and women in the office paying rent at the time. "Leave my office, sir," said he; "I will," said I; "but give me that ticket, for I require it to pay my rent." "I won't give it to you," he said; "leave my office." "I won't leave your office until I get it," I said then to him. "I tell you again to leave my office," he said. I declined. He came from behind, where he was sitting, and he took hold of me here, and I had a little overcoat, and there are two steps down into the yard, and he went to run me out upon my back to pitch me out. I relieved myself, and pushed him back, and he was not too strong for me, but I did not strike him. I summoned him for assault and tearing my new coat that I had only worn once. Farmers have to work so hard to get a cent that they wish to take all they can out of it. I summoned him to the bench, and they fined him 4s. and costs, or a month's imprisonment.

11,505. And was he put in prison?—No; they gave him the option of paying a fine of 40s., and they also fined him 10s., or seven days, for tearing the coat.

11,506. And he paid that?—Yes.

11,507. Is that the agent you mention?—Yes. He appealed the case to the Quarter Sessions Court.

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and the chairman and some of the magistrates were there. He did his best, and there were counsel and witnesses against us; but, in spite of all that, the chairman said he could not see why he should change the decision of the court below; and so he was defeated there.

11,508. The decision of the court below was confirmed upon appeal?—Yes; that agent did that in 1884, and I was never struck by a man in my life before, and I never struck any one since I was a boy. I am not a man to quarrel.

11,509. That is the same agent?—Yes. I during this gentleman, Mr. Knipe, knows the whole case; it was in public print. It was all published, and I do say it was a case of cruelty. Yes, when he would do that with a paying tenant, such as I was, what would he do with the others who were not able to pay. The only thing was that he blamed me for the tenants going into court. When they were sending their applications, he wanted to know who was chairman; but I think, when the law allowed him to go into court,

that there was no harm for the people to meet and arrange what action they should take with reference to it. I know of no reason for it, except that he blamed me for bringing them into court, while the fact of the matter was that as a rule they were more anxious to go than I was.

11,510. The tenants were asked who was in the chair. Do you mean at the Tenant Right Association?—There was a meeting held by the tenant farmers with reference to going into the court.

11,511. And are you the chairman of the Armagh Association?—This was not the association; it was a meeting of farmers.

11,512. A separate meeting?—Yes; just held for the purpose of going into court; so I call it a case of cruelty, and I think it was cruel. I swore that if he had knocked me down on the pavement, I might have been killed on the spot.

11,513. At all events, you got a verdict against him?—I did; I consider the man who would do that would not think much of serving a man with a writ or process for the rent.

John Hughes, of Armagh, examined.

John Hughes.

11,514. The President.—You are a tenant farmer, I believe?—Yes.

11,515. Where did you come from—from what part of the county?—I come from the immediate neighbourhood.

11,516. You live close to Armagh?—Yes.

11,517. How much land do you hold?—Up to this year I hold 350 acres; I parted with a little of it since.

11,518. Is it not all in one holding?—It is not all in one holding.

11,519. Is it generally under a judicial rent?—Generally under a judicial rent.

11,520. Is there any under a lease?—No.

11,521. At all events, what is not under a judicial rent might be if you wished?—I may say it is all under judicial rents now, arranged out of court.

11,522. When was the judicial rent fixed?—In 1882, I think.

11,523. And were you satisfied with the judicial rent at the time it was fixed?—I made the best arrangement that I could. I thought I was getting little enough. I got about 19½ per cent. on the old rent in the cases that I settled out of court.

11,524. I suppose you have a difficulty in paying the next year out of the produce of the land?—I do very much. I think I may mention to you that one of the farms in which I settled with the landlord, though I expended nearly £1000, I would surrender it to the landlord, if he took it off my hands.

11,525. Did you try to sell it?—Yes.

11,526. Sir James Colclough.—And you would have surrendered it to the landlord?—Yes, I would have surrendered it cheerfully to the landlord last year, and would to-day if he would accept of it—if he would take it out of my hands.

11,527. The President.—Without getting anything in return?—Yes.

11,528. I suppose that is the same with the tenants all over your neighbourhood?—Yes; I purchased it by tenant right, but the change has been so bad that that is the way in which I am placed now.

11,529. Is there generally a difficulty in selling the tenant right?—There is a great difficulty in selling.

11,530. Then with regard to the purchase. Have you any desire to become the owner in fee-simple, and to buy from the landlord?—That would depend entirely upon the conditions under which I purchased.

11,531. If you lowered the rent, and at the same time, by paying the instalments, became the owner?—But what would enable me to pay?

11,532. The chief object with you would be to get a lower rent?—Yes; I look upon the Act of 1881 as very good for the tenants so long as they wish to hold, but at the present rent I do not think that the

people can keep up. I have prepared a few items of the prices of produce in 1881 and 1882 as compared with the present time.

11,533. You may give us the heads of that.—These prices are from my own book. Now, with regard to the article of wheat: in 1881 I got 10s. 6d. for my wheat in Armagh market.

11,534. Do you grow much wheat?—Yes; a good deal of my rent was from good wheat land. I used to grow a great deal, but lately I don't grow so much.

11,535. Sir James Colclough.—How much did you get for wheat in 1881?—I got 10s. 6d. per cwt.

11,536. What was it in 1882?—In 1882 I got 8s. 6d. The average in these two years would be 9s. 6d. per cwt. for wheat. For the last two years, 1885 and 1886, I may say that I sold in 1885 the produce of my farm in the wheat crop at 6s. 6d. per cwt., and in this year I sold it at 5s. 6d. per cwt., which would make for the last two years an average of 6s.

11,537. That is altogether with regard to wheat?—Yes; this is more than a reduction of a third. It is more than 30 per cent. reduction on the value of wheat alone. Now with regard to oats, for the years 1881 and 1882 the average prices for oats according to my farm book would be 7s. 6d. per cwt. I may say that there was an exception up to that period which has continued since. We were in the habit of growing what is called winter oats in this country, and that year I got 8s. 3d. for winter oats.

11,538. In which year was that?—I got 8s. 3d. in the year 1881. Now that class of oats is not required at all in our market. Condition oats come from Liverpool, and that is why we discontinued the growing of winter oats, which are uneasable in consequence of that. The average for spring oats was 7s. 6d. per cwt. in the years that I have mentioned, 1881 and 1882, and the average for spring oats for the past two years was 6s. 2d. per cwt. Grass-seed is the next item that I have taken down. In 1881 I got 25s. per cwt. for the produce of my farm, and in 1882 I got 15s. per cwt., the average therefore for these two years would be about 20s. 6d., and the present value of that seed in our market would be 8s. 6d. per cwt.

11,539. That is the average of 1881 and 1882?—Yes; last year it was 9s., and this year it was 7s. 6d.; that would be an average of about 8s. 6d. I have discontinued the growing of the next item which was at one time a staple crop; that is flax. I have discontinued growing it for the last three or four years. I write to some friends of mine in the flax trade who are large millers, and these are the replies I got.

11,540. These are communications from other people who are in the trade?—Yes. In 1881 it was 8s. to 7s., which would be an average of about 7s. 6d.

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11,541. That is the average for 1881 and 1882—Yes; for 1885 and 1886 the prices are 5s. 6d. in 1885, and 5s. in the present year for the same quality of flax; that would be an average of 5s. 9d., which would have been worth 7s. 6d. in 1881 and 1882. Another item would be pork, and it was a very important article in this part of the country. In 1881, I take the month of October, which generally regulates our markets here. I find the price of pork valued from 50s. to 55s. per cwt., which would be an average of 52s.; in 1885, I find from my book that I got 68s., but there was a lower price of 54s., which would make an average of 56s. for that year.

11,542. Can you give me the average for the two years?—Yes; this 56s., I think. I might have taken the intermediate years, but from the circular that I got from this Commission I saw that these were the years that were most important. I have not got 1883, but in 1886 in the last market the prices varied from 36s. to 42s. per cwt., but I would say that the average price of the market on last Tuesday would be about 39s. 6d. per cwt.

11,543. Mr. Naligan.—That is the price at this market?—Yes; Armagh market, and Armagh market is an important market in the pork trade. These are the only items; I have taken them all from my own note-book. I got from some grain merchants their prices, and I found that there was very little difference between them and mine; they would be a little lower, but the difference would be very slight.

11,544. Mr. Keigs.—You say that you have found it more difficult to meet your demands for the last few years than you did previously?—I have been looking after the expenditure, and found that we were losing. The rent could not be paid out of the produce of the land, and I have very good land. Now, in store cattle in my time there is more than 30 per cent. reduction.

11,545. Speaking from your own experience, has farming been a profitable business in this part of the country?—My own experience would satisfy me that not only is it not profitable, but that we could not make our own.

11,546. Mr. Naligan.—Then it has been a losing occupation?—Yes.

11,547. The loss has been gradually increasing from 1881 up to the present time?—I recollect a good deal with regard to the farming business since 1880. We have had fluctuations and sudden falls that would amount up to as much as these figures, but the fall from 1881 up to the present has been a gradual decline. You would think it was quietly declining year by year, and some of our principal merchants explained to me a thing that I knew myself very well, that in the early part of the season, when they bought at low prices for the last few years, they could not realize the first cost. I know that instead of improving during the winter months that decline is continuous and steady.

11,548. You pay rents, I believe, to a number of landlords?—Yes; to four or five landlords.

11,549. Is it your experience that the landlords here have been giving reductions on the judicial rents?—I have never applied, and I have not got any. I do not know whether it has been the case myself.

11,550. As a rule, since the passing of the Land Act, they insisted upon getting their rents?—Yes, and in the farming occupation sometimes a little indulgence is necessary. They require to have the rents paid up to the very gale day, and I know of my own knowledge that that is the case in this part of the country.

11,551. They do not seem to have so much sympathy with the tenants as before the passing of the Land Act?—That is my own experience, and I have heard it expressed by very sensible men.

11,552. Have you turned your attention at all to Lord Ashbourne's Act, the Purchase Act of 1885?—I have, but not sufficiently to say much about it. I have read the Act, but as to the practicability of it I

would be slow to give an opinion, at all events, in the present form.

11,553. Are there any of your acquaintances who you think would be willing to avail themselves of it?—I think every sensible man would be, if it was made in such a way that it could be availed of.

11,554. Do you think there is a general desire on the part of the landlords to dispose of their holdings?—I would be rather inclined to think that, unless the Land Purchase Act would be compulsory to some extent on both, it would be inoperative. I speak especially of the North. If there were no some conditions of compulsion upon the landlords to sell and the tenants to purchase, I think it would be inoperative as a general rule through the country.

11,555. Have you thought of how that part of the Act could be improved?—I have been thinking about it, but I cannot say that I have formulated anything in my mind upon the subject. If the terms of the Land Purchase Bill were not more beneficial to the tenant and made general in the country, it would be inoperative, and, I think, not an advantage. If no estate was sold, and there was another estate adjoining it where the landlord was not disposed to sell, I think the landlords on the latter estate would be satisfied because of this. If the Land Purchase Bill was framed in such a way as the tenant could avail themselves of it, and that they would all buy on the same terms, then it would be of great advantage to the country. I have no doubt a great many would like to be owners upon such terms as would allow them to make a living out of the land. If I would not be intruding my opinion, I would say that if Lord Ashbourne's Act comes into operation that it will be made it acceptable and workable, if a landlord does not wish to sell his land to his tenants, some plan might be adopted which would cause him to put his tenants upon equal terms with those who had purchased. For instance, if my landlord was disposed to sell, and the tenants purchased from him, and if an adjoining landowner did not wish to sell, there should be some arrangement whereby he would make his rents the same as that on the property which was sold.

11,556. How would that be decided?—I suppose to make it practicable there should be the court to value it and to see that there would be no injustice done to either party. I think that something should be done to make it workable, for I see that there is difficulty in effecting sales.

11,557. Don't you think that if one estate was sold and another not, it might lead to dissatisfactions in certain quarters?—No doubt.

11,558. Do you think that a court could be established to act as mediators between the landlord and the tenant?—That is what I was wishing to bring before you.

11,559. Would you go so far as to say that if in the case of a property with one hundred tenants seventy-five were willing to buy from the landlord, and the landlord refused to sell, that it would not be unreasonable to make it compulsory on the part of the landlord to sell?—I think that in order to make the Purchase Act work, some such rule as that ought to be laid down. Otherwise it will not work.

11,560. And that any compulsion which you would place upon one, should also be put upon the other?—Yes.

11,561. If the tenants on a good part of the land were willing to buy, while the tenants on a bad part were not, would you compel them to do so?—That would be justice in this part of the country.

11,562. How would you make them buy?—If I draw my conclusions from what I know of this part of the country, I do not think there would be so much necessity for compulsion. I think—I have no doubt—the tenants would fall in with such an idea upon such terms as they think would give them an opportunity of living, and if one-half of the tenants were purchasing, I have no hesitation in saying that

the other half would follow their example most willingly. However, I am only speaking from my own knowledge of the country and of the class of people that I come into contact with.

11,563. Sir James Caird.—Do you know anything about the value of tenant right? Is it very much as it used to be?—I am aware that it has lost its original value very much. It is not what it used to be. Land which was sold at a very considerable sum some years ago is now worth almost nothing. I have heard of farms that have been offered, and it was impossible to sell them.

11,564. Do you know any that have been actually purchased within the last few years?—I cannot say. I think there may be some, but I think this year I have heard of several farms being offered and not sold.

11,565. Do you know the fee-simple of any estate sold here lately?—No; not in this country. From the reports in the papers, I think it is very difficult to sell in the market now.

11,566. Have you observed the condition of the land generally here, whether it is improved or not?—I think the state of cultivation is very well kept up, but the change of climate has acted against us.

11,567. The land does not yield the same crops?—No; but especially in flax and wheat—these are not yielding the same crops.

11,568. Have you in any way altered your system of cultivation?—I am putting it more in grass.

11,569. You have more stock?—Yes.

11,570. Is that better?—I am afraid not, I know from the price of stock that it is not nearly so good as it was formerly.

11,571. But the farmer buying would have the advantage of buying cheap?—There is one thing that I cannot well manage to understand. Prices are very low, yet the butchers' price is high. My experience was, that the growing of the stock was the best paying end of the business. We cannot fatten in the North of Ireland. Our grass is not fattening land.

11,572. You must find some way to finish?—Yes.

11,573. Do you keep pretty good stock?—Yes, very good.

11,574. Around here?—Yes, they are, generally speaking, a good class.

11,575. Is the price of labour much more now than it used to be?—Yes.

11,576. Any farmer like yourself must employ labour?—Yes. £500 or £600 a year for labouring men would be the amount, or about that, as I spend it.

11,577. Has the labour bill greatly increased during the past, say, thirty years?—It has.

Robert McKenna, of Benbuck, examined.

11,583. The President.—I believe you are a justice of the peace?—I have the honour to occupy that position.

11,584. You are a corn buyer and merchant?—Yes, and a linen manufacturer, and I farm about eighty acres of land.

11,585. Is that all in one holding?—Yes, it is all in one holding. It is under a lease in connection with the mills and factories.

11,586. Agricultural land?—Yes; it is agricultural and pastoral combined.

11,587. What is the date of the lease?—The lease is for 100 years, from 1837.

11,588. Is that for building purposes?—It was originally for building purposes.

11,589. The lease was taken as a building lease?—Yes.

11,590. And therefore, of course, the rent is higher than it would be in the case of ordinary agricultural land?—It is just about the same amount as agricultural land. It was taken as an agricultural farm.

11,591. Is that farm by a river?—Yes.

11,592. And is there water power?—Yes.

11,578. You economize as much as possible?—Yes.

11,579. Yet still the bill is much more than it was formerly?—Yes. In 1850 and 1860, I paid 5s. or 6s. a-week and a free house. Since then, we pay from 2s. to 12s. a week for labouring men; and, although we employ machinery, still, practically, the cost is up to the same standard, and even beyond it.

11,580. Is the condition of the labourer much improved?—They are pretty well off. Their food is better and the wages better than they were thirty years ago.

11,581. Is there a scarcity of labour in your part of the country?—Yes.

11,582. And is there a good demand for labour?—We have not now the same class of labouring men. The young men have left the country, and we are obliged to put up with second or third-class labour.

11,583. Where are the young men gone to?—They have gone to other countries—emigrated.

11,584. Have you heard from them at all—as to whether they are doing well or not?—Well, if I take what I read in the papers as showing it, I should say so.

11,585. But of your own knowledge?—I cannot say.

11,586. Have there been cases amongst what I may call your own people?—Yes, several of them have gone, and I have no doubt they got on.

11,587. They have not returned?—No.

11,588. Mr. Knipe.—You kept an account of the average produce of wheat, potatoes, and other crops; and I want you to tell us what your idea is about the average quantity of potatoes that you could grow to the acre?—I will have to answer you in this way. It is a changing crop. Some years we have five to six ton to the statute acre, other years we have one to three. This year is not a good year. In 1881 we had five or six ton, and we sold at very low prices.

11,589. Five or six is a large crop?—Yes, to the statute acre.

11,590. This would be an average year?—Yes, this is an average year. It changes occasionally.

11,591. Can you tell us how many tons there are this year?—Under five ton to the acre on my own farm. I cannot say what it would be in the country generally. As to the price, I may say that the price is moderate this year. The demand for potatoes has very much fallen off. I hear meal is very cheap, and the poor people use it a great deal.

11,592. Is the price as low as you remember it for five or six years?—Yes, the price is higher this year than, I think in 1883, but it is lower than in the average of years since 1881.

11,603. Sir James Caird.—Your predecessors have put up mills there at their own expense?—My father and myself have put them up.

11,604. The landlord has not contributed in any way?—No; he has not.

11,605. The President.—What do you pay for the 80 acres which you hold?—I may say that, as far as your Commission is concerned, I am not individually interested, as I do not look upon myself as an agricultural tenant. I come before you on account of my having come in contact with farmers a great deal, and on account of my knowing this district as well as I do. After the Act of 1871 was passed, being the tenant of a small holding, I was the chairman of a committee, and I knew all the work of the committee with reference to the lands, and that brought me a great deal into contact with the farmers, and I know some of the things connected with their condition pretty accurately.

11,606. When was Lord Powerscourt's estate sold?—I think about six years ago.

11,607. Before the passing of the Land Act of 1881?—Just before it, but after the Land Act of 1871.

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11,608. You know about its condition at the present moment?—I would say that its condition is fair.

11,609. You know all about it, I suppose?—Yes.
11,610. Were the rents there judicially rents under the Act of 1881?—Most of them have been, but a good many of them are yet unfixed.

11,611. Was there much reduction given when they were judicially fixed?—I think a reduction of about 25 per cent. was given on those that have been already fixed.

11,612. They were previously fixed before the sale?—Yes; and then it was left for arbitration, under the Act of 1879, to the present Attorney-General, and the present Recorder of Dublin, and Mr. Carson. They settled the rent before the sale to the present proprietor, Mr. Brown.

11,613. Your knowledge of the working of the Acts of 1881 and 1885 will be derived chiefly from this estate?—Yes; and the surrounding neighbourhood.

11,614. Do you believe the farmers now to be in a depressed condition?—I believe the majority are.

11,615. Do you find that from your business connection?—Yes.

11,616. And you believe that many of them are in debt?—I believe the majority are.

11,617. And have to borrow money to pay their rent?—They are in debt to the grocer or the baker, or the shop people generally who supply them, or they are in debt, perhaps, to the money-lender.

11,618. Do you think that the tenants have borrowed more since the passing of the Act of 1881?—No, and for this reason, that the money-lenders will not lend so freely, and the shopkeepers have given so much credit already that they will not give much more.

11,619. I suppose that since the Act of 1881 they are able to offer better security?—Do you mean so far as lending money on the security of the farm is concerned?

11,620. Yes.—Well, there is less inducement to lend, because tenant right is not now the same value that it was prior to 1881.

11,621. You mean that the whole value of land has gone down?—Unquestionably.

11,622. How is the price of tenant right at this moment?—It is very low?—It is very low at present; in fact, I believe there are a number of farms which, if put into the market, would not sell for anything.

11,623. Do you know whether any of the farmers in your neighbourhood are anxious to avail themselves of the Act of 1885?—I think, as a general rule, they are all anxious to avail themselves of the Act of 1885, but not of the terms of that Act. They are inclined to become tenant proprietors, but they have objections to the Act of 1885.

11,624. What objections?—The objection they have is, that they think the term might be extended, and a low rate of interest charged. I think the term now is forty-nine years, and 4 per cent. and the general idea is that the term might be extended—some say to seventy-nine, but I say to sixty-five years—at 3½ per cent.

11,625. You think they would be inclined to purchase then?—I have no doubt of it.

11,626. And give such a sum as that the landlord would not suffer materially?—As to the number of years' purchase, I think the general feeling is that it should be sixteen years' purchase.

11,627. To give sixteen?—Yes.

11,628. That would be a considerable loss to the landlord?—I would be inclined to give twenty years on the landlord's net rental—not on the judicial rental, but on the net rental, which I calculate would be about seventeen years' purchase.

11,629. What is the difference between the gross and the net rental?—3s. on the £1.

11,630. Of course at that price on the net rental the landlord would be a loser?—No doubt.

11,631. Mr. Napier.—20 per cent. under the net rental?—Yes.

11,632. That is, even supposing he would get 4 per cent. for the money, which is doubtful?—Yes.

11,633. You do not think that the landlords and tenants would be able to come to terms that would suit them both?—Not unless it is made compulsory.

11,634. You are in favour of compulsion?—It would be imperative if it is not made compulsory. The landlord, I know, would not be inclined to sell upon any terms.

11,635. But, perhaps, they might sell at a little more?—I think, if the tenants did not reduce the rent by the purchase, it would be better not to have any purchase.

11,636. Compulsory purchase is a strong measure, without giving an equivalent?—Yes. The idea here formed with reference to compulsion is this:—if you granted that twenty years' purchase would be a fair thing to give to the landlord, I would say he would be entitled to 2½ to 3 per cent., which is precisely the amount given, if you take the example of railway companies. They generally allow 2½ or 3 per cent. I think there should be an allowance over and above that.

11,637. The landlord should be entitled to that much more?—Yes.

11,638. But even that would not give the same income as at present?—I think that under the present circumstances he will suffer at any rate.

11,639. Where the estates were very much mortgaged, the landlord would be simply ruined?—Unquestionably, but some change must come, which will resolve itself into that in any case. So far as I can see, I do not think matters can go on as they are at present. There is no doubt that farmers are losing, and, if they cannot find an improvement they must sooner or later become bankrupt.

11,640. If farmers cannot pay the rents, rents must go down?—They must go down. It will resolve itself into that in the end.

11,641. You think it necessary that it should in the end become compulsory?—Yes; it will be imperative if it is not compulsory, and it would be unfair to the majority of the tenants, if the sale was not general. Some landlords would not be inclined to sell, while, perhaps, others would be willing, which, of course, would cause dissension, and would place one set of tenants in unfavourable circumstances.

11,642. It would be a very large operation, the compulsory purchase of all the land of Ireland?—I think you will find that the majority of farmers who have the means and the money,—a good many have the money,—at a small rate of interest, would buy their farms without drawing upon the Government for a penny. I think one-third of the men on my estate are in that position, and the other two-thirds are very poor.

11,643. Mr. Knipe. Do you mean tenant farmers able to buy from the landlord?—Yes.

11,644. The President.—Has your attention been turned to this matter, that, supposing there was any necessity for revising the old rents, a sliding scale of rents could be worked—a scale of rents based upon a calculation of the price of produce during a year or any other term?—I know what you mean. There are estates in Armagh which have that sliding scale. You have, for instance, the Keady estate, which was the property of Trinity College. That is under the sliding scale.

11,645. Mr. Napier.—Those are the Trinity College leases?—Yes.

11,646. The President.—They were fixed for ten years?—I think that is the term—but it was the sliding scale.

11,647. What I mean is, that the rent for each year should be based upon the average product of certain articles cultivated during the preceding five years or so—that the rent here, for instance, should be grounded upon the prices, for a preceding term, of oats, and beef, and potatoes, and butter, and so

on?—That might work very well in theory, but I do not see that it could be applied. I do not see that it would work in practice. How could the mixer estates be managed? If you took the large estates, for instance, you might settle the rent in that way upon them, but in the case of the small estates it would be very different.

11,648. The President.—You are no one's judgment would be called into action; it would be a mere matter of figures?—No doubt.

11,649. If the rent was, say, £100 this year, and the price of produce went down in the next year, the rent in the next year would go down also?—Yes.

11,650. And if prices went up, the rent, of course, would be raised?—Yes; then you should arrange a standard.

11,651. Sir James Caird.—The standard would be the price for any year, and if you agreed that the price should be £100, that would vary in proportion as the price of produce varied?—Yes; you must fix a year as a standard.

11,652. Yes; the year in which you start.—If you fix it at the price of this year at the present rate?—

11,653. There would be no objection to bring these questions into any court—it would be a self-acting process which the landlord and the tenant could agree about?—I dare say it might work very well, but I think, on the Trinity College estates, it has not worked well.

11,654. That, of course, is a ten years' term?—Yes.

11,655. This might vary every year?—Yes.

11,656. Do you know anything about the condition of the leaseholders?—Yes; I know a good many of them.

11,657. Are the rents of the leaseholders generally higher than those of the tenants who have had pecked rents fixed?—In some cases. I have thought that, and have tried to get some information. On the Castle-Stewart estate there are a lot who hold at a very low rent, and I think if the leases were broken it would tell very hardly against them.

11,658. You think that if they came under the Act of 1881 they would lose by it?—Unquestionably.

11,659. But, on the whole, supposing that the leaseholders were brought in under the Act of 1881, it would be rather, on the whole, an advantage to the tenants?—I rather think not. From the information I have got, I think it would be, on the whole, more favorable to the landlord. Of course, I have not the particulars before me, but, at all events, that is the impression I have formed.

11,660. Sir James Caird.—Do you mean on very long leases?—Yes; I think the leaseholders since 1870 should be admitted.

11,661. You believe they ought to be admitted to the benefit of the Act?—Yes, those who had leases made since that. On Mr. Bruce's estate a number of them were offered leases. A number of them did so, and he has since permitted them to surrender, and go into court and get the rents reduced, which was a very wise act upon his part. I think there are numerous cases of the same kind, where the tenants took out leases because they were afraid of the estate falling into the hands of some one who would raise the rents. The people, in that case, who were offered leases took them, and I think that such cases as that should be brought into court.

11,662. All leases executed after the 1st January 1871 should be brought into court, you think?—Yes.

11,663. But where they executed leases ten years previously you would not?—You must, I suppose, draw the line somewhere, and I would draw it at 1871.

11,664. Why draw it at 1871?—Because it was the first Land Act. That is the time I take. You

might, of course, go back to 1861, and draw the line there if you wished.

11,665. You would begin at the passing of the first Act?—Yes; since that time—since the passing of the Act of 1871.

11,666. Do you think that the highest rented leases are those that have been made since 1871?—I do not say that. I think you might find leases granted before 1871 that are as high.

11,667. Mr. Kelpie.—Is it not true that the landlords, seeing the effect of the Act of 1870, insisted upon the tenants taking out leases for a number of years?—Yes; for some years prior to the passing of the Act of 1871 it may have happened, but I think that the date of the passing of the Act, or about that period, would be a fair time at which to draw the line. I may be wrong, of course, but that is my opinion.

11,668. The President.—You think that there were, then, inducements to press leases upon the people?—Yes; and it was done; and also, owing to the action of the Landlord Estates Court, a number of estates changed hands, and went into the hands of people who were only too anxious to get the rents raised. And then, of course, in such cases as that the tenants took leases.

11,669. You state that the price of tenant right is very low now, and that there are very few sales?—Yes.

11,670. Mr. Nalpin.—Are you aware whether there have been any sales of tenants' farms under decrees of the county court at the equity side?—There are a good many—there are always some.

11,671. It is necessary sometimes to sell the tenant's interest in the farms in proceedings at that side of the court?—Yes.

11,672. Has the judge been able to make such sales?—I do not understand.

11,673. Did he find purchasers?—I think so. I do not think that there is anything here to prevent it.

11,674. No kind of combination?—I do not know of any.

11,675. Mr. Kelpie.—Have the landlords in your part of the country given reductions on the judicial side?—I am not aware of it. They have extended the time this year for the payment of the rent from November until January.

11,676. But you are not aware whether they have tried to meet their tenants?—I believe there have been no reductions.

11,677. Neither on the judicial rents nor other rents?—No.

11,678. Is it your experience that tenants have more difficulty in paying their rents lately than formerly?—There is no question about that.

11,679. What is the principal cause of that?—The depreciation of the prices of the crops and cattle. I think the fall in the price of cattle is one of the principal causes. It is very much depreciated, especially in the class of young cattle which are reared in our neighbourhood. The land is not suitable for grazing, and they employ it in raising cattle—not fattening them. The prices are very much lower, and consequently there has been more difficulty in raising the rent. Then there has also been a very poor crop of flax; this year in particular it is very poor. I think that is owing to the change in the climate. This year has been very adverse to the flax crop. I think there is another thing I should mention—that the wages of the labourers have very much increased, and it is almost impossible at the season of the year when they are required to get labourers to save the crops. That has been the case this year.

11,680. Speaking of the landlords' rents being reduced, do I understand you to say that all concerned in land might be prepared to lose a little?—I think so. I think it has come to that in the sister island, and I think it will come to that here.

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John McKee.

11,681. And even if the State did not interfere, the landlords would be compelled to lose something?—Yes; I have no hesitation in saying that.

11,682. Speaking of compulsory sale, would you establish a court to interfere between landlord and tenant to carry out sales?—I would, I think, require some court of appeal to settle the various differences. I have no doubt about that, but it would depend upon how that is arranged. If the judicial rent is taken as the standard, and you allow so many years' purchase, that is easily arranged. I do not see why there should be much room for dispute. You should have compulsory sale; I think it would be quite inoperative without compulsory sale. If you have a fixed price laid and the number of years settled, there would not be any dispute.

11,683. But as matters stand at present, you cannot draw that line. The landlord may refuse what the tenant offers?—No doubt; but if you make it compulsory on certain conditions, that does away with the difficulty.

11,684. Why could not the court take into account the whole circumstances?—That just comes to the question of the reduction of rent—that is, so many years' purchase on a reduced rental.

11,685. You would take it for granted that the judicial rent would be the basis of the calculation?—Yes.

11,686. Do you think that as the Act stands at present, the tenants will avail themselves of it, or that the landlords will be willing to sell?—No. I have heard of cases where nothing could be done under the present Act. I know an estate upon which there are three mortgages, and the entire rent does not pay the first mortgagee his interest. No one is willing to become responsible for the portion which is to be behind. In those cases it is found impossible to make an arrangement. I think the State should take the entire responsibility.

11,687. Mr. Keppel.—I just want to ask you a question or two with reference to the leaseholders. You say you know a number of leaseholders in your locality who are paying higher rents than the judicial rents?—Yes.

11,688. Is it not a hardship that they are not admitted to the benefits of the Act?—No doubt.

11,689. Would there not still be a number left out if you only went back, as you say, to 1871?—There would be a good many. Quite true.

11,690. But you think that a number might suffer if all were admitted?—I believe the tenants would suffer more in proportion than the landlords. I say that from the information that I have been able to collect.

11,691. Where there is a low lease upon a property, do you think that a consideration was given to the landlord for that lease at some period?—I do not know about that. That is a question that would depend upon the term of the lease. I have in my possession some old leases which were given to me by the tenant, and the rent was only 6s. an acre.

11,692. Mr. Nelson.—How long ago is that? Of

course you know that money was of more value some years ago than now?—That lease was only for a certain term, and at the end of the term, of course, the rent was raised. The other leases that I speak of may have been given for a longer term and still in existence. I believe there were old perpetuity leases given at the same time, and the only consideration was, that the tenant should take the place, supply the seed, and make improvements. I have no doubt that it was the tenants and not the landlords made the improvements. I do not think that at the time the lease was made there was anything given.

11,693. Mr. Keppel.—And if the tenants have made all the improvements, would they be likely to suffer by going into the Land Court. That has been already proved. The judicial rents have not been fixed down to the level of the fall in the prices. I am strongly of opinion that, in the fixing of the judicial rents, the tenants' improvements did not receive that consideration that they should have received. I know an estate upon which there are fifteen tenants. A number of them are prosperous, and have improved their places a good deal, but there are one or two individuals who have not done anything in that way, yet I believe these one or two persons get as good a reduction, if not better, than the people who have improved their farms.

11,694. But it is the question of the leaseholders that I wish you to confine yourself to.—I see your point.

11,695. The leases that were formerly called *ad finem pactorum* leases, were changed into perpetuity leases at the time of the passing of the Church Act?—Yes.

11,696. Are you aware that that was compulsory?—Yes. In Blackwater there are some of these leases, and repeated threats have been made by the agent to enforce it.

11,697. And the tenants would have rather not taken out these leases?—Yes.

11,698. The conveyance, etc., would cost something?—Yes.

11,699. Don't you think it a great hardship that those tenants should not be liberated?—No doubt there are cases of great hardship, but you must take all sides into consideration, and the case of the landlords should be considered.

11,700. I have not the slightest objection to that.—Therefore I think that most of these leases that were taken out were taken out without a consideration, and I think it would be hardly fair on behalf of the landlord to bring in a measure so as to do away with them.

11,701. But if the landlord could not show that there was no consideration given, might we take it for granted that there was?—I think the usual conclusion is, that there was.

11,702. Your experience is that the rent is now difficult to pay now?—Yes.

11,703. And the condition of the tenant-farmer is going down year by year?—There is no doubt about that. A few of my neighbours are here, and have a memorial to present to you.

John Anderson, examined.

John Anderson.

11,704. The President.—I believe, Mr. Anderson, that you are a tenant farmer?—Yes.

11,705. Where do you live?—I live in Dunsannon.

11,706. I believe you have a memorial prepared which you wish to present to us?—Yes; with your permission I will read the memorial.

"MEMORIAL.

"To the Right Honourable the President Royal Land Commission, we, loyal subjects, farmers of South Tyrone, holding our farms under several landlords in this locality,

"Humbly Sheweth,—

"That under the depression of agriculture and

heavy expenses of labour, we find we are unable to compete with foreign competition and pay our judicial rents and taxes. The agricultural depression which existed when the greater portion of our judicial rents were fixed has so much increased by the fall in price of those articles of produce upon which we so much depended for the payment of our rents, etc.—namely, flax, wheat, cattle, and their products, butter, &c., without any apparent probability of their again returning to former prices. The heavy expenses of labour, which we also complain of, caused by emigration. The cheap passages offered to emigrants, and sent to our farm labourers for leaving our country, and taken away our able-bodied labourers, and raised the

wages of the few weak ones remaining, although we are toiling late and early trying to make both ends meet, and it is impossible to hold on much longer. We therefore trust that your Royal Commission will recommend such a measure of compulsory purchase as will very much reduce our rents and relieve us and our families from the present prospects of poverty and pauperism, and we are duty bound will ever pray.—Signed on behalf of the meeting—JOHN McKENZIE, Drumery, chairman; JOHN ANDERSON, Cartwheelman, secretary."

11,707. The substance of your petition is that you want a great reduction of rent, and that you desire compulsory purchase chiefly for the purpose of securing the reduction of rent?—Yes; we formerly had our bags, but now we can only get one load in a day.

Second Irish, examined.

11,716. The President.—Where do you come from, Mr. Irvine?—From Carragee, Drogheda.

11,717. What have you to say?—I wish to say that we are not allowed upon our estate to use what soil there is. Some have none for firing; the landlord of the estate under the Land Act won't allow us to touch it.

11,718. The Land Act did not make any difference with regard to it? It left the matter as it was?—The landlord won't allow us to touch it.

11,719. Had you the privilege of cutting turf before the Land Act?—Not on our own land.

Mr. Anderson.—There is not much on our estate.

11,720. Had you the use of turbarry before the passing of the Land Act?

The Witness.—We had.

Mr. Anderson.—We had not, it was cut out before the Land Act of 1831, except these small portions that he has referred to.

11,721. What do you want now?

The Witness.—We want our rents reduced in

11,708. You get enough turf to burn, but you don't get any to sell?—We have to buy coal besides.

11,709. You don't get enough to burn?—No.

11,710. Sir James Card.—What do you mean by saying you get only one load in the day?—It is eight or nine miles from here.

11,711. You cannot draw more than a load in a day, you mean?—No.

11,712. You mean that you are a long way from this fuel?—Yes; we used to have the bog on our own estate.

11,713. Mr. Nelson.—That bog is cut out now?—Yes.

11,714. And fuel is a very expensive article now?—Yes.

11,715. The President.—And I suppose turf is getting more and more scarce every day?—Yes.

such a way that we can live and pay the Govern- *Second Irish,*
ment.

11,722. Above all things, you want a reduction of rent?—Yes.

11,723. What do you consider would be a fair number of years' purchase to give?—It is the opinion of the principal parties that I have been speaking to that fifteen years would be about the figure.

11,724. You are aware that that would make a considerable reduction in your rent to the landlord? The landlord would suffer a great deal on three terms?—I am speaking of the judicial rent. The rent is quite too high.

11,725. Would you be willing to trust yourselves to the Purchase Commissioners, and abide by the number of years that they consider a fair that you ought to pay?—We must pay.

11,726. Mr. Keble.—Will you be willing to leave it to the court of the Land Commission to say what number of years?—Yes; we must be law-abiders.

John McKenna, examined.

11,727. The President.—Where do you come from, Mr. McKenna?—From Drumery, Blackwater town, from South Tyrone.

11,728. Do you agree with what these other gentle-

men have said?—Yes. I agree with what Mr. Irvine and Mr. Anderson have said.

Mr. Irvine.—We say that about fifteen years' purchase would be a fair thing to give.

Sir John Gilbert Stange, Bart., of Tyrone Abbey, examined.

11,729. The President.—As we know, you are a large landowner?—I am a landowner in six counties. I am sorry to say, two in Connaught and three in Ulster, and I am chairman of the Board of Guardians of Armagh Union.

11,730. We will take this county first. Have your rents been fairly well paid?—They are not receivable until the latter part of the year, but last year I think my rents were fairly well paid. I do not complain very much. Of course, there were some losses, but I say that they were fairly well paid, more particularly looking to the condition of the country.

11,731. Is there any combination for the purpose of withholding the payment of rents?—I do not believe there is. I am not aware of the existence of any combination.

11,732. Have you given any abatements?—I gave abatements last year and the year before, and my brother did the year before that, but I may say that these abatements were given with the view of meeting the wishes of the tenantry not to go into the Land Court. Both the landlord and tenants desired it possible to avoid litigation and to avoid going into the Land Court, and in the result I gave a general reduction of rent, and I believe the tenants were perfectly satisfied.

11,733. Then you have no judicial rents upon

your property here?—They are all judicial rents here—judicial by agreement. They accepted judicial rents of fifteen years' lease under the court; that was by the act of the landlord and the tenants jointly.

11,734. There were agreements made between them?—Yes; they came in from time to time, and probably it extended over a couple of years, the whole transaction; but some were in more of a hurry, and came in at once.

11,735. You were finished in 1863?—No; I should say that we were finished about the end of 1865. In fact, I have signed judicial leases this year. We had sometimes a little negotiation going on about it, and that delayed it, and I have signed some recently. In all these cases I allowed them to date back.

11,736. They were made retrospective?—Yes. I made them that.

11,737. In the agreements that were made last year, did you put the rent at a lower figure than in cases in which the agreements were made some years before?—Yes; they paid a reduced rent last year.

Mr. Nelson.—I do not think you understand Lord Cowper.

11,738. The President.—You made some agreements last year?—Yes.

11,739. In these agreements, then, did you fix the agreed rent lower in proportion than you did in the

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John Anderson.

John McKenna.

Sir John Gilbert Stange, Bart.

Nov. 2, 1865.

Mr John Calvert Strong, Clerk.

agreements that you made in the two years previous to that—I cannot say so. I think it was on the same principle. It was more in the nature of a percentage reduction, with a trifling difference such as might arise from peculiar circumstances. As a rule, it was principally a percentage reduction.

11,740. Do you think the tenants find it difficult to make their rents out of the land at present?—I heard that stated, but I cannot exclude from my consideration the very general outcry there has been against landlordism and the rents generally, and I think it is a cry that naturally would be taken up by the tenants. I do not blame them for it; of course flesh and blood cannot resist the temptation that there is placed before them to cry out for a reduction of rent, but I have been in the habit of managing land for, I may say, more than fifty years, and I remember when prices were very much lower and rents very much about the same.

11,741. Is it near here you speak of?—Yes, within ten or twelve miles of this town.

11,742. How long ago?—I was a very young man indeed when I was agent for Lord Rossmore's estate in the county Tyrone. I held it from 1832 to 1836, that is, fifty years ago, and prices were lower then than they are now, and the rents were paid then cheerfully.

11,743. Labour was much cheaper then?—Undoubtedly it was.

11,744. Sir James Caird.—Were rents lower?—They were about the same.

11,745. The President.—Were there not houses then in the farmers' houses?—I have heard before while I was riding along the roads and passing the houses at that time, and there was a good deal of that kind of opening and loud weaving going on in the country, but it was confined to particular districts. I do not think it was perfectly general.

11,746. You do not think that the people, as a rule, paid the rent out of their houses?—I am quite sure they did in many districts; it helped the men to make the rents in many districts, but that was not a universal trade. It was in many districts, no doubt.

11,747. Mr. Keble.—It would apply to the county Armagh?—I have no doubt to Loughgall and about there; but it would not apply to large farmers; it would apply to the small holdings.

11,748. Mr. Nelson.—It would apply more to the small holdings than to the larger ones?—Quite so; the substantial farmers were not weavers, but they were in the small holdings, in what would be called crofts in Scotland.

11,749. The President.—Is there sale of tenant right amongst your tenants?—I have not heard much recently about tenant right, but one or two farms have been sold, and I think they sold very well.

11,750. But there has not been much sale of tenant right?—There has not been much change in the possession of land recently. I know of one or two farms that have passed from one tenant to another, and tenant right has been sold for a considerable sum of money.

11,751. We have a good deal of evidence to show that tenant right is almost unobtainable now?—I can hardly speak from experience, because there has been very little change in the position of my estate, and I think that a change of possession generally results from the people getting into circumstances which create the necessity of parting with their farms, but that has not been the case on my estate. There have been no legal proceedings to evict the tenants, which would be a primary cause of the disposal of the tenant right, but when that has been done, a man goes and gets a neighbour to buy his farm. I do not think they are disposed to sell these farms generally; at all events, I have not found it so.

11,752. Do you see a great depreciation in the cultivation of land on your property?—No; in every

sense the country is improved; the people are more comfortably housed; they are better clothed, and they live better than when I first became acquainted with county business.

11,753. You refer to the farmers?—The small farmers, and all large farmers now, I observe, lay little traps, and drive to fairs and markets, while they used to walk. I observe the people wear good shoes and stockings, and in my youth the men sometimes went without shoes, and the women seldom wore them at all. Now they all wear shoes. I see a very considerable improvement in the condition of the people, and also in the condition of their houses.

11,754. You are speaking now of the tenant farmers?—Yes, and of the laborers as well; there is a general improvement in the country.

11,755. Now, with regard to the Purchase Act of 1835, have you considered it at all?—With regard to the Purchase Act of 1835, it appears to me that in a great portion of the county Armagh, in those places where there are leases or free-farm grants, under the Board of Trinity College, Dublin, and free-farm grants under the Leaseholders' Renewable Conversion Act, it would be almost impossible to carry out Lord Ashbourne's Act, because the occupying tenant purchasing would be liable to the whole of the head rent, and his liability could not be made a series of annuities, because the payment of the head rent may run him altogether. Unless some provision is made to get rid of these difficulties, and to leave the immediate landlord and the occupier to come to some arrangement about the rent, I do not see how Lord Ashbourne's Act could be worked at all. The head rent is in a different position, because it is the rent receivable by him that spreads over the whole. The immediate landlord has no connection with the occupying tenants, and the occupying tenants have now power to come into court and get a reduction of their rent and a judicial lease as against the middleman, but the middleman has no power of obtaining a corresponding reduction from the head landlord, consequently the head rent reserved by the head landlord continues to rest upon the whole property, and it puts a stop to any movement in the direction of purchase. Now, with regard to the county, there are very large districts, and some of the most important districts about any place at present Armagh,—some of the most important parts of the county Armagh,—where it has actually come to a deadlock. Nothing could be done in the way of carrying out Lord Ashbourne's Act.

11,756. Do you think it would be fair to compel the head landlord to sell?—I think, if the matter were referred to a judicial tribunal competent to take all the circumstances of the case into consideration, and estimate what would be a fair price for the head rent, having reference to the circumstances, I do not think there would be any great hardship. I am myself a head landlord in Connaght. One tenant pays me £300 a year, and I suppose he rents the estate for £2000 or £3000. Not one of his tenants could buy from him, because my head rent rests upon them all.

11,757. And you would not mind being compelled to sell if you got your terms?—Yes, know they are a good as Connaught, and I think they are entitled to a higher price. There are very peculiar circumstances with reference to the Trinity College property. They are under a separate Act, and the circumstances are not the same as those of the landlords generally in Ireland. I should like to explain that the rents which are held by the middlemen under the college have been occupied by them and their predecessors about 300 years—since the original grants were made. I call myself a middleman, because I am in that position. It is rather an invidious term, but I take it for the sake of illustration. At the time that these lands were granted,—it was just after the Decade and O'Neill went, when the country was desolate—

the college was founded by Queen Elizabeth, and it had only these grants to support it. The college was in this position, that they had to say to men of substance: "Here are the lands; give us a fair rent, and we will give you fair terms and twenty years' lease." Leases were granted to those who were called undertakers upon their estates. Of course they imported new residents, and furnished the capital for rebuilding. The constitution of the college was anomalous, because the rents payable to them were applicable to the chief of the institution, and the Fellows who were the governing body had no immediate income. These men were the governing body, and they said, "We will add a year to the twenty-year lease, and take a fine of 6d. in the pound"—that was the fine paid twenty years before the leases fell, so that absolutely they had the interest of this in 6d. and that went on for nearly 300 years. At last the Fellows said it would be better to run out their tenants, but the Government would not do this. The intermediate tenants had this so long, and it was not fair, and there was a great deal of communication on the subject, and ultimately an Act of Parliament was passed, under which these lands are now held, and the tenants complain that under the provisions of that Act the college has had power to increase their rents, because the college maintained that the commodities by which they were making the rents had risen, and they have raised the rents, vide at the same time the occupying tenants have a right to go in and claim a reduction. The consequence is that the middleman is ground between the upper and the nether millstones. One is lowered under the Act, and the college is raised under the Act of Parliament. It is really a monstrous Act of Parliament. It would detain you too long if I were to follow up this subject at any length.

11,753. Is there actually any case in which the middleman has to pay more than the rent he receives?—He has to pay more, because he had twenty years against the college, at the old rent, when the new lease was taken out. The exact value was calculated, and it was ascertained that they paid the full value in 1851, when these grants were made. They paid the full charge. They have raised these rents on the idea that the prices of produce have risen. The intention of the Act was that the College should share in the increase if the middleman raised his rent, but the way in which it was worked has been very unfair.

11,754. The President.—You think the best way out of the difficulty would be that the college should sell at a fair price?—Yes.

11,755. How many years' purchase do you think would be fair?—I know land, a large estate, which was sold in this county for thirty years' purchase.

11,756. Those are head rents?—Ordinary rents.

11,757. We are at this moment talking of the head rents.—Under ordinary circumstances they should be worth more, but I do not think that, because thirty years' purchase is quite out of the case. I think these head rents should be from twenty-three to twenty-five years' purchase; you see, they are so very well secured. The college head rents would be very difficult to purchase, because there is the power to raise according to the price of produce. Still I think a proper tribunal should be able to ascertain that.

11,758. Passing from the head rents to the ordinary tenancy, do you think the landlords are becoming anxious or willing to sell?—I think in some districts they are. I confess, in regard to the Armagh estate, that I should be very sorry to part company with the tenants, and it is a mere matter of sentiment with me. My ancestors have been here for 350 years.

11,759. But in the case of the outlying properties you would not have the same feeling?—I offered to sell to the tenants in Sligo for eighteen years' purchase, and they said that they would think about it;

that is about two months ago. I was willing to negotiate the matter, and they made me no offer, and said they would think about it. I was told that land was selling at about that.

11,760. That would be a loss of income to you?—Yes, of course it would. I do not suppose I could get more than 3½ per cent. for my money.

11,761. Even at 4 per cent. you would lose?—Yes, unless I got twenty years' purchase I would lose.

11,762. You can tell us, I suppose, what you consider the difference between the gross rental and the net rental?—I think Mr. Gladstone over-estimated it when he said 25 per cent. I do not think it is anything like that, because in this country the landlords have not been liable to repairs of houses except as a voluntary matter—I do not consider that as an essential outgoing. There is, of course, agency fees and title rent charge and some losses from insurances. There are some but not many cases in which they can sell the tenant right and pay down, I should say, 10 or 12 per cent. generally.

11,763. Mr. Nelson.—When you speak about compulsory purchase of the head rents, I suppose you think it a hard thing to sell them without at least an equivalent?—I should think it a hard thing. I get about 6s. an acre, and my immediate tenant gets about £2 per acre. That is in Roscommon, another property that I have, and not in Armagh, where there is no land that comes under that description.

11,764. Mr. Knipe.—These tenants that you refer to live in the county Sligo?—Yes, those that I wish to sell to.

11,765. Is there any desire on their part to buy?—I think they would rather get it without payment. Perhaps they might come round to buy. I think they would rather get it without payment, although they are not a bad sort of people, and I am on excellent terms with them. I believe they did drive a halfpenny away on one occasion; however, it was at the time of the Land League, and when it was at the worst.

11,766. At all events, you said you would take eighteen years' purchase?—Yes.

11,767. And perhaps you would take a little less?—Perhaps we might have come to an agreement; it is generally done by a little compromise on both sides; of course, I would be a loser in any case, but I would get rid of the better. It is in about the worst district of the West of Ireland; it is close to Tubbercurry, where Mr. Sheridan, the great organiser of violence in Ireland, was, I think, a public-house keeper. They are very different people in this part of the country.

11,768. If the county Armagh tenants expressed a desire to buy, would you give them the same terms?—I will only give this answer, that land in Armagh was and will be of infinitely more value than it is in that mountain district of Sligo. I would rather have an estate at twenty-five years' purchase in Armagh than one at sixteen years in Sligo where that property is. I would infinitely prefer it; one can live in happiness here.

11,769. It would be of advantage to get rid of the tenants in Sligo, but it would not be of advantage to get rid of them here?—It is a matter of feeling. I am not treating it as a matter of pounds, shillings, and pence. I like this district better, and the people better, and I would rather keep the people here, and sell there, and I am sure you would do the same thing yourself, Mr. Knipe.

11,770. I want to know, in the event of the tenants in the county Armagh having a desire to purchase, and wishing to buy, would you put them on the same footing, and give them the same terms?—I never have considered that question. I do not think it is likely I shall have to consider it, and I do not like to bring myself to do it. I would not like to be nailed to the counter with regard to that.

11,771. I am aware that there is a good feeling

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between the tenants and yourself, Sir James?—I hope so.

11,777. Sir James Caird.—With regard to the tenants in this part of the country, do you consider that their resources have increased or diminished?—It is very difficult for me to say about that. I think you know that the tenants in this country had an era of great prosperity towards the end of the last decade.

11,778. Up to 1879?—Up to 1879, and I think they have, and I was glad to see it an increasing expenditure. It is just the same way as the landlords might have been. I think that many have rushed in a bit too far, and borrowed too much money, and spent too much, and contracted rather extravagant habits, and, that being so, they naturally did not like to retrench,—none of us like to retrench,—and I fancy that that kind of feeling exists among them, and of course that might lead to difficulties, and I daren't there is some difficulty amongst very respectable tenants that they will have to struggle against.

11,779. Would you think it an accurate description of the difficulties of the tenants in this country to say that three-quarters of them are close upon bankruptcy?—I should say that is ridiculous; there is not one of them almost that won't give his daughter a handsome fortune when she marries.

11,780. You do not believe it?—I do not believe any such thing. I have no doubt some of them are straitened, and where that is the case they live somewhat too generously. We got six or seven years

ago 20 per cent. more for cattle than we get now, and they valued that very much.

11,781. You described the condition of the people a short time ago as having improved with regard to their clothing, and with regard to their personal comfort. Would the same observation apply to the labourers that you apply to the farmers?—Yes.

11,782. Is the condition of the labourer much improved?—They have better wages, and that is rather a loss to the farmer in many respects. The strong farmer is a man who can pay for hired labour, and he has to pay. A man who cultivates his own farm is not fixed in the same way.

11,783. Do you know anything with regard to the question of emigration?—do you know anything as to whether the farmer or labourer has emigrated, or whether they desire to emigrate?—There are very few of them who have not relatives in America.

11,784. People who have left the place, and gone to America?—Yes, and who have made money, and sent it to them at home.

11,785. Do they ever follow their people out to these countries?—Yes; the young people write to them and say, "You must come, and we will pay your passage."

11,786. Is that what has reduced the supply of labour in the country?—Yes.

11,787. And improved the condition of the labourer?—Yes; I think his condition is improved by emigration, and the population being less in the country.

William John Purdie, examined.

William John Purdie.

11,788. The President.—You are a tenant farmer?—Yes.

11,789. What part of the country do you come from?—From Tainbridge.

11,790. You are a tenant under the Duke of Manchester?—No, under the Count de Salis.

11,791. What is the nature of your holding?—Is it all one holding?—It is all one holding. Some of it is under lease and some of it is out of lease.

11,792. Sir James Caird.—How many acres have you?—Ninety-two under the Count de Salis, and some 43 under Lord Lurgan in the neighbourhood of Lurgan, which I occupy.

11,793. Mr. Nelson.—There are statute acres, I suppose?—Yes.

11,794. The President.—We will take first the 90 acres farm that you say is in two holdings, partly leased, and partly not?—The greater part of the 90 acres where I live is under lease; none of it is under a judicial rent.

11,795. Is it more highly rented than it would be under a judicial lease?—It is considerably higher; it is about 25s. 3d. per statute acre.

11,796. What is the date of the lease?—In the year 1827 it was leased.

11,797. For what term is it?—Three lives, and thirty-one years.

11,798. The President.—Then I suppose you would like to come under the Land Act and get your rent fixed?—Indeed I would like that very much. I was advised to go into court, for I used to get one receipt for that part which is out of lease and the other part which is under lease.

11,799. But you did not go into court?—I did, and got a judicial rent fixed, and was appealed against.

11,800. How much per acre did they put it at?—My rent was £127, 19s. 9d., and it was reduced to £100.

11,801. For how many acres?—About 90 acres.

11,802. The whole thing is 90 acres?—The whole thing is 93 acres.

11,803. How much is under a judicial lease now?—There is none of it. I was put out of court.

11,804. There is an appeal going on?—The appeal is passed.

11,805. What happened?—It went against me and was kept at the former rent.

11,806. The Commissioners had reduced it?—The Sub-Commissioners reduced it £27, 19s. 9d.

11,807. And the landlord appealed?—Yes; I was advised to go into court with what was out of lease.

11,808. Have you any statement that you wish to make to us, or any recommendation that you think we ought to hear?—I am here to answer any question that you wish. I have no statement to make.

11,809. I do not quite understand why this was held not to be within the Act.

11,810. Mr. Nelson.—He had one under lease and the other not. In the payment of the rent it was all taken as one, and he was advised to go into court, and the Sub-Commissioners ruled one way, and the head Commissioners another?—Yes.

11,811. The President.—You want to come within the sphere of the Land Act?—Yes.

11,812. Have you any wish to purchase your holding?—Not at the present rent; I would not purchase it at anything like the present rent.

11,813. You would not purchase it unless you got a considerable reduction at the same time?—Yes.

11,814. I suppose you find it difficult to pay your rent at the present moment?—I could not pay the rent off the land if I had not other resources.

11,815. In fact, your one great wish is to get a reduction of rent, no matter how it happens?—Yes.

11,816. Have you any other point upon which you wish to offer a suggestion?—I do not know that I have.

11,817. You say that you could not pay the rent at the present time unless you had some other resource to draw from?—I could not.

11,818. Have you been drawing upon savings?—I am connected with some other business. I am in the manufacturing business for the last twenty-five years.

11,819. Your experience is that you have not been making money by the farm?—Yes.

11,820. What do you say is the cause of that?—I have been deprived of two of the best paying crops in my neighbourhood. The wheat crop is lost to us, it would not pay at all; and then there is the flax

crop, and then the price of labour costs me double what it did twenty years ago.

11,821. Has there been any desire on your part to buy your holdings from your landlord?—No; so far as I can ascertain there has been no offer or suggestion made by either landlord or tenant—as far as I know.

11,822. You still think that the judicial rents are too high, taking into account the present price of produce?—I believe at the time that the judicial rents were fixed in my neighbourhood, about 1822 and 1835, the price of produce was 30 or 25 per cent. lower than it is now.

11,823. Have there been many sales upon your property?—Have there been many sales of farms?—No.

11,824. Have there been any farms put up for sale by the tenants?—Yes.

11,825. And they did not get a customer for them?—They did not.

11,826. Are they then unsaleable?—I only know of one farm, and it was put up two or three times, and

there was no bidder, and it got into the landlord's hands, and he divided it into three parts.

11,827. What was the extent of this farm?—What was the number of acres?—I am not certain, but I think it was about 40 acres.

11,828. And no sales have come under your notice for the last two or three years?—No; I think that land on the estate that I am living on is at a dead stand. I do not believe it would sell at all, except perhaps in the case of a small holding that a mechanic or some person like that would buy.

11,829. Mr. Nelson.—Do you say that has been the case for the last two or three years?—I say that has been the case for the last three years.

11,830. Sir James Caird.—I think you said you were a manufacturer, in addition to being a farmer?—Yes.

11,831. Is your interest as a manufacturer much greater than your interest as a farmer?—No; it is my two sons who are in the manufacturing line. I attend to the farm. I was always a farmer, and my father before me was the same; it is the farm I was reared on—that is, the farm under Lord Lurgan.

Joseph M. Doyle, examined.

11,832. The President.—I believe that you are a tenant farmer, Mr. Doyle?—Yes.

11,833. Where do you live?—At Dungannon, County Tyrone.

11,834. Is it very near Dungannon?—Yes, close to it.

11,835. You hold, I believe, between 400 and 500 1/2 acres?—Yes.

11,836. Is there anything particular upon which you wish to give evidence to us?—I would wish simply to say that the working of the Land Act has not given satisfaction.

11,837. Why not?—Parties generally hold the opinion that the Commissioners did not put on the rent according to the quality of the land.

11,838. Do you think that they valued their improvements?—Yes; that is one of the great grievances—that the improvements were not allowed for in the valuation.

11,839. When was your rent settled?—In 1883.

11,840. And you think that the improvements have not been allowed for in the valuation?—I am speaking generally about the feeling of the people, but I can give you the experience of my own case if you wish to hear it. I have made improvements in draining and dividing and levelling farms, and remodeling the farm, and building fences. I spent about £700 or £800 irrespective of the buildings altogether.

11,841. Sir James Caird.—What do you put the value of the buildings at?—I should say that the buildings have cost me about as much.

11,842. About £700 or £800?—Yes.

11,843. The President.—Can you sell to advantage if you wish to sell the tenant right?—I am sure I could not sell it at a price that would recoup the outlay that I have made upon it.

11,844. Do you wish to say anything to us about the Act of 1885?—Yes; I wish to say a few more words about this matter. Mr. Murphy, who was a celebrated land valuer in our district,—he acted, I think, in value all round,—was brought upon my farm and was examined when my case was being heard, and in reply to my solicitor he said I was entitled to 5 per cent. upon all my outlay, for the farm was one of the best managed farms upon which he had ever been; and that I should get 5 per cent. upon my outlay. The Commissioners gave me 8 per cent. only of a reduction, and I was not allowed anything at all for my outlay.

11,845. When did you buy your holding?—The farm was bought by my father in 1849.

11,846. How many years' purchase did he pay for it?—I think some of it cost £26 an acre, and some of it less, but I know that some of it cost as much as that. It was held at a low rent then under a lease.

11,847. Do you think that you could sell for that now?—Nothing of the kind.

11,848. And yet the land was higher by 8 per cent. then than it is now?—Not at the time of the purchase; it was held under lease at that time at 12s. 6d. an acre, and then it was increased, and it was the increased rent which was reduced. It is not nearly so low a rent as at the time it was purchased. Some of the farmers in the same townland got a reduction of from 20 to 25 per cent., because, I believe, their farms were not in as good a state of cultivation as mine. It was a strange way that the Commissioners looked upon it.

11,849. You think that your own improvements were valued?—Yes, the general impression prevails that the Commissioners, when they got a well-cultivated farm, look at the aspect and appearance of it, and of the farmer's appearance and the farmer's improvements, and believe that a less reduction will do him than in the case of a badly-managed farm of a poor man—that is the general impression that prevails in regard to the action of the Commissioners.

11,850. Will you tell me now what your view is about the Purchase Act of 1885?—Yes; but before I come to the Act of 1885 I may say a word to you with reference to what is believed to be a vindictive feeling on the part of the landlords, by compelling their tenants to pay in November, when formerly they were not compelled to pay before April. Now, where judicial rents have been fixed by the parties going into court, they are noticed to pay by the 1st of November, and if they don't pay there are costs put on them.

11,851. You mean that the landlords insist more strictly upon their rights?—Yes; I believe it is through vindictiveness, because the tenants went into the Land Court. I know one case upon the property on which I live. A man went into the court and got a judicial rent fixed; and it was stated, and I have no doubt it was true, that a notice was sent to him by post. He did not receive that notice, and he was then served with a writ a few days after the notice was served, and he had to pay costs upon that writ. It is believed that that was very sharp practice indeed.

11,852. Is that all that you wish to say about the Act of 1885?—I do not recollect anything else.

11,853. Now with regard to the Purchase Act, what have you to say about that?—Well, I believe that the number of years' purchase under the Act of 1885 are quite too many. We believe—I think it is a general impression amongst every one of all parties, Conservatives and Nationalists alike; there are only Conservatives and Nationalists now—these are the only parties that exist in the country—it is a general

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impression that about fourteen years' purchase, or two-thirds of the number of years stated in the Act of 1885, would be about right.

11,854. Mr. Neligan.—I am not aware that there was a number of years stated in the Act—it gives no scale of purchase.—Well, perhaps I am confounding it with the Act which Mr. Gladstone brought in, and which did not pass; but, at all events, it is believed that fourteen years' purchase would be the outside, and a reduction according to the quality of the land, and even as low as nothing at all.

11,855. You are for compulsory purchase, with, probably, nothing at all in some cases?—Yes; where land is good; I should say that the best land in any district would not be worth more than fourteen years' purchase, and, of course, bad land would be worth very little, if anything. There is another notion with regard to the 4 per cent.—the notion seems to prevail—there is no doubt that it does prevail largely—that it should be reduced to 3 per cent., and the number of years increased for payment, say to sixty-six or seventy years.

11,856. Mr. Keble.—Have the landlords now the same consideration for their tenants that they had before?—Certainly not; they seem to throw every obstacle in the way of the tenants. I think I may mention a case in point. I was notified to pay my rent on the 1st of November. I am not altogether confined to farming, or I could not have done so. My other business would have enabled me to pay it, but I could not have paid it off the land. Last my neighbours should find fault with me for paying it, I immediately wrote to the agent asking, or stating that I believed there would be a reduction generally asked for on the estate, and if such a reduction were granted, would I participate in it? that if so, I would pay the rent, and that if not, I would lodge it in the bank. His answer was: "If your rent is not paid on or before such a date, I will hand the matter before his lordship's solicitors." That shows you the state of affairs that exists.

11,857. What time had the rents generally been collected?—Formerly they never got notice to pay until the following January.

11,858. They were due in November, and were not asked for until January?—Yes.

11,859. And in this case you were asked for the payment the moment it was due?—Yes.

11,860. And this took place immediately after the passing of the Land Act?—Yes; I wanted to test whether there could be any change made. I wanted to see if this could be done away with. That was the reply that I had: "If you don't pay," and so on.

11,861. Have any landlords in your locality given reductions on the judicial rents?—I do not know of any.

11,862. Have they met their tenants in a friendly way this last two years, or given them any assistance? No; formerly there was time given to the tenants at about half-price, and that has been withdrawn, so that the landlord seems to take no interest whatever

in the welfare of the tenant—all they want is to get their rents.

11,863. Is there a desire on the part of the tenantry to purchase in your part of the country?—Yes; but they would not purchase at any price except one that would reduce their rents to half, half of the judicial rents. I have gone amongst them, and I am in a position to state that that is the state of the general feeling. They would purchase at a price that would reduce the judicial rent half of what they are now. They all say that, if present relief is what is wanted. They wish to have the time extended, and the rate of interest lowered, as I said before.

11,864. Mr. Neligan.—They wish to have the number of years extended?—Yes.

11,865. And they want to have the interest reduced to 3 per cent.?—Yes.

11,866. They think that would take part of the burden off?—That is what they consider to be desirable.

11,867. Sir James Caird.—I think you said that the best land was not worth more than twenty years' purchase, and that the worst land was worth nothing?—No; I said fourteen years for the best.

11,868. You say fourteen years for the best land?—Yes.

11,869. And the inferior land would be, perhaps, worth nothing?—In some instances, I am sure, it would be worth nothing.

11,870. Then you draw a clear distinction between the number of years' purchase fairly receivable for good land, and that which would be fairly receivable for inferior land?—I would say the variation between the best and the worst would be from fourteen to seven or five years.

11,871. If you had to buy 50 acres of land, and that it was good land, you would give a fourteen years' purchase, but you would not give more than five or six years in the case of bad land?—Yes.

11,872. And that difference, which you would make, would arise from the greater safety that there is in purchasing one than the other?—Yes.

11,873. Is that the consideration that has been borne in mind generally, and recognised by the Commissioners in the country?—I believe they only reduced the rent of bad land.

11,874. You think that the deficiency between the value of good land and the value of bad land ought to be recognised?—Yes; although it has not been recognised sufficiently in the case of the fixing of judicial rents. Some people may say that the same number of years' purchase should be obtained upon each, but I do not see how that would work. There is a distinct difference between the two classes of land.

11,875. You do not think that that would work?—Quite so.

11,876. Because the security on the one is so much better than it is on the other?—Yes.

William Smith, Robert Dodd, Thomas Palmer, Robert Cutler, Charles Uprichard, and Richard Withnell called in.

William Smith, examined.

William
Smith.

11,877. The President.—Mr. Smith, you speak on behalf of this deputation?—Yes; the other gentlemen who are here are Mr. Robert Dodd, Mr. Thomas Palmer, Mr. Charles Uprichard, Mr. Robert Cutler, and Mr. Richard Withnell.

11,878. You wish to say something to us?—Yes; we are all from the county Armagh. We do not know of any illegal combination in any way against the payment of rents, but we believe that, owing to the depression of the prices of agricultural produce since 1884, the farmers are unable to meet their lawful demands. Cattle have fallen in price; grain, pork, grass-seed on an average we consider to be fully 50 per cent. lower than what they were in the year 1884. We believe that the Legislature should

look around them and see, and grant to such remedial measures as would enable us to meet our lawful demands, and we believe that this should be done at once, if possible, for we believe the country to be almost in a state of bankruptcy, that is, the farmers of the country are almost in a state of bankruptcy, and to our knowledge there are a great many men who are unable to meet their lawful demands, and, owing to the great depression, we believe that it will be impracticable for the country if this rent of 1884 be forced from them. We also believe that it will be quite necessary that the Government should interfere at once, and so far as possible grant peasant proprietorship to a certain class of tenants. That would be a great

ready. I consider that if I was paying in cash out of my own pocket, that fourteen years of the judicial rent would be all that I would give, but if the term was extended to forty-nine, owing to the long boom, I would give sixteen years. I mean that if we purchased on the extended time I would give sixteen years.

11,879. Sir James Caird.—Are there many farmers who can pay cash down?—I do not know of any. I do not think there are any. There are men of private means who might, but I believe that they are very few.

11,880. You know the Act extends it to forty-nine years?—Yes.

11,881. Do you say that that would be a fair number of years to give on that length of time?—I would be willing to give sixteen years, and believe it to be a fair price. I believe it would fairly meet the landlord's interest. If the Government advanced the money, I would agree to give sixteen years under the Act of 1855. I believe in compulsory sale. I believe that I should be able to give my landlord more than I intended to purchase, and that in case of a dispute the Land Commission should interfere and settle the fair price. I believe that the farmers who from 8 to 30 acres of land are the most depressed class of farmers in Ireland. I would also say that men who live by farming alone, without any other occupation, should be looked to at once, and

that every class should have liberty to purchase. Owing to the season being a raw, cold season the quality of crops has very much fallen off, and where the average yield of a crop is below 10 cwt. of oats to the acre I believe the tenant has no means of paying a fair rent. There is a large district of turf bog where we live, and I think that where it is not given for the use of the people that the tenants should have liberty to cut it, either for firing or for sale. That is a considerable industry, and I think what I say is only fair.

11,882. You want compulsory sale at sixteen years' purchase? You say that the farmers find it very difficult to pay their rents now in times of great depression, when the price of produce has gone down so much, and you think that that bog should be opened to public use so far as the tenants are concerned?—Yes.

11,883. Mr. Nelson.—I suppose you would apply the same principle as regards the turf to coal mines?—Yes; they should be opened to the public at large for the good of Ireland—all mines of coal and minerals.

11,884. What do you include as minerals?—Everything for the use of mankind at large; in some places there are gravel pits.

11,885. Every product of nature should be open to the free use of every man born in the kingdom?—Certainly.

Robert Duddy, examined.

11,886. Sir James Caird.—You wish to say something to us?—Yes; there is a good deal in the last witness's evidence which does not apply to the rest of us. In some cases the circumstances are different. We are about 750 feet above the sea-level.

11,887. What part of the county is this?—It is on the road between this and Newtownhamilton. There is a considerable quantity of bog belonging to the landlord we live under. He sets it at from 20s. to 12s. an acre, and he won't give it to the tenant free.

11,888. Mr. Nelson.—Is it by the road it is sold?—By the perch.

11,889. How much by the perch?—16d. the perch. 11,890. Is that the long or the short perch?—It is 4 1/2 perches to the perch, the English perch. The property I live on was under the trustees of a deceased gentleman who lived in Dublin.

11,891. Is that good bog?—Yes; the property we sold in 1855, and he raised our rents. He first took up the dead half year, and we paid that, and then we got notice to quit, and the rents were raised since the passing of the Act of 1870.

11,892. How much?—400 per cent. in some cases, and in some others 150. It was left to arbitration. It does one man, and I chase another. They put 50 per cent. on our rents. That was by arbitration, and was called.

11,893. Where was that rent fixed?—In this very room.

11,894. Did the tenants appoint one man and the landlord another?—Yes, and the Government appointed one—two land-agents against a tenant farmer.

11,895. When was that?—I have not the exact date, since then, any one who brought him into court got notice to pay the rent up to the very moment. We were five years ago in court.

11,896. What you mean is that he is harder upon you because you put him into court?—Yes; there was a great many others put him into court too.

11,897. You mean beside yourselves?—Yes.

11,898. Does he treat them all in the same way?—Not exactly; some of them cannot pay. I did not make the rent these two years off my own farm. I have other means that I have to pay it out of. I have a man who had £200 in the bank, and he had to draw it out to pay the rent. These last two or three years the prices have gone down so much that

we cannot make it out of the land. The crops have gone down greatly. For instance we used to get 16s. a stone, but we now only get 4s. 6d. or 5s. or 7s.

11,899. Sir James Caird.—You said, I believe, that you live 750 feet above the level of the sea?—Yes.

11,900. All the farm?—Yes.

11,901. And the farms of the others with you?—Yes, in the same townland.

11,902. What rent do you pay?—The judicial rent in one case is £13, and the old rent was £15. I appealed in that case, and I thought I would get some help from the Chief Commissioner, but I did not.

11,903. Thirteen shillings an acre, you mean?—Yes.

11,904. Does that rent comprise all the land, or only the part of it that is profitable?—There is the worst in that.

11,905. It is included in that?—It is included in that.

11,906. What is the rent that you pay for the other?—The Commissioners made it £37; it was £22, 10s. before that.

11,907. It was reduced from £32, 10s. to £27?—Yes, but it was £31, 10s. 5d. when I bought the property.

11,908. Is there any tenant right there now?—If we could get any one to buy it, there might.

11,909. You bought the place, you say?—Yes.

11,910. How much did you pay?—£500.

11,911. How long ago is that?—It is twenty-five years ago. The flax crop was doing fairly at the time, and they were most indulgent landlords then. If I had known that this man was going to get it, and was going to be placed over me, I would not have bought it at all.

11,912. Has there been any sale of tenant right in this part of the country lately?—There was a sale at 2s an acre for 55 acres, and that was the best farm in the townland.

11,913. Mr. Nelson.—How long ago is that?—Two years; the tenant became bankrupt, and it was sold in the court here.

11,914. And how much was got for it?—£6 an acre, but I have seen the time when it would have brought £16 instead of 2s. The rent was raised by the landlord just the same as my own was.

11,915. Sir James Caird.—Did your crops always ripen at that elevation?—Any less oats that I had

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William Smith.

Robert Duddy

Nov 3, 1886. this year were nearly lost, and half did not ripen. Some of them were not got in.

Robert Deddie. 11,916. Have you had many years' experience similar to that experience of yours when the crops did not ripen?—It is not always so bad as this, but if there is a damp or wet season, the producing power is always low.

11,917. How about potatoes?—The potatoes have been better these last two or three years.

Thomas Palmer.

11,921. Sir James Caird.—Have you anything to state that has not been already stated to us?—I come from nearly the same place as the first gentleman, and I entirely agree with what he said, so there is no use of my repeating that part of it, but I wish to state further that in our part of the country we were dependent very much upon the linen trade to pay our rents. The linen trade has failed, and now it will hardly pay the weaver. Now, at the present time farmers are in such a depressed way that they cannot pay their rents at all. There is at least 75 per cent. of the farmers with from 50 to 30 acres, and they are the worst off; those having 5 or 6 acres can pay their rents much better on account of the work in Scotland, and some of their friends who have gone to America send home large sums of money to them here. In this part of the country there is a great deal of bog, and formerly we had the privilege of cutting as much turf as we wished at a nominal price. Since, however, the tenants went into the Land Court, the landlords have been so displeased with them that they prohibited them from cutting the turf. That was the means of chasing hundreds of people out of the country. The turf had enabled them to pull through the winter time, but now they have to go to America.

11,922. That liberty to use the bog enabled them to live?—They partly lived by it. It was a source of income to them, but now that is all stopped.

Thomas Palmer, examined.

Portadown is a very ready market for tithary. Now they have to get coals from England, and they are settling down to burn coal entirely, except in some very poor houses. I should think from 10 to 50 per cent. reduction on the judicial rents might help a tenant to tide over the present hard time, and I think less would not be of any service; unless we have better times, and that very soon, I think that would be necessary. I am in business, and I have £3000 out, and at the present time I could not get £30 of that in, although the money is out in people with 20 and 30 and 40 acres of land, and so on.

11,923. Is that money that you advanced to the tenants?—That is goods that I have advanced to them, as I told you I am in trade as well as being a farmer. It is totally impossible, unless by pressing the people, to get money from them. I know some men who have borrowed from those banks, and have borrowed in one bank to pay the landlord, and in another month they will have to borrow from another bank to pay the money that they got from the first bank. I have known several instances of that.

11,924. Mr. Knipe.—Have there been many cases of farms changing hands in your locality?—There have been very few cases.

11,925. Has tenant right gone up or down in value?—It has gone down.

Robert Charles, examined.

Robert Charles.

11,926. Sir James Caird.—What have you to say to us, Mr. Charles?—This townland that I live in is on the estate of Francis B. Cope, Loughshawn. There are eleven tenants who have got judicial rents fixed by the Land Court; I think five of them got their rents reduced, and one has still to pay the old rent. There were nine tenants in this townland who got their rents fixed in 1882, and others in 1883, and up to 1885; but I want to state to you that the rents that were fixed in 1882 and 1883 cannot be paid now owing to the great fall in the price of all kind of agricultural produce. I made a list of these nine tenants who got their rents fixed in 1882. The average reduction of these nine tenants on the old rent is 13½ per cent., the average reduction on the poor-law valuation of the land was only 10s. 6d. per cent. The tenth man got his rent fixed in 1883. He got 11½ per cent. reduction on the old rent, and 3 per cent. reduction on the valuation of the land. The eleventh and last tenant got his rent fixed in 1885. He got 33½ reduction on the old rent, and 18½ per cent. reduction on the poor-law valuation of the land, so that, so far as comparison goes, I say that there is a great inequality in the rents—a great inequality between those fixed in 1882 and 1883 and those fixed later; and that the rents fixed in those years are not fair rents now, owing to the fall in prices that has taken place. With reference to any combination to resist the payment of rents, I beg leave to state that the tenants have made every effort that they could to pay the rents. These tenants who got the judicial rents fixed in 1882 were pounced upon by the agent to pay the hanging gale,—you know what the hanging gale is, of course; it is a half-year's rent,—and many of the tenants had to borrow money out of the local bank, and had to pay from 9 to 14 per cent. on

it since then, in order to meet the demands made upon them; and many of these tenants in our own townland have not been able to pay it off, for I have been called upon frequently to get a man in the money-lending business to help them. I know they are in very embarrassed circumstances. As regards the provisions of the Land Act of 1885, I may say that we had a meeting on our estate about a month ago to consider whether we would apply this year to the Lord Chancellor. The Lord Chancellor has the management of the affairs of the estate with a committee that is appointed. About twenty of us met to consider about the necessity of applying to the Lord Chancellor for a reduction in this year's rent, and we also considered the question, whether we should apply to the Lord Chancellor to know if he had power to sell the estate, or if he was disposed to do it, and the majority of the tenants objected to buy on the basis of the judicial rents as they are now fixed, as there is such an inequality. They would not buy on the basis of the judicial rents, but they agreed that, if they were revised, they would be very willing to buy at a price that would reduce the rents to something that they could pay. The question was also put before them.—Suppose the estate was offered for sale, would they be willing to give fifteen years' purchase? Out of eighteen or twenty, there were only two besides myself who said that they were willing to buy at that price.

11,927. Mr. Nelson.—They would not buy a fifteen years' purchase on the present rents?—The majority of them would not.

11,928. You know that that would reduce the present rents by 40 per cent?—That was the amount that we counted upon.

11,929. It would take 40 per cent. off the rent?—

Yes; we were aware of that. Now, I think I may refer to those transactions to some greater extent. One farm was reduced from £14 to £13—£14 was the poor-law valuation of the land, that was about 7 per cent. of the poor-law valuation. So far as the other case is concerned, the tenant bought it about the year 1879 or 1880; I do not know which year. He purchased the tenant-right of it. The Commissioners would give no reduction, and it is left at 53½

per cent. above the valuation. That is 40 per cent. higher than the other portions, and I, for my part, could know no difference in the quality of the land. I mention that case with the object of showing the inequality in the rents that exist.

11,930. Mr. *Ndians*.—The Commissioners either valued one very much too high, or the other very much too low.

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Robert
Cutler.

Charles Uprichard, examined.

11,931. The President.—You have heard the evidence given by the other gentlemen who accompanied you here?—Yes.

11,932. Do you agree with it?—Yes; if we do not see that a change it will be very much for the worse in our part. The country is in a very miserable state.

11,933. You agree with what has been said on that point?—Yes.

11,934. Is there any new point upon which you wish to speak—anything you wish to add that we have not heard yet?—No, no new point. I would wish something to be done very soon about the turbary. It is the only way we had to live; by heaving the land we are able to make a better crop on poor portions of the land.

11,935. By heaving you mean burning the land?—Yes.

Charles
Uprichard.

Richard Wetherell, examined.

11,936. The President.—You have heard the evidence given by the other gentlemen?—Yes.

11,937. Have you anything to add?—Yes; I have been reared upon this bog spot—

11,938. You know we have already heard a good deal about this?—Yes; but the other gentlemen have only a little bit.

11,939. Does the landlord prevent you from cutting turf for firing for yourselves—in fact, I suppose you will corroborate the evidence that has been given before, and rather strengthen that with regard to the bog?—Yes.

Richard
Wetherell.

William Gamble, examined.

11,940. The President.—I believe, Mr. Gamble, that you speak for yourself?—Partly for myself; my brother was to come, but he was not able.

11,941. Will you state shortly what evidence you wish to lay before the Commission?—I have a great objection to this college sliding scale. I have one or two leases under it. I would like that the sliding scale should be dealt with. I say it is going up the hill when others are coming down. In 1885 they made us believe that it was a lease in perpetuity, and that there would be no more rent. The rent is 22s., according to the sliding rent; but in other places near as the rent is no more than 17s. or 18s. Mr. Armstrong is the landlord, and he has other land, and I went into court and got a reduction. Trinity College claims to be able to charge as more.

11,942. Do you hold straight farms in Trinity College?—No, from Mr. Armstrong.

11,943. You can reduce his rent?—No, I cannot.

11,944. Because you have a lease?—Yes.

11,945. That stops it?—Yes; and he has power to put on me as much as the college puts upon him, and he has done that.

11,946. What you want is to come under the Land Act, I suppose?—I would rather that the sliding scale was improved in some way.

11,947. Do you think that the landlord would behave fairly to you if it was not under Trinity College?—I am barely contentable, and have been for thirty-five years, and perhaps I might be able to give you some information that otherwise I could not.

11,948. Prices are gone down a good deal?—Yes.

11,949. Rents are difficult to pay?—Yes; since 1881 prices are greatly down. I made inquiries about the prices.

11,950. I do not think that we need trouble you about that. We have already got a good deal of evidence about the prices. What do you say about Lord Ashbourne's Act? Is there any one you know wishes to purchase?—I do not think they would be willing to purchase unless there was a fair rent fixed now. Prices have gone down greatly from 1881, and it would be impossible to pay the fair rent.

11,951. You, I suppose, would purchase for the sake of getting the rent lowered?—I believe, if the rents were brought down as much as the prices have

fallen, the difficulty would to a great extent be obviated, and if that was made the basis of purchase, so far as I am concerned, I would purchase. What I mean is, if we got money at 5½ or 3 per cent., a good many of the people I have been talking to would be willing to have it extended to seventy or eighty years, or to a hundred; what they want, however, is immediate relief. Things are a great deal worse than most people would think, for, as I have said, I have a great opportunity of seeing and judging. I go a good deal amongst them, and I see a good deal of the misery of the people. I wish to say that the small farmers are very honest people. I never knew a small farmer deliberately trying to wrong me out of a shilling.

11,952. And he would pay his rent if he had it?—Yes; they would borrow to pay even the county cess.

11,953. Have they borrowed much lately?—I do not know that they have done so very much in this county, but it is not out of the land they are making the rent. After the people get in the crop some of them go to England, and many others have gone to America. I have known people often to go to America, and to send home money, and this money was used for paying the rent.

11,954. Mr. *Kings*.—You have a general knowledge of the financial position of the farmers in this part of the country?—Yes.

11,955. What is the result of your experience on that subject? Are the farmers in reduced circumstances do, you think?—They are greatly reduced.

11,956. To what cause is that attributable?—The cause is the low prices. You can see that in a great many cases; flax is not at all what it used to be. It is not the same; the yield is not the same, and the price is not the same.

11,957. We have had evidence with regard to the prices of these articles. With regard to the general state of the country, it is admitted by all that the last two years have been most difficult years in which to collect rents?—Yes.

11,958. Have there been any reductions given by the landlords in your locality upon the judicial rents?—Not on the judicial rents that I know of at all. A good many landlords won't give reductions without

William
Gamble.

Nov. 2, 1885.

William
Gaskell.

being brought into court; and then when that is done they don't like it, and they make the tenants pay for it, and that is a thing that the tenants are very much afraid of.

11,959. Now, with reference to the tenant right, have you known many farms to change hands lately?—I do not know any one willing to buy a farm.

11,960. Have you known farms put up for sale where there was no bidder to be got?—Yes.

11,961. Would these farms have sold for a considerable sum a number of years ago?—Yes; some of them would have brought £10 or £15 an acre.

11,962. Your experience is that the value of tenant right has gone down?—I believe it is almost all gone. I bought a farm, and I was glad to give it back to the man for what I gave, and only that it is adjoining the farm which he has in his hands at present he would not take it from me at all.

11,963. You, as barrow constable, of course, have an opportunity of knowing a good deal about these matters?—Yes; I am in a good position to know, and I can say that it is very difficult to get money.

11,964. And yet the people are willing to pay?—It is astonishing how anxious they are to pay. They are all of them willing to pay.

11,965. Now, with regard to the Purchase Bill, would there be a general desire, do you think, on the

part of the tenants to avail themselves of Lord Ashbourne's bill?—Under Lord Ashbourne's bill I am afraid they would not pay 4 per cent. for the money, and give twenty years' purchase.

11,966. You are not bound to purchase, is it whatever the landlord and you agree to?—The landlord won't agree; the landlords won't sell unless you compel them. They have no notion whatever of selling.

11,967. Have there been many sales in other parts of Ireland?—Between the speeches of Lord Randolph Churchill, and one or another, they are led to believe that the times will come round again.

11,968. Are the existing rents well paid?—Yes; the people have sunk their means in the farms, and they don't want to leave them. They will try to keep their farms as long as they can. They do not seem any way anxious to get rid of the landlord if they can live on there. They are anxious to purchase, and they would be glad if they could purchase under that bill.

11,969. You do not think that they will be able to come to terms with reference to the price?—I do not, and I am afraid that, unless something is done in that way that we have been speaking of, the landlord and tenant will never agree. I am afraid that the fifteen years will not be satisfactory to the landlord.

James Wilson, examined.

James Wilson.

11,970. Sir James Chard.—You are a tenant farmer at Killylea?—Yes.

11,971. How much land do you hold?—Thirty-two acres.

11,972. Under what tenure?—are they judicial rents?—No; I have a lease.

11,973. What do you pay for the 32 acres?—£27, 8s 11d.

11,974. Do you consider that to be a high rent? would the rent fixed by the court be lower than that?—I feel a great difficulty in paying it.

11,975. Do you think if you went into the court that you would get the rent lowered?—I hope so.

11,976. Do you want to go into the court to get it fixed?—Yes.

11,977. You would like to go into court?—I feel I cannot meet my demands and live in it at the present rent.

11,978. Your rent is high, and you find a difficulty in paying it?—My landlord, before I got this lease, made an offer to raise my rent considerably, and I had made a great deal of improvements, and I had wasted the best term of my life, and if he had put on the rent that he said I would have lost everything. So, for that reason, I paid this money and

got the lease, so that I might have done with the anxiety, either of having my rent raised or be turned over to some stranger. I gave him £100, and my rent is very high.

11,979. Mr. Knappe.—You gave a consideration for the lease?—Yes; it was only renewable for twenty years, and I was forced to turn it into a fee-simple.

11,980. You were compelled to take out a perpetuity?—Yes.

11,981. And you wish now to go into court?—I would be anxious to buy out under Lord Ashbourne's Act if I could; that is the principal reason I would like to have the lease set aside.

11,982. Are there a number of leaseholders in your locality?—There are four, I think.

11,983. Did they give a consideration?—They did not give anything.

11,984. These were called *tailor parties*?—Yes.

11,985. That was all the landlord could give you?—Yes.

11,986. It was the same title that he had himself?—Yes; and he has the use of that money.

11,987. You are desirous that you should be added to the benefits of the Land Act of 1881?—I would like to buy out, if I could buy on reasonable terms.

John Clarke Adams, examined.

John Clarke
Adams.

11,988. The President.—What do you wish to say, Mr. Adams?—I wish you could reduce the county cess between landlord and tenant. There was a law passed some time ago that the county cess should be divided. I would like that the cess should be put on the landlord.

11,989. I think that is somewhat beyond our

capacity?—Just so, I thought you came here to understand the grievances of Ireland.

11,990. We have only to deal with the two Land Acts, those of 1881 and 1885.—The state of affairs that exists now, at all events, is this, that there is a number of people wishing to dispose of the money shed of the cess-payers and paying no cess themselves.

Joseph Galsworthy, examined.

Joseph
Galsworthy.

11,991. The President.—What point do you wish to call our attention to?—I wish to say that I am glad that the condition of distress in the country is going to be considered.

11,992. You find it difficult to pay your rent?—Do you hold under a judicial lease?—I hold two farms under judicial rents, and I have another that was not brought into court. There is one of 4 acres

which I did not go into court with, although I might have done so.

11,993. What is it particularly that you wish to say?—The price of everything is down, and we are not able to meet the judicial rents; only that some of us have relatives, we would not be there at all. It is as much as ever I can do to pay my way. Money has been borrowed, and now there is nothing to meet the coming rent.

The Inquiry then adjourned.

EIGHTEENTH DAY, THURSDAY, NOVEMBER 4th, 1886.

Nov. 4, 1886

RAILWAY HOTEL, GALWAY.

Commissioners present—Right Hon. EARL COWPER, Sir JAMES CAIRD, Mr. NELGAN, Q.C., Recorder of Londonderry, and Mr. THOMAS KNIPS.

Rev. John Carolan, P.P., examined.

11,994. The President.—I believe you are the parish priest of Castlebar?—Yes.

11,995. What are the people of your parish?—are they chiefly tenant farmers?—Tenant farmers chiefly—they all live by the land.

11,996. It is not what we commonly call a congested district?—No, it is not.

11,997. You think it is not more thickly populated than there is room for?—I think not.

11,998. They live, most of them, by agriculture?—Yes, by agriculture.

11,999. I suppose, then, that in these times of depression they find it difficult to get on?—They all complain of the fall in prices—the fall in cattle and in all agricultural produce.

12,000. In a good year, when the times are better, do they make a pretty good living out of the lands and pay their rents?—I should not say that in general they could spare anything worth speaking of. They are nearly able to pay their rents and live, as a general rule, when the times are good. Where they have large holdings, such as they can work themselves, they can live comfortably and save a little money. But I don't believe money could be saved now.

12,001. Do they migrate at all to England and Scotland in the summer?—Not from my district.

12,002. Have they been paying their rents lately, do you know?—They have; but they got reductions on most properties of from 15 to 20 per cent. in the last year.

12,003. Temporary abatements?—Temporary abatements.

12,004. Are the most of them under judicial leases?—I cannot say the number that are. A great many are under judicial leases.

12,005. Is there much sale of tenant right in this district?—are they able to sell their holdings?—Well, I have not known a holding to be sold in the district for five years or more. I think I can say that I do not know of any.

12,006. Not since the Act of 1881 was passed?—Yes since the Act was passed.

12,007. And before that period, was the custom then to allow the holding to be sold the same as it was in the North?—In the North they got large prices for agricultural holdings and for land generally, but in the neighbourhood they do not get anything like what they get in the North.

12,008. They used to sell before the Act?—Yes; but the number of purchases was very small in the part of the country, and the prices were also small.

12,009. Sir James Caird.—The prices were small?—Yes.

12,010. The President.—I think you said the rents have been pretty well paid. I intended asking you, is there any combination in your locality against the payment of rents?—I can speak for my own district, and there is no combination. There is not even an attempt at it. I believe they all paid their rents.

12,011. Is there any wish amongst the tenants to purchase their holdings under Lord Ashbourne's Act?—There are various ideas about that amongst the people. They are rather afraid of the amount of the purchase-money.

12,012. I suppose you know that by purchasing

under that Act they would get a reduction in the rent at the same time. If they got it at twenty years' purchase, or even more than that, they would get a reduction at the same time that they were becoming the owners by paying off the instalments.—My opinion is that the tenants would require to be instructed in that matter. I could not say what they would be willing to do in the absence of instruction. Their wishes should be ascertained.

12,013. Are you personally in favour of the establishment of a peasant proprietary? Do you think it would be a good thing for the country?—I have come to the conclusion within the last two or three years that it is necessary. When I say necessary, I mean that it would be most desirable for the general good.

12,014. Would you go as far as compulsory purchase?—I did not study that question.

12,015. Is there anything else that you would like to say?—If it be within the scope of this Commission, I would say that there are a great many improvements required in order to advance the interests of the country in general. In the case of Galway we require pier along the coast.

12,016. I am afraid that is not within our scope; we are entirely confined to the land? There is another Commission sitting which, I suppose, deals with these questions.—As far, then, as agricultural interests are concerned, I think that if there were woolen factories established, it would be very beneficial. This is a great sheep-growing country, and they send away vast quantities of wool. We have great water power in Galway, and if we had woolen factories they would do a great deal of good, and the wool could be brought on the spot. It would raise the price of wool, and of course in that way benefit the tenant farmers as well as give the labouring men more employment. Another matter that occurred to me to mention is that if an experienced agriculturalist could be had, say for every nine or ten townlands, to give instruction to the people as to how to manage the farm in the best way, it would be a very great improvement.

12,017. Mr. Nelgan.—Just now I understood from you, Father Carolan, that some of the land is held under judicial rents?—Yes.

12,018. And that this year and last there have been abatements given by the landlords to some extent?—Yes.

12,019. Have these reductions been given upon the judicial rents?—Yes.

12,020. Sir James Caird.—I suppose that the landlords now see the necessity for reducing the judicial rents that the people formerly paid?—Yes; I believe they do.

12,021. In those cases where they have been reduced, have the rents been paid?—They have.

12,022. Is your parish a tillage parish?—It is.

12,023. Could you give me an idea of the average size of the holdings?—I should say that the average size of the holding would be about fifteen acres.

12,024. What is the usual mode of cultivation. What is the standard crop which you rely upon generally?—Oats, barley, potatoes, and green crops.

12,025. And the necessity for the abatement is the fall in prices?—Yes.

Rev. John Carolan, P.P.

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Rev. John
Coxhead, F.R.S.

12,026. Does that affect your people much?—It does very much; they often have two or three or four head of cattle to sell and meet their demands, and if these fall very much in price, they find themselves greatly embarrassed.

12,027. What kind of cattle?—young stock?—Yes; young stock.

12,028. Are they of the ordinary breed of the country?—They are a very good breed—the ordinary breed of the country.

12,029. And the fall in the price of these would be very severely felt?—It would.

12,030. Just now you spoke of giving instruction to the people in agriculture, and that there should be an instructor in every nine or ten townlands?—Yes; I think one agriculturalist could give lectures to nine or ten townlands.

12,031. Suppose that such an idea were carried out, do you think that the people themselves would contribute to the support of the person who taught?—I do not mean to support him entirely, but to contribute to his support?—I don't say they would after a time, when they saw the benefit of the instruction.

12,032. The way to approach that matter, I suppose, would be to pick out some particular locality and try it?—(No answer.)

12,033. Mr. Neligan.—The Boards of Guardians would not undertake it; they are already, I think, sufficiently burdened—registration, medical charities, and other expenses.

12,034. Do you think it would be better to make it more or less voluntary?—If the people were left entirely to themselves, I do not think that they would adopt the scheme. I think it would be a very good thing if the State sent out such persons for a term of years, and then the people themselves would afterwards see the benefit of it, and maintain them at their own expense.

12,035. May I ask you whether the system of tennage in your district is at all near perfect?—I would not call it perfect.

12,036. Nor near it?—No.

12,037. You think there would be a necessity for such instruction as you have alluded to?—I do.

12,038. And with such instruction, are the resources of the soil such as would pay from the tennage or public point of view?—I think it would.

12,039. Mr. Knipe.—You have a general knowledge of the tenants in your part of the country?—I have a pretty fair knowledge of them.

12,040. Is it your experience that they are or are not becoming poorer year after year? or are they improving?—They are certainly not improving. In the last two years the price of oats has fallen nearly one-half, and barley has fallen at least one-third. These are the crops that they rely upon very much to pay their rents. They calculate greatly upon oats and barley; and where the prices have fallen greatly, unless the tenants have some money to spare, they are in great difficulties. They had come to spare up to five or six years ago, but they have some whatever now, and I find that to be generally the case.

12,041. There is a general reduction in the price of cattle that they are in the habit of rearing?—Yes.

12,042. And these things place them in such a state that they are unable to meet their demands?—Yes, a great many of them.

12,043. It has been said that they could pay their rents if they were disposed to do so. Is that your experience?—I heard it stated of some parts of the country, but I believe it could not have been the case except in very isolated cases. In this part of the country it certainly is not the case. It is not within my knowledge.

12,044. As a clergyman having the oversight of the parish, is it your honest belief that they have not the money?—That is my belief.

12,045. Mr. Neligan.—In your parish, we may take it, they have paid what they can?—Yes; I have

known them, when they could not make up the rent themselves, to borrow it at a very high interest. I think if the Government instituted banks for the accommodation of tenant farmers they would be a paying concern, while they would save large numbers from ruin at the hands of the Gentlemen men.

12,046. Mr. Neligan.—Once the poor man gets into the hands of one of these, he is ruined?—He is ruined.

12,047. Mr. Knipe.—I think you said that you were in favour of peasant proprietary being established?—Yes.

12,048. Is there a general desire on the part of the tenants to buy if they were assisted by the State?—That depends upon the terms; I have heard that discussed very often, and what I generally heard stated was that they would be anxious to buy if they were assisted with the terms.

12,049. That is, if they were satisfied with the number of years' purchase?—The number of years' purchase. They look upon every scheme with a sort of suspicion now, chiefly on account of the sudden fall in prices. They don't know what is before them, and they are afraid to bind themselves to any contract.

12,050. You do not think they would make the judicial rents a basis of the contract?—I am not able to say what the general feeling of the country is on that subject.

12,051. You have not given it much consideration?—I have as far as I am concerned myself, but the people who have spoken to me about it do not seem to be satisfied about the terms, and how they would be able to meet their demands, and so on.

12,052. Mr. Neligan.—They look at it from the lowest point of view?—They wish to see their way through the repayment of whatever money might be imposed upon them. That is what I heard generally. As far as any general opinion amongst them, I do not think that they have as yet arrived at any.

12,053. Mr. Knipe.—It is, I suppose, immediate relief that they want?—Yes.

12,054. Sir James Gold.—Is the country with which you are most intimately acquainted a fertile country or otherwise?—It is fertile.

12,055. A good country?—Good country; the soil is pretty good.

12,056. And gives good crops?—It gives fair crops.

12,057. In good years?—Yes.

12,058. A good potato crop?—Yes.

12,059. Do the people very much depend for their living upon the goodness of the potato crop?—Very much.

12,060. It is essential to them, I suppose, to have a good potato crop?—It is.

12,061. This year it is a good crop?—It is a good crop this year.

12,062. What is the average size of the holdings in your locality?—About 14 or 15 acres.

12,063. What rent do they pay for such holdings?—That?—Very often it is not by the acre at all that they pay.

12,064. Just by the holding?—Yes.

12,065. Of course, both landlord and tenant must know what is the extent of the holding?—Yes, they pay over £1 an acre all round. I think that the reduction on the judicial rents if it brought down to a great many cases to about £1 an acre.

12,066. When reduced?—Yes. You cannot judge by the acre, because there are some parts that are called arable land with a good deal of waste at the ground.

12,067. And therefore you cannot make an accurate valuation?—You cannot.

12,068. In this district of which we are speaking in the sea-coast?—It runs along the sea-coast nearly four miles.

12,069. There is no seaweed for manure?—They have to buy it.

12,070. They cannot take it for themselves?—No, they are seaweed, but of course they have to buy it.

12,071. Is there a pretty good understanding in your district existing between the landlords and the tenants?—There is a pretty good understanding, with the exception of one case, and they are not satisfied with him.

12,072. But with that exception there is a good understanding?—Yes.

12,073. And the landlords are ready to meet them under adverse circumstances?—They are. In fact, some of the landlords offered a reduction on the judicial rents this year.

12,074. Mr. Naligan—Offered the reduction themselves?—Yes.

12,075. Sir James Caird.—And of course that was accepted?—The tenants were for asking 20 per cent. in one case, and the landlord offered 15 per cent. before it was asked, and they accepted it.

12,076. There is a friendly feeling?—Yes.

12,077. Are there many labourers who are not agricultural tenants in your district?—Very few. In fact, I might say there are none. The farmers do the work on the farms themselves.

12,078. And there are very few hired labourers?—Very few.

12,079. Within your recollection, have these labourers become more scarce than they used to be formerly?—Yes, there are hardly any now. They are much more scarce than they used to be.

12,080. Do you know whether the condition of the labourers has at all improved within late years?—I do not believe it has.

12,081. I mean the condition of labourers apart from the holders of land?—I do not think they have improved.

12,082. I suppose that is because there is not much demand for that kind of labour in this part of the country?—Yes.

12,083. With regard to the excessive rate of interest charged, do the local banks afford any accommodation to the farmers, or is the accommodation which they now give them less than it used to be?—They don't give them much.

12,084. They are shy of lending?—Yes.

12,085. Do those tenants, as a rule, remain long in the same farm?—They live on the same farm from generation to generation.

12,086. But, of course, sometimes there may be a change, and in those cases, when a change does arise, does the man who is going out endeavour to sell his tenant right to the successor?—Yes; he endeavours to sell it, when he is broken entirely. But no more over thinks of leaving his holding until he is not able to hold it any longer.

12,087. If their families all remain there must be great subdivisions?—But they do not all remain.

12,088. But where they do not break down, and where the father and the family remains, with sons and daughters, how does he do? Does he give the children part of the farm?—It is not allowed in this district, and they never think of doing it. All the sons, except one, go to America or Australia, and their daughters get married in the neighbourhood, or else go to America or Australia.

12,089. Following their brothers?—Yes.

12,090. Have you any knowledge yourself of whether these people have been very successful when they went to America or Australia?—Many seem to be, because when they go away they send money home.

12,091. Do they ask their parents to follow them?—Yes.

12,092. And the parents do not follow them?—No; in no case do they follow them, except they get broken down in the farms.

12,093. Would you consider it at all necessary, under certain circumstances, or advisable, that there should be assisted emigration?—Well, I did not approve of it the last time.

12,094. Has it been tried?—It has been tried.

12,095. And it was not successful?—It was subject

to abuse. I think it was established chiefly for the congested districts.

12,096. Yours is not a congested district?—No. At all events, having been established for congested districts, it ought, in my mind, to be carried out for those districts exclusively.

12,097. You mean that they took the benefit of it, though they did not really require it?—Yes.

12,098. You spoke a while ago of having an instructor of agriculture to visit five or ten townlands to give instruction to the farmers with regard to the best method of cultivating their farms?—Yes.

12,099. You look, then, upon the farmers as not being very proficient in their business?—They carry out the same routine of agriculture year after year.

12,100. Do they burn the land?—No.

12,101. You perhaps do not know what that is?—I do. In outworn bog they often burn it for the purpose of manuring the land. They do not do that here.

12,102. With regard to the system of farming that is pursued, do you know what is the rotation. You say that they adhere to the old practice?—Yes.

12,103. Is that old practice a bad one?—I think it might be improved.

12,104. Do they keep live stock?—They do. But they do not keep a sufficient stock to keep their farms up.

12,105. Perhaps, though, they keep a sufficient stock for the manna that they have of feeding them well?—I think if they carried out a better system of farming they might improve the means of feeding stock and keeping stock upon their farms.

12,106. The want of stock on their farms has not arisen from the necessities of the times forcing them to sell their stock?—You see they sow the crop which they think will most readily help them to meet their rent, and, of course, that is a plan that is not likely to do the land much good. I think if they tilled their land and sowed it simply with the view of improving the mode of cultivation and raising the crops they would succeed much better, but they follow with the crop which they think will come in most readily.

12,107. And which will have the least cost?—Yes.

12,108. Do many of the people in your locality emigrate for the purpose of getting labour in other parts of the country?—No; not in my district.

12,109. If they did, of course, they would have an opportunity of seeing better managed farms elsewhere?—They might.

12,110. They stay very much at home?—They do.

12,111. Do you think it would be very useful to have an instructor in agriculture?—I think so.

12,112. There was something of that sort, if I am not mistaken, shortly after the famine. I think there were agricultural schools established in this part of the country?—There were some established in the North of Ireland. I do not think they were in this part of the country. I never heard of their being established here.

12,113. Do you think that the farmers themselves would be willing to be instructed. I can, of course, understand the young people being willing, but as for the farmers themselves, I think they have a general idea that they understand the business very well themselves?—I am sure there is an idea of that sort amongst them, but still I think that, in general, they would be anxious for instruction.

12,114. Have you noticed whether they take pains to improve their live stock, by engaging better ones, and so on?—They do; and they are a very good judge of cattle.

12,115. They have good kindly cattle?—Very good.

12,116. I suppose they depend very much upon the sale of their cattle?—Yes.

12,117. Do they breed horses at all?—Not to any great extent.

Nov. 4, 1865.

Rpt. John O'Brien, F.R.S.

Jan. 4, 1880.

Rev. John
Carolan, P.T.

- 12,118. Have they good grass land?—Yes.
12,119. Good fattening land?—Yes; in some parts.
There is a part of the district which I live in that is very good for fattening sheep.
12,120. Here they sheep upon the land?—Yes.
12,121. Do they sell them fat from the land?—In some places.
12,122. Do they go to Ballinasloe?—Yes; some who have a good deal of stock, but not the ordinary run of small farmers.
12,123. What is the largest farm that you have there?—I suppose it is from 50 to 60 acres.
12,124. Does that class of farm do better than the small ones?—I do not know that they do proportionately better.
12,125. I mean proportionately?—You see the large farmer has to pay a good deal for labour, and that takes away a good deal of his profits. The small farmer, of course, does all the work himself.

Mr. Joseph Hardy, of Dartfield, Longhrea, examined.

Mr. Joseph
Hardy.

- 12,126. The President.—I believe, Mr. Hardy, you are a large holder of land?—Yes; but I used to have more.
12,127. From what district do you come?—I live at Dartfield, Longhrea.
12,128. You hold, I believe, 1900 acres?—Yes.
12,129. In former days you say you held more?—Yes.
12,130. Sir James Caird.—Is it grazing?—Not altogether.
12,131. But chiefly?—Chiefly, decidedly. I held 4000 acres at one time.
12,132. Under different landlords?—Of course.
12,133. Do you hold under judicial rents?—In one place only.
12,134. And how is the rent held?—Some under lease, others under from year to year agreements. Two places are lease only. One is where I live, a large place of some 800 Irish acres.
12,135. Is it as old lease?—No.
12,136. Is it a high rent?—Well, it is; the rent is too high, if I could avoid it.
12,137. Mr. Nelson.—What is the date of the lease?—I got a renewal, for which I paid a fine, about three or four years ago.
12,138. What term was in the lease?—Thirty-one years. I gave a fine to get it.
12,139. The President.—I think you know the object of our inquiry?—Yes; to inquire with reference to the Land Act. I will answer you any questions that I can.
12,140. You have no statement to make?—No; nothing in particular, but I will answer any questions that you wish.
12,141. What do you say about your lease, and other leases of the same kind? Do you think that they should come under the Act?—Yes, unquestionably; I think it would be fair alike to the landlord and tenant. I think it is a great hardship that the leaseholders cannot come in and claim the same advantages that the tenants have from year to year.
12,142. You see no reason why they should be left out? You think there is no greater breach of contract in legislating for them than for the tenants from year to year?—The Government that interferes with the relation between the landlord and tenant from year to year has the same right to interfere where there is a lease.
12,143. And you think it would be equally fair that the landlord should be able to bring it into court when the lease is too low?—Yes, unquestionably—a perfect right.
12,144. All agricultural leases?—All agricultural leases. My opinion is that, where one may have land from another, he has a right to get the advantage of all bills that the Legislature brings in; it is just the same whether there was a contract implied or carried out.
12,145. Have many of the tenants in your district, or the great majority of them, obtained judicial rents?—The great majority of them have.
12,146. Were they well satisfied with the state of affairs when they did get that advantage?—Some were satisfied, and others were not satisfied.
12,147. And now, in consequence of the fall of prices during the last two years, they are nearly dissatisfied?—Most dissatisfied.
12,148. If prices were to get better, would not that make a great difference?—It would, of course.
12,149. There is no discontent amongst them, apart from the hardship of their lot?—I am not aware of any.
12,150. No dissipation?—No.
12,151. You say there was no combination in the district against the payment of rent?—No.
12,152. The people feel themselves quite free to act as they think right?—Yes, they do.
12,153. Do you think that the judicial rents acted three or four years ago are very high now?—They are too high entirely.
12,154. And are difficult to pay?—They could not be paid now. Of course I only speak from my own experience. I have only one case, but they settled the rent one-third over its value. The Sub-Commissioners went there and viewed it and examined it and valued it, and they settled the rents one-third over the present letting value.
12,155. Over the letting value of it?—Yes.
12,156. Sir James Caird.—What reduction was it on the former rent?—I held under a middleman, but the middleman held at a lower rate than the Commissioners put upon me.
12,157. But your rent was reduced below the actual rent that you paid?—Something like £30 or £40 on a farm of 300 acres. That was what they reduced. My valuation and my valuator were a great deal under that. My own sworn value was a great deal less.
12,158. Have you ever turned your attention to the sliding scale which has been recommended by some people? If it was necessary to have a readjustment of rent, do you think that it could be fixed on a week varying according to the price of produce? I have never thought of that. But I think that the five years is rather a long time.
12,159. What do you think the time should be?—Would not ten years be a very good time, or even less?—It would be fair between landlord and tenant. I think that, if the tenant had his rent too low, five years would be a long time for the landlord, and no more.
12,160. It should vary from time to time?—That should be, say, an average of five years.
12,161. And when the average was once established, the plan would work by itself?—Without leaving a Commission at all?
12,162. It would be merely a question of figure?—Yes.
12,163. According to the price of certain articles of produce during the five years for which the rent should be adjusted?—Yes.
12,164. Do you think that would be fair?—I do. I would not advocate anything which I did not think was just.
12,165. Sir James Caird.—What articles do you think should represent the average price of produce?—Any remarks that I would make would be confined to the West of Ireland and to this county. I live in this county, as my predecessors did. The real agricultural produce in this county would be oats, which is the principal thing in the way of cereals, and then there are green crops, potatoes, turnips, etc. Then there are besides oats, meat, sheep, and cattle and pigs. These are the principal things.
12,166. Do you think you might fairly take oats as the half?—You might also take barley.

12,167. Mr. Nelson.—And better?—There is very little better in Galway. It is not a better-producing county at all. When I say that, of course I mean for exporting.

12,168. The President.—Has there been much sale of tenant right lately?—Scarcely any.

12,169. Has there ever been any considerable sale of tenant right?—I never heard of it. In this very place which I have mentioned to you, the Commissioners fixed the rate of a price which, as I told them, it was not at all worth. It was not worth the half of what they fixed it at in the palmist days.

12,170. You did not buy when you went into possession?—No.

12,171. There never has been tenant right?—Scarcely anything of the sort.

12,172. Sir James Caird.—That refers to large farms?—Yes. There would be more money paid for small farms.

12,173. There is more competition for them?—Yes.

12,174. There is very little competition for large farms?—Scarcely any. There is no such thing as tenant right in large farms, and it is because there is more competition for the smaller farms that there would be more money given.

12,175. The President.—Have you ever had any desire to purchase your holding out and out?—I have purchased one under Lord Ashbourne's Act.

12,176. How many years' purchase did you give?—It was on the tenant valuation I calculated it.

12,177. Mr. Nelson.—Griffith's valuation?—Yes; I purchased immediately after the Ashbourne Act came into operation. Things were looking a little better than they now, and I offered a price which was more than twenty years' purchase on Griffith's valuation. This was through the Landlord Estates Court, and they would not accept it. But after a considerable correspondence they accepted a price, and I said, "Very well, that is something like what I consider would be fair and right, and taking into account what that would be reducing my rent, I would be satisfied."

12,178. That was more than twenty years?—A little over twenty on the tenant valuation. Before I made my offer finally, I went to the Land Purchase Commissioners, and I was taken very kindly by them and got all information, and I explained the position which it would place me in, and such and such was explained, and they said, "Very well, you are aware that you are obliged to pay one-fifth of the money." I said, "I am, and I will be prepared to do it," and after some consideration and consultation, I went away, agreed to the terms, and Mr. O'Brien, the secretary, wrote to me to say that they would pay the money. But before they accepted this offer, I saw that land was getting lower and lower in value, and the property of the landlord, from whom I believed I was purchasing, went into the hands of the Standard Insurance Company, who said, "You must pay the rent to us." I said that the landlord got nothing, and if the company was not willing to wait for the money.

12,179. So the bargain was not concluded?—Oh yes. They said, "We may never get so much again," and they consented to leave out the one-fifth. I was better off then.

12,180. Mr. Nelson.—You were saved the advance of the fifth?—Yes; I merely mention this, for it has not anything to do with land purchase in general.

12,181. The President.—Having had this personal experience of the working of that Act, is there anything that you can suggest to us with reference to it?—Yes, the matters that I would suggest—and I have a good deal of personal experience—are these: that forty-one years is a long time, but I say that it would be only fair to let after-provisees have a share of the responsibility. I think that Lord Ashbourne's

Act was the greatest boon to the tenant farmers of Ireland that ever was offered to any body of men. I say that the Government might make some slight amendments upon it, and extend the time. And if by doing that they could lower the rate of interest to $\frac{1}{2}$ per cent, it would of course be a still greater boon. Supposing that I buy under the court, and pay at that rate, I won't be very long paying, and there would be an opportunity of letting those who come after me pay their portion of it, as they have a right to do.

12,182. They probably would pay some of it under the present arrangement?—In the case of a man of my age, yes. I am fifty-one years farming, and all my practical experience is derived during that time. If the Government could see their way to do that, it would be a great boon.

12,183. Do you think the Act is a great boon as it is?—Yes; it reduced my rent upon that farm that I bought from £160 odd to £104. I paid 80s. per Irish acre rent.

12,184. Sir James Caird.—That is a very handsome reduction?—Yes.

12,185. £62, 10s. per year?—Yes; that was a great boon.

12,186. The President.—What do you say about the deposit paid by the landlord?—I think that should be paid by the Government of the country. As I say, the Government should never advance one shilling to the tenants unless they see that there is a full and ample margin to recover from; but if I made a bad bargain with my landlord, with the view of getting possession, and gave more than it was worth, I do not think that the Government should give the money.

12,187. I suppose that in some cases they would just have security if the fifth was lodged?—They should be the whole and sole mortgagees.

12,188. And not advance the money unless they had security?—Certainly not, unless there was security.

12,189. At any rate, it would do to give the Commissioners the power of disposing with the fifth?—That would meet my ideas—that where the Commissioners saw it was for the advantage of all parties they might be able to dispense with it.

12,190. Sir James Caird.—With the state of prices as they are in 1865 and 1866, where would the security be?—I cannot say.

12,191. Is not the portion you referred to intended to meet a state of affairs like that?—I speak hopefully, of course. I cannot say certainly that even though prices have gone down so much they are at the lowest. They may or they may not.

12,192. You are anxious that the Government should be fully secured?—Yes.

12,193. And you say you cannot foresee how prices are likely to go?—Yes.

12,194. So the Government feel that they must have some security of that kind?—No doubt. There is one remark I wish to make. It is said there should be other security given in the shape of personal security.

12,195. The President.—I will ask you about that presently.—I think that would be a counteract, to say that I should become security for another, or that another should become security for me.

12,196. Sir James Caird.—You are a friendly sort of man, but you don't exactly go so far as that?—Not at all.

12,197. The President.—Have you ever met any one who was in favour of that proposal?—I never did; not even the smallest holder. I never heard a human being say he was in favour of it.

12,198. What is the state of feeling in your part of the country? Is there any combination or intimidation?—There is and has been, and there is at present. I think a great many of the small tenants would take advantage of the land purchase clauses if they were not prevented from doing so.

Nov. 4, 1866.

Mr. Joseph Hardy.

Nov. 4, 1885.

Mr. Joseph
Huddy.

12,199. Do they object at all to your having such a large farm?—Never. I have got a great deal of annoyance personally; so much so that I have been obliged for years to have protection.

12,200. Was that in consequence of your holding so much land?—I think so; it began with what was called the *Shepherd's League*—a strike amongst them for such accommodation as they thought they would be able to get. We foolishly paid in kind, and not in cash, which would be the better way. They wanted a most extravagant increase; in fact, more than the farmers had by the land. I took an active part in opposing that movement, and it was in consequence of it I received all that annoyance. I was threatened, of course, and the Government appeared to think I would require protection, and it was sent to me without my asking for it.

12,201. You had been threatened?—Yes; at one time as many as sixteen soldiers guarded me. That, I think, was in 1883.

12,202. That was a Ribbon banner, I suppose?—Everything proceeds from the Land League or National League. They have absorbed everything into them, and while the Government allows it to exist, and does not put down its foot and stop it, you will never have things as they ought to be.

12,203. I do not go into that. I refer to the general state of the country. Do you think that Ribbonism and the Land League stopped the payment of rent in your part of the country?—They have.

12,204. And that is going on still?—To a certain extent. No later than last Sunday they have been making the most violent speeches in our district.

12,205. Trying to stop the payment of rents?—Ordering them not to pay. I was not there, but I was told about it.

12,206. Do you think that they have less power now than they used to have?—I think they have. I think that the well-to-do farmers are coming to the belief that they are doing them no good, but are rather doing harm.

12,207. Are the rents around you being very well paid in spite of these efforts?—Yes.

12,208. And have the landlords been giving abatements?—Yes.

12,209. How much abatement?—Not very much. The principal thing is about 15 per cent., and it is not sufficient, having regard to the way in which the price of produce has fallen.

12,210. Mr. Huddy.—Is that a reduction of 15 per cent. on the judicial rents?—No.

12,211. Mr. Keene.—Did they give any abatements on the judicial rents?—I cannot give you an exact answer. They would not give me an abatement on mine, nor do I think they have given such abatements any place.

12,212. Mr. Nelson.—Are you speaking now of your own district?—I am speaking of this county in general.

12,213. The President.—I suppose there is rather a feeling amongst the landlords that the matter has been taken out of their hands?—Exactly; they do not appear to care so much about the judicial tenants as for the from year to year tenants.

12,214. It is a sort of half-and-half state now, and you think it would be better that the tenant was made whole proprietor?—My opinion is that that should be the case, if the Irish are ever to be satisfied—I do not say rooted in the soil, but if they are ever to become loyal subjects, the only way is to extend this Purchase Act, and make them owners of the soil they cultivate.

12,215. Would you be in favour of compulsory purchase?—I can hardly say that. It is a terribly hard thing to compel a man, but then the bill will never be carried out rightly unless there is some clause for compulsory purchase. And several of the landlords would not object to it.

12,216. If they get a good price?—I do not think they would expect a large price.

12,217. Do you think that most of the landlords would accept such terms as you gave?—I think that most of them would. One gentleman said twenty years' purchase. I said, "Do you mean on the longest valuation?" and he said he did; but he said, "What am I to do with the rest of the property? if I sell it you the rest won't buy. What am I to do? Will you get the others to buy?" But I said that even if I asked my next neighbour to buy, they might think I had some object in it. He said the valuator would not have a mind to buy.

12,218. The Land League set themselves right against it?—Yes, and all their directions and instructions are directly opposed to that.

12,219. So that, in fact, compulsory purchase at a fair price would be a blow delivered against the League?—The strongest. Every acre that is sold and makes the tenant owner is so much taken from the power of the League. The tenant is then a free man. The shillies have fallen off him. These men will not lay over that man's head until he is a legal subject of the Crown. That is my opinion.

12,220. Do you think that, supposing the tenant was unwilling to purchase, that it would be left to compel him?—No doubt. The very smallest compulsory power would do it. It would be his own wish.

12,221. He would get an immediate reduction of rent, for one thing?—Yes, and he would be creating a property that neither he nor his father before him ever thought of possessing. Such a thing was never thought of in the olden time, as that the Government of the country would purchase from the landlords, and make the tenants owners of the soil. There never was such a boon offered to a people.

12,222. I suppose it would take a great number of years to purchase the whole of Ireland?—No doubt it would, but you see in the North of Ireland how they are wiping off all the money. We won't have a penny left for the West.

12,223. Mr. Nelson.—They are making a very good use of their time?—Yes, and they are perfectly right in doing so.

12,224. With reference to compulsion, Mr. Huddy would it not, even if you had compulsory power to-morrow, take a large number of years to work a case in Ireland?—Yes.

12,225. You will see by the statistics that the Landed Estates Court, working with their staff, could only sell about a million and a half in the year or two millions?—When they would go into working it a great deal could be done.

12,226. How could you facilitate it?—The bill must be gone into.—Yes, but could not the Legislature bring in some measure to simplify the mode of transfer?

12,227. Are you anticipating me. Does it occur to you that the simplification of the transfer of land would be a necessary antecedent to such a measure of compulsory purchase?—There is no question in the world but that would be a great boon.

12,228. The simplification of the transfer of land should be the first thing?—Yes; I can give you a case in point. About the year 1878 I purchased a part of some of the best land in Galway, for which I paid £3000. I paid that for the lease. It was transferred to me, and the policies of insurance and everything had to be gone into. In 1881 I sold this lease to the best landlord for the sum of £3500. In April 1881 we had wrote to our solicitors to at once have the title regularized, and have it done as quickly as possible. What was the consequence? They began to bid off this farm and that farm, and there was one thing or another, and it lasted for twelve months between two solicitors; and then the landlord's solicitor says, "You must give me a Parliamentary title." I said to my attorney, "Is there any chance of bringing the

as and he said, "We must get the opinion of counsel." I said to him, "Get the opinion of Hugh Holmes, and if you cannot do this let it drop." And so it went on for fifteen months more, which will make altogether two years and three months before the thing was finished.

12,229. If that was the case is a small transaction, as what it would be in a large transaction.—Yes. Six generations might not see it carried out.

12,230. Before approaching so great a task as the transfer of the whole land of Ireland, a simplification of the method of transfer should be brought about?—Yes.

12,231. And in the meantime a system of purchase such as we have now might perhaps be left to economic causes to work itself out?—Yes.

12,232. For instance, if the tenants here bought their property and became proprietors, there would be a moral pressure brought to bear upon the neighbouring estates, and so in that way economic causes might work it out?—Yes.

12,233. You agree in thinking that it would be well to pass a general compulsory measure first?—The first thing you should do would be to facilitate the transfer.

12,234. And in the meantime allow the matter to work itself out by natural causes?—That is my opinion.

12,235. And in that way it would become a natural growth in the country, and not an exotic—a thing of forced growth?—No doubt about it.

12,236. With reference to these averages, if an average had been struck from 1874 to 1878 or 1879, say, it would have dealt very hardly with the period through which we are passing now?—It would.

12,237. All the five yearly averages would be liable to this disadvantage. Do you think that it should be an annual average?—It would be a terrible torment. How could you manage it?

12,238. If you got a standard, say the judicial rent of 1881, 1882, 1883, or 1884, and if you could fix the rent in reference to that, having regard to the results, and so raise or lower the rent, do you think that would work?—I am afraid of it.

12,239. Do think that so long as the rents went down it would be received with favour?—Generally.

12,240. And if it began to go up?—Then there would be a war of elements. The moment you asked them to pay a solitary farthing more than last year, it would be, "Your honour, I could not do it at all. I am a great deal worse this year than I was last year." I think that the agricultural leases should go under the Act. Individually I do not complain, because, in the leases that I have, if I could take advantage of the Act tomorrow, I would not do so. But I know other cases where that is not so.

12,241. Mr. Keble.—I see, Mr. Hardy, that you believe that the establishment of peasant proprietary would be the settlement of the whole affair?—I think so, as far as I can see at present with my experience.

12,242. You have some difficulty in giving your opinion as to how that would be carried out?—Oh no, if possible I would make those amendments which I have mentioned upon Lord Ashbourne's Bill, but unquestionably I never would depart from that as the principle. The amendments are those which I have stated, such as the Government giving the whole of the money, and also extending the time for the repayment. That is what I mean.

12,243. You told us of a landlord who was willing to sell, but where the difficulty was to get the whole of the tenants to buy?—Yes.

12,244. That comes to be a difficulty?—That is a difficulty.

12,245. Well, where the majority of the tenants would be willing to buy, and the landlord would be willing to sell, what would you do?—I would make it

compulsory on them. Where the majority of the tenants were willing to buy at a fair price, I would make it compulsory. I think the landlord should be compelled to sell, but not at a price that would be a prejudice to him. He should be compelled to sell, unless they were demoniacal lands. He should sell any lands that were away from him.

12,246. Am I right in saying that, if it was made compulsory, you would recommend that a court should be established to interfere between the landlord and tenants?—Certainly.

12,247. A court such as the land court?—Yes, some tribunal of that kind.

12,248. An independent tribunal?—Yes; a court that would value the land, and see that the Government did not advance the money upon anything for which there would not be ample security.

12,249. Without such a court you think it could not be carried out?—Yes.

12,250. Mr. Nelson.—At present you know there are the court valuers?—In my case I thought the men must have placed very great confidence in my statement, for there was not a human being looked into it.

12,251. There are court valuers at present, but that is since you bought. There is a very elaborate machinery now.—That would meet what you say.

12,252. Mr. Keble.—In the case where the landlord was willing to sell, and all the tenants would not buy at a fair price, you would compel them; what would you do where the landlord would not sell, and the majority of the tenants were willing to buy?—I think he should be compelled.

12,253. And you think that a court should be established to interfere between them?—Yes; and see that justice was done to both parties.

12,254. Mr. Nelson.—Should the majority of the tenants be the majority in number or the majority in value?—The majority in value. The Government should never buy out the 2 or 3 acre men. I know that in Mayo, if they got the land of these very small holdings for selling, they would never be anything but paupers.

12,255. You refer to the congested districts?—Yes, to the places in which the tenants hold two or three acres.

12,256. Mr. Keble.—And you say that, as soon as the people settle down in the land, peace and prosperity will follow?—I think so. I think that from everything I can glean, I have been anxious to sell a property of my own-in-law, and I have been pressing upon them the desirability of buying, and the advantages that there are under the Act. I have seen these men as determined to buy, and as pleased as any men could be, on a Friday, and say, "Your honour, we will have these papers filed up;" and they were perfectly satisfied, but the next day they went into Ballinacree and consulted the Land League, and afterwards say, "Oh, sir, we are told that if we wait a little more we will get it a good deal less,"—by that they mean for nothing.

12,257. How would you deal with these cases?—The moment you brought pressure upon them the thing would be carried. Their own feeling was in favour of buying, but it was because of the things that were put into their minds that they did not. That is the only point in the case that I know of. I have known it to be the case in two or three townlands.

12,258. Mr. Keble.—You have a general knowledge of the condition of the farmers?—Yes; and in Tipperary and in the King's County.

12,259. Is it your experience that it is very difficult to get money this year?—No mistake about it.

12,260. The price of cattle is lower?—Yes; and pigs are down for these years. The rearing of pigs was an important matter for the people in this part of the country.

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Hardy.

12,251. And you believe that the people have not the money to pay their rents, and that there is a difficulty in raising it?—I do believe it.

12,252. You speak from your own experience when you say that the tenants have not made their rents?—Yes.

12,253. For how many years would you say that was the case?—I would say that since 1879 there has been a gradual going down; up to that time things were right. In May of 1880 we had not received better payments for ten years. From that to 1883 things were just in a very passive way. Then we had the awful fatality of sheep.

12,254. Some disease?—Not; it was due to the wet seasons and undrained and unimproved land.

12,255. That was false in the liver?—Yes; some of them cost £3, 10s. a-piece, and I had them buried in cartloads.

12,256. Have there been reductions demanded by the tenants and given by the landlords?—I think that no reductions were given by the landlords without pressure.

12,257. You say that you are not aware of any reductions being given on the judicial rents?—Not that I am aware of.

12,258. Mr. Nelson.—Are you near Father Carlos?—I do not go to that side of the county at all. His place is due north from where you are now, and I am living due east.

12,259. Mr. Ayles.—With the exception of the demands that have been made for reductions of rent, the country is quiet?—Yes; and if they were not allowed to have these monster meetings there would not be a word about it at all. I am told that there were 4000 or 5000 people at the meeting last Sunday, listening to these harangues, and coming away with their minds filled up with what they had been told.

12,270. The President.—Did that go off peacefully?—There was an attack upon the police, I believe, but I never asked them. All the people in my employment were there.

12,271. Sir James Caird.—1879 was the year of the severe losses?—Yes. There were three consecutive years; we had three wet seasons.

12,272. And 1879 was the worst of all?—Yes.

12,273. The heaviest losses of the century; that was when the strike-ever began in the sheep?—Yes; it continued for three years.

12,274. It is calculated that between 1875 and 1885 the quantity of sheep in Ireland has diminished upwards of 20 per cent.—I am not surprised to hear it.

12,275. The stock has never increased up to what it was?—No; the sheep stock has not.

12,276. Sheep are now increasing?—They are not increasing.

12,277. They are increased a little last year?—Very little.

12,278. But still they are about 20 per cent. below what they formerly were?—They must be at least that.

12,279. There is an increase in cattle?—Yes.

12,280. Of about 3 per cent.?—Not very much.

12,281. There is a falling off in the acreage of corn of all kinds of about 20 per cent.?—That must fall off, you cannot grow corn in the West of Ireland. The climate is very much against you, and you can hardly save it, and the price there is for it would hardly pay for the seed and the labour.

12,282. Mr. Nelson.—There is a great change in the climate?—Yes; I am at the business since 1835, and there is a great change since then.

12,283. Sir James Caird.—One would expect that if you stop the cultivation to the extent of 22 per cent. you would increase the pasture and the amount of live stock?—That would be the natural result, but I do not see that it is the case.

12,284. That seems to be altogether a deterioration?—Yes.

12,285. In the produce of the land?—Yes.

12,286. Do you think that the land is not now so productive as it was?—No; it is not nearly so productive as it was twenty-five years ago.

12,287. How do you think that is?—The great amount of rain.

12,288. You have a great experience; have you found that, after a series of good years, you have a series of bad years?—Yes; I am perfectly aware that it is so.

12,289. And after a series of bad years, a series of good ones?—Yes.

12,290. And you have not given up the hope of producing good years?—No.

12,291. You do not think this is to be the end of it?—No. In 1838 and 1839, which I remember as well as yesterday, we had three years in succession wet.

12,292. What was the result?—The result was, that about 1840 to 1846 we had beautiful seasons.

12,293. And in 1846 you had the potato disease?—Yes, after the autumn of 1846. You have all read the results of that. I was a member of the Relief Committee, and there were four or five of us sitting here like you are, and three of them were dead before the year was out.

12,294. That shepherd's strike was to get a rise of wages?—I think it was a branch of the Land League.

12,295. When did it occur?—I should say it was in 1883. I could give you the date. They gave notice on the 26th June of that year.

12,296. Of course that was a purely pastoral district?—Yes; a district which was nearly all milk grass. They walked up to the hall doors of the different employers and made their demands.

12,297. Were they in the exclusive charge of large flocks of sheep?—Yes.

12,298. Responsible men?—Responsible men, and in charge of a large amount of property. I had thousands of pounds worth of property in charge of some of these men, who walked up and said, "We will abandon your business if you do not do such and such a thing."

12,299. All that difficulty is now arranged?—Yes; I held out to the last. I sent to the North of Ireland and tried to get shepherds, and brought men here; and when I had brought them here I found that they did not know their business, and so I had to cry *poor*, and give in.

12,300. Are there large grazing farms here?—The largest in Ireland are in this county.

12,301. The extent of grazing farms has increased?—Rather increased.

12,302. Do you hold this grazing on lease or from year to year?—Sold on lease.

12,303. Are they continuous tenancies; do these men continue to hold them?—Yes.

12,304. No one comes in and bids for them?—They are not put up in that way in this country.

12,305. The tenant put goes on?—Yes, the rent just goes on. If the tenant cannot pay the rent to the landlord, he gives six months' notice, and the landlord on his side does the same.

12,306. Then they are given up by arrangement between the landlord and tenant?—Yes; they come to an arrangement. There is no dispute between them.

12,307. Supposing that you wished to give up a large grazing farm, is there any tenant-right in it that you could sell?—I do not know; would the law bill create it?—I am giving up 500 Irish acres to the landlord. My sons have gone out to the Plains of La Plana.

12,308. There would not be many people capable of the possession of these farms?—Very few.

12,309. And very few willing to pay you for that?—No one.

12,310. May I ask you about your sons in La Plana?—Yes.

12,311. How have they got on?—My first one has been very profitable.

12,312. Are there many other young men going out there?—Not that I am aware of; not from my part of the country.

12,313. Are they sheep farmers?—Yes, and cattle farmers also. I have another one connected with the sugar plantations and manufactory, and may say that I had two nephews at Buncos Ayres, a young man who made a large fortune in business, and they purchased these lands from the Government and brought up men there.

12,314. They had a good deal of money?—They had a million of money made between Buncos Ayres and Manchester, and a town in the north of Ireland that you know very well, Ballymena. They came from that town—were born and raised there.

12,315. That is not the country to which, I suppose, the ordinary Irish farmer would go?—He would not go there at all. He would go either to Canada or America.

12,316. It is a fertile grazing country?—Yes.

12,317. It requires capital?—Much capital and improvements. It requires enterprising and hard-working men.

12,318. From the information which you have got from your relatives there, do you apprehend that there will be a large introduction of sheep from the River Plate?—No doubt. There will be an inundation, as they call it. My son says that if things go on satisfactorily they will inundate England. The steamer goes within one day of these farms.

John B. Golding, of Liscaulnee, Galway, examined.

12,319. The President.—I believe you are a tenant farmer, holding 50 acres?—Yes, I hold that on my own account, and I do all Mr. Kirwan's farming business, which is very extensive.

12,320. Mr. Nelson.—Statute acres?—Statute acres.

12,321. The President.—And you are also an agent?—Yes.

12,322. To Mr. Kirwan and others?—Yes.

12,323. Is the place where you live commonly called a congested district?—It is.

12,324. What is the average rent of the holdings there?—The general average of the holding is about 15 or 16, 10s. rental.

12,325. Do the people there migrate to England or Scotland at all?—When they go away at all they go to America.

12,326. They go for good and all?—Yes.

12,327. They do not migrate?—No.

12,328. They live entirely upon the produce of their land?—Yes.

12,329. They have nothing else to fall back upon?—Mr. Kirwan gives a good deal of employment, and some of them are assisted in that way. But that is the only employment in the neighbourhood that is paid, except that I give some myself.

12,330. Mr. Nelson.—Is Mr. Kirwan the landlord there?—He is.

12,331. The President.—Does he reside there?—He visits occasionally—he does not reside there.

12,332. Sir James Card.—How many tenants are there?—There are something about forty tenants in the congested district.

12,333. The President.—Is there much distress there at this time?—There is no distress there at present.

12,334. Have they paid their rents?—They have nearly. I do not suppose there is in that whole country a better paid estate. I do not know any estate that is so well paid.

12,335. Are they under judicial rents?—Yes; but we give them further reduction on the judicial rents.

12,336. This year?—Yes.

12,337. How much per cent.?—Fifteen per cent.

12,338. On the judicial rents?—Yes.

12,339. And that is put in pressing chambers?—Yes.

12,340. Do they say what the price will be?—Their present price is no rule, because the quality of their sheep is not good enough.

12,341. Not like the New Zealand sheep?—No; nothing like as good.

12,342. They have to improve the breed?—That is what I mean. They will begin immediately after they have their breed improved. Their land is perfectly capable of producing this mutton. Lincoln says they want, and I have got authority to buy them—100 in one batch. The wool is the principal thing, and that they send to the London market. It is shorn unwashed, and then it is sent to the different markets in Spain, where it is washed and made up, and sent to London.

12,343. You expect there will be a further importation from there into Europe?—Yes; I do not say into this country, as, owing to the way they have to manage their live stock, they will not be able to compete with the best.

12,344. It is inferior?—They would not think of competing with Canadian and States cattle, but they have got out high-priced bulls and magnificent steers. They have given a very high price for sheep, and they will improve everything in that way, and become great exporters, and that will help to keep down the price of lamb here. I thought the sugar trade was ruined owing to the low price, but I said that there is an export duty in the country. They laid out £100,000 on the factory this year.

12,345. Mr. Nelson.—That is Mr. Kirwan's property you are speaking of?—Yes.

12,346. Have the rents been well paid?—Yes, fairly well.

12,347. Are the people, do you think, fairly prosperous?—I could not say they are fairly prosperous, but compared with other parts of the county I would say they were, but when they are not improving in means they cannot be described as fairly prosperous. They are now gradually getting poorer, and it is the same with the large farmers and the small farmers alike. In fact, in my own experience I could not put my finger upon one, either large or small farmer, who is not poorer to-day than he was ten years ago—it is the same with the richest as well as the poorest.

12,348. Are there many of them borrowing money?—No; there are none borrowing money. They are thrifty, industrious people whom I have to deal with in that place, but there are other people I have to deal with who are not—

12,349. What part of the county are you speaking of?—The place I am speaking of is within eight miles of Galway.

12,350. The President.—Are you near the sea?—No; we are in from the sea.

12,351. Sir James Card.—Now Lough Corrib?—We are near Lough Corrib, but we are not adjoining it. We are within two miles of it at one part.

12,352. The President.—You say that the rents are fairly well paid?—Yes.

12,353. Has there been any attempt to prevent the people from paying their rents?—No; but, as you are aware, there is an agitation going on, and it has a general effect on the country, so that there is really a disinclination to pay rents.

12,354. But not in the immediate neighbourhood?—There is no active agitation going on.

12,355. I suppose there is a branch of the Land League there?—The Land League was there. I have brought in with me two men from the congested districts, who will be able to give you evidence.

12,356. Are they here to-day?—Yes; I brought them. One is a Nationalist poor-law guardian, and he is a very sensible, industrious man, who pays £45 a year, and has it paid; and the other is a small

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John B. Golding.

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holder under £6 a year, and he has his rent paid too. It is from the village of Lincum.

12,357. The President.—Is there practically any tenant-right that is bought or sold amongst the people in this congested district?—No; there never was any tenant-right on that estate, or, in fact, in our country at all. But the sale is acknowledged. All our landlords—and Mr. Kirwan was one of them—never refused to allow tenants who were going away to America to sell their interest.

12,358. And now since the passing of the Act, of course, that is legalized?—Yes.

12,359. Have there been any sales within the last two years?—No sales.

12,360. Has there been much emigration lately?—There is a great deal of emigration going on always. In fact, of my own family two of my daughters are on their way to Queensland. I expect they will have arrived there to-day or to-morrow.

12,361. And in spite of the emigration there is no sale of farms?—No; whatever emigration we have is a healthy emigration. We have that going on always.

12,362. You mean that the experienced children who cannot be kept upon the land emigrate?—Yes. They go to America or Australia, and those who go send for more.

12,363. And the eldest son generally keeps the land?—Not always.

12,364. Mr. Nelson.—Some of them take it up?—Yes.

12,365. The President.—Have you found it difficult to prevent subdivision?—That is not so difficult in the place I have to deal with; it is subdivided already.

12,366. There are not more people on the land than can be supported by it?—No.

12,367. Why do you call it a congested district? You said the people generally pay about £5 or £6 a year?—Generally.

12,368. What sort of pasturage is it?—The upland is very little, but there is bog, which makes it of more value. If that land could be drained, it would be a great asset. There was an attempt made to drain it thirty years ago, but it was a complete failure. That drainage did more harm than good. It was carried out under the Board of Works, and the charge on Mr. Kirwan's property alone was £37 a year.

12,369. It was a failure, you say?—A perfect failure. It did more harm than good. The water was never carried away, and the upper waters were sent down much faster than before, and, when they were not carried away, they receded. And when the flood came now, it remains for six or seven weeks.

12,370. Sir James Ward.—Was that drainage made by the Government?—Yes.

12,371. And so proper outlet was provided?—No; the fall was bad certainly, but it was the worst drainage I ever saw.

12,372. It was money thrown away?—Yes; the floods have been more injurious than before, and they come more often.

12,373. They bring down the upper water, and do not take it away?—There was a new line of road, and when the old flood was in it, the passage to the lake was about 150 yards wide, but they confined it to one arch of about 24 feet, and now there is only one outlet for two rivers. The consequence is that the flood remains there, and lands that were formerly good tillage lands cannot be touched at all now, and the pasture lands have been injured so much that the good grass that used to grow has died from the sour water remaining. The pasture is much worse. I can say that from my own knowledge and experience.

12,374. The President.—The tenants have grazing on the mountain?—Yes, in the year's rent they pay for the grazing on the flooded lands.

12,375. And I suppose they are allowed to cut turf?—Yes.

12,376. As much as they want for their own use?—Yes.

12,377. Are they allowed to sell?—They are not. 12,378. Do they complain of that?—Last spring, when turf was scarce, they were smuggling away some at night, and sending it to Galway, but I spoke to them about it, and I put a watch upon them, and they stopped it.

12,379. Has it got exhausted?—It has got exhausted. The bog is limited on the estate, and it is for their own sakes, as well as that of the landlord, for he was not making money by it,—that I informed. They would run through it, and make away with the whole of it in a few years if they were allowed.

12,380. With reference to the question of purchase, do you think that in these districts where the holdings are so small that it would be of advantage to the tenants to become owners?—I think it would.

12,381. Would it be as easy to prevent subdivision if that was done as it is now?—I think it would be every bit.

12,382. Subdivision would not be at all increased by the purchase?—On the contrary, I think that when they become the owners of the holdings they would become more conservative, and maintain the holdings at their original size, instead of reducing them. They understand the evils of subdivision as well as we do.

12,383. You think it natural that they would become more provident?—Yes.

12,384. You do not think it would stop the healthy flow of emigration?—No, I think it would be increased.

12,385. I suppose the landlord would not object to sell?—I am not sure about that. I know that two of the landlords I have to deal with are anxious to sell, but I do not think Mr. Kirwan is anxious to sell this portion of his estate. But at the same time, if he got anything like a fair offer, I would not say. At present there is a great depression in the value of land, and there is a great outcry that land is not worth anything, and people are advised not to buy, and it would be difficult to get the thing to work in the beginning. But if two estates in the place were sold, then there would be a rush. It would just be like the Land Commission would follow each other like sheep.

12,386. If the landlords got a fair price, they would sell?—I think so. I think it would be a reasonable thing if the landlord got a fair value for it.

12,387. Your supposition is that the tenants have not made up their minds?—Yes, and they are taught to believe that they will get the land a good deal less, and that the foreign competition has not reached its lowest point in its effect upon prices yet, but certainly we cannot say that it has. There was a market here on Saturday, and at two o'clock in the day there was no one to buy barley, and the people who had not to pay came in with the hope of getting 10s. per barrel. It was sold afterwards at 8s., and I believe some of it was sold at 7s. 6d., which was less than 6d. per stone.

12,388. You think that the tenants are waiting for worse times in the hope of getting the land for less?—I do.

12,389. Are they prevented by the operations of the Land League from buying?—They are not prevented, but they are deterred. They are not coerced, but persuaded.

12,390. Persuaded, as you might say, by the speeches?—Yes.

12,391. Not in an underhand way by intimidation?—There is an intimidation going on at present.

12,392. Mr. Nelson.—I think I understood you to say that this was an exceptionally bad year?—Yes, owing to the prices. Only for the rise in the price of sheep it would be worse.

12,393. Sheep are more than this time twelve months?—Yes.

12,394. How much?—I think sheep are certainly 30 per cent. higher than this time twelve months, and in some instances 40 per cent. 30 per cent. would be the general average.

12,395. Having regard to the hopes that are

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people here in the future, do you think this would be rather a forcible way to force a purchase of land upon the country?—Yes, so far as my experience goes, but the future is very uncertain.

12,394. Yes, with a little more experience of a year or two's ownership by the people, and you could form a better opinion?—Yes.

12,397. In the meantime, are you of opinion that the rank of those who have bought might be to cause others to follow their example?—Yes, it has that effect. Our country people are very impulsive; if you get one estate to buy, the others around it will follow suit.

12,398. Do you think there would be a natural growth and development of purchase?—Yes, the people are anxious to purchase their holdings, but they are afraid after what has passed, and the agitation in the political world is discouraging them more.

12,399. You would advocate purchase for these whole rents averaged so much?—Yes.

12,400. Such holdings as can support in moderate comfort the people who are living upon them?—Yes.

12,401. Suppose that the times allowed the people to settle down and devote themselves to industry and their holding in life, these holdings would support a family in moderate comfort?—Yes, they have done it in the past, and ownership had a great effect on the human mind.

12,402. I have heard that these holdings are incapable of supporting a family in anything like comfort?—We hear that and read it, but we see the contrary.

12,403. I am glad to have your opinion about this. At the time that that was declared in the newspapers, and when I went to collect the rents, I found it was one of the smallest and poorest people whom you would think were more subjects for public charity than for the payment of rents—I found some of them were the very best with their rents.

12,404. That goes back to the point from which I started. Would you see your way to encourage these people to purchase the holdings that they have?—I would, and, knowing their industrious habits and actual thrift and their desire to be able to meet their land obligations, I believe that if they were left alone that they would try to increase the value of their holdings.

12,405. Do you think that their mode of farming is as good as it might be?—It wants improvement. I feel that the small farmers of this country have been injured by the climate, and that the climate is one of the chief causes of the poverty in this country. We have a most contrary climate for tillage operations that can be met with.

12,406. We are now on the question of farming?—Yes, these wet seasons come occasionally, and do an enormous amount of harm, and the cold summers also run against us. The growth of weeds is also so very rapid that you cannot keep them down, and the country people don't see the necessity of taking up the weeds, as they should do, before they have run to seed, and it is very often after the seed is shed that they come to take them up.

12,407. Would there be any good results, do you think, from any effort that could be made to educate them in agriculture?—I think that the best possible results would follow from the introduction of any such system; I think that it would cause them to improve their farms.

12,408. Do you act as agent merely for the landlord, or do you also look after the farming?—I am steward and agent; I collect the rents and manage the farm.

12,409. And look after the stock?—Yes.

12,410. We have not heard of any tenant right in your part of the district; can you tell me if there is any such thing in the district?—It never was a custom, but small landlords never dispossessed a tenant without giving him compensation for his improvements. There was no custom on any estate that I have to do with in my memory.

12,411. But farms have changed hands to some extent?—Yes; and when they did, except in the case of grazing farms, they were always treated in the way that

I have stated. Large grazing farmers who farm 100 acres can protect themselves; I have the experience both of large farms and small farms.

12,412. Speaking of the congested districts, you have known several farms to be sold?—I have known the case of parties who were going to America getting leave to sell their holdings.

12,413. Can you tell us how many years' purchase they got?—Not many.

12,414. How many did they get?—I should say in no instance to my knowledge did they get more than two years' purchase on the rental for the tenant right.

12,415. The practice is quite confined to one tenant buying from the other?—Yes, because these purchases take place with the consent of the landlord; and I dare say if the farm was put up for public competition that it would bring more, but it is by no means a general thing in our part of the country.

12,416. Is there a general desire on the part of the tenants to be able to pay their rent?—I would not say that there is a general desire to pay rent; at the same time, these tenants that I have to deal with have paid. I was collecting rent yesterday, and you will see sweeping reductions were given in many cases. There is a very unfair outcry against the Irish landlords in general, for I see so far as they are able they are doing the best that they can. I see that they have given sweeping reductions.

12,417. Do you mean reductions on the judicial rents?—Yes, and they also have been forgiving arrears.

12,418. We only want to ascertain the real facts?—Then if you will look at these books in my hands you will see the cases.

12,419. It is a fact that the landlords have been giving reductions on the judicial rents?—Mr. Kirwan, the chief landlord that I do business for both as agent and steward, gave 15 per cent. reduction on all the judicial rents, and Father Dooley in this town, whose agent I am, gave 20 per cent., and Mrs. Cummings gave reductions; in one instance, where the rental was £15, 10s., there was £44, 10s. due, and I gave a receipt by Mrs. Cummings' consent in return for a year's rent—that is to say, that £31 were knocked off.

12,420. Mr. Nelson.—I see that in this case you have wiped off all the arrears altogether?—Yes; the reason was while these arrears were hanging over the tenant he made no effort to improve at all.

12,421. The landlord therefore wiped out the arrears for him?—Yes, the tenant in that case would do nothing for himself. He would say that if he had the means he would be compelled to pay the back arrears, and that no doubt greatly discouraged industry. Any one who would look into the accounts can see the facts of these cases for themselves, and I would also say that it put a premium upon dishonesty—no doubt it does that in a certain sense.

12,422. I see that the arrears are struck out in this case?—Yes.

12,423. And so the tenants in these cases get a fair start?—Yes.

12,424. Is that a common occurrence in your part of the country?—No.

12,425. You spoke about ownership, and said that it has a good effect?—Ownership has a telltale effect on the human mind. You will find that the people who have not the same interest in the land cannot do nearly so well.

12,426. Is there a general desire on the part of the tenants to buy?—I think there is, if they got the land cheap. They would wish to get it at a fair price, such as would defy foreign competition, and if the tenants were made owners instead of occupiers you would see how beneficial the result would be.

12,427. The landlords are not disposed to come to terms with the tenants?—The landlords would not like, of course, to throw away their own property, but there are people advising the tenants to make offers to the landlords that they won't accept.

12,428. You said that the tenants have great difficulty in paying their rent?—They have.

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Golding.

12,429. I think you said sheep have increased 50 per cent?—Yes.

12,430. Would cattle be reduced about 50 per cent?—Cattle are reduced about 35 per cent from the prices of 1880 and 1881, but I say cattle are as dear now as last year.

12,431. But the graziers bought them cheaper in the spring of the year?—Yes, but any one who bought last year bought too dear—any one who bought last October might make something out of them.

12,432. The small farmers, who reared these cattle, are not getting as good a price as some years ago?—No.

12,433. Sir James Caird.—In any purchase that may be made by the tenants in this part of the world, inasmuch as there is no tenant right practically, the State has a right to reserve a portion as security?—I should say so.

12,434. A greater right than in cases where there is a valuable tenant right?—I should say so.

12,435. And you think that the smallest class of farmers could with advantage become owners?—Yes.

12,436. And you say that now, when they find the soil was easy for sending their children to the different colonies, there is much less temptation to subdivide than there was formerly?—Yes.

12,437. And you say if they become owners that temptation would disappear?—Yes.

12,438. How do they conduct their farming? do they farm pretty fairly on the whole?—Yes, pretty fairly.

12,439. What way?—Oats or potatoes, but it's barley afterwards. They used to grow wheat, but it became unfeasible.

12,440. They begin with potatoes and turnips?—Yes, and then oat and barley, and then on the small holdings they go back to the potatoes or turnips.

12,441. On the same ground?—Yes.

12,442. Don't they put them into grass at all?—They might in cases.

12,443. But do they generally continue that constant rotation of potatoes and turnips and oats and barley, and back to potatoes and turnips again?—Yes.

12,444. Without laying down the land in grass?—Small holdings they must do that; they cannot help it.

12,445. Do they maintain the land up to the proper producing power by the use of manure?—The land gets worse. No doubt they do whatever they can in that direction, but when a holding is too small to enable them to set portion of it apart in grass that must go on. That is one of the things that acts most injuriously upon the holders of these farms.

12,446. That must be a kind of farming that is exhausting the land?—In these small farms the quality of the land must be retarding.

12,447. Do you think they would become safe purchasers?—do you think the state of affairs would improve by their purchasing?—I think that they would try to get as soon of course, and, in fact, they always did so. The small farmers who had a very limited extent of ground got what we call course.

12,448. That is course from another farm?—Yes.

12,449. How does that help their own?—They bring straw upon their own farm, and that enables them to let a portion of it out.

12,450. To rest?—Yes.

12,451. They understand that?—They do.

12,452. They understand the effect of the method upon which they are acting?—There is no people in the world who understand it better than they do. They know very well that freshly broken land will give crops

that are far better, and also that it does not require half the manure.

12,453. They are aware of all this?—Yes.

12,454. And don't want any one to touch it to them?—No; when they see a good crop they say in fact that it is freshly broken land.

12,455. When they saw good crops they cannot have thought very much of their own?—No, I suppose not.

12,456. The result of all this would be that they should have some more land in order to allow a portion of it to rest?—Of course if they could get some more land it would be of material advantage.

12,457. The President.—I will just ask you one question which has been suggested to us; it is that the local authority might help the Purchase Act?—I would say that it could be assisted, and I would say—I am a humble person, and not an authority upon such a matter, and I am no theorist—I would say that if the government was altogether responsible for the purpose that there would be an agitation got up against the payment of the purchase, and therefore I think it would be a mistake to have the local authorities responsible in cases where there would be failure on the part of the purchaser.

12,458. Mr. Nelson.—What do you call the local authority?—I would call it the Poor-Law Union.

12,459. The President.—Would they be willing to undertake this responsibility?—I think not, if they could avoid it.

12,460. Do you think it would be easy to force them to undertake it?—I could not say that, but I think there should be something to protect the government against a strike against the instalments.

12,461. Sir James Caird.—You do not think the Poor-Law Union would be willing to accept the responsibility?—I do not think they would.

12,462. The President.—And you do not know that it would be possible to force them to do it?—No.

12,463. Would they exercise their authority a collection of the purchase-money?—I see that the poor-law collectors make good collections, and for the most part, which passed very hard upon the poorest of the population, is being paid up.

12,464. That caused a good deal of trouble, I believe?—Yes.

12,465. But some of it has been collected?—It is nearly all collected.

12,466. Mr. Nelson.—You are now speaking of the Galway Union?—Yes, and of that which comes within the circuit of my own observation. I brought with me here two men who are much more qualified to speak about these matters than I am. One of the men is a poor-law guardian, and he is a man of moderate views; besides that he is a good farmer, and he lives in this congested district, and he knows all about these congested districts. Besides him, I also brought a small farmer, and he pays £5, 15s. a year rent, and he will no doubt be able to give you a great deal of information. The man I refer to is a Nationalist poor-law guardian.

12,467. You told me there was no agitate yet being done by the Land League in your district?—No.

12,468. Was there five years ago?—There was, and there is always a kind of agitation going on; but it is moderate now and quiet compared with what it used to be.

12,469. It is quieter now, you say?—Yes.

12,470. When was it at its worst?—I think a 1880 and 1881. It began in 1879, and it was very hot for those two years.

Rev. Michael J. Tully, C.C., examined.

Rev. Michael J.
Tully, C.C.

12,471. The President.—I think you exercise your ministry in the district of Oronmore?—Yes, in the district of Oronmore.

12,472. What kind of district is that? Is it a poor kind of parish that you reside in?—It is the poorest

parish that I ever travelled through. I am well acquainted with many parishes of the diocese of Galway, also with the diocese of Kilmacough, and I believe Oronmore to be about the worst of the whole lot.

12,473. Is it what is called a congested district?—There are some districts which are very thickly populated, but it is not in that sense a congested district; the villages are very greatly depopulated. Oranmore was formerly a much more populous place, but the people had, owing to their poverty, to leave it, and there is not now one-eighth or one-tenth of the population that there formerly was. There are now in it only four public-houses, and there were twenty-two public-houses in a some fifteen years ago.

12,474. What have they done, or where have they gone?—They have generally emigrated.

12,475. Emigrated to America?—Yes; they were unable to live upon the country people who supported them. In reality, it is a miserable, poverty-stricken district. They are living generally on tillage, and that is another reason why they are so poor. Tillage, I need not tell you, I am sure, has not been an occupation from which much profit could be derived, the price of produce is so very low. There is a very poor price for both corn and potatoes. The other day I met several people about Oranmore who were coming home from the Galway market, after being offered 7s. a hundred for barley, and they could not accept that.

12,476. Are they paying their rents?—It is impossible for some of them to pay them.—I would say the most—that the majority, unless they got a good reduction, cannot do anything of the sort.

12,477. If they do not get a reduction they cannot pay the rents?—Some of them have been in the Land Court, some of them got reductions of 3s. and 4s. and 5s., and yet they cannot at all pay unless they get 5s. more.

12,478. They have been getting statements on the judicial rents?—Lord Walcott gave a reduction, Mr. Athy gave 3s., and Mr. Redington gave a reduction.

12,479. Mr. Napier.—Was the reduction given on the judicial rents?—I cannot say with reference to Mr. Redington's.

12,480. The President.—Do you say that even with these reductions they have not been able to pay in all cases?—I do.

12,481. And so there are arrears of rent?—There are.

12,482. Are these landlords taking measures for the recovery of the arrears?—I must say that these landlords I have named are not disposed to be harsh. I have every hope that they will not be harsh, but there is another cause in Chancery for which Mr. Darcy is famous. He is treating the tenants on that property badly. I do not know whether it was his fault or not, but at all events he evicted seven or eight tenants half a year ago, and I do not believe that you could get 2l. amongst the whole of them, unless they sold their potatoes to pay it.

12,483. Any non-payment of rent that there is in that part of the country is owing to the poverty of the people and the bad times?—It certainly is; it is not owing to any wish on the part of the tenants to avoid paying.

12,484. There is no intimidation or combination amongst them against the payment of rents?—No, except in far as they find it just. Of course, the National League is trying to work out justice, but there is no tendency to commit outrages or anything like that amongst them. They only want to get their just rights in a peaceful and constitutional manner.

12,485. I suppose the district was in a worse position a few years ago with regard to intimidation or outrage than it is now; or was there never intimidation or outrage in that district?—I am only twelve months there. For the time previous to that I cannot say; I am not certain whether there were many outrages, but I can say that during the twelve months not a single outrage has occurred in that time.

12,486. Has there been any sale of tenant right in your district during the whole time that you have been there?—Do you mean of a landlord selling out his estate?

12,487. No; I mean have there been any cases of tenants selling to tenants?—Certainly; it is a common practice in order to try to make the rent. There are two or three shopkeepers in the town who have had transactions of that kind. I was in the country the other day, and one of these pointed out to me and said, "That field is mine, and that field is mine," and so on. He sublet the field to the tenant.

12,488. As a part of his interest?—The tenant was not able to stock the land himself, and he did not wish to give it up altogether, and he got this gentleman in the town to give a little help.

12,489. But the normal sale of the tenants' interest to each other is not a common thing?—No, it is not at Oranmore, nor even in the country around.

12,490. There has not been any even since the Land Act of 1883 legalised the sale?—I would not say that it is a common practice; it is done in some cases, no doubt, but it is not general.

12,491. Are you one of the people who are in favour of establishing peasant proprietary by means of tenants buying their holdings?—I would certainly, but I really think that there is not half a dozen people in the whole parish who would be able to purchase their lands.

12,492. They have not turned it over in their minds, I suppose?—Some of them have been talking about it, but the fact is that some of the tenants who were evicted had an offer made to them by the landlord to give them the land at twenty years' purchase. He wrote to them about it. Of course that offer was entirely too high, and it was not accepted. It could not be accepted.

12,493. You know, of course, that they would be able to diminish their rent considerably under Lord Ashbourne's Act?—I do not know.

12,494. Mr. Nelson.—That offer would give an immediate abatement on the rent?—But they consider that paying taxes when they became owners would add too much to them, and they are afraid that they would not be able to pay it in their present state. Before they would be able to pay their rent they should be put in some safe position.

12,495. In fact, they would not be willing to rent it at the rate of twenty years' purchase?—No, they would not.

12,496. Sir James Child.—Have they at all considered the number of years at which they would buy?—They would say that they would like to purchase. I think I know their mind rightly, but I say that owing to their being broken-down tenants they are absolutely unable to purchase.

12,497. And the landlord is willing to sell?—Lord Walcott is willing to sell?—I believe he is; so, I think, would be Mr. Athy. He will be before you, and he can correct me if I am wrong; I think he stated to me at one time that he would be willing to sell.

12,498. Mr. Nelson.—What would be the average size of the holdings in your parish?—are they large or small?—As a rule they are small farms.

12,499. What would you estimate to be the average acreage?—The acreage is a good many cases would be about 20 acres. I have every reason to know, and to know about their condition, because I went amongst them, making my annual collection. I found out for the first time fairly and accurately the extreme poverty of the people. It made the most extraordinary impression upon me.

12,500. What is the average rent for these holdings one with another?—I could not answer that question.

12,501. Is it very poor land?—It is really bad land.

12,502. Is there any care taken with reference to the mode of agriculture adopted?—I think the people are making the best they can of such land; as far as I can see, I would say that they are.

12,503. With reference to these cases of eviction that you mentioned, are these people tenants who are actually out of the land, or who have been reinstated?

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as caretakers?—They have been reinstated as caretakers.

12,504. As caretakers?—Yes.

12,505. And they have the option of buying at fifteen years' purchase?—No, at twenty.

12,506. Is that twenty years' purchase of the tenement valuation?—It is twenty years on the judicial rents.

12,507. Do they say at all upon what terms they would be willing to buy?—They did approach the question. I believe there are about sixteenth tenants in this little village, and three of them approached the question, and would buy if they got ordinary fair terms.

12,508. On the judicial rents, what abatements did they think would be fair?—Every one of them said 5s.

12,509. Five shillings in the £1?—Yes.

12,510. That is a reduction of 25 per cent.?—Yes.

12,511. Twenty-five per cent. on the judicial rents would bring it to a fair rent, they think?—Something about that.

12,512. At fifteen years' purchase the reduction would be a reduction at 40 per cent.?—Yes, but the offer made was twenty years' purchase. The 5s. in the £1 that they think they should get would pre-suppose that they got 5s. reduction in the Land Court, and that would be a reduction of 50 per cent.

12,513. I understand you to say that where there are judicial rents, as there were in that case, that they would consider that 25 per cent. reduction on the judicial rents would be a fair thing?—Yes; that would enable them to meet the landlord for that year, but it would be another thing to meet that rent for ever.

12,514. If they got 30 per cent. of a reduction by buying, would not that be a very considerable abatement? If they buy at fifteen years' purchase the reduction that would come to them would be considerable?—They are not willing to buy at fifteen years' purchase at all.

12,515. I want to see whether that is reasonable on their part or not?—I don't understand you.

12,516. I think I have failed to convey myself?—Well, I don't say that.

12,517. They hold under judicial rents; if those rents were reduced by 50 per cent. that would be, you think, about a fair rent—that, of course, is 5s. in the £1. I will assume that you give them 30 per cent. in order to bring it to a fair rent. You would take 30 per cent. off the judicial rent in the first place?—Very well.

12,518. If these men, after holding on getting 30 per cent. from their landlords, bought at fifteen years' purchase, they would not only in figures be getting 40 per cent. of an abatement on the rent?—How so?

12,519. Because after buying at fifteen years' purchase where you have been paying £100 you pay 40 per cent. less. Fifteen years' purchase on the judicial rent would only require the tenant to pay 40 per cent. less than he paid formerly?—What I understand by fifteen years' purchase is that you first fix the amount of the fair rent.

12,520. So I am doing—And you pay fifteen times that?

12,521. Yes?—Well, after paying that they state that they would also have to pay all the taxes. The taxes would fall upon them which they do not pay at present.

12,522. Well, you see in the case that I am putting to you I am allowing 10 per cent. for that—10 per cent. for the taxes; if you got 5s. of abatement in the £1, and 10 per cent. besides for taxes, that would represent what this purchase would mean?—That would 10 per cent. meet the taxes that the proprietorship of the land would incur.

12,523. I want to see if the question of purchase has been considered by the tenants, or if they know what it means—40 per cent. is a very large reduction.

You say they are unwilling to buy their holdings at fifteen years' purchase?—No, I meant at twenty. The tenants agreed with me in saying that the taxes would be too high.

12,524. Can you give me figures showing me the amount of the taxes?—No; it is about a year's rent we checked it, and I forget now. Of course, you know, you could find out yourself what they should be.

12,525. The tenant would have to meet the half of the poor-rate in addition to that which he meets at present, and also probably the half of the county cess. In most cases he has to pay the whole of the county cess at present. In that case, of course, if he was proprietor, he would pay the charges upon the land. These are all the charges that I can see would be put upon him—namely, one-half of the poor-rate and half of the county cess. These would be all the extra payments?—We calculated that even if he got 5s. he would be much better off than he would be by buying at twenty years' purchase. We have it on very high authority, on local authority I believe, and we come to the conclusion that 3s. of a reduction would be of more advantage to the tenant than his purchasing at fifteen years' purchase. Of course, I do not know whether I am right or wrong, but that is the opinion we formed.

12,526. Mr. Keble?—What are the poor-rates in your district?—They are very high. I think they are over 2s. A relief committee was appointed, and it was one of the districts included in the relief. I am not certain, but I think it is 2s.

12,527. Does the landlord in many cases pay half of the county cess?—I think they are all expected to pay it. You will find, if you investigate the matter closely, that the tenant will not be so well off at twenty years' purchase even if he got a 5s. reduction. I got very high authority to investigate the matter at the time, and that is the conclusion that we all came to.

12,528. You have an intimate knowledge, I suppose, of the state of the tenants in this district?—Yes, in this part of the country. I have also been in that for over three years, and that is a very large parish. I have gone from that parish to neighbouring parishes, and had various opportunities of seeing how the people are situated, and I saw that the people of Orammore are the poorest of the whole of them and the worst off.

12,529. You think that they have an honest desire to meet their rents?—They are too honest and simple-minded to have any other desire.

12,530. This state of affairs and this inability to meet their demands arise in consequence of the low prices of produce—you say that they were offered 2s. per barrel for barley?—Yes.

12,531. And, in consequence of the low prices of produce and the low prices of cattle, that they cannot pay their rents?—Yes; the potatoes used to make a lot of money, and now they are very low; they rose 2½d. last Saturday in the Galloway market, and that would not pay.

12,532. Supposing the judicial rent is 24, and the tenant buys at fifteen years' purchase, do you know how much his annual instalment would be?—No.

12,533. These are the figures; the judicial rent is 28, and if he bought at fifteen years' purchase, the instalment to the Government would be 23, 12½.—You are excepting all taxes.

12,534. There are only two that he could be made liable for?—That is all—Income tax.

12,535. Unless his income was over £100 a year, he would be free from that. I wanted to make the matter plain to you. Is not that a large amount by which to bring down his yearly payment?—It looks very well certainly.

12,536. And it is not only a great reduction, but by paying it he would be the owner of his property?—There are various matters to be taken into consideration in connection with that matter. I am afraid the Government would not be so lenient, and would require

the payment of the £3, 12s. to the very day, and of course the tenants have to wait for the markets.

12,537. You think that the indulgence of the landlord is equal to the difference in the amount?—No; but it is a circumstance that should not be forgotten.

12,538. Sir James Caird.—Then the landlords are very ready to meet the necessities of the tenants?—Not those of the Lord Chancellor's type.

12,539. I am speaking of years?—Yes; those three will be reasonable, I think. I expect they will, but I do not know. The Government, they think, would require the payment at once, and the majority of the landlords will wait till the day after the market.

12,540. The character of the land around Oranmore is fair?—Yes; rather rocky.

12,541. I suppose the produce from it is of a good quality?—Whatever produce it gives is good. If it is well tilled, the quality is good.

12,542. When it is well tilled it is good?—Yes. When they use a lot of manure, and seaweed, and guano, and where it is well tilled, it yields a fairly good crop of corn and potatoes, but certainly I do not think that is due to any intrinsic value in the land. It is the labour and skill of the farmers.

12,543. And do the farmers, as a rule, cultivate it without hired labour?—can they manage without hired labour?—No.

12,544. Do they generally hire labour?—Generally.

12,545. What is the condition of the labourers?—Speaking of the town, most of them are out of employment. In the country some families—a great many of them, indeed—do not require labourers. In the town itself there are a good many of the labourers who have no employment.

12,546. What do they do?—They have no employment. They are going about the streets every day doing nothing.

12,547. Not earning wages?—No; I cannot understand how they live. They beg, a good many of them, and it is deplorable to find able-bodied men actually asking food from their neighbours.

12,548. Is there plenty of food in the district to carry the people through the winter till the summer?—I think the potato crop is very good.

12,549. It is a good crop?—Yes; except that they are getting very black in parts, and the crop of oats is light. It is very light in that parish this year—I leave it, of course.

12,550. There is no fear of a want of food in the parish?—You have plenty of potatoes, but the oats and barley grew very badly this year. The potatoes give very well, if they keep sound. I know one village where I met the people, and they said that one-half of the potatoes were black.

12,551. Are these black potatoes not eatable?—No.

12,552. Are they rotten?—Yes. Pigs are a class of animals that you make money from quickly, but they are very subject to disease in that district.

John Joyce and James Qualter, of Liscannore, Co. Galway, examined.

12,570. The President (to John Joyce).—Do you both come from the same part of the country?—Yes; we are from the one townland.

12,571. Where is that?—It is a place called Liscannore. I pay £46 a year.

12,572. Do you hold under judicial rent?—I hold under a lease. In 1874 I got a lease, and the landlord made a reduction; he took 20 per cent. from the rent reserved in the lease.

12,573. Do you find that you can pay that very well now?—I cannot say that.

12,574. You cannot pay it in these bad times?—Well, at the first instance, you see, the rent is £46.

12,575. How many acres is the holding?—Forty acres, and there are ten not worth 10s. an acre. These are Irish acres.

12,576. When was it that the landlord gave you the reduction?—In 1874 I took the lease at a rent of £38, 17s., and in the year 1879 he gave a reduction

12,553. Pigs?—Yes. I sold to them, "Why don't you feed the pigs on the black potatoes?" and a man said, "Yes, if I had them to feed. I had five pigs, and I would have been able to meet the landlord if they had lived; but they all died, and I am not going to run that risk again."

12,554. Mr. Nelson.—That is something exceptional?—It is a peculiar fact, but I find it in the whole parish.

12,555. With regard to these people whom you say go about without the prospect of getting employment, and whom you don't know how they manage to live, could they not be got to some better place where there is a chance of employment?—To leave the country.

12,556. Or to go to some place where there is a demand for labour?—Yes.

12,557. There are some parts where there is a scarcity of labour?—Yes; but every one is not willing to leave his native country.

12,558. If they have no food, as you say, and no wages, and you don't know how they live, don't you think it would be better?—It is really the case with some of them in the town Oranmore that they actually have no employment, and how they manage to live I do not know at all.

12,559. Has that been the case for some time?—Of course in parts of the year it is not the case. For instance, in the harvest time they get a fair amount of employment. In the spring also they get a fair amount. There is another means of employment they have, which is by collecting periwinkles.

12,560. That is on the seashore?—Yes.

12,561. Is there much seaweed?—Yes.

12,562. Is it good?—It is fairly good.

12,563. That is used for the cultivation of the land?—Yes; there is the periwinkle picking, and I believe that supports them to some extent.

12,564. Do you mean the people who have no other employment at the present time?—Yes; they go and pick them on the strand. The people there are very miserable and poor. When I went amongst them I was surprised; I would be sorry to see my horse stabled under most of their houses.

12,565. How then does any emigration?—Yes, every year.

12,566. And it goes on regularly?—Yes; and the result is that after a while there may not be any one there.

12,567. But it is a great deal better that they should go than remain to starve?—They are not starving exactly, but they are very badly fed and housed.

12,568. Do you know anything of those who emigrated? have they succeeded?—As a rule.

12,569. On the whole, they have benefited by this change?—Certainly. I suppose they are better fed, housed, and clothed where they are gone.

on the property, and he gave me the benefit of it up to the time that the judicial rents were fixed. I reside on the townland, and he gave me a permanent reduction.

12,577. Did he bring you down to the same level?—No.

12,578. You are still higher than the others?—I am, I suppose, about 1s. 6d. in the pound higher.

12,579. You would like to go into court to have the rent settled, I suppose?—Yes, if I was dealing with a landlord that would not give me a fair chance; but so long as I was dealing with a landlord that would treat me according to the nature of the times, I would be satisfied to remain as I was.

12,580. He has been a good landlord?—He has to me, certainly; although, at the same time, I look upon the rents as too high at present. In this present year he has granted 35 per cent. or rather his executors, for he is dead himself.

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Rev. Michael J. Fally, C.C.

John Joyce and James Qualter

Nov. 4, 1856.

John Joyce
and James
Qualter.

12,561. That gentleman died?—Yes; this was given by the executors.

12,562. His executors have given you 15 per cent. ? Yes, on one-half year, and the new landlord on another.

12,563. You have been able to pay after that?—I strained every nerve to pay, so long as he dealt with me so liberally. At the same time, I could not say that it would be anything extraordinary if it was ended at that.

12,564. Are the people about you paying the rents as well as they can?—They are. He granted the same reduction to the tenants that came into court—15 per cent. all round on the judicial rents as well as mine.

12,565. And in return for this concession, they are paying their rents?—Yes; any that are able to pay are paying.

12,566. There are some arrears still?—I don't say there might be a few who did not pay, but that is because they are not able to pay.

12,567. Sir James Caird.—They are willing to pay if they can?—Yes.

12,568. The President.—There is no combination against the payment of rents there?—No, there is not.

12,569. Have you ever thought of becoming the purchaser of your holding?—If I could see my way to do it, I would be most anxious to do so.

12,570. You would like to become the owner of your farm?—Yes, if I could see a way of meeting the payment of the interest of the borrowed money; if I could see that I would be able to meet that, I would be most anxious to purchase.

12,571. Do you think that he would be willing to sell?—The landlord that is over us!

12,572. Yes?—I cannot say whether he would or not.

12,573. Who does it belong to now?—It belongs to the son of the late landlord, who is our landlord now; but the rents in the time of the old rent had to be received by the executors; there is only one gale paid to this landlord.

12,574. The President (to James Qualter).—You pay a rent of £65?—I pay £5, 15s.

12,575. Have you any other business?—No.

12,576. Is that all you have to live upon?—Yes.

12,577. Can you make a living out of it?—I make a living out of it, and my father before me; but the times are bad, and the climate is going against the crops, so that it is not easy to make it now.

12,578. How many acres does your holding consist of?—Of tillage land there is about 3 Irish acres.

12,579. And have you got grazing besides? I have you got a bit of mountain?—No mountain, but low pasture that is flooded nearly the whole summer as well as the winter.

John Joyce.—All that is liable to flooding two-thirds of the year.

12,580. The President.—You make your living out of this land for which you pay £5 a year? Can you have more often in the week?

James Qualter.—I do not.

12,581. You don't have much meat in the week?—I do not.

12,582. What do you live upon?—Potatoes.

12,583. Do you use strabont?—If we wanted we could take that same. Potatoes and fish—herrings—is the general means of support of the small holders in this locality; and, as far as meat is concerned, they cannot taste it except on certain days of the year when they may have it as a luxury, say once or twice in the month.

12,584. The President (to James Qualter).—Do you go away in the summer to other places to work?—No, never.

12,585. Have you ever thought that you would be able to get a better living by emigrating and going to America? you have not thought much about that?—No, I would not go away; I would rather live here at home than go far away.

12,586. Would you wish to become the owner of the bit of ground you have?—I would like to get a larger spot of ground.

12,587. Would you like to get a larger bit as a tenant, and then become the owner of your own?—Yes.

12,588. If you got a bit of the same size, would you be willing to pay the same rent?—Do you mean larger than I have?

12,589. Would you pay for it in the same way?—Yes.

12,590. Do you think the holdings are smaller since you first remember them? has there been much subdivision?

John Joyce.—There has been no subdivision since I was young in the township I live in, but formerly, before the present division, the entire holding was held jointly by the people of the village. Then was before my time. It was held by the whole village. There were 200 acres in the whole township, and it was divided into holdings for a considerable number of inhabitants, and at the expiration of the lease the late landlord divided up the entire holdings conveyed or valued by a gentleman named Mr. Knight, and when he found its value, he divided it into smaller holdings than we have at present, but that was before 1847, the year of the famine. At the time of the famine, some of the tenants failed, and what was done then was this: if I had a holding, for instance, and that another tenant surrendered his holding, the two were added together, and if I was able to keep them, I kept them, and the holdings were enlarged by this means, but during that time there was no subdivision in the township that I live in.

12,591. I suppose your holding is the largest in the place?—There is none in the place so large as mine.

12,592. Several small holdings were put to you?—They were put altogether, I think, in 1851. It consisted of 26 acres, and in 1874, the time at which I took the lease that I held now, there was another holding adjoining mine, and my late landlord would not be willing to give me that unless I surrendered the old lease, and took the two holdings together. He added £9 of a rise on the two, and I took the lease of the two at the rise of £9, because in those days and was too cheap at any price, and when it was adjoining mine, I was tempted to surrender the old lease, and take the lease of the two.

12,593. You paid £38 a year?—Yes, in 1874. I kept paying the £38 till 1875, and when afterwards we came on all the properties, he gave me that reduction, and at the time of the fixing of the rent he gave me 20 per cent. permanent of his own free will.

12,594. Up to that time you had not any fish to feed with him?—I think he did as well as he could.

12,595. Sir James Caird.—That was a time of great prosperity?—Yes.

12,596. And that is the time you got the increased land and the increased rent?—Yes.

12,597. The President.—Do you think if the land was the property of the tenants that they would be inclined to subdivide?—I think they would not, because the holdings are not large enough.

12,598. I suppose they are beginning to find that out?—Yes; even if they had it all their own way, they would not subdivide it, because there is little enough to support a family now.

12,599. What becomes of the young children of these families?—They have to emigrate.

12,600. And do they emigrate?—Yes, there is scarcely a man in the township I live in but has sons of his family away.

12,601. And are they doing well?—The majority of them, I believe, are. Of course it is very hard for me to tell, but I believe they are. The families that are growing up here now, unless they are pretty fairly off, are not inclined to remain at home as they are, and they emigrate.

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John Joyce
and James
Quilter.

12,622. They think about emigrating as they are growing up?—Yes.

12,623. And are they better educated than they used to be?—They are something.

12,624. They know more about other countries, and I suppose hear more from other countries?—They are something more enlightened.

12,625. And they are much more ready to go?—Yes, it is really impossible to get some of them to remain at home at all.

12,626. Thus there is no difficulty at all in getting people to emigrate, for they desire to emigrate themselves?—Yes, in those cases they won't live at home.

12,627. And you think they are quite ready to go?—Yes; of course they would rather stay at home if they could, but they think it better to go.

12,628. But upon this townland that you speak of there is no room for them?—Not upon this townland.

12,629. Is that the case with many other townlands that you know of?—There are four or five about there which are in the same position, but they are not under the same landlord. The landlord has lots of land that could be divided into holdings if he only consented to give it to them.

12,630. He would not desire to have subdivisions?—I do not suppose he would.

12,631. And I suppose the head of a family does not wish to subdivide?—He does not wish to subdivide that which he has, but if the landlord gave him 18 or 20 acres of the land that he is farming in grass at present, he would be most anxious to take it sooner than allow the children to emigrate.

12,632. He would like to keep the children with him if he could?—Yes, and the children would like to remain if they could get the land to live upon, but the fact is that both parties see that they could not remain unless there is an enlargement of the farms, when the landlord will allow them to have some more land.

12,633. Mr. Neeson.—That could only be done by having small holdings; the land that he has at present is grass?—That is all.

12,634. And he should break that up into small holdings in order to do that?—Yes, and he is not willing to do that.

12,635. That is the land that he has upon his own demesne?—The land which was tenanted in former times.

12,636. Sir James Caird.—Is that better land than the land that is in the hands of the smaller tenants?—A great deal of it is not so good, but it would be better for twenty years than that which they have now.

12,637. Yes, it would be better, being quite fresh?—Yes, being idle for about thirty-five years, while the land that the tenant has at present is constantly in tillage for the last fifty or sixty years, and got very late manure, you cannot expect a crop from it that is very good.

12,638. Can't you put it into grass?—The holdings are so small that it is not easy to do so. There is hardly a year that I don't lay down a field and break up another, but in most cases the holdings are so small that the people could not lay any of it out at all, because if they did they would not be able to rear their families.

12,639. From that constant cropping this land is necessarily going down in condition?—The land is deteriorating.

12,640. Then the very small farms seem to have in themselves the principle of deterioration?—Yes, unless they get some rest they must deteriorate.

12,641. Unless they get increased in size?—Yes, unless they are allowed to rest.

12,642. And they cannot do that except they get more land?—Just so.

12,643. To James Quilter.—Can you tell me how you manage your 3 acres of land? do you keep it in crop?—I do.

12,644. Mr. Neeson.—Not in grass?—No; in potatoes.

12,645. Sir James Caird.—You put the 3 acres in crop?—Yes, potatoes in potatoes, and a portion in turnips and some corn.

12,646. Then you change the cultivation as much as you can?—We have coarser, and only for that we could not live.

12,647. You bring in straw for that?—Yes, and potatoes, and turnips, and so on.

12,648. How much do you pay for the coarser?—About 20s. for each acre, but this is land that gives better results than our own.

12,649. And can you hire it at 20s. an acre?—Yes.

12,650. You have to manure it to grow a crop?—Yes.

12,651. Would you count an acre of the corn crop at the price of 45 or 50?—Yes.

12,652. And does that pay?—Well, it does not pay.

12,653. But you cannot do without it?—We could not.

12,654. Because you have so little land.

John Joyce.—They find it necessary.

12,655. Sir James Caird.—He would be better able to pay 45 an acre and grow oats?—Yes.

12,656. But he cannot get the land?—He has no chance of getting land in that way.

12,657. The President (to James Quilter).—Your wish is to get more land?—Yes.

12,658. To increase the size of your holding?—Yes.

12,659. Mr. Neeson (to John Joyce).—Is there any tenant right in your country?—Does one man ever sell his holding to another?

John Joyce.—There was no power to sell in my recollection unless it occurs within the provisions of the Land Act—that is all the power that I can see.

12,660. Mr. Neeson.—Are the people willing to meet their engagements?—Yes; they are to the best of their ability.

12,661. And the landlords have met them by giving them reductions of rent?—A few landlords; our landlord did so.

12,662. Reductions on the judicial rents?—On the judicial rent.

12,663. And as far as the tenants could they endeavored to pay their rents?—Yes; all that possibly could pay did pay; of course there are a few who did not pay, but if they could they would.

12,664. What is that liability to pay caused by?—Is it the low price of produce?—Of course it is caused to some extent by perhaps the death of pigs or the failure of a crop. These things occurring may leave one man in a worse state than another.

12,665. Do you rear many cattle in this district that you are speaking of?—The holding that this man holds, for instance, could rear nothing but his cow.

James Quilter.—If the food kept away, I could rear a cow, but it does not.

John Joyce.—There is in this townland about 80 or 100 acres of this low-lying pasture-land the tenants gave up in the famine time. The landlord got that, and he sets it as grazing to the tenants of this townland, and they rear their cattle upon it, but they have to pay independently of the land for the grazing.

12,666. Mr. Neeson (to James Quilter).—You hold under a judicial rent?—Yes.

12,667. And you got the same abatement?—Yes.

12,668. Sir James Caird (to John Joyce).—Do you find that the very small farmers have very much more difficulty than you who are a considerable farmer amongst them?—Do you mean as far as meeting our demands is concerned?

Yes.—I venture to say a farmer with 20 or 30 acres, who has capital enough to manage his holding, and knows how to do it, might be in a position to

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and James
Quaher.

grow a better crop with ordinary manure than the tenant with a small lot.

12,669. Because he is able to rest his land?—Yes.

12,670. That is the great point?—That is the principal point that I see, but the small farmer has as good an opportunity in other respects.

12,671. But that matter of allowing the land to rest is most important?—Yes.

12,672. It is the essence of success?—It is the essence of improvement to the tenant and to the landlord also.

John Dooley, examined.

John Dooley.

12,673. The President.—I believe that you hold a large farm?—I do; I hold 156 acres on one farm, and 176 on another.

12,674. Are those Irish or statute acres?—They are Irish, and I hold about 50 on another farm.

12,675. Sir James Caird.—How many acres altogether?—156, and 176, and 50, which makes a total of 382 acres.

12,676. The President.—What is your rent?—£545, I think.

12,677. Is that a judicial rent?—No, I never went into court. I did not go in to get a judicial rent fixed. On those two farms I had no object in not going in. I took them lately. I had other lands that I gave up, and I took these in preference.

12,678. You held them from year to year?—Yes; I have a lease of the 75-acre farm.

12,679. Is that rented higher than the rest?—It is. I took the lease of that in 1874.

12,680. Mr. Neligan.—You held 600 statute acres.

12,681. The President.—Would you go into court with that lease and have a judicial rent fixed?—Yes.

12,682. You see no reason why it should not be treated the same as any other?—In 1874 the rent was too high. The times were very good then. Of course, I was compelled to take the lease—I was actually compelled. I was living upon that place, but I have changed my residence since. I was living on the place at the time, and there was a cousin of mine living on it, and it was an adjoining farm where the landlord would not recognise the tenant; he said he would hold me responsible for the whole rent, so I had to take the lease, and he put a rise upon me.

12,683. What does your holding chiefly consist of?—It was for any purpose—it was a general farm.

12,684. Have you ever had any wish to buy—to become the owner?—If I got it for what I think it would be worth I would buy.

12,685. What do you think it would be worth?—How many years would you give?—I would give fifteen or sixteen. I would give sixteen for it.

12,686. Your landlord would not sell for that, I suppose?—No, he would not sell for that.

12,687. Buying at fifteen years, you know, of course, would give you a very large reduction. Under the Act it would be 40 per cent. reduction if you bought at fifteen?—Well, I think people would require that. The times are changed for the last ten years, and we do not know what is going to happen.

12,688. The landlord would be a great loser. Have you paid your rent for the last year?—Indeed I have, but I paid it out of my own capital—a good deal of it.

12,689. Without any abatement?—Yes.

12,690. Mr. Neligan.—You got no abatement?—I got one last year, but not this year. I got 25 per cent. on those two large farms I told you of, upon one half-year's rent.

12,691. The President.—But you got no abatement this year?—No abatement this year.

12,692. You have never had any communications with the landlords to see what they would allow you to buy at?—I have not.

12,693. Mr. Neligan.—Has any person in your locality bought under Lord Ashbourne's Act?—Not that I know of.

12,694. Do you know whether the people under-

stand the benefits of that Act?—I am afraid the country people do not understand the benefits of a property.

12,695. Have they ever heard what the advantage would be for a man buying at thirteen or eighteen years?—What the advantage would be to him?

Now, for instance, supposing a man paying 10 years bought at twenty years' purchase, his yearly payment would be £40; for sixteen years' purchase it would be £38; for eighteen years' purchase it would be only £36 instead of £50; and for seventeen years' purchase it would be brought down to £34. Do you think that the country people are aware of these advantages to purchasers?—There are great reductions in rent, and after they purchase the land would be their own—I do not think the country people understand it.

12,696. I fancied that was so, and I wished to put your attention to it?—I do not think they understand it.

12,697. Do you wish to know where you can find these figures?—If you do, I can give you the reference, and you can buy the book for expense?—The people do not properly understand it, I think; I would be anxious to buy my own land, because, in the first instance, I think it would make me more industrious; I would then have a stake in the country as a stake in the land. It would be more to me every year, and it might be a fortune to my children at some time.

12,698. Mr. Neligan.—Do you think that the prices of their farms would have the same effect upon all the farmers in your locality?—You say it would not you more attentive and industrious if you purchased your farms?—Yes; I think it should have.

12,699. And do you think it would have the same effect upon all the people of the locality?—I think it should, and I think it would. It is my belief that it would.

12,700. And if the people saw that they got a further reduction, you believe that they would buy?—I think they would.

12,701. Do you know whether the landlords would be willing to sell or not?—I know some that would be willing to sell, but I think that the price they ask is too high.

12,702. They would not take what the tenant would like to give?—No.

12,703. They want too much?—Yes. There is a landlord that I have heard from, and he asked twenty-five years' purchase not a fortnight ago. Of course, I would not give that.

12,704. You would not?—I would be most anxious to buy if I could see my way to do it.

12,705. Mr. Neligan.—Suppose a man could reduce his judicial rent by 25 or 30 per cent., would he not be doing well?—Well, to run a risk, I think that would be fair.

12,706. If he could reduce his judicial rent by 30 per cent. he would not be doing badly?—I would think so. I cannot speak for the country.

12,707. Mr. Neligan.—You arranged, you say, with the landlord without going into court?—Yes.

12,708. What per cent. did you get off?—I got 25 per cent. off. I got 25 per cent. on one half-year's rent; that was the only reduction I got. I held under

a house in which thirteen years ago there was a rise of 100 per cent. I have to pay that still.

12,712. You were compelled to take that lease at the time?—I was compelled.

12,713. And you would be glad to get out of that now?—I would give any one a bargain of it now. I built a lot of houses and improved it in every way.

12,714. Sir James Colquhoun.—Was that all done at your own expense?—Yes; every shilling of it.

12,715. If you gave up the farm, would you get any payment for that?—Yes.

12,716. Could you sell it?—I would give it to any one who would give me anything for my trouble.

12,717. Has there been any combination in this part of the country at all, as against the payment of rent?—Not that I know of.

12,718. You have been a large holder of land and employed a good deal of labour?—I did; for the last summer I had an average of thirteen or fourteen men, I think.

12,719. Have you been long a holder of a considerable extent of land?—Have you been twenty years?—Indeed I have. I think my father before me held more than I hold at the present time.

12,720. And you have employed labourers, and do so now?—He was always an employer of labour.

12,721. Have the wages risen since then?—Not much.

12,722. How the condition of the labourer improved?—He won't do as much for his hire now as he did then.

12,723. That, of course, may be worse for you, but I am asking you about the condition of the labourer?—I suppose it could not be worse for the labourer.

12,724. What wages did he get twenty years ago?—He got, I think, about 1s. a day. The labourers in the former times, fourteen or fifteen years ago, used to be supported in the house. That was the principle that my father went on. He always supported them in the house.

12,725. And paid them a money wage and gave them their food?—Yes; 8d. a day.

12,726. And gave them their food?—Yes.

12,727. Is that the way now?—No; it is changed now. I got four or five the other day.

12,728. What do you give them?—10d. a day, and I save them their support.

12,729. So that they are 3d. in the day better now?—Yes; but they are choice men.

John Boyd, of Castletown, Bellina, examined.

12,730. The President.—I believe that you are a landlord proprietor in this county?—No, my lord, not in the county, but in the county Sligo.

12,731. And you are also, I believe, a tenant farmer?—Yes.

12,732. Is the county Sligo?—In the same county.

12,733. Have you had a fair rent fixed upon your land?—Not upon the whole of it, but on a very considerable portion.

12,734. And besides that, you hire land from other people?—Yes.

12,735. You are both landlord and tenant?—Yes.

12,736. Is the land you hold under a judicial rent?—The farm that I hold under a judicial rent. When the Act passed I struggled with the landlord at a certain rate. It has never been completed, but I look upon it as binding as a judicial rent.

12,737. Are your tenants under judicial rents?—My own tenants?

12,738. Yes?—A number of them went into court, but perhaps one-half of them did not.

12,739. And they hold from year to year?—Yes; from year to year the same as formerly.

12,740. So that you have a fair experience both ways of the judicial rents. Do you think that the judicial rents fixed two or three years ago are difficult to pay, as prices go at present?—Well, my lord, I think they could be paid this year, because, although

12,730. Those who are not in the house, what do you give them?—1s. 3d. a day.

12,731. To the men who used to get 8d. a day in the house and their food?—Yes; I now give them 1s. 3d. a day without being fed.

12,732. So that the men are not better off?—I think they are somewhat about equal; but I think the expenses of the men are more to themselves than formerly.

12,733. There is no scarcity of labour in this quarter that you know of?—Not in my quarter.

12,734. There is plenty of labour?—There is plenty of labour in my quarter.

12,735. Do you know anything about the administration of the local boards, or the proposal that the Government made about the security for the loan, that it might be strengthened by their giving their security?—I do not understand that; I never read about it, nor took an interest in it.

12,736. Are you not a member of any of these boards yourself?—I am not a guardian. I was often asked to go in, but I never consented.

12,737. Mr. Nelson.—Do you think that the Boards of Guardians would like to guarantee such man's purchase out of the poor-rates?—I do not think they would.

12,738. Would you as a ratepayer like to see it done?—No; I think it would be against my own interests. However, I would like to go with the country, and to do what it would wish.

12,739. The only good would be to combine the whole thing so as to prevent a strike.—That would be a very good thing.

12,740. That is the only object of it?—Yes.

12,741. Mr. Kane.—In your district, do you think that labour costs more now than it did formerly, say ten years ago?—The labourer would then do half as much more work than he would now.

12,742. He would work harder?—Yes.

12,743. And wages are higher?—Not a great deal. There is not a great deal of difference. Sometimes they are higher, and sometimes they are equal.

12,744. You do not think that labour costs more now?—I do not think that wages are higher now than they were ten years ago.

12,745. Mr. Nelson.—The principal thing that you want is to be able to go into court with the lease that you have, and get a fair rent fixed?—Yes.

prices are not very good, still the produce is very much better than the average. But the difficulty, I think, that they experience is that there are old debts due to the merchants, and, in many instances, there are arrears of rent due to the landlords, and this in my estimation has created some difficulty at present by the present state of these old responsibilities that they are not rid of.

12,757. Do you think that if the farmer was not in debt he ought to be able to pay this year?—I think so; I think he ought.

12,758. Have there been abatements given in your part of the country?—Not universally. I know a good many of the landlords, and they consider that they would hold by the judicial rents, as they consider that they should have something final, and they have looked at it in that way; but I am inclined to think from what I have seen in the newspaper reports that abatements will be the rule.

12,759. And if abatements are made the tenants will do their best to pay?—I believe so, my lord; I do not believe that there is any universal conspiracy this year against the payment of rent.

12,760. You think not?—That is my impression.

12,761. Then the Land League cannot succeed in stopping the payment?—No, not in my neighbourhood, and I am well acquainted with a very considerable portion of Mayo and Sligo.

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John Douglas.

John Boyd.

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12,762. And in that part of the country they are less powerful than they were two or three years ago?—Much less; I believe that the tenant farmers are not as much inclined to hearken to their counsels as they were on former occasions. I think a little bit of prosperity that lapses in the shape of increased produce and good seasons has had a good deal to say to the quieting effect.

12,763. There seems to be a good feeling on the whole between the landlords and the tenants in your part of the country?—We have never had much extreme dealing in that way in our immediate neighbourhood, but perhaps I should hardly say there is a good feeling. The people, I believe, are anxious to pay as far as they fairly can do so, and, of course, at the same time anxious to get the easiest terms that they can.

12,764. Does tenant right exist to any great extent in your part of the country? Have there been many sales?—Yes; I think I should say that the tenant right would be from eight to twelve years' purchase.

12,765. Has it always been the custom of the country, or is it only since the Land Act—the sale of tenant right in Sligo?—It has been nearly always the custom, so far as my memory goes back, to allow the tenant to dispose of his interest on the best terms that he could. Sometimes the good of it was nullified, because I have known cases of increased rent being put on. But that was exceptional.

12,766. And that is impossible now?—It is impossible now.

12,767. Now, with regard to the Purchase Act of 1885, have there been any offers on the part of the tenants to buy from you?—No; I am not in favourable circumstances to sell, and there has been no offer made. I pay a very high head rent myself. I might tell you about a property offered for sale in my neighbourhood, and it was arranged that the tenant should buy at eighteen and a half years' purchase for the good portion of the soil, and sixteen and a half for the inferior portion of the estate. However, they were quite agreeable to do this, but the matter fell through, owing to the fact that the trustees of the estate objected to it. But those were the terms arranged for.

12,768. The trustees of the landlord did not think them sufficient?—It was the heir of the estate who sold it, but the trustees under the father's will had a large sum as a charge against the estate.

12,769. In fact, they were mortgagees?—Until they were satisfied they would not allow the sale to take place.

12,770. The landlord was willing to sell, but the mortgagees prevented it?—Yes.

12,771. Mr. Nelson.—Were they mortgagees or were they trustees for the purpose of younger children's portions?—I think they were the family trustees; I think on the whole it was a favourably circumstanced estate for sale.

12,772. And the trustees had the power to stop it?—They had the power apparently to stop it.

12,773. I suppose the landlord would have been at a loss selling at that price—he would have suffered loss of income?—Most assuredly he would have been. I believe there were very large charges upon the estate, but of course he would have been a loser. He would not know where to invest his money. The average of sixteen and a half and eighteen and a half years would be seventeen and a half years' purchase, and that would not give him the income which he enjoyed previously.

12,774. What was the object in selling, do you know?—I think it was to get rid of the liabilities.

12,775. You have stated in your own case you would find it difficult to sell, because of the circumstance of there being a head rent on the estate?—Yes.

12,776. And the tenants would not buy with this charge upon it?—No; I think, on an estate situated as mine is, there should be an arrangement for dealing with head rents before it would go into the market.

12,777. Dealing with it in what way?—In buying out the head landlord.

12,778. Compulsory purchase of the head landlord?—I think so.

12,779. The head rents, I suppose, are well secured, and are still more valuable than the others, almost invaluable, in fact, as money invested in the funds. There is good security. I know instances when a tenant out not to be so good, but I should say in a rule it is good.

12,780. Then of course prices should be pretty high?—I think so.

12,781. You think that the compulsory purchase of head rents at a fair price would be a way out of the difficulty?—I see no other way out of the difficulty.

12,782. If it was not for that, I suppose you and the other landlords would be willing to sell at a fair price?—Individually I would be most anxious to sell.

12,783. How much do you consider would be a fair price?—My property is very fairly circumstanced; the soil is very good, and the country well opened up; it is quite close to a railway and steamboat company station, and all that, and, having regard to all these things, I think that twenty years' purchase would be a fair price.

12,784. Is that twenty years' purchase on the judicial rents?—All over, for this reason, that I rest upon the yearly tenants as being as fairly circumstanced as those having judicial rents fixed; in fact, they pay their rents better than those under the judicial rents.

12,785. I suppose you think the best part of the estate might be bought, and the worst left upon your hands?—Yes; I would wish to sell all together. I would wish to get finally disposed of it.

12,786. And in that way, having regard to the danger of the worst land being left upon your hands, you might look favourably upon compulsory purchase?—I do; I think that is the only settlement of the question.

The Government began with interference with the soil with interference with the marketable value of the estate, and I think the end of it will be, the estate for they interfered with they must take over to themselves.

12,787. And would you be willing to leave the number of years' purchase to be settled by the Purchase Commissioners?—Well, I don't want to put with my tenantry, not knowing what I would receive, and at the same time, not knowing what I would have to pay for the head rent, I would like to have some interference; what I would have to give as well as what I would receive.

12,788. You think it would be dangerous to leave it for any one to settle for you? you would not put them to that extent?—I think as an individual, almost—I have never had a great deal of trouble, and as I have never been in danger, or anything of that kind, I think as an individual that in order to get rid of the trouble and liability that I would be willing to sacrifice something, and I am inclined to think that I would object to leave it to their decision.

12,789. Mr. Nelson.—As I understand you, it would be on the principle that the Government should once interfered with property should take it into their own hands?—Yes.

12,790. When they retain one-fifth of your purchase money in order to guarantee the purchaser's punctuality, what would you say?—I cannot propose any money for that, for that safeguard to the taxpayer.

12,791. Sir James Cubitt.—You think it is a reasonable safeguard?—I cannot propose any better reason because it is a safeguard for the advance. I don't think it is a very great hardship if 5 per cent is returned for one-fifth of the money.

12,792. Mr. Nelson.—Suppose there is a general inclination to pay, and the tenant is in default, with the one-fifth deposit he may be in default with only the 5 per cent to that extent as you must pay for it?—I do not know whether that is the effect of it.

12,793. He may, and you have to pay that?—I thought the whole difficulty of the landlord was not having his money retained.

12,794. No, for any default that the tenant would be deducted from it—I think that is altogether aside from the landlord's point of view.

12,794. *Sir James Caird*.—But not perhaps from the *landlord's* point of view.

12,795. *Mr. Nelson*.—I want to know what it is from the *landlord's* point of view?—I think it fair to say from any one's point of view that it is unreasonable.

12,797. *Sir James Caird*.—I thought you said it should be reasonable for the State to have security for the produce-money?—Yes; I was not aware that the *landlord* would be held accountable for any payments not made by the tenant.

Why, that is the sole object of it.—With that explanation I must say that I do not think it would be fair.

12,798. *Mr. Nelson*.—The tenant has only to hold his land, and he makes the *landlord* pay it?—It might be very easily done.

12,799. If such a temptation was held out to them it would be very hard for them to resist it?—Yes.

12,800. *Sir James Caird*.—If on the other hand it was left to the State, the State would lose by it.

12,801. *Mr. Nelson*.—There would not be the same temptation. I wanted to know when you gave me your answer just now whether you were aware of the meaning of the guarantee deposit?—I was not aware.

12,802. *Mr. Keape*.—Every *landlord*, of course, that a tenant paid would make it safer?—Of course he goes on creating an interest in his holding, which, if he has any common sense, he would not wish to lose.

12,803. *Sir James Caird*.—So long as he paid sufficient to make it unnecessary to hold it any longer, the mortgage is handed over to the *landlord*?—Yes; but that is a considerable time.

12,804. He gets 3½ in the meantime?—Yes.

12,805. *Mr. Keape*.—Looking at it from the *landlord's* and *tenant's* point of view both, you believe there is nothing for it but compulsory sale of the land?—That is my belief.

12,806. Are you to understand that where the majority of the tenants would be willing to buy, that you would make it compulsory on the *landlord* to sell?—Yes.

12,807. And where the *landlord* was willing and the tenants unwilling to buy, you would establish a court to deal with these tenants?—I would make it compulsory on them to buy also.

12,808. Do you apprehend that the Land Court might be used as a court to interfere between *landlord* and *tenant* for that purpose?—Which Land Court do you refer to?

12,809. The Land Commission Court.—The present Land Commission?

12,810. Yes.—Do you mean to fix the price?

12,811. Yes.—Well, from my experience, although a very limited, I thought that they were fair judges of the business.

12,812. And you would not object to leave the price to them?—And I say that, while it was as a *landlord* that I met them, I am inclined to think that they would be capable of settling the value of the estate.

12,813. And as a *landlord*, would you leave yourself in their hands, believe that they have ample experience and would act fairly as between *landlord* and *tenant*?—I do not see what better men than you could have the good sense of that class to ascertain the value.

12,814. If that were carried out, what effect would it produce upon the people who became owners of the farms?—Would they become better subjects and more obedient, do you think?—I believe they would. I think there is nothing makes a man a greater lover of law and order than his having a stake in the country, and of course if they had a rent reduction on the present annual rents it would be more beneficial and satisfactory to them still.

12,815. And probably he would employ more labour and cultivate his farm better than he does at present?—I do not know, my lord, whether the remark I am about to make comes within the scope of this inquiry or not, but my belief is that it would be very well spent money by the Government to teach the small tenants of this country how to farm their land. This,

I may point out, is a most important thing; the country would prosper if it were done. While you have only one industry, and when that industry is wielded by people of greater efficiency and greater knowledge of that industry, I think any man of common sense knowing the capacities of the ordinary country people will come to the conclusion that the state of affairs would be greatly altered. The people are being educated through the immortality of the national schools, and a knowledge of farming ought to be imparted, and there ought to be proper ideas amongst the small tenants, so that by higher cultivation, the same as is carried on in Belgium on small farms, they can reap the advantages of their industry, and I think it would be the best way of spending public money that I know of.

12,816. *Mr. Nelson*.—I believe you have had an opportunity of observing how it is carried on in Belgium yourself?—I have.

12,817. And you speak from your own knowledge?—I do.

12,818. *Mr. Keape*.—You cultivate a large quantity of land yourself?—I do. I farm 1000 statute acres of land; I till about 100 acres.

12,819. And you carry on a high system of cultivation?—I do.

12,820. You employ a great deal of machinery?—On my own farm—and this may be an argument for permanent proprietorship—I have brought things to a high state of cultivation; but on the lands that I hold from *landlords* I cannot see my way to go in for consuming oil-cake and food of one sort and another that I do upon my own land, but I farm high, as a rule.

12,821. Have you found that farming has paid for the last two years? have you found it profitable?—My experience is that in 1879 we had a most disastrous year. It was a useless year, and the earth did not bring forth its fruits. Every one—all classes of agriculturists, high and low, were affected that year. In 1880 matters began to improve, and then we got the greatest boon that this country has had for a long time, the champion potato. Since then the small farmer has been pretty well off; and this satisfactory state of things amongst them is nearly attributable to this champion potato. 1882 was a very favourable year for stock farming; and for the last few years, until this year, we had an unprofitable time. This year we got fairly well off with stock.

12,822. You attribute that to the low prices that you paid in the spring of the year?—Yes; owing to the comparatively high prices now, and the low prices then.

12,823. Is it your experience that cattle are much higher than last year?—Store cattle are getting up; and beef is much lower, although the store cattle are getting dearer.

12,824. Your district of country is peaceable and quiet?—It is now. We had some rather bad consequences there at one particular time.

12,825. *Mr. Nelson*.—What is your district?—I live in the county of Sligo, about six miles from Ballina, pretty close to the Atlantic near Fishhook.

12,826. You were rather celebrated there at one time?—Yes; on every side of us we had rather bad work going on at one time.

12,827. Has all that disappeared now?—I believe it has. I have better means for knowing these things than many people of my class.

12,828. *Mr. Keape*.—Are the rents fairly well paid this year?—Yes, up to the present; but this is the month that the greater part of them will be paid.

12,829. *Mr. Nelson*.—Ought to be paid?—The disposition seems to be good, and I do not anticipate much difficulty from my tenants.

12,830. *Mr. Keape*.—With reference to the importation of foreign cattle, does that affect your prices considerably?—Very much.

12,831. And I suppose it is in consequence of the number of cattle coming in from America that the prices are so low at present?—Yes; it is the number coming from America and from other sources. In my opinion it is owing to the foreign competition that our

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John Boyd.

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John Boyk.

prices are so low, and yet it is accounted for in another way,—that the English artisans and operatives are not able to buy as much meat as in former times.

12,832. If the supply keeps up, do you expect the price will keep up?—I have looked into this question to some extent, as my livelihood depends upon it. I do not think you would have American competition so great as it is at present if it was ever anticipated by Americans that the price would become so very low. They never expected it to be so low as it is, and of course they made their arrangements to a certain extent, and these arrangements having been made, they are still continuing.

12,833. Mr. Nelson.—The importation would not have been so great?—I think not.

12,834. Sir James Caird.—The importations in 1885 are enormously fallen off compared with 1884 and 1883?—Yes; as to the dead meat importation, bacon and hams have increased, but beef remains very much the same.

12,835. I see better remarks about the same?—Yes.

12,836. Cheese has diminished?—As a matter of fact, the importations of food from foreign parts into England has decreased.

12,837. You find that the amount is diminished?—Yes.

12,838. And I suppose, just from the reason that you correctly described with the importation of cattle, does not pay, and they would not continue it to the same extent?—I have had that information from what I believe to be a trustworthy source.

12,839. WE tell us what is the state of the labourers in your part of the country as compared with ten or twenty years ago; is their condition better or worse?—The state of the labourers you mean?

12,840. Yes, as regards their wages and their status altogether; are they better employed, for instance?—Their condition is improved; they are better fed and better clothed, and they have some of the comforts of civilization, much more than twenty years ago at all events; but still the cottier and the labourer of the West of Ireland, unless he is employed by some respectable employer, has a very hard life; it is a very poor life still.

12,841. Do you know personally that part of the

country called the congested districts in the West of Ireland?—I do not know of the very congested one except from hearsay, but I know districts where in my estimate the holdings are too small to afford a living to those who have them.

12,842. Then do you think that the Government would have sufficient security if they advanced the money for the purpose of buying up those places which you say are too small to afford a livelihood to the people who have them?—If it were found impossible to enlarge these holdings, unless other industrial systems are developed in the country for the people, I don't think it would be possible for them to keep on.

12,843. You don't think that the land could give them sufficient sustenance?—Yes; if the extra members of the household were employed in some way it could be done, but not otherwise.

12,844. Do they migrate or emigrate?—From Mayo and Sligo great numbers go as labourers to England and Scotland.

12,845. That is, of course, for a portion of the year?—Yes; but they do not go from my immediate neighbourhood. Enghaden is the only outlet now, and in many instances it is not a good one, for all the strong and healthy people have to go, and the poor and old and decrepit are left behind.

12,846. Do you think it would be well to have assisted emigration in these districts by the Government?—I do really think where these holdings are so small and unfruitful, and in the absence of other occupations for the people, they should get an opportunity of settling somewhere else.

12,847. Mr. Nelson.—You spoke about the clamorous potatoes; is it your experience that the soil is getting worn out in your neighbourhood, and won't be recovered?—It is not worn out yet.

12,848. Sir James Caird.—It was only introduced here in 1881 or 1882?—It was in 1879, but I think through the Government aid to the unions it was introduced in 1880 and 1881.

12,849. It is quite new? It is seven years since it came. I think it would be well if an arrangement could be made to have it recovered. I am quite sure that the constitution of it will be worn away some day, not too far distant, and I think it would be well to supplant it by something equally useful before that day arrives.

Martin Lavin and Thomas Gallagher, of Kiltinagh, Co. Mayo, examined.

Martin Lavin
and Thomas
Gallagher.

12,850. The President.—You both come from the same part of the country?—Martin Lavin.—Yes; from Kiltinagh in the county Mayo.

12,851. Do you hold under judicial rents?—No; I hold under a lease that was made by my father—40 my predecessor in title.

12,852. How much land do you hold?—About 10 acres of land.

12,853. What rent do you pay for it?—£15, 10s. 6d.

12,854. Is it very good land?—It is very bad.

12,855. Irish or statute acres?—Irish.

12,856. Do you think that the rent is high?—Certainly I think it is high.

12,857. Is it higher than the judicial rents near you?—I think it would be about 30 per cent. or so higher than the judicial rents—or perhaps more.

12,858. If you went into court it would be reduced?—Yes; by all means. The Government value is £8, 15s.

12,859. You would like to go into court and have a judicial rent fixed?—Yes.

12,860. And you see no reason why you should not, just like any one else?—No reason except that there is a lease; except for that I do not see any reason.

12,861. (To Thomas Gallagher.) Do you hold under a lease also?—Yes.

12,862. And you have the same thing to say—you would like to go into the court?—Certainly.

12,863. And you see no reason why the leaseholders should not have the benefit of the Act of 1881 as well

as any one else?—I think they should go in; because I know parties near me who got their rent fixed, and they are now at a great deal less than the rent to pay.

12,864. How long is it since your lease was made?—It is dated in 1888.

12,865. Have you had any abatement during the past year?—I never had any abatement.

12,866. Neither of you?—No.

12,867. I suppose you find it difficult to pay the rent?—Very.

12,868. Have you paid it?—Well, we have paid it to this, but our means are running down. We are nearly drained out. We had capital some years ago and now the capital is nearly drained away.

12,869. Is there any combination against the payment of rent in your part?—No combination that I know of; there is only an inability to pay.

12,870. No conspiracy?—No conspiracy that I know of.

12,871. No intimidation?—Nor intimidation. I know that many of my neighbours have since 1879 gone to the banks and got loans, for which they had to pay as high as 50 per cent.

12,872. Sir James Caird.—What banks?—They are called banks, but they are loan offices. They had to give as high as 50 per cent. for the money to pay the landlord; and now they cannot get it, because they cannot get any one to hold them. I know those who have only one cow now, and when they seek pay they are served with an ejectment process.

12,873. Mr. Neligan.—Are all your neighbours holding under lease?—Yes.

12,874. The whole of them?—Yes, my co-leasees have their means exhausted.

12,875. Sir James Caird.—You say your co-leaseholders—are you jointly responsible?—No, they are separate leases.

12,876. The President.—Of course what you really want is a reduction of rent, and you say you would get that if you went into court. Have you thought of the question of purchase under Lord Ashbourne's Act? Would you like to be the owner of your land?—Yes, by all means, but not at the present rent.

12,877. But if you got it reduced by the court, you could get it then reduced a little more by the arrangement to purchase?—I would like to buy if I could get a reduced to what would be a fair rent.

12,878. Of course you have not been able to calculate the number of years' purchase or any detail of that kind?—I have not.

12,879. Your great object would be to get a reduction of rent, because you find it difficult to meet the payment at the present time?—Yes; it is impossible to pay it.

12,880. Mr. Neligan.—How much per cent. do you think the court would cut off from your rent, Mr. Lewis? Would they take 15, or 20, or 25 per cent off?

Mr. Lewis.—I think they would take 20 per cent off.

Thomas Gallagher.—According to the way of the Commissioners who fixed in April.

12,881. They would reduce the rent from £80 to £10?—Not that—£20 of the £100.

12,882. You mean you would pay £80 instead of £100?—Not even that.

12,883. Do you mean to pay £20 instead of £100?—I consider I am 70 per cent. over the Government valuation.

12,884. The Government valuation is a dangerous thing to go by, but how much do you think they would reduce your rent?—I think they would reduce it from £10, 10s. to about £8.

12,885. That would be about the half. Supposing your rent was not reduced so low. Supposing it was reduced to £9, how many years' purchase do you think you would give for it?—About ten years.

12,886. £9.—Yes.

12,887. How much do you think you would pay for it? That is what you would consider a fair rate of purchase?—Yes, according to the price of produce and everything else.

12,888. Unless you got the land about £4, 10s. a year, you would not purchase? You would not become the purchaser unless you got it at £4, 10s. a year?—I would, but after purchasing, I would have all the taxes to pay.

12,889. The poor-rate and county cess. Do you

pay the county cess now?—Yes, and half the poor-rates.

12,890. Then the only thing additional you would have to pay would be the half of the poor-rates. What, then, would you consider a fair thing for your land in order to buy it? Do you think £4, 10s. too high?—I would not consider it too high.

12,891. Would you go above that?—I would be inclined to pay about £5 or £5, 10s. a year, and become the owner in forty-nine years.

12,892. Mr. Kege.—How much is your rent higher than the judicial rent in your immediate locality?—You might just say double. It is twice as high.

12,893. What was the rent before you were forced to take this lease?—The rent was something about £10 a year, I think.

12,894. You were not there?—No.

12,895. Do you remember the date of the lease?—I do.

12,896. What year was it in?—1865.

12,897. For how many years?—That would be about twenty-three years.

Thomas Gallagher.—It is a life or twenty-one.

12,898. Mr. Neligan.—Assuming that the judicial rent was brought to what this gentleman says, you would be paying within a shade of twenty years' purchase.

Mr. Lewis.—I do not understand that.

12,899. Mr. Kege.—You have not given this Purchase Bill your consideration? You do not understand much about it?—I think it would be very little good in the place we come from.

12,900. But if you found that it would be an advantage, and would reduce your rents, would there not be a general desire to buy it?—Yes, I know there would, but I think it would be dangerous in our place.

12,901. Mr. Neligan.—From what I have heard from you and some other witnesses, I believe that the people do not understand this Act. The first thing for you is to get your rents reduced?—Yes.

12,902. Everything else would find its own level?—If we do not get that, we will go into the poorhouse soon.

12,903. Mr. Neligan.—You had some savings?—Yes, and we got money from other sources—from America and other sources.

12,904. And you had to draw upon that?—Yes, since 1873.

12,905. You got no reduction?—No.

12,906. Sir James Caird.—You want to break the lease and get a judicial rent fixed?—Yes.

12,907. That is what you say would be of advantage to you?—Yes.

12,908. Mr. Neligan.—You want a judicial rent?—Yes, some of the neighbours holding these leases are pending eviction.

John Nolan, of Garra, Ballyglanin, examined

12,909. The President.—You have a farm, I believe, of 300 acres?—Not at present. I have 120 acres in the-pasture. I did farm largely, but now I farm my own estate.

12,910. Therefore you have no trouble about judicial rents or anything of that sort?—No.

12,911. Of course that gives you a very good knowledge of the state of agriculture and of the state of the part of the country. I suppose it has been difficult to make the fair rent there this year?—During the last three years—1884, 1885, and this year. Would you permit me to say that 1878 was a good year? 1879 was a most disastrous year, both from climatic influences and the fall of prices. 1881 and 1882 were better, than 1883, and then back again. It was all going down—1884, 1885, and 1886 were bad. Since last September there has been an exceptional rise in sheep in Connacht. There has been

also in other parts of Ireland, but here there has been a great rise since September.

12,912. But there are fewer sheep in the country?—Yes; there is an exceptional demand for ewes.

12,913. Then the people concerned in sheep are having better times?—The people selling sheep this year have better times of it.

12,914. Do you think altogether that the people have a certain difficulty in paying the rents that were fixed two or three years ago?—Yes; the rents fixed up to 1883. In this locality you have a great number of small holders, and the potato crop has been below the average this year. The crop of oats is under the average, and the average price is still lower. The average price in the local markets is 7d., 6½d., and 6½d.

12,915. Do you think that the landlords in this part of the world in general have not recognised this

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Mr. Lewis and Thomas Gallagher

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state of things and made abatements?—Some of those who have not given reductions are not pressing for the rent. I am speaking locally. My local knowledge extends beyond the Treen union.

12,914. At any rate, in your district the tenants have been doing their best to pay?—Within my knowledge.

12,917. You think there has been no combination against the payment of rents or intimidation?—Neither—except one solitary circumstance, from which you may draw your own conclusion. There is a large property with a rental of from £2000 to £3000, and a number of the tenants and the clergy of three parishes waited upon the agent and respectfully asked for abatements. He said no. They went home—a good many of them to my own knowledge paid. The others did not, and he took no steps, and the thing now stands in the same way. I do not speak for them. I tell you the facts. That is the only combination. I do not call that a combination. I merely put this matter before you for your information.

12,918. Is there no combination?—Not as far as I know, and I have large means of knowing.

12,919. Supposing that a readjustment of rent were necessary, have you ever thought about a sliding scale for the purpose of fixing rents according to the price of produce?—I have thought of it after the suggestion had cropped up on some occasions, and I could not approve of it. It is a very disturbing element. I am entirely for fixing the rent, and fixing it at once and leaving it fixed. I do not even approve of the fifteen or thirty-one years. I approve of what is called a permanent settlement. I had an opportunity of judging how that worked in India, and I saw a permanent settlement there. It was established in Bengal and in the province of Benares.

12,920. A perpetuity?—Yes, and was termed a permanent settlement—a settlement of the land made as permanent.

12,921. Concluded by the Government?—Yes.

12,922. Do you think it would increase the employment of labour, and all that if the tenants should become the owners?—Certainly, it would be the salvation of the country.

12,923. That is what you look for?—Certainly—to have the tenants proprietors.

12,924. And you think that under Lord Ashburton's Act that might be gradually brought about?—I think it will take too long, and I think also that you should have it compulsory.

12,925. You do?—Yes; it won't be effective unless it is compulsory.

12,926. And how would you fix the price?—That is the crux. I would be afraid to offer a suggestion on that subject at all. It would necessarily be a very crude one. The difference, maybe, between ten and twenty-five years' purchase. You will find land worth only ten as compared with some at twenty-five. How that is to be settled I do not know.

12,927. Because if it is to be compulsory that must be settled?—Yes, but if it was compulsory with the option of two years for them to agree, and if they did not agree after a certain time, you should appoint arbitrators. Make the landlords select one and the tenants another, and then there should be one of the gentlemen of the Land Commission—Mr. O'Brien or some gentleman like that—to go down, and their award should be binding and final.

12,928. Do you not think if the Purchase Act is allowed to work without compulsion that the people will come in and buy by degrees, and that the thing will work itself out without compulsion?—No; you will have disturbances. You will have the country perpetually disturbed.

12,929. And you think it would come to compulsion in the end?—It must some time. You will have a great number of proprietors who will stand

upon their rights, and they will say, "This is ours, and we will have it." It would disorganize society. I do not think the country would be worth living in.

12,930. Mr. Nelson.—The compulsory purchase of a nation would be a big operation?—Yes.

12,931. And do you think that could be done immediately?—No.

12,932. Have you ever thought in what time the compulsory sale of Ireland could be carried out?—I think within five or ten years, but I cannot offer an opinion.

12,933. It is only your own opinion?—I am not able to give it.

12,934. It would be a very rapid process if it was done in the ten years?—I have no opinion about that, and I cannot offer any.

12,935. You say that where the parties could not agree there should be a system established, to be invented hereafter to fix the terms?—Yes.

12,936. If the tenant was not satisfied with the terms, could you make him accept them? You could make the landlord sell easily enough.—He should.

12,937. But supposing the tenant did not?—Then "clear out."

12,938. Then it would be a forcible eviction?—Certainly?—I am entirely in favour of that. Any one who did not pay his instalments should go out, and let another man in.

12,939. Mr. Nelson.—You think that is the only remedy?—Proprietorship?

Yes.—I am in favour of it entirely.

12,940. And you anticipate that in some cases the landlord would not take what would be fair, and the tenants, in other cases, would not give what would be fair?—I anticipate that.

12,941. And, in order to get rid of this difficulty, could not the Land Court be utilized?—I am afraid it would be too tedious.

12,942. Were not a number of judicial rents fixed by mutual agreement?—Some.

12,943. A large number?

12,944. Mr. Nelson.—About 85,000?—Outside the Court.

Altogether.—Once the precedent was set. The principal is that the landlord and tenant would agree.

12,945. Mr. Nelson.—Now if in your opinion that this change would make the tenant a better subject?—I am very strongly of that opinion. I have no hesitations in saying it. I think it would make him industrious and loyal—provided that he was given a little technical education afterwards. There is a great want of technical education.

12,946. Mr. Nelson.—Has it ever occurred to you whether a few years might see a worse class of landlords and tenants in the country than there has been?—It has not.

12,947. Nothing could be worse?—Nothing could be worse.

12,948. The President.—Do you think the labouring class would be worse off if the landlords went?—I think they would be better off. I think you would have better tillage. I think we must go for husbandry in the future. There is too much pasture land in Galway, and it is not paying now. The land has got worn out, and you must alter the system of husbandry in Ireland. It cannot go on as it is. Grazing land won't pay much longer.

12,949. What system?—Mixed husbandry.

12,950. Do you think that many of the landlords would remain here on their domains, if they had to sell?—I think some of them would remain.

12,951. And those who would not, would not be any loss?—Perhaps that would be too much to say. I would be sorry that any one should leave the country. I think that the resident gentlemen that we have would remain.

Nov. 5, 1880.

George
Breanan

George Breanan, of Clifden, examined.

12,952. The President.—You are a land-surveyor and valuer?—Yes.

12,953. Do you hold any land of your own?—I do.

12,954. You are a tenant farmer?—Yes.

12,955. How do you hold it?—It is an old lease I have.

12,956. And is it very highly rented?—No; it is very low-rented.

12,957. Lower than the judicial rents would be?—A great deal.

12,958. How did you come to get it? Did you pay any money for it?—Sixty years ago, at the time £2000 was being laid, there was a lease given in perpetuity.

12,959. Mr. Nelson.—It is a building lease?—Yes.

12,960. The President.—Would you suffer by it if the lease were allowed to go into court?—I would suffer largely, I think. I have built very largely.

12,961. It is not an agricultural holding?—No.

12,962. Even if leases in general were allowed to go into court, that is not one that would be?—No.

12,963. I suppose that being a valuer and surveyor you are well acquainted with the district in which you live?—Yes; thoroughly.

12,964. And what do you think of the condition of the farmers in that district?—The district of Connemara?

12,965. Is it one of the congested districts?—Part of it is congested. I have been in the district for the last thirty-five years. I went there first to establish some agricultural schools. I was educated in Glasgow, Dublin, and I was in Kerry and Londonderry as a practical instructor. I have been in Connemara for thirty-four years, and I have an opportunity of knowing how they are situated.

12,966. Do you think they are better off now than when you went there?—They are not better off.

12,967. Are those places as largely populated now as they were then?—Yes; and I think the population along the sea has increased.

12,968. That is from subdivision?—From subdivision principally.

12,969. Does that subdivision still go on?—Not so much now as eighteen or twenty years ago.

12,970. Has it stopped now because of the action of the landlords or agents, or because the people are becoming aware of the evil of it?—You mean subdivision?

12,971. Yes.—It is stopped by the action of the landlord and agent, but the instinct of the people is still to subdivide, if left to themselves. Their idea is subdivision along the sea-coast.

12,972. And supposing they were to buy their holdings, there would be less check upon subdivision than there is now?—I do not consider that in these congested districts along the sea-coast it would be even beneficial for the tenants to buy their holdings, and I will give you my reasons in a few words. For the last eighty years, perhaps, the land has been tilled in a manner that it could not bear. So if the tenants or the sea-board purchased their farms, they would be put in as bad a position as they are at the present time, because if they had these farms for nothing they could not make a living out of them. They are too small.

12,973. And too much exhausted?—Yes; too much exhausted. So I think—so far as my experience goes of that country—I think that the people of the congested districts would not be benefited by purchasing small holdings.

12,974. Sir James Card.—Corn crops have almost ceased to grow there?—Yes.

12,975. Do potatoes grow still?—Yes. The way they manage with the soil, is to take the driftwood, and apply that upon the place where they intend to put the potatoes in the winter season. And perhaps they apply that two or three times, and then they sow

their potatoes, and there is another application between the sowings before they give them a crop.

12,976. Does not that give a considerable supply?

Yes, but they are a bad quality, and as soft as turnips.

12,977. They are not nutritious?—No.

12,978. But people have lived upon them?—Yes.

12,979. Have the people lost strength by reason of the potatoes losing strength?—I mean the people who live principally, as they do upon potatoes—do they become less vigorous?—Decidedly; I consider they have. For the last thirty-five years I see a considerable decrease in the physical vigour of the people.

12,980. The whole system has been an exhaustive system?—Yes.

12,981. And you don't think, therefore, that it should be proper for the tenants in that position to buy the property, in fact, that they could not do it with any advantage to themselves, or with a likelihood of their being able to pay the price?—No.

12,982. And the security for the money advanced by the Government would not be good?—It would not; far from it, there would be no security.

12,983. There would be no surplus for the Government?—They could not live upon the land if they had it for nothing.

12,984. How do they manage to make it out now?—The greater part of them attend to fishing, and upon that and what they make on their farms they are enabled to live in a semi-state of starvation throughout the year.

12,985. Is there any emigration or migration?—There is emigration largely.

12,986. So that the population does not increase?—It is not increasing very much.

12,987. The surplus population goes away?—Yes; Mr. Tuke, I think his name is, sent vast quantities of the people away, but still they appear to be as many as ever.

12,988. And when there is a bad season it is difficult to get due nourishment?—There is starvation.

12,989. Starvation and death?—Yes, I will give you an instance. The Government gave £30,000 to this union; there are 5500 people in our union, and the guardians spent that giving outdoor relief to £400 more of the people, and notwithstanding all that they have suffered very much. They had not seemed to put into the ground along this congested district.

12,990. They have been supported by the beneficence of other districts?—Yes, the outdoor relief which is now saddled upon the union is about £1000.

12,991. And in that way the other ratepayers have to keep them, in consequence of the farms they have being unable to do so?—They have. I believe emigration or migration is the only remedy for these congested districts.

12,992. The President.—Do you mean migration during the summer months for employment elsewhere?—I mean migration into lands purchased for these people, land that is now held by graziers, land that should be given to them at a nominal rent. That is what ought to be done, the country would be some way prosperous if that was done, but at present I do not see any possibility of its becoming prosperous.

12,993. Is that the only mode which you consider, after having carefully gone into the question, would remedy the matter?—Yes, as far as the congested districts are concerned.

12,994. Of course it is these congested districts we are speaking about?—I can see no other profitable course than emigration or migration, and I would prefer migration.

12,995. Sir James Card.—Do you know anything of the circumstances of these people who have emigrated?—Yes.

12,996. Have they been successful?—In nearly every case they have been successful.

12,997. Those who have gone to America?—They

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Orange
Riverina.

find employment in America, and they are sending a good deal of money home from it.

13,998. It has been a great benefit to themselves to go away?—Yes, but a great loss to the country they left.

13,999. No loss if they had remained in these congested districts?—It is a loss to the trade interests of the country. The loss of every adult is at least a loss of £15 yearly. It amounts to that much loss to the trade of the country.

13,000. The President.—Has any experiment of migration been tried there?—Not there.

13,001. Has it been tried anywhere?—There is an estate called Kiltoboy, purchased by the Land Purchase Commissioners—I think that is the name of it, but I am not certain.

13,002. Sir James Caird.—Is that Mr. Parnell's scheme?—Yes.

13,003. Did they bring any one from the congested districts?—I am not acquainted of all the facts in connection with it.

13,004. Is it true that the people settled there already object very much to the bringing of strangers?—do they want to increase their holdings?—I have heard that they would prefer to buy up the land themselves, and object very much to strangers and invaders amongst them.

13,005. That is the only experiment of migration that you heard of?—Yes.

13,006. Mr. Nollan.—That is an experiment that was not a large one. Can you point out any lands to which you think the people ought to be migrated?—I could.

13,007. What species or character of land?—There are a great many properties in the immediate neighbourhood of Clifden for sale, and I think if these properties were bought at a reasonable price the tenants in the congested districts might as an experiment be settled upon them.

13,008. I suppose these properties are already tenanted?—One of them has not a seed upon it.

13,009. What is the character of that land?—Excellent.

13,010. Is it at present dense land?—It is at present a grazing farm.

13,011. One grazing farm?—Yes.

13,012. Is it large?—About seven or eight townlands in it.

13,013. And all held by one man?—Yes.

13,014. It would be necessary to find very large tracts of country in order to relieve these districts?—It would, but there is quite enough.

13,015. Do you mean of unoccupied land?—The Law Life property is available, and a great deal of it would suit for this purpose. There is an immense number of acres of what is called grazing farms, some of them 5000 or 6000 acres.

13,016. The grazing farmers should be sacrificed for the public good?—Yes.

13,017. You expect to see these grazing farmers for the purpose of migrating the people of these congested districts into them; how much would you allow for the grazing farmer?—You should have some limit; do you propose to buy these farmers out?—Most decidedly.

13,018. I am afraid it would be rather expensive?—It would. I don't see how that country will prosper except some scheme like that is brought into force to relieve the congested districts.

13,019. Mr. Nollan.—What is the population of the congested districts? is it 100,000?—No.

13,020. Is it 50,000?—No; I fancy it is between 40,000 and 50,000.

13,021. How many acres of land would be required to settle them; you see it will be a very big thing?—When I said between 40,000 and 50,000 people, I mean the whole population.

13,022. Have you made a calculation of how the people are to be placed?—I have. I consider that the people upon all the congested districts should be more distributed upon the grazing farms belonging to the Law Life Insurance Company.

13,023. That brings it to a point?—Yes.

13,024. Are the Law Life Insurance Company willing to sell?—They have sold to a man, named Berridge.

13,025. I thought so. You should buy out the man who held under them?—Yes.

13,026. I suppose those men would not value their farms very high?—Agriculture is in a fairly bad way in that part of the country; it is in a most wretched state.

13,027. Sir James Caird.—In what way?—The potatoes and wheat crops have got on very badly, and the system of agriculture that is pursued does not help the general prosperity.

13,028. Does the land get no rest in grass?—No rest in grass.

13,029. I think you said that when you first went to that part of the country it was in some degree a teach agriculture?—Yes, it was to organize these agricultural schools that I went to that part of the country.

13,030. What was the result of that?—The result was, that it did very well during a series of years, but the boys who were educated at these schools run abroad.

13,031. They did not remain in the country to give the country the benefit of the education which they received?—Not one of them. I was two years and a half in it.

13,032. So the result of that was all lost?—All lost to the country; not one of them remained.

13,033. Did the people themselves visit at the schools? I mean say of the relations of the schools, did any of them derive any benefit from the education of their sons?—I do not think they did; the boys went away too early.

13,034. No improvement in the condition of agriculture followed this effort?—No; except perhaps in the manner of growing green crops.

13,035. We have had evidence before us strongly recommending that teachers of agriculture should be sent to different parts of the country. How your experience here such as to confirm that opinion? do you think that it would be a proper thing to do?—My experience in the North of Ireland, in Londonderry, and also in the South, in Kerry leads me to believe that nothing better could be done for these small tenant farmers than to give them a good practical knowledge of agriculture.

13,036. By teachers sent amongst them?—Yes, because at present they have none of it.

13,037. In your case it was not sending teachers amongst the farmers, but to teach the young men?—To teach the young men and adults how to farm.

13,038. But not the actual farmers?—Actual farmers.

13,039. Did you go amongst the people asking how the present system of agriculture should be changed?—That was the way in Londonderry and in Kerry.

13,040. But not in Galway?—No.

13,041. Do you think that system would be of use to the small farmers here?—I think it would.

13,042. And that they would readily listen to advice of that kind?—I am not certain they would, but there is one other thing to be considered with reference to the land question. They think they know very well how to do, and the feeling is that they would hardly listen to any one else.

13,043. How did they convey that?—I will tell you. They think the judicial rents in 1858 and 1860 are quite too high for them to pay, having regard to the fall in the price of farm produce. They consider that; and there is another matter also which I should mention, namely, they consider that the longer they hold out against paying the rents they will get the land at a cheaper rate.

13,044. Is there any combination against the payment of rents?—Decidedly there has been a great deal of combination not to pay rents.

13,045. Is your quarter?—Yes.
13,046. Does that combination continue?—Not so much now; not so much since last spring. It has ceased now.

13,047. Has it practically ceased?—I think it has practically ceased.

13,048. The President.—What is that owing to?—What has caused that to cease?—I think the cause is really that they see there is no necessity to proceed with these ideas; they see that they can come to no good.

13,049. And this is since last spring?—Yes, since last spring in the district I came from.

13,050.—In your experience, do you think the

general produce of that part of the country has diminished?—Greatly diminished.

13,051. And is continuing to do it?—Yes.

13,052. Their farming is of an exhaustive character?—Yes, it is mainly from that. The towns of Clifton that I first came to had around it an oat crop, and was thoroughly supplied with oats, which sold at a very fair price. Now there is scarcely as much oats grown along the whole district as would feed the farm horses that are in it, and these oats are of a very inferior quality.

13,053. Therefore you conclude that agriculture in the district is in a very bad state altogether?—It is in a wretched state.

Thomas Hanson (an Irish-speaking witness), examined.

13,054. The President.—Where do you live?—At Kinsmore.

13,055. How much land do you hold?—Nine acres.

13,056. Is it under a judicial lease?—I got a redemption.

13,057. Do you hold under a judicial lease?—I got a paper from them.

13,058. How much in the old rent?—The old rent was £8 a year.

13,059. How much was the new rent?—The present rent is £3, 18s.

13,060. When was it fixed?—I believe about four or five years ago.

13,061. Do you find it more difficult to pay the rent now than four years ago?—Yes, it is more difficult to pay it now.

13,062. Have you got any abatement from the landlord lately?—I was promised a reduction in my rent last May, but I did not get it yet; it was £s. in the pound.

13,063. Have you paid your rent?—No.

13,064. Would you be able to pay it?—I do not know, but I would not be able to pay the half-year's rent.

13,065. Does any one try to prevent your paying the rent? Is there any intimidation?—No.

13,066. Have all your neighbours got the same abatement?—Yes.

13,067. Are the people in your place anxious to buy?—I would be inclined to purchase my holding if I got it at a fair rent.

13,068. How much a year would you think was the value of it?—I consider that it would be dear enough to pay from £4, 10s. to £5.

13,069. That would be for eighteen years' purchase.

13,069. The President.—Do you think your landlord would be willing to sell to you?—There is some of my land very bad, and it could never be made good.

13,070. Would the landlord not be willing to sell to you?—I do not know that; I could not tell.

13,071. Do your neighbours also want to buy?—

I know well they would be willing to buy if they got it.

13,072. Sir James Caird.—Who is your landlord?

—Lord de Clifford.

13,073. Does he live upon the property?—No.

13,074. Do the people about you hold large or small plots?—They sometimes hold only one acre, and some half an acre.

13,075. How do they manage to live upon that?—They could not manage except that they go to hire, and some of them get a little wages.

13,076. Where do they go to get labour?—A man that would not have any help might get a poor man to assist him; a man that would not have any help would call upon some of them.

13,077. And how much do they get?—About 3s. 6d., or a little over it.

13,078. Is there anything else you wish to say?—The only thing I wish to bring under your notice is that the land is bad, and that I have only about three acres of tillage land on my holding. I had to let my sons go to America to earn their bread, in consequence of not being able to live.

13,079. Have they sent you anything?—Not a penny.

13,080. How long are they there?—One is there fourteen years, and another five or six years.

13,081. And they have not sent you anything?—Nothing.

13,082. Have they been doing well?—I do not know. I very seldom hear from them. Sometimes I do, and sometimes I do not.

The Inquiry adjourned.

Ex 4, 1884
George
Brennan.

Thomas
Hanson.

Nov. 8, 1885

NINETEENTH DAY, FRIDAY, NOVEMBER 5TH, 1886.

RAILWAY HOTEL, GALWAY.

Commissioners present:—Right Hon. Earl COWPER, President; Sir JAMES CAIRD; Mr. NELSON, Q.C., Recorder of Londonderry; and Mr THOMAS KNIFE.

Mr. James E. Jackson, of Limerick, Cong. examined.

Mr. James E. Jackson.

13080. The President.—I believe that you are the agent of Lord Ardilaun?—Yes; I have been only a couple of years agent to Lord Ardilaun, but I have lived in this country for many years.

13081. Is that part of the country on which this estate is fixed greatly populated now?—It is.

13082. Is it as much populated as it was ten years ago?—Well, ten years ago I did not know that part of the country. I see that there are but many houses knocked down. It is still very thickly populated. Lord Ardilaun's rental is under £5000 a year. That is the amount of the letting to tenants, but he has a good deal of land in his own hands.

13083. What would be the acreage of that estate?—It would be very large, because there is a great deal of it mountain. I could not tell you the acreage, but it is a large district; it extends for 15 Irish miles or 19 English miles, and I suppose it is 5 or 6 miles wide. It is a large tract.

13084. Would the number of tenants give one any idea of how they were doing?—There are over 400 tenants, and the average rent is £7 14s. or something like that. They are very small tenants. There are 374 tenants under £5 a year, and even I could go further than that, for there are two or three hundred tenants under £3 a year. There is one townland where the rent is not more than that. There are a great many of them at £2 and £2 10s., all about Clough-hack.

13085. Have you much difficulty in preventing subdivision amongst them?—It is almost impossible to prevent it.

13086. And the tendency would be to increase in numbers?—If there were three sons, they would divide a £5 holding into three divisions; but they are very clever in the way that they go about it, and won't let you know what they are at.

13087. I suppose it is very easy for them to be able to evade any authority or any attempt to prevent subdivision?—Yes.

13088. Have the rents been well paid this year?—Fairly well.

13089. And is there very much distress this year?—No; I think not.

13090. You think there is nothing to prevent the rents being paid—nothing in the way of distress?—I think not; the crops last year, especially the potato crop, all about the harony of Ross were very good.

13091. And has Lord Ardilaun given any abatements this year?—Yes; he gave abatements of one half year between May 1885 and May 1886. There is very little of this last rent got in yet.

13092. Are many of them judicial rentals?—A good many of them are. There are about a hundred of them who went into Court. They went in first as test cases, and then Lord Ardilaun allowed my predecessor and me to reduce the rents to much about the value put on the farms by the Land Commission.

13093. What was the percentage of reduction, what was the average?—I should say there was an average of fully 50 per cent., and in some cases 25 per cent., and it went as high as 80 per cent.

13094. Had Lord Ardilaun already reduced them when he bought the property?—Not as I understand, he left them as they were.

13095. You think there is nothing to prevent them from paying this year; is there any combination against the payment of rent?—I should say that there was one townland where I think they were badly advised. When I saw that I issued processes against them, and they have paid their rents.

13096. The country is much more quiet about them during the last two or three years than it was formerly?—Yes; it is, as far as we can judge.

13097. And there has not been much crime this year?—There has been very little crime.

13098. Is there a good feeling on the part of the tenants towards Lord Ardilaun?—I think so, amongst his own tenants. There are some very bad characters in that part of the country. This you may remember was the worst spot in all Ireland; it is the place where all those terrible murders took place.

13099. But I mean to there a good feeling as to the part of the tenants?—I think so; but as I have said there are some very bad characters, who are trying to do their best to create a bad feeling.

13100. You said that the rents were fairly paid?—I have got a half year's rent for so far, I would say very fairly. In those small holdings it is impossible. If a man got the land for nothing he could not live upon it.

13101. I suppose he would find it difficult to make a living upon it?—Yes.

13102. How do they manage to clear out a hrough?—Lord Ardilaun gives a great deal of employment. He spends, I suppose, three times his rental on the property.

13103. In making improvements?—Yes.

13104. And giving employment to the people?—Yes.

13105. And if it was not for that, they could not exist?—I do not see how a man could exist upon a £5 holding. As a rule, they do not go to England for work. Very few of them go. In North Mayo the people go across the water for the harvest, but the greater part of this property is in Galway, in the harony of Ross. Very few go to England from here, in fact, I may say none go.

13106. But before Lord Ardilaun came there, they did not get so much employment?—No; I think some of them have gone to Scotland.

13107. Has there been any emigration?—A good deal.

13108. And does the emigration still go on?—Yes.

13109. It goes on steadily?—Yes, one or two of a family will go out; but after they have got them and earn money, they send it back to their parents and relatives—that money that is sent back helps to pay the rent.

13110. On the neighbouring estates, where there is not much employment given, the people I suppose are in great poverty?—In poverty no doubt, and always will be in such a place as that; but last year I do not think there was more than ordinary poverty. In the case of Oughteraud—I was chairman of that board until I was turned out last year by the Nationalists—they are all small tenants in this Oughteraud union, and I have been talking to the relieving officers, and they said they could get on well enough with the ordinary funds of the union but they have spent money wholesale. I believe there was £8000 spent on that union alone. It is valued only at £15,000 or £16,000 a year, and I heard they spent about £2000.

13111. In what way?—In giving employment to the people. There was an outcry that the people were starving. If they had done useful work, and work which were for the public benefit, it would have been paid very well, but I am sorry to say that has not been exactly the case.

13112. There has been a great deal of juggling?—There were people who got employment who should not have got it, good comfortable farmers.

13113. One of the questions we have to consider

in the case of the sale of land to tenants whether there would be any means of inducing the local authority to act as security for the sums advanced by the Government; do you think that would be possible?—I do not think it is possible. The rates in the congested districts are so high that I do not see how they could engage in any additional responsibility. The average rates last year and for years past were close upon 8s. in the pound. The county ones were 4s. 6d. and even 5s. They borrowed money two years ago for the relief of districts.

13114. It is nearly up to 5s. the county ones?—Yes.
13115. Sir James Caird.—Does that make the whole rate 8s. in the pound?—Fully; and I do not know what it will be next year.

13116. Are there other localities in which the rates approach so high a figure as that?—All about Oagh-chel they are that; in the barony of Ross the county one is 3s. 4d., that is 4s. 8d. and the poor-rates 3s.

13117. The President.—You do not think that the Board of Guardians be willing to undertake this responsibility?—I do not know if they are mad enough to do that, I think 8s. in the pound is very well to begin with.

13118. Well, I just ask you the question because we are bound to ask it?—I would not recommend it.

13119. With regard to the Purchase Act, I suppose Lord Ardillon does not wish to sell?—He has sold.

13120. Has he sold it?—Yes, he has sold one townland; the rental of it was about £350; it was an outlying townland.

13121. How many years' purchase did he get?—Eighteen years' purchase; the rents had been fixed by the Commissioners on many of the holdings.

13122. They were judicial rentals?—Yes, some of them had not been fixed, and I revealed the rents upon the holdings not fixed, and reduced them to about the same amount as the judicial rents. You may take it as eighteen years on the judicial rents.

13123. And they were willing to give that?—Yes, and quite thankful.

13124. Sir James Caird.—What would be the average rental of these townlands?—Four or five pay £20, and one more rent was £280; there were some at £19 and £14 and £16; there was one of them only £5.

13125. And that is the class you think should be the most desirable purchasers—the large ones?—Yes; one of them was as low, however, as £5.

13126. The President.—Was there any difficulty in getting the whole of the tenants to agree to buy; did any one want to keep out of it?—There was one Lord lease man, I am told, that wanted to prevent them from buying, but they said to him, "We have listened to your doctrines long enough, and we will accept this offer that is made to us now."

13127. How long ago is that?—Last year I was in treaty with them, and the sale was completed I think in March.

13128. That is six months ago?—Yes.

13129. You have not had time since to see the effect upon the tenants?—No.

13130. Sir James Caird.—What was the proportion of small tenants below £12?—I think there was only one at £5.

13131. And there was nothing below that?—No, there was a blacksmith who was only £1 10s.

13132. But he, I suppose, had only a bit of land for accommodation?—Yes; it was at a village, and there was a little garden and a bit of tillage, and he was included amongst the number merely for the reason that we did not want to retain a single tenant.

13133. The President.—Have any of the neighbouring landlords sold?—Lord Kilmacine is, I think, in treaty to sell. We also are in treaty for another townland.

13134. And for about the same price, I suppose?—Yes.

13135. And what about Lord Kilmacine; do you know anything about the circumstances?—I heard that it would be about seventeen or eighteen years'

purchase. Seventeen years' purchase, I think, was what I heard.

13136. Is the land poor land?—It is light, sound limestone land.

13137. Sir James Caird.—Is that good land?—Indeed it is very good land, worth about £1 an acre.

13138. And they are not very poor people upon it?—Do you mean on this townland that we were speaking of?

13139. Yes?—They were paying their rents very badly, and I was delighted to get rid of them; they were thriftless.

13140. Do you think Lord Ardillon will go on selling?—I do not know about that, because these are outlying places.

13141. The tendency on his part would be to keep the land about his own demesne?—Yes; these were outlying places that he bought some time before for the purpose of removing tenants into them—tenants that lived close to the demesne.

13142. But he would not be likely to sell anything that was near him?—I think not.

13143. In your experience of Lord Ashbourne's Act, is there any recommendation that you can make with regard to facilitating its working?—I think the landlord would be more disposed to sell if the one-fifth was not retained. There is no doubt about that.

13144. Do you think there would be sufficient to the security Government if that one-fifth was not retained?—I should rather not be the collector of the rents.

13145. Sir James Caird.—You think then that the one-fifth is required by the Government as security?—I think so.

13146. Is there any tenant right in this locality?—No.

13147. Tenant right does not exist there?—No.

13148. There is not tenant right practically?—I do not think there is any tenant right in the west at all; that is in all events my experience.

13149. Is there a labouring population here; I mean is there a labouring population distinct from the farming population?—No; the sons of these small farmers must be labourers.

13150. You mean the sons of these £5 and £10 holding people?—Yes, they have generally two or three sons, who work in other parts of the country. I do not know how they live.

13151. Do they emigrate?—Yes, one or two of a family emigrate. They live upon the same bit of ground, and subdivide amongst themselves; when they get married they subdivide, and a piece of the land is given. If there are four fields, the person who gets a piece must have portion of the four. It is done that way, so that there may be fair play amongst them. It is a most absurd way.

13152. And your object is to prevent it?—Yes.

13153. Do they hear you any ill-will for trying to stop it?—Oh no, they pretend that there is no such thing as subdivision going on. So long as there is a married son in the family, you may be sure that it is done, and you see them coming to pay the rent, not one person paying the whole of the rent, but two members of the family coming to pay it. They pretend there is no subdivision, but we know very well there is.

13154. The number of subdivisions would have a tendency to increase, do you think, if they became the owners?—I should say so.

13155. Do you think the feeling of ownership would give them a little more sense of responsibility?—I don't know. I think, of course, that the agent prevents it more or less at the present time.

13156. Do you think that the purchase of these crowded districts is a thing to be encouraged or not?—I think it would be very good for the landlord.

13157. But you are more doubtful as to whether it would be good for the tenants?—Yes.

13158. And doubtful about the security to the Government, I suppose?—The Government is supposed, of course, to have very broad shoulders.

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13159. Mr. Nelson.—Have you found it necessary, Mr. Jackson, to make any abatement on judicial rents this year?—We have given no abatements on the judicial rents.

13160. You see no reason, from the fall of prices this year, to make any abatement?—It is a hard question to answer. You know that the rents were not very high at any time. They got very considerable reductions, and I think a thrifty tenant could pay the rent at the reduced rents.

13161. Upon Lord Ardilaun's estate, the judicial rents in 1881 and 1882 would be rents which you think a thrifty man should be able to pay?—I think so.

13162. That is to pay the rents at the amount to which they were reduced?—I think so.

13163. You gave us the figure of the county cess; I suppose the whole of that cannot be merely for roads and bridges, &c.?—It is.

13164. Have you no railway guarantees?—No.

13165. Or does it not represent any malicious injuries compensation?—No.

13166. Have you been making many new roads in the district?—No, there was a harbour at Spiddal, which was a heavy weight upon us.

13167. That would be an extra?—Yes.

13168. The sales you say are above the average?—A few years ago the cess of Moyneen was about 1s. or 1s. 1d. in the half year, but the Spiddal works were heavy upon us. The Government lent us money to build a harbour, and it was built so badly that it tumbled down, and they insisted upon us mending it. I believe they did send down their engineers, and the cost of putting it into repair was something like £2000, that was very expensive, of course, and added to the rates.

13169. The county cess at 4s. 6d. has been incurred partly by these public works and by there being badly made?—Yes.

13170. It does not arise from anything exceptional in the county?—No, except rebed works and Spiddal pier.

13171. The tenants, I suppose, on the townland which Lord Ardilaun has sold have not been the most thrifty tenants?—A great many of them have not.

13172. That case would afford an interesting opportunity of watching the effect of purchase in the direction of developing thrift amongst the tenants?—Yes.

13173. What is the name of the townland?—Cross, East and West, it is in Mayo, within 3 miles of Cong.

13174. You say that the sale was last March?—It was completed last March.

13175. The spring of the year came after the date of the purchase?—Yes.

13176. Have you observed any increased activity on the part of the purchasers since then?—It is at a little distance from me, and I do not often drive through it.

13177. Have you been there lately?—I passed through it about a week ago.

13178. Had you an opportunity of observing whether the change of possession has had any result amongst them?—I could not say.

13179. As I understood you, it requires a good deal of care on the part of the agent to prevent subdivision?—Yes; it is almost impossible to prevent it.

13180. Do you anticipate that in the townland which you have mentioned, the townland of East and West Cross there will be subdivision?—I should say so, because the holdings are pretty large there.

13181. These are holdings that you think were fit subjects for the operation of the statute, holdings from 200 down to £16?—Yes.

13182. Mr. Kely.—Did you give any reduction to the tenants since they got the judicial rents fixed?—Not on the judicial rents. We gave no reduction on them, but we gave a reduction of 25 per cent. on the half-year between May and November last.

13183. That is a temporary abatement?—Yes.

13184. Have these tenants got their rents fixed?—We gave no reductions on the judicial rents, as I have said.

13185. Have any of the landlords in your locality given them?—Yes; I think I have heard that Mr. Janssen, who is an uncle of Lord Ardilaun, gave it to the tenants all round.

13186. This year?—Last year; I think it was last year, a reduction on the half year.

13187. It seems that it was more difficult to make the rents this year and last year than it was previously?—Yes.

13188. And the rents fixed in 1881 and 1882 would be very high now, if you took into account the price of produce?—I would not say that, because I think that the Commissioners took that into consideration.

13189. But it appears that the Commissioners now find it necessary to give further reductions of 10 per cent.—I do not know on what principle they had their rents at all. They appeared to me to be a very great reduction at the time that they fixed them; the old rents which were paid for forty or fifty years were reduced just the same as rents that had been made recently.

13190. But if the Commissioners gave additional reductions during 1880, and during this year up to the present time, would it not prove that the rents were too high now?—No, because I do not know what rule they followed in fixing them.

13191. They took a number of years into account and the prices?—I do not know.

13192. Well, would that not be the inference?—I am a valuer of land, and I valued myself, and as far as I could see the rents were a great deal too much reduced. I know some holdings that they went over and so which they reduced the rents very considerably, and other holdings that in my opinion were just as valuable they did not reduce them at all.

13193. In what year was that?—Ever since they commenced their work.

13194. Do you think, if they were owners, it would have the effect of making tenants more industrious?—Do you mean their purchasing their holdings?

13195. Yes?—I should hope so.

13196. They have not very much means in lands, I suppose, at present?—The small farmers certainly have not, but the large farmers have.

13197. There are not many large farmers in the district?—There are some large farmers. I think the large farmers were pretty hard hit this last two or three years on account of the reduction in the value of stock. I think they must have drawn upon their resources at that time. I think that is likely, but that would only apply to one year, because if the large farmer has to sell cheap, he buys cheap; and if he sells very high, he buys dear. I have farmed extensively, and I would prefer to buy cheap and sell cheap, than to buy dear and sell dear.

13198. But you can make more money by buying cheap and selling dear?—Yes, of course.

13199. Was that not the case in the spring of last year, with the result that you got a little surplus?—Well, some cattle are not very dear now.

13200. Don't you think that affects the farmers who rear these young cattle?—They breed them.

13201. Breed them on the farm?—If you breed a calf and sell it cheap, of course it is a dead loss to you. Of course, as you say, if you buy cheap and sell dear, it is a gain.

13202. I am speaking of the small farmers?—Oh, certainly it would affect them.

13203. If there are a number of gossies who have got a profit of cattle, there is a larger number who have suffered as a consequence of the low prices?—There is no doubt that some have suffered owing to the low prices, because I suppose the cost of breeding is the same in each case.

13204. And a number of these tenants are dependent upon the cattle that they breed?—The small farmer of two, or three, or four acres cannot breed very much; he is more dependent upon the potato crop.

13205. Didn't they get £3 or £4 or £5 a piece for these cattle that were bred upon these farms?—The price of a mountain calf would be £3 or £4.

13206. How much do you say this class of cattle is reduced now?—They are reduced fully one-third; for a £5 beast you would not get over £3 now.

13207. And the price of that class of cattle has suffered as much as the other?—Yes; it is very difficult to dispose of it; it is almost impossible for a small mountain farmer to sell his stock at any price.

13208. And of course that gives him a greater difficulty in getting the rest now?—Yes.

13209. And consequently the rents fixed in 1882 and 1883 must be more difficult to pay at present than they were at first?—I think it is a matter of impossibility for a small farmer at £2 or £3 a year to make £2 or £3 out of it, and live upon it. The reduction of a pound is a very small reduction to him, but if multiplied by 500 and 600 tenants, squeezes the landlord, and is very little aid to the tenants. The landlord is not able to give employment, and so support his tenants.

13210. But a number of landlords in your locality have given reductions upon the judicial rents?—No; they have not.

13211. I think you stated that they had?—I said that I heard of one, the case of Mr. Jackson. He has got a rental of about £800 a year, or something like that. I believe he is well off.

13212. I think you said you were delighted to get rid of these tenants on the townland that Lord Ardilaun sold?—I say I would be greatly delighted to get rid of more of them.

13213. I suppose his lordship would be wise to sell the whole property?—If he was was he would.

13214. You would recommend him to do so?—Yes.

13215. Do you think that if the tenants became the owners of their holdings, they would be more industrious?—If they would mend their business and talk less, and mind politics less, they very likely would. I think that is the great curse to the country.

13216. Do you believe that their purchasing would have that effect?—Yes.

13217. Sir James Caird.—Does your experience extend to what is called the congested districts?—I do not think anything could be more congested than two or three of our townlands.

13218. Do you know personally from your own observation what is the actual condition of the tenants in these poor districts?—They are more comfortable apparently, better clad, and so on, than they were twenty years ago.

13219. And does that arise from any increased produce in these districts?—No; I think the returns from the land are smaller than they were, that is as far as my experience goes.

13220. The land is more exhausted now than it was?—Yes; in consequence of the guano they use; that is about the only manure they use, consequently it will give only a crop of potatoes, and the second crop is not good.

13221. What extent of arable land will a man paying £2 rent have?—About two or three acres perhaps, and on very property a run of mountain.

13222. How will he cultivate these two or three acres?—One field of potatoes and one of oats—oats and potatoes time about.

13223. There is no rest for the land?—Not a bit, if you tried to persuade one of them to put in clover, and give a rest, he will say clover will exhaust the land.

13224. They did not try it?—No.

13225. And you think the land is being exhausted?—Spent out.

13226. The only manure that they use is a little guano?—Yes, pretty nearly.

13227. For potatoes?—Yes.

13228. Do they put in any for the oats?—No; only for the potatoes.

13229. And are the crops getting less and less?—I think so.

13230. You believe that these people really could not live without some employment besides?—Certainly not; certainly not in the case of the small farmers.

13231. Does that apply to the large portion of the people who live on these small farms?—I think so.

13232. In any part of the country?—I think so; I do not see how the land can produce enough to feed them.

13233. Do you think it would be prudent of the State to lead to those people on that security for the purposes of purchase?—I do not think they could pay it. Employment I think is what the men want. If they had employment, they would be better off; they could not possibly exist on small farms like that.

13234. You do not think the land itself affords security?—I do not see how it could. The land must come to grass sooner or later.

13235. I think I asked you a question about emigration, you said the people should emigrate?—Yes.

13236. Do you think in such districts as this it might be advisable for the Government to assist emigration?—I think so; if you get rid of half of the people, it would be well.

13237. Would the people themselves be willing to go?—I do not think the old people would be willing to go, but the boys and girls would go.

13238. And their going would leave more to the old people?—Yes, it would leave more to support them, the place would not be so densely populated.

13239. You said, I think, that you cultivate a considerable portion of your own land?—Yes.

13240. Are they large farms?—I had a good deal of land in my own hands.

13241. Grazing or arable land?—Both.

13242. In your experience since the year 1883, how have you got on?—What has been the result of your farming?—Since 1884 I have farmed very little. I left my farm and came over to Lord Ardilaun. Certainly it was less since 1882.

13243. Since 1882 there was a great deal of reduction of profit?—I should say so; 1879 was a very bad year for farmers.

13244. Yes, there was a great loss of sheep by disease in 1879 apart from other things?—Yes, there was a great fall in the price of cattle; we had a whole year's profit, but 1882 was a good year, and then since that there was a great fall in cattle.

13245. That is from 1882 to the present time?—Yes, there has been a great fall.

13246. So that the large farmers have not been doing well?—They bought stock dear and had to sell cheap, but now they are able to buy cheap and sell cheap.

13247. And that you think is best?—It is better than buying dear and selling dear. It takes some little time to be able to buy when stock falls. The fall does not go all over the country so fast.

13248. You have yourself, I suppose, employed a good deal of labour as well as Lord Ardilaun?—Yes.

13249. Is the condition of the labourers improved within the last twenty years, do you know?—Yes.

13250. They are better paid?—Better paid.

13251. And better off altogether?—Yes, the labouring man ought to be a great deal better off, because he has got his food much cheaper than twenty years ago, and beside his wages are higher.

13252. I suppose his condition is better than the poor man who live in the congested districts?—Yes; if he could be settled as he is, but he is always asking for a bit of land. He says, "How can I live without the bit of land?" The habit is for a labouring man to get concerned. He gets half an acre of land, and pays at a rate which I have known to be as high as £3 or £4 an acre for the right of sowing a crop in it.

13253. Land in a good condition?—Yes.

13254. Does that do for a crop of potatoes without manure?—He has to manure it; he buys guano. I have often said to them, "Why, surely you can buy potatoes in the market for 3d. a stone, and you cannot make them yourselves for that," and they admit what I

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say, but still they have a hankering after the bit of land.

13256. Has the labouring man not a bit of garden patch?—No.

13257. Then he has to get a bit of conacre?—Yes; they have not the thrift to lay by any money to buy in the market.

13258. Would it not be advisable on the part of the landlords to give a bit of garden ground?—You see there is no such thing as a regular labourer; he is always the son of a small farmer, or the small farmer himself.

13259. The President.—And lives on one of the holdings?—Yes.

13260. Sir James Caird.—There is no recognised class of agricultural labourer?—No; there is not, except in the towns. There are labouring men, of course, about Galway.

13261. The President.—Who are these men who buy the conacre?—They are men who have a very small holding, or the sons of such men.

13262. Sir James Caird.—Some who have married?—

—Yes; or men who have got a very small holding of £2 a year; men like that take a bit of conacre.

13263. But on large farms?—There are no large farms in my part of the country except the mountain farms.

13264. I am speaking of agricultural farms?—There are no such thing as large agricultural farms in my part of the country.

13265. I suppose you have held large grazing farms?—Yes, formerly large.

13266. And you have a shepherd or shepherds?—Yes.

13267. Do these men have any garden ground?—Where there is a large grazing farm one man will look over 500 acres, and he gets a garden of about an acre of land.

13268. And that is a great advantage to him?—Yes.

13269. He does not want conacre?—He may.

13270. As a rule, he does not?—If the acre becomes spent out he must take conacre somewhere else. I may say that Cross is in the barony of Kilmaree.

Rev. Thomas J. Flanagan, P.P., examined.

Rev. Thomas
 J. Flanagan,
 P.P.

13270. The President. I believe that you are the parish priest of Corney?—Yes; Corney Rectory, which is just the very centre of Connemara.

13271. Is it a very populous district?—Very populous.

13272. What are the size of the holdings there?—The tenants pay from £5 to £8; some pay £40 of rent, and some a good deal more. There are a very large class of gauters. The average rent is from £5 to £10.

13273. Would these small people find it very difficult to make a living there?—Yes; they find it very difficult indeed to make a living.

13274. More difficult now than formerly?—It is much more difficult.

13275. What are the rents there; are they judicial rents?—Now, but not altogether; about two-thirds of them are. The judicial rents have been fixed in this manner. Over half the district they are fixed by the tenants going into the Court, while the other half were fixed by agreement between landlord and tenant, and concluded in Court afterwards.

13276. So that they are now almost all judicial rents?—Yes; except in a few estates where the landlord excluded the tenants from the benefits of the Act on the ground that they had under-tenants. In that case, of course, they could not go into Court, and they have got no reduction.

13277. And the under-tenants got no reduction?—No, nor the head tenants either.

13278. And the rents are very high?—Yes; and even the judicial rents are very high.

13279. When were they fixed?—The applications were made immediately after the Act was passed. We applied at once.

13280. And owing to the bad times since then, it is difficult to pay the rent?—It was different in 1880. It was just as easy to pay the rents then, before they were reduced, as it is now to pay the judicial rents. In 1880 four horses sold for about £20; in 1881 they increased by £1; in 1882 they went down to the same level as 1880; in 1883 they were at £16; in 1884 they were from £16 to £17; in 1885 they were £15 to £16; and in 1886 they were from £14 to £15. So you have there in that case a reduction of from £20 to £14 during that time; and there was also a reduction from £8 to £4 in cattle, that is in three-year-old cattle; in four-year-old the reduction was from £11 to £6. Oats was 6s. to 7s. 6d. in 1880, and the price is now 4s. to 4s. 6d. I am buying oats now for 4s. per cwt. With regard to the barley, I may say that it was 7s. to 7s. 6d. in 1880, and it is now down to 5s. and 5s. 6d. You have the same thing with regard to the turnips, but there is not very much turnips in Connemara. Mangolds went down from 30s. per ton

to 16s. per ton. Potatoes went down from 3s. 6d. and 4s. to 1s. 8d. and 2s. per cwt.

13281. Sir James Caird.—That is a good thing for the poorer classes?—Yes; if you had to buy potatoes in the country, but you must remember the difficulty of getting anything from Connemara in the market.

13282. But there are plenty of potatoes in Connemara itself?—There is a fair average crop.

13283. There is a good crop for the people's own consumption?—The spring was rather late and the harvest was in rather rougher than usual, and they are not of so good a class as usual; in some parts the crop is very good, and in other parts there is a falling off of a third.

13284. Well, the price shows that there was a fair crop?—Yes; but in selling this crop to try to raise the money you see the difference.

13285. No doubt, when it comes to be sold it is a different thing. I suppose we might take it all round that there is a depression?—Yes; in 1881 it was no easy to pay the rents as they stood then as it is to pay the judicial rents now. When there is a depression in stock it is greatly felt with us in Connemara, because the class of cattle we have are a very inferior class, and there is great difficulty in getting buyers into Connemara, and of course extreme difficulty in sending cattle to the fairs here, the distance is so great; and the cattle are very primitive, the difficulty of travelling is very great. You have sometimes forty miles to go to a fair. When there is a fall in the price it has this effect that the buyers, having to go too far, will not go for the cattle, such as we have.

13286. So that the cattle of an inferior character become much more unsalable?—Yes; they won't buy them, because they won't make a profit out of them. With regard to the judicial rents we have settled as a great many cases, the tenants were obliged to do with 5s. in the pound reduction on some properties, because they were under ejectment; and they had to accept it. Their cases would not have been heard in time, and they would have been evicted, and put to a great deal of cost, and they could not have redeemed. I am convinced that if they went into Court they would have got 10s. reduction.

13287. You mean that the rents would have been reduced 50 per cent?—Yes. In one property that I was trying to buy out in 1884, I was prepared to give eighteen years' purchase on the judicial rents then fixed. I thought I had concluded my purchase with the landlord and with the mortgagees, but there was the difficulty of arrears. I even offered a good portion of the arrears, but they wanted to get the whole of them, and I even tried and made up some of the rent to lodge in the bank.

13288. This was a purchase under the Bright Classes?—Yes.

13289. You would have given eighteen years on the judicial rent?—Yes: I will give you the judicial rent, and you will see that they are now quite too high. In one township the old rent was close on £300. In that there was only a portion of the rents fixed, the tenants were not able to go into Court, but in the case of those who did, they were made the basis of a reduction for the other tenants. The new rent was £187, and the valuation of it is only £58, so that we have to pay £137 judicial rents, while Griffiths' valuation was only £58. One case, for instance, was that £9 was reduced by the Commissioners to £5, the valuation was £3 15s., and upon that valuation I was proposed to give eighteen years' purchase. We would have bought it out then if they had agreed, [I expected that the Government would have come to that and to the depressed times. I was anxious to give what I considered then was a fair rent. Take another case, the rent was £10 16s., it was reduced to £3 10s. and the valuation was £4 5s. Another; £3; rent reduced to £1, and the valuation is £1; even the valuation as it stands is rather high now.

13290. You mean it is rather high at present?—Yes, in times gone by there was large mountain tracts upon which all these villages had a right of grazing their cattle, but the mountain grazing being taken from the tenants, and the rents being raised ten or twelve or twenty years ago, the state of affairs became greatly changed. When the mountains was taken away the tenants could not keep cattle, and the few cattle they could keep they are not able to have ready for sale in spring, and in the spring a great many of the people beg, and besides they are attacked by a disease called pest, and they require to be shipped to the mountains in order to cure them, and they require the money to be used from the cripple which they get in the mountains.

13291. I suppose the Land Commission took into account the loss of the mountain?—I do not know that they did. They were then explain that prices could not go any lower. That was my case, and the case of very good land. We believed that the times could not be worse, but since then the prices have gone down considerably, and it would be more easy to pay £30 rent than that it is to pay £10 now.

13292. Mr. Nelson.—Do you look upon things being 50 per cent. worse now than in 1881?—It would be the year, only the Government came to our relief.

13293. That cannot be taken into account?—If they were living on their own resources, I don't believe that method of the tenants would be able to pay a penny of rent, and a good many of them have paid it pretty well, but the reason is that whatever cattle they had on lands, and which should have been disposed of in the summer to feed themselves, were left in their hands by the aid which the Government gave them, and they were kept alive during the summer, and hence they are paying some rent now.

13294. Mr. Nelson.—Some mode of dealing with the case is absolutely necessary?—Yes. I would suggest migration.

13295. You are not in favour of emigration?—I am not. By emigration all the young people are taken away, the young boys and girls, and the old people are left at home. The land of Connemara being rocky in some places and boggy in another, and therefore cold, and being cropped year after year requires very great care and attention in order to raise a crop at all on the land; and this work requires good strong people to labour it, and to gather the sea-wood from the deep and put it on the land, to dress the land, and to seed and work very hard to enable the land to bring forth a crop. Now, the old people cannot do that; they cannot gather in the sea-wood except in very fine weather; it is a very toilsome work. For the purpose of migration there is quite enough land in Connemara.

13296. Near there?—Quite near; it is not my wish to bring the people from Connemara into Galway; there

is a natural wish among them to remain near their own places.

13297. It could hardly be called migration?—Yes; these mountain farms which are in the hands of the graziers could be used, and they are generally a short distance of their places, and if they were taken up and the people put upon them, it would be just the same as migration.

13298. How far are these lands from them?—Quite near; I would consider that there should be a compulsory sale of property.

13299. You mean of these grazing lands?—Yes, otherwise you could hardly have migration.

13300. Sir James Caird.—Who should the sale be to?—The Government should purchase the land and give it to the tenants.

13301. And the tenants would migrate?—Yes; and those who are on the other holdings should remain on the spot and would be better off. By making a few roads to the sea, you could get the sea-wood down up to the mountain with greater facility than there is any means of doing it with at present.

13302. Is it high land this land that you speak of as mountain land?—It is quite flat.

13303. I understood you to mean at a high level?—No, it is flat; it is just the same quality of land as that which the tenants are now living on.

13304. Oh, it is perfectly flat?—Yes, the tenants were in part of it years ago, and that is now the worst.

13305. Do you mean cultivating tenants?—I mean on the mountains I speak of.

13306. Do you mean by the kind of tenants you propose to migrate?—Yes, and who were busied in the time of the famine years.

13307. The President.—That is land that is let for grazing?—Yes, there were two kinds of land.

13308. Mr. Nelson.—I want to know from you can you attempt any definition of the class or nature of the lands which should be compulsorily taken up?—The men who hold 200 or 300 acres of land.

13309. Can you define it?—It is a large area; it covers many hundred acres.

13310. What class of men would you buy out?—I would buy out the landlords that have set to grasses.

13311. The graziers should be bought?—That is, practically land put up for sale every year; the graziers take it every year.

13312. There is no tenant right?—No.

13313. There are no buildings on the land—nothing but stock?—Nothing but the stock.

13314. They take it annually from the landlords?—Yes.

13315. Sir James Caird.—You said that some of these lands was held by small tenants who at the time of the famine were put out of them?—Yes.

13316. So that that was not in the same condition?—It had been tilled, but from the want of cultivation it has gone back to its wild state.

13317. Mr. Nelson.—Suppose the Government had these lands, into what size of farms would you divide them?—I think from ten to twenty acres; I think that would be a fair division.

13318. And you should build houses?—I would not have many houses to build; the tenants on the sea shore have houses.

13319. But the people who would migrate should have houses built for them?—Oh, yes; it is not difficult to build. We have plenty of stone, and sledge on the mountains to shake the houses with. A good deal of this is better land—some of the land which the tenants now hold refuses to yield crops. There is a great anxiety and desire among the people to become the owners—a great anxiety to buy at a fair rent.

13320. This migration scheme could be adopted on the principle of annual payments?—Yes; I would leave that to any Commission the Government would appoint—the Government should carry that out in the way that they thought best. There is no doubt about the willingness of the tenants or the desire to pay the money, and I venture to say it would be paid as regularly

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as the landlords do for any money advanced to them. They do pay all that they are able; you can see that in the case of the Pabney Loan, with reference to which Sir Thomas Besly has something to say that they pay it regularly. I don't believe that there is one bad debt in the whole of Connemara—I mean, of course, a dishonest debt. There may be a few ones caused by the people being sent away, and some of the people remaining at home being forced to pay; but as for being dishonest I do not believe there are any such debts, and I know that place now for some time.

13321. Mr. Neligan.—Can you say what district of Connemara you would use in this way or the whole of Connemara?—I would take all Connemara; it is a magnificent place for this purpose.

13322. The President.—How many years purchase would you give the landlord?—I would give him four purchase money. I would be almost prepared to leave that to the tribunal to settle what would be a fair rent, and to settle how many years purchase should be given. I would try to give a fair amount of purchase money.

13323. You think that there should be compulsory purchase from the present holder?—Without that I do not see how you could manage; without the mountain lands you could not get on well.

13324. Sir James Caird.—What mountain is it you are speaking of?—Well, I mean the flat country that I have been speaking of; we may call them large tracts of waste land—land nearly reclaimed.

13325. Mr. Neligan.—Who are the principal proprietors?—Mr. Berdige is one of the largest proprietors.

13326. The President.—Could not the experiment be tried voluntarily first?—Yes.

13327. It never has been tried?—I am trying to carry it out for two years. I made out figures with reference to this matter. I spent over £50 of my own money over it. I brought a valuator from Dublin, and gave him three guineas a day and travelling expenses. I spent £50 on the matter myself. It was a large tract of suitable land which I was going to for. The land was in the Court of Chancery, and the mortgagees did not wish to part with the land.

13328. Sir James Caird.—Is that part of the Martin's estate?—Originally; it now belongs to Mr. Leonard.

13329. You propose to turn this land into cultivation?—Yes, I propose to do that.

13330. It is not bog land?—A portion of it is; the other portion is fairly good land; it is just as good as the land the tenants have.

13331. Supposing you got that form of which you are speaking, how many tenants would you migrate into it?—In that district alone about forty or fifty tenants.

13332. Have you any of the light railways made in your district?—No; we cannot get our carts or anything into the market.

13333. Was any application made under the Light Railways and Tramways Act?—Yes; we made application once or twice, but it was a question of taxation, the harrow was not considered able to pay the taxation. Some objected, and others were in favour of it.

13334. The President.—All over Connemara there is land like this of which you speak into which the tenants could be migrated?—Yes.

13335.—The landlords ought to be willing to sell of their own accord except where the lands were encumbered?—On the Berdige estate they have not given any reduction; they refused a reduction to the tenants—any of the tenants that were excluded by the Land Act. That of course kept a great many of the tenants from being able to get a reduction, and it presses very heavily upon them. In some cases it cost them £50 trying to get under the Land Act. I know one case where there was an application made—the father was dead, and the application was made by the son, but administration should be taken out in the name of the mother, and a matter of this sort prevented him from being able to come into the Court.

13336. That was inevitable?—The landlord might have allowed him in. It is hard on poor tenants that there is not some law passed to enable poor tenants of £5 or £10 a year rent to take out administration, say for 50s.

13337. The Berdige Estate is not in Chancery?—No; but Mr. Leonard's is.

13338. Mr. Neligan.—You have made a very useful suggestion. You say you would recommend a cheaper process of taking out administration?—Yes.

13339. The Land Commission can give administration for the purposes of the suit, and I thought they could do it cheaply?—They do not.

13340. I suppose you would be very strict against subdivision?—Yes, certainly I would be strict about that, but it would not be required to be so strict as in former years.

13341. Prevention is better than cure?—There was little or no education in Connemara until the last five or six years. I am not speaking for all Connemara, but for my own district, and the result of the people not being educated was that they had no opportunity of earning a livelihood, and going into employments and into establishments, and one place and another of that kind. If they had had education, a great many of them would have gone away, and would not only have advanced themselves, but would have advanced those that they left behind them.

13342. Are the people better educated now?—Yes; they are being better educated. The rising generation will be pretty well educated.

13343. Sir James Caird.—Then if they are being better educated they will not remain there under the bad circumstances which you mention?—If they get education there would be a greater tendency of some to seek employment elsewhere.

13344. The President.—You don't object to the emigration of the superfluous population?—Not if it were carried out judiciously. No doubt, a great many of these emigration agents were inclined to do it as what they called a just scale, but the under agents of those people invariably caused it to be a failure.

13345. What did they do?—The intention was to enable families to go, and they got a number of people to go, and made them an one family, and they took boys and girls from two and three families, and sent them away, and it was the young people that they sent away, leaving the old people behind them to keep possession of the land. There are not four holdings in my district which, owing to the people going away, have fallen into the hands of other tenants who remained at home. Whenever they went away it was managed in such a manner that there was one left at home.

13346. If the emigration was better managed you would not object to it?—I would now. When there was no sign of this Government Bill being passed I did not, but now I do; the country is very well thrived.

13347. You prefer migration?—Yes, by all means.

13348. You do not think there are too many people in the country if a scheme of migration was carried out?—I do not think there are enough.

13349. A large number have gone?—Yes, a large number.

13350. And are still going?—Some who have gone already are sending for their friends.

13351. Do you think if the country were properly managed it could fully support the present population?—Fully, and more. There are a great many industries that could be worked up. The kelp industry could be worked up. At present it does more harm than good. In April and May the buyers offer high prices for it, and that induces the men to abandon the fishing.

13352. Do they still make kelp?—Yes; there is no fixed price for it; the buyer offers a certain price. They say that kelp will be sure to bring a certain price, and in a large number of cases for a certain time that price will be good, but so many people go to work at it, that when the market is filled with kelp, the price goes down until at last it won't be taken at all at any price. It often happens that a man may have 23 or 24 worth of

help on his hands, and he may simply throw it into the sea.

13303. Because the market is clogged?—Yes; there is only one buyer. Of course, the fishing is not as well worked up as it ought to be; it is not well worked up at all; it could not be attended to, because a good many years ago kelp brought an enormous price, £13 a ton, afterwards it came down to £7, and then to nothing at all, at which it is now. The effect at all events of their abandoning the fishing industry, and taking to the kelp, was that their boats were neglected and the gear became useless.

13304. The President.—Do they fish much?—They fish a good deal. They fish for what is necessary for the use of their own houses, and, in fact, do quite enough fishing in Connemara for themselves, but they sell very little; they cannot send it to the market.

13305. Sir James Caird.—Is there really good fishing ground?—You will get every sort of fish in the bay between Killybegs Bay and Berraghoboy Bay.

13306. Deep sea fishing?—Yes; Berraghoboy is very deep, and you have 30 miles out to sea. There is a fishing bank which extends towards Slyne Head, and it is considered to be a very fine fishing bank; it would require, however, boats of about 30 tons to fish.

13307. The President.—Do the French boats come there?—Yes; but our boats do not. It would require boats of 30 tons to begin that trade with, and they would need to have some capital in order to follow the fish about from place to place.

13308. Sir James Caird.—Do you suppose that thirty years ago the fishing was better and more largely carried on than it is now?—It certainly was more productive. We do not know what quantity of fish there is there now.

13309. Would you say how much better or worse the fishing is now?—I consider it to be about as good now. I know from the signs that accompany the fish that we have there now, and that fish are plentiful along that part of the coast.

13310. One can easily see that there is a great element of prosperity lost to them by the fall in the price of kelp. Your memory, I suppose, does not go back to the time when it brought £13?—No; I do not remember it at more than about £5 or £6 per ton.

13311. It is quite possible that when the large prices were given, the people came to that part of the coast in order to have their places of residence near the sea?—I don't know about that, that is not apparent in the place—you do not see it. The people don't mind being at some distance, as long as the boat is close they are all right, and they are prepared if necessary to walk a good distance to their boats.

13312. Still such large prices would naturally bring the people there?—They used to go out and live in the boats and on the islands, and not go home for a couple of months in the summer time.

13313. When they were gathering the kelp?—Yes; it is, however, far rougher now along the Western Coast than it was formerly; there is more wet, and they require dry weather for the kelp.

13314. Have you any certain information with regard to the change in the climate?—I know it myself. I know there has been this change. I know it for seven or eight years.

13315. Your knowledge does not extend further back than seven?—To about nine years.

13316. But your knowledge of the change does not go further back than that time?—My knowledge of it in Connemara only goes back eight years.

13317. But in that time there has been a change in the climate, you say?—Yes.

13318. Greater severity, wet, and cold?—Yes.

13319. The President.—Where do they get a market for the fish?—At present they send lobster to London. The fish goes from Connemara by boat to Galway and they are sent from there by train, and, of course, when the weather is bad, the transport is delayed and a good many of the lobsters die; and when the weather is warm,

it frequently happens that when the lobster reaches London it is of no use.

13320. Sir James Caird.—Is there much lobster along the coast?—Yes, there is no limit to the supply.

13321. It has not been over-fished?—It is not fished sufficiently at all; the coast has not been fished at all as it should be.

13322. Mr. Nelson.—Do you consider that there is any necessity for technical education in your district, education to instruct the people in a proper system of farming?—I really think, if this migration was carried out, that they should have instruction; technical education is really required. It is quite impossible to conduct farming operations otherwise than as they do in the present holdings that they occupy.

13323. Sir James Caird.—Was there any English gentleman came down to see that place which you have marked in this map about thirty-five years ago, and began to reclaim a large extent of land in that part of the country?—There are traces of the operation of a company called the Waste Land Company, which was reclaiming these mountains, and reclaiming these flooded lands, which it appears they were unable to carry out.

13324. Is that in the Martin country?—Yes; it is part of the Martin property.

13325. Have you any idea of why it failed?—I could not tell. I know that the traces of their operations are there; the old roads are still to be seen.

13326. You have only heard of a company; have you heard of a gentleman from some of the Midland Counties of England coming here and bringing short-horn cattle with him, and expending a good deal of money, and attempting a system of farming there?—I think I heard about a gentleman going down to Letterfrack, but, of course, the class of cattle he brought there would not live at all.

13327. There is nothing of that kind remaining now?—No; there is no such gentleman in it at all.

13328. As to the condition of the people themselves, the people who live in this part of the country where you wish to migrate them from, have they plenty to eat and live upon in the winter season?—They are pretty well off in that way; there is plenty to eat.

13329. What do they eat?—Their food is the potato; they live upon the potato.

13330. And milk?—Two-thirds of them have no milk.

13331. Potatoes and salt?—Potatoes and fish.

13332. Do you mean all the year round that they live on potatoes?—Yes, except when they get a little fish. They get Indian meal in the summer time.

13333. Do they buy it?—Yes.

13334. There is no seed of their own growing?—No.

13335. No oatmeal?—Yes; they buy some of that from Galway; occasionally they grind with the hand-mills what oats they grow.

13336. And they have no milk?—More than half of them have no milk.

13337. That must be very poor living?—Yes, it is.

13338. Upon that food and they do a day's work?—They can; they are a fine class of men.

13339. Mr. Nelson.—I believe you won't find a finer set of peasantry in Europe?—No, you hardly find finer.

13340. Sir James Caird.—Does that apply to hundreds of the people?—Yes.

13341. Are they satisfied?—They are.

13342. Then the potato crop is of immense importance?—Yes, it is.

13343. It is their life?—Yes; a great number of them do not know the taste of milk from year to year.

13344. They live simply on potatoes and salt or potatoes and fish?—They do.

13345. No butter?—Of course not.

13346. And nothing but water to drink?—Nothing.

13347. Have they any whisky?—Very little. There is no illicit distillation. There may perhaps be at a distance, but practically there is none there.

13348. Are they generally sound and in good health, these people?—Yes.

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13409. There is no excessive mortality?—No.
13410. Is there fever amongst them?—No. There might be now and then a mild type of fever.
13411. Are they well educated?—They are being well educated now.

13412. Do they speak Irish?—It is nearly all Irish they speak. Two-thirds of the time I speak Irish to them. But from the schools they are learning English. The young people are beginning to speak it.

13413. Are they anxious to get education?—Yes.
13414. I suppose that is given to them in English?—Yes. There should be a teacher in the school to tell them what the English word is and what the Irish word is.

13415. Then the children when they go to school can hardly speak English?—It is all Irish.

13416. Can they speak English when they go out of the school?—In the second and third classes they can speak English very well.

13417. And could therefore move about through the country?—Yes.

13418. Mr. Neligan.—The education, I suppose, is the national school system?—Yes.

13419. Are there many leaseholders in the district?—I do not think there is one in the district.

13420. So you have no reason to complain of the leaseholders being excluded from the Land Act?—It does not affect me so much as it does other districts. The land was not worth losing. I may say that if the herring fishing turned in to-morrow the people would be in splendour, and if there was any market for the kelp they would be very comfortable. But they are very much inclined to pay the rent, if able.

13421. And to pay all their fair demands?—Yes; there is no doubt about that. I am perfectly certain that any money which the Government would advance for the buying of these holdings would be paid honestly back by them.

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Rev. Patrick
Linsley, P.P.

13422. The President.—I believe you are the parish priest of Clifden?—Yes.

13423. Is that a very populous parish?—Yes; the population is very large in that parish. There are about 1900 agricultural families in the parish,—that is, independent of the town.

13424. Are the holdings very small?—The holdings are generally small.

13425. And the people poor?—Yes.

13426. Are the most of the holdings under judicial rents?—Yes, generally; I would say most of the holdings are under judicial rents.

13427. And were fixed early after the passing of the Act?—Yes; after the passing of the Act. They were considerably fixed in 1842, and there were also rents fixed out of Court; and the fixing of them out of Court was a misfortune, as the tenants did not understand their position, and they settled at a very small reduction, owing at the time very considerable arrears. They were settled then, and the misfortune is that they are now too high. The cases have come under my observation of the property of Mr. Young, where the tenants did agree out of Court to have the rents fixed. They expected, as far as I can understand, that they would get 5s. in the £1, and all they got was 5s. altogether. If the rent was £3, say, the tenant only got a reduction of 5s. on that amount. Of course, they cannot claim any reduction now, and they are extremely poor.

13428. Were the rents settled in the Court?—I do not know. I am going to make inquiries.

13429. Mr. Neligan.—Did you see any of the agreements?—No.

13430. They must have been signed before a magistrate?—Or a poor-law guardian, and they were signed before a poor-law guardian.

13431. Sir James Caird.—Would the rents generally go much above £4 or £5?—In some cases to as much as £9.

13418. The President.—Unless you got that pasture land and divided it amongst them, you would not be in favour of their buying the lands which they have seen?—No, because they have paid for them already, and they are worn out from cultivation. The flooded lands should be looked after, and I may say that the people are excluded from the rights of tithary and grazing which takes away considerably from the value of their holdings.

13419. Mr. Neligan.—In point of fact, your district offers an excellent opportunity of trying this scheme of migration?—Yes.

13420. Sir James Caird.—Do these people take any tea?—Occasionally, but not much. The more comfortable people have tea occasionally.

13421. But not as a regular thing?—No, they could not afford it.

13422. The President.—If the potato disease were to come again the whole district would be starving?—The whole district is not doing well in that respect, but if you got a good healthy crop of potato put into new land you will get a good crop. We cannot get any assistance in Connemara. There is one vein running from Oughterton to Ballinabine, but it is more easy for us to get it from Galway by boat.

13423. Is there any other matter which you wish to mention?—I wish to mention that in the townland of Rostore the present rent is about £275, I think, and the valuation of that is £100 or £105. That, I think, is a sackrent.

13424. Mr. Neligan.—Is that a judicial rent?—Yes, the tenants were obliged to take that. They had to accept the terms. If they had been put out they would not have been able to redeem.

13425. The land was under ejectment?—Yes.

13426. There was a large arrears due?—There was, I think, about two years due then. They are extremely pressed on a good many estates for half a year's rent.

13431. They expected in a case of that kind to get a reduction of 45s., but they only got 5s. 1.—All they got was 5s. or some small reduction like that.

13432. The President.—I suppose some of them held such small farms that it would be difficult for them to pay the rent?—They are generally fishermen and farmers. The fishing industry enables them to live during the summer, and in the winter the produce of the little farms. They are in that way enabled to live.

13433. Do they sell the fish?—It is generally for their own consumption. They have no means of conveyance for the fish. I have seen fish rotting by want of conveyance to Galway or Dublin. Carriage is very dear.

13434. Sir James Caird.—Is there good fishing?—Very fine fishing.

13435. What is the nearest harbour?—Clifden.

13436. There is various kind of fishing?—Yes, sometimes herring, and an immense quantity of lobster. Out of those 1900 families there are 1100 or 1200 who have fishing.

13437. And with the help of the fishing they are able to live?—Yes.

13438. The President.—Do you think that the population is too numerous?—I would not say that it is too numerous. The place is very extensive. There are large mountain ranges which they had formerly for the purpose of grazing their cattle which might be difficult.

13439. Sir James Caird.—You do not mean high mountains when you say mountain ranges?—There are mountain ranges, which are now all nearly occupied by game.

13440. Are they high mountains?—No.

13441. Not higher than the cultivated land?—They are, but they would be fit for cattle and sheep.

13442. They are quite accessible?—Yes.

13443. And they are now let for grazing purposes?—No, they are more preserves for game than anything else.

13444. The President.—Do you think the landlord would be willing to sell them for the sake of division amongst the tenants?—I have no reason to think that he would not.

13445. You do not think it would be necessary to have compulsion?—I think that compulsion will be resorted to in the end, and that you will never have a satisfactory solution of the land question unless there is compulsion, let it be a perfectly equitable compulsion if you like, but there must be compulsion one way or other.

13446. And take up these districts for the purpose of migration?—Yes.

13447. And make the landlords sell their present holdings?—Yes.

13448. Buy up the grazing land and split it up amongst the tenants?—Yes.

13449. You do not know of any case in which that scheme has been tried by voluntary purchase?—I have heard of some cases—in the case of Ballymartin it has been.

13450. Did it succeed?—Yes, Mr. Tytge, near Ballinacorney, tried, and near Ballykennedy it has also been tried.

13451. Are you opposed to emigration?—I am, because I believe that the Irish people will be happier at home, even with less means than in America or any other country, and besides, I have ascertained the fact that numbers who were sent out by the late process of emigration are now coming back.

13452. Without having got extra money while they were away?—I think not. They have very little money, and besides I do not think they seemed to be improved upon being emigrated.

13453. How many come back?—A good many.

13454. One-half of them?—I would not say one-half of them, but certainly a good many are coming back.

13455. You look upon a system of migration—dividing these grazing lands amongst the tenants—as a good thing, and you are also in favour of the compulsory purchase of their present holdings?—That would be my view of the situation.

13456. And you also wish for the development of the fishing?—The development of the fishing is necessary for the welfare of that district. The farms are so small, and the land so barren and swampy, that without other means at their disposal they cannot subsist. And then the fishing is so very valuable. Every Commission that I have been before recognises that. There was a Piers and Harbours Commission many years ago, of which Colonel Nolan was the chairman, and we brought before him at the time the necessity of a pier for Clifden, in consequence of the collapse of the fishery, and they allowed £5000 to improve the pier. I hoped that the scheme for a railway from Galway to Clifden would pass, but it did not. It was before the Grand Jury, and passed the Grand Jury, but it was afterwards thrown out, in consequence of the great amount of taxation that it would cause. Lord Chancellor Sullivan called it a project of national importance.

13457. Is there any other suggestion that you are now that concerns our inquiry beyond that one of compulsory purchase?—I would suggest that the present rents at the present time are too high. The Sub-Commissioners, I think, when they fixed the judicial rents did not take into consideration all the present extremely great fall in the price of produce and the price of stock and cattle; and in consequence the small cattle are the only means that the tenants have of getting money to pay the rents. The price of cattle has fallen very much. At the last fair of Clifden, the cattle were selling for £4, which three years ago would have sold for £8. They lost in the price, and they lost also in the feeding of the cattle.

13458. In fact, the rents are so high that they cannot be paid?—Yes.

13459. Mr. Nelson.—You think that some of the judicial rents require revision?—I think there is no question about that.

13460. Would you confine that observation to the rents settled in any particular year?—I have not thought sufficiently of that to give you an exact answer. I believe, as the result of my own observation, that there are a great many rents fixed in the different years that would require revision; and I may observe also that a case came before the Commission in one year and was adjudicated upon to some extent. It was, however, adjourned to another Commission, and through a mis-understanding the next Commission threw it out. The man was really unable to employ a solicitor, but I told him he should employ one, and he did so; but the solicitor was not properly instructed, the sub-commissioners did not understand the case, and it was thrown out. The man has now lost his case, so that there was a case of hardship.

13461. Mr. Nelson.—To extend the power of appeal would meet that case?—Yes.

13462. And perhaps a more extended right of appeal would meet most of the cases?—I don't know that.

13463. Are your people too poor to avail themselves of it?—Yes; the working of the Act is somewhat too expensive. I have known poor people to pay 2s. in order to have a case brought forward.

13464. To the professional man?—Yes. And then there was the other expense. If it could be made cheaper, it would be a great matter.

13465. The Court expenses are really moderate?—Yes; but the people are so ignorant of the way of conducting this kind of thing themselves that they cannot avoid expense. Even although they get the document for nothing, they must get other people to fill it for them.

13466. The President.—With reference to compulsory purchase, how would you fix the price to be given for the farms?—I would take into consideration first valuation of the land, although in many cases it would be no guide. Still, as a basis, I would take it; then the price of produce—cattle and potatoes and cattle;—and then I would take into consideration the dual ownership of the land by the landlord and tenant, and having taken that into consideration, I would see how much exactly the landlord ought to get with these facts before me.

13467. The President.—Who would be interested with the doing of that?—I think that the Judges, who have power of life and death, should be able to do that.

13468. Mr. Nelson.—Are you thinking of the superior judges?—No.

13469. But you speak of the power of life and death?—I instituted that by way of a wide comparison. It should be left to any Commission which would be appointed, any Commission of practical men could deal with it.

13470. The President.—You say that the rents have been very high; have there been no abatements?—I heard that there were abatements on a large property in Connemara, and that Mr. Eyre gave 5s. in the £1. I cannot say that it is exactly true, as I have not seen the agent, but I have heard that. I have heard that upon farms on which the judicial rents were not fixed, there was a reduction of 5s. in the pound, and of 5s. on the farms upon which the judicial rents were not fixed.

13471. Have the rents been fairly well paid?—I think so. Of course, in consequence of the distress last year, they are now, I believe, about three half year's in arrear.

13472. Is there any combination against the payment of rent in that part of the country?—I do not think so.

13473.—Where the rents are not paid it is due to the poverty of the people?—The only combination that I see existing at present is that there is a spirit amongst the tenantry themselves to aid each other, and that those who are not able to pay their rents appeal to those who are in better circumstances, and ask them to assist them if they are proceeded against.

13474. But there is no persecution of people who pay their rent?—As far as I see, I do not think so.

13475. Is there any outside influence? There is no outside influence.

13476. There was at one time, I suppose?—I did not hear of any combination. The rents were fairly paid.

13477. Mr. Neligan.—With reference to migration, I suppose you take the same view that we have heard put forward here,—that lands which are not now occupied by small tenants could be used for that purpose?—Quite so; on the lands now occupied by large tenants.

13478. You mean by large tenants the men who take grazing farms from year to year?—Just so.

13479. Your system would not cause the dispossession of any one in the holdings?—Certainly not. I would not go in for that.

13480. Sir James Caird.—I would like to know if you think, as the result of your experience, that the same men who are both fishermen and farmers are as a rule neither good fishermen nor good farmers?—My experience with regard to that class of men is considerable. I was living in Westport for eleven years, and I am in Clifden for three years, and I certainly would not say that.

13481. A man working on an extensive farm would not have time to engage in those fisheries?—No, certainly not.

13482. And with regard to the occupant of a moderate size farm?—Yes; he would. As a matter of fact, they are many of a moderate size. In some cases they are very small.

13483. These men, who take out an existence by fishing, are the occupants of small holdings?—They are.

13484. And not of the large ones?—I suppose there are not more than a hundred families who do not fish; there are not more than a hundred who do not take part in the fishing, or who have not something to say to it in one way or other, in the parish of Clifden, outside the town.

13485. Mr. Keefe.—There have been demands made occasionally for a reduction of rent?—Yes.

13486. In the cases in which these demands were made I suppose there would be a number of tenants appointed to wait upon the landlord and ask for a reduction?—That is the general proceeding. I did it myself generally in my own district. We held a consultation as to what was the best thing to be done, and I came to the agent and represented the facts to him, and desired to know what his views of the situation would be. I did that last year, and I have done it in the districts in which I am interested this year.

13487. Have the landlords given a reduction in their judicial rents this last year or two in your locality?—Not within the last two years; but it was done this year, and so in the 41 was to be given. Notwithstanding that I pressed the matter very strongly, and showed them that the reduction was very much needed, they did not do it last year.

13488. You have a general knowledge of the condition of the people and of their circumstances?—Yes.

13489. Your experience extends over a larger area than your own immediate parish?—Yes, it does.

13490. And it is your experience that they are unable to pay their rents?—That is my experience, and I will give you the reasons why that is so. There is a great fall in the price of cattle, there was extreme distress last year caused by the failure of the potato crop, and then there was a great fall in the price of produce generally.

13491. You complain that the judicial rents fixed from the passing of the Land Act down to a short time ago must be high rents?—Certainly, I believe that.

13492. And you think there should be a revision of

these rents?—I think there should be a revision of them—a revision of some kind, not a revision which would cause more expense to either the landlord or tenant, but such a revision as would come to an equitable agreement at once without any further expense to them.

13493. Sir James Caird.—How could there be a revision without expense and without trouble?—If there was a valuator sent down to each property, and if he passed around the holdings and saw for himself, and made such reductions as he thought would be right there would be no obligation to sign forms and originating notices, and no necessity for legal proceedings. If a gentleman in whose they had confidence went and saw the locality, and reported as to the reductions needed, I think that would be the way to meet it.

13494. A great many of these rents were, I believe, fixed outside the Court?—Yes.

13495. And you believe that they are higher than the judicial rents?—Yes.

13496. You complain that in this matter the landlord has the advantage?—Yes; the poor man thinks that going into the Court will rob him, and the landlord has the advantage of education.

13497. You say that comparing the rents settled by agreement and those settled in Court, that the rents which were settled in Court were much lower than those which were agreed upon?—Yes; that is my evidence with regard to the Clifden district.

13498. You do not want to put that as a general rule?—I confine it to my own district.

13499. Speaking of compulsory sale, you say that you do not apprehend that the Purchase Act would be very extensively availed of unless it is compulsory?—I do not think so. I believe it is very capable of being made a medium of very great injustice; and as an instance, I may mention the fact that there is a property at Clifden which belongs to Captain Thompson, who desired to sell under Lord Ashbourne's Act, and the people came to me and asked me my opinion about it, and asked to know what they should offer, and I told them that eight years' purchase would be as much as they ought to pay on the present rents. There were amongst those people those who had settled out of Court, but they were given to understand that it was of considerable convenience to the landlord, and that there would be a considerable reduction if they bought. They agreed to buy. There were about thirty tenants, and all agreed except one, and they agreed to give twenty years' purchase. The matter went before the Commissioners, and the Commissioners would not sanction the purchase; they did not consider the security good enough for the money.

13500. Mr. Neligan.—Did you hear from them when rate of purchase the Commissioners considered would leave a security?—I did not. I told the tenant not to buy, and I did not make any other inquiry.

13501. Mr. Keefe.—At all events you believe there should be a Court established to inquire and arrange the price between landlord and tenant?—Yes.

13502. And a Court of arbitration, so that when they found that the landlord thought too much of his own rights, or where the tenants thought too little of the landlord's rights—so that in either of these cases there should be an equitable conclusion of a purchase or terms that would be fair to both parties.

13503. Do you believe that the people would be willing to buy at what the Court considered fair?—I think so. I think they would be most unreasonable if they did not.

13504. Would they pay the instalments?—They paid their instalments of the fishery loan. I know that it was extensively given in the parish, and I know that they are paying it most regularly.

13505. Sir James Caird.—Have you considered what would be a fair price for that particular estate?—I think between eight and ten years. I think that the amount would surely not be unjust.

13506. And yet the tenants you say were prepared to offer twenty?—They offered twenty.

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13507. Do you think that their offering that much was caused by their want of knowledge?—Yes, they are ignorant people, and they did not understand what they were doing, and they thought it would be of benefit to the landlord, and they said to themselves, "Can we not do that?" At the same time, if they did it, the square would at the end of two years be in the same position that they are now.

13508. And the Government would probably find a difficulty in recovering the money that they advanced?—I do not think that they could recover it.

13509. Unless the purchase was at an exceedingly low price, it would be very risky?—I would not say exceedingly low.

13510. I mean such a price as you have mentioned?—I would not say that was exceedingly low.

13511. It would be exceedingly low as compared with the landlord's rent?—Yes.

13512. It would be a reduction of 72 per cent., and it would be a very low price so far as the landlord is concerned?—Well, if we consider the case that is before us, the case of which we have been hearing, of Mr. Gibson and his property—he is giving his property at one year's purchase—of course, it is not a case in point, but still I think it is worth bearing in mind.

13513. At the rate of eight years' purchase the landlord's income would be brought down to £28 a year instead of £100?—Yes.

13514. Is the condition of the men who are partly fishermen and partly farmers prosperous?—I do not say that it is prosperous.

13515. Are they poor?—They are poor.

13516. Are they better off than they used to be?—They are not better off.

13517. What do you attribute that to, if they are industrious?—I say that they don't want industry; they don't do the industries. They want facilities to put their industry into practice.

13518. You think that their interest is curbed from the want of a market?—Yes; it is lost to them, and that their farms are not favourably circumstanced. The curbs are a loss to some of them, the price of pigs is unsatisfactory, and altogether things have resulted in a loss to the tenant. This loss of course has been greatly caused by the want of having a proper market.

13519. I suppose there is no means by which distance could be overcome—if a means of communication could be provided, it would be of great advantage to them?—I believe so, very much. It would add very much to their prosperity.

13520. You don't think that their condition has improved in recent years?—I do not.

13521. But you say you have not been very long in Clifden?—It is three years since I went there.

13522. It is only during that short period that you refer to when you say that you have a knowledge of their condition?—Yes.

13523. You don't know what it was at a former time?—No.

13524. You were at Westport before that?—Yes, I was at Westport for eleven years, where the circumstances are of a similar character.

13525. Are they fishermen and farmers there?—Not so much.

13526. There is not so much fishing?—There is only one district of Westport parish in which I might say there is, Murisk district.

13527. Is there much fishing in Clew Bay?—Yes, there is.

13528. A good deal of regular fishing?—Yes.

13529. Is there any facility for transport there?—Yes, there is.

13530. Is the railway gone to Westport?—Yes; but they are to some extent at a disadvantage, because they have not the proper gear or boats; they have only

boats to fish in the small creeks; but if they had large boats, I believe there would be a considerable take and a large trade.

13531. You mean such as they are at Clifden?—They are not large boats at Clifden.

13532. You mean boats large enough to go outside Clew Bay to the deep fisheries?—Yes.

13533. Clew Bay is very much sheltered with all its islands, is it not?—Inside it is, but outside it is not; and it is equally, owing to Croaghpatrick which overlooks it; at any time a squall may come down from around the mountain.

13534. Mr. Nelson.—It is well out to sea they should look for fish?—Certainly.

13535. Sir James Caird.—Do you think that in Westport the people's condition has improved within the last thirteen or fourteen years?—I believe it has.

13536. At Westport the people go to England and Scotland to work?—They do.

13537. But they don't go from Clifden?—The girls do very often.

13538. What do you think has caused the improvement in the condition of the people at Westport and not at Clifden?—Well, the fact that there is more trade at Westport, and railway communication.

13539. Does the altered state of affairs arise from the railway?—Yes, and from other facilities which they possess there also.

13540. You think there has been a greater improvement in the people's condition at Westport, where there are these improvements which you think it would be desirable to have as far as possible extended to other places?—I would not say there has been a great improvement.

13541. I say a greater improvement than there has been at Clifden?—Yes, decidedly very much; there is more improvement about Westport than at Clifden.

13542. Is the land about Westport any better than at Clifden?—It is.

13543. It is a good deal better, if I don't mistake?—I would not say a good deal better; it is better certainly in the immediate district of Westport itself; but I am talking about the whole parish of Westport, and making a comparison between them. My experience would lead me to believe that there is not a very great difference.

13544. On the road between Westport and Clifden, you pass a very high mountain range?—Yes; I am not speaking of it, but of the agricultural country immediately in the vicinity of Westport. The land is much better than anything about Clifden; but if you take the whole district and the mountain district in the parish of Westport on the property of Lord Sligo, and in the hands of Mr. Houston, the comparison is not so strong.

13545. That is a great sheep-farming property?—Sheep-farming generally. The land is not very much different from what it is in Clifden; it is somewhat better certainly, but there is not a great deal of difference between them.

13546. The general effect of your evidence upon that point would be that additional facilities of communication with Clifden would enable the people to develop such industries as lay within their reach to a great extent?—That is my opinion.

13547. Mr. Nelson.—Does your recollection carry you back to the experiment made by Sir Thomas Rusby bringing down large fishing boats?—In Galway.

13548. Where did he bring them to?—I think it was into the Claddagh, and it appears that the fishermen were not accustomed to that kind of thing, and did not know how to manage them, and the men who were in charge of the matter found that they were not accustomed to it, and they failed.

13549. It was not in your district?—No.

Mr. Thomas Conroy, Mr. Peter Conroy, Mr. Martin Mangin, and Mr. Patrick Kiep—all from Cessman—called in.

Mr. Thomas Conroy examined.

Mr. Thomas Conroy:

13550. The President.—You I believe are from Cessman?—Yes; from Rossmach.

13551. What is the nature of your holding; how much rent do you pay?—I pay £35.

13552. Is it a judicial rent?—It is not.

13553. You never applied to have it fixed?—No.

13554. Do you think it is too high?—There is part of it under lease, and part of it not.

13555. You held that part which is not from year to year?—It is a grazing farm.

13556. Then the part under lease is not highly rented? Is it higher than the judicial rents near you?—I do not think it is.

13557. You are satisfied with it?—Pretty well satisfied with it.

13558. You find you can get on pretty well?—As regards the part under lease, yes; it is a lease which was taken in the famine years when rent was very low, but the other land is very dear.

13559. But you can go into Court with it if you like?—It is not land that I could go into Court with. It is a voluntary transaction. I need not keep it if I do not like.

13560. You take it merely for the grazing?—Yes.

13561. It is beyond the reach of the Act?—Yes.

13562. Have you ever thought about purchase?—Yes.

13563. That would be your chief object?—Yes. That is what we would wish, if it came within our means.

13564. Have you ever made any offer to the landlord?—No.

13565. You do not think that the landlord would take to the idea of selling?—I am not aware that he would.

13566. How many years' purchase would you be willing to give on the present rental?—As regards the leasehold, I say it would be worth about eighteen years' purchase.

13567. And that is lower than the judicial rents?—Yes; but on the other farm I do not think the land would be worth more than ten years' purchase.

13568. That would be reducing your rent about one half?—Yes.

13569. You would not give more than that?—No; it is not worth it.

13570. You think your grazing land would only be worth ten years' purchase?—Yes.

13571. If there was a system of compulsion by which you would be compelled to give it up for the purposes of a migration scheme, would you be satisfied yourself to take that amount?—Yes; I wish we had migration. It is very much wanted in the country that I come from.

13572. You would divide that land?—Yes.

13573. And add it to the different holdings around—cut it up and divide it amongst the tenants?—Yes.

13574. That you believe would be the cure?—I believe that migration is the cure for the distress at present in this part of the country.

13575. Is there much distress among the people?—So long as I can recollect, I never saw the country in such a deplorable state. In fact, both town and country are the same. They are in debt heavily to the landlord, and far more to the shopkeeper.

13576. Have they been paying the rents?—I believe they paid them very fairly in my neighbourhood. The landlord was not very lenient. He put out 404 of them a short time ago—that is, he evicted 404 of them a short time ago.

13577. What is his name?—The agent is Mr. Robinson.

13578. Who is the landlord?—Mr. Berridge of London.

13579. Sir James Caird.—That is on the Martin estate?—Yes; and they were stricken down with famine fever.

13580. Were they put out of their houses?—Yes.

13581. They did not get back as evicted?—No.

13582. Were they all put out?—Yes.

13583. Was that for the non-payment of rent?—Yes.

13584. The President.—Was it for arrears?—I could not say for how much. The agent is Mr. Robinson of Roundstone.

13585. Sir James Caird.—When did the eviction upon Mr. Berridge's property take place?—About a month ago. It was about the time that the famine Woodford eviction took place, when Father Fyke was imprisoned.

13586. Was this the eviction of 404 families?—404 individuals. Last year there were about as many at a place called Cunn.

13587. The President.—Do you believe that these people could have paid if they liked?—No.

13588. Was there any explanation amongst them?—I am not aware.

13589. It is a very poor country?—Yes.

13590. Mr. Kiep.—What has been done with the land from which they were evicted?—The land is waste now.

13591. Sir James Caird.—No one takes it?—No body is in it since, except these people who are living upon it; any one would scarcely take a present of it.

13592. It is such poor land?—Yes.

13593. Is it at a high level above the sea?—It is not very high. It is upon the sea coast.

13594. Is the land of a barren character?—It could not well be much worse.

13595. Is there plenty of sea-weed?—There is a good deal of sea-weed on the place.

13596. Do they use it?—They use it for manure, but they make nothing of it in the interior for manure or fuel.

13597. The President.—Is he your landlord?—Yes.

13598. You had to pay or you would be evicted?—Yes; we always had to pay; we would not give up a reduction; we were considered to have a few pounds, so it were.

13599. Mr. Nelson.—The grazing is taken away?—Yes.

13600. You do not complain of the other?—It is from Trinity College we have that.

13601. The President.—If the landlord brought you into Court, you think you might get an increased rent?—I do not think so. It is higher than the valuation.

13602. You do not mind running the risk?—I would not be afraid to go into Court. There is nothing I want to bring under your notice with regard to the rent, and the present Commission valuing land in the country. I have seen a man that had a bad holding, a holding with perhaps £7 or £8 worth of land including meadows, who did not get half the reduction that he was entitled to, according to what the man who had good land got; because, I think, they estimate it more by the number of acres than any thing else. I think they value the acreage, and not the quality of the land. I saw a man getting a reduction of £1 on a £4 holding, and another man who had four times as much land, but of less value, could scarcely get any reduction at all.

13603. How much do you say you hold?—I could say that there is about 200 acres under the lease.

13604. Statute or Irish acre?—Statute acre, I should think.

13605. How much do you say you pay?—£35, it is uncertain land.

13606. Mr. Nelson.—What is the term of the lease?—999 years is the length of the lease; it is long enough; I will have no trouble when it is out.

13607. Have you anything else to say about the migration plan, and that you would give ten years' purchase for the unexpired lease? I suppose you think it should be compulsory on the landlord to sell?—

don't believe we will ever have any content in the country until that is done.

13608. And would you be willing to have the price to the Land Commission?—Do you mean the present Commission?

13609. The Purchase Commission?—Yes; to a Commission properly constituted.

13610. Not the Commission of which you spoke just now?—No; they may be very strict according to their own ideas, but they are not up to mine.

13611. If these Commissioners and twenty-one years' purchase instead of eighteen, what would you say?—If they said that, and if it was compulsory, of course we should have it.

13612. Sir James Caird.—I see that you make a difference between the number of years that you would give for good land and the number for bad land?—Holding out of season is not worth as much as having in season; land that is bad is not worth as much as land that is good.

13613. You consider good land is worth more years' purchase than bad land?—Supposing that you value both qualities of land according to their value, they would be worth the same number of years' purchase, but if you got the good land at a low rate of course it would be worth more years' purchase; perhaps I do not catch your meaning.

13614. I thought you complained that the Land Commission didn't give as much reduction upon bad land as they had given upon good land?—They did not give the same reduction; they went more by acres than anything else.

13615. Because they did not seem to know the great difference there is in real value between good land and bad land?—One man got £1 reduction out of £4, and he had only eight or ten acres; another man might have 50 acres for £4. I say the man with fifty acres was entitled to more reduction than the man with seven or eight acres, because the land was not worth anything.

13616. The President.—You paid your rent to Mr. Ramsay?—Yes.

13617. And you were not subjected to any annoyances by any one?—Well, there were some threats some time ago, but it was not much; it was not on the head of rent altogether, but more on account of people trespassing on the land. They wanted to carry away edge and other things. Properly speaking, I think the people were right, because that land was taken away from them by the landlord in former times.

13618. What do you call former times?—Twenty or thirty years ago it was taken away from them. They had it formerly, and they considered they were entitled to it still, even although it had been taken away from them.

13619. That is pasture land you now hold?—Yes.

13620. You tried to stop them?—Yes; and the trouble that arose from that was the only annoyance we had from them.

13621. You got threatening letters?—Never.

13622. I thought you said there were some threats?—Threats in conversation.

13623. Nothing came of these threats?—Nothing more than that they said, "We have a right to this place," and so on.

13624. There were no threats made to you about your paying your rent?—No.

13625. So that you do not think there was a pressure put upon the people not to pay their rents?—There was none upon me, at any rate.

13626. You think the reason they did not pay was because they were too poor to pay?—I believe that, and I believe they are going from bad to worse every day.

They have no employment, and that is the whole thing. Nov. 3, 1894.

13627. There is nobody to give them any work?—No; they have no resources, they have nothing to depend upon except the bit of land. In the case of a man with three or four of a family, if there was a manufactory near him or any kind of work he could do very well. He could spare one or two of his family and send them to work, and it would help to feed the family and help to pay the rent, but here there is no employment for any one. There was a time, I recollect it myself, in the west when you could get £1 for a boat-load of weed, and now you could not get more than 3s. or 4s. for it.

13628. Sea-weed?—Yes, sea-weed. With regard to the weed, I think if there was a railway it would be a great improvement; it would develop the fisheries, and it would carry the sea-weed into the interior. At any rate, it would bring the price of fish up. At present there is a great difficulty in finding a market, and fish must be sold. Turbot will not sometimes, or you must sell them at any price.

13629. Do you think there would be traffic in the country to support a railway?—There is a good deal of traffic—sheep and pigs, and then there are tourists, besides ordinary passengers going to market and going about the country.

13630. Sir James Caird.—Do you think that sea-weed would be sent into the country if there was communication?—I am quite certain of it.

13631. Is it good sea-weed?—Yes; and the potato in the sea-weed is required for the growing of potatoes and oats.

13632. Have you found any case in which it damaged the ground, owing to its being too much used?—No; but I heard that said of the guano.

13633. You never heard it said of the sea-weed?—No.

13634. Have you never heard it said that where it has been applied, year after year, for the production of potatoes, it gradually dried up the ground and rendered it unproductive, and caused the production of an inferior quality of potatoes?—I never did; and I have practical experience of growing potatoes for twenty years—I never heard it.

13635. We have heard it not far from here?—The land might get sick of it, just like growing one crop continuously, but any good farmer who understands his business will not allow that to be the case.

13636. But if a man has only two acres of a farm, and is growing potatoes there about every year, and always with seaweed, have you any experience of what the result of that would be?—They use farm-yard manure as well as that.

13637. But here where there is so much seaweed they need use nothing else, and besides, a man with two acres cannot have farm-yard manure?—He will have some. A man with only two acres of land won't have much tilage, and I think he will have as much farm-yard manure as will do.

13638. This statement was made only in reference to the very small farmers who had a very small quantity of tilage land, and who had to crop it constantly, and to keep on cropping it without letting it go into grass.

13639. Martin Mangan.—He comes from a different part of the country. The people on the islands who have only two acres put on the red weed, and it does burn up the land. The sort of weed that he is used to is what is called black weed.

13640. So both the statements could be quite correct?

13641. Martin Mangan.—Yes.

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Mr. Peter Conway examined

13643. The President.—Are you a relation of the last witness?—Yes; but not from the same district. I pay £20 a year rent.

13643. Is that the judicial rent?—No; it is the old rent.

13644. Mr. Nelson.—You hold under a lease?—Yes; under a lease.

13645. The President.—You don't complain of it, or you would have gone into the Court?—No; I don't complain of it.

13646. Have you some opinion about migration which you wish to express?—I have the very same opinion. I think that these mountains that were taken from the tenants in former days should be given back to support their cattle.

13647. You would divide them amongst the people?—Yes.

13648. And that would give them some means of living?—Yes; or I would give each village a strip of mountain to itself.

13649. I suppose they have found a difficulty in paying their rent now?—Yes.

13650. Sir James Caird.—Do you remember the time when the people had these mountains?—No; but I remember hearing of it.

Mr. Martin Mangon examined.

13651. The President.—What rent do you pay?—I pay £200 a year.

13652. Where do you live?—In Carnagh, in Connemara.

13653. Is that holding of yours for grazing?—It is for agriculture and grazing together. I use most of it for grazing, but I till a very great deal of it.

13654. It is a very large farm?—It is several farms. I deal with two or three landlords.

13655. Do you hold under a judicial rent?—Under one landlord I do. The valuation of my whole place is about £70 a year, and the rent is about £800.

13656. Is any of it on lease?—No, it is all from year to year.

13657. You could go into the Court if you had wished?—I went into Court in one case, and the Commissioners settled the rent at double Griffiths' valuation, and I think it is impossible to live upon that and pay it.

13658. So you did not go in with the rest?—I am dealing with one landlord, Colonel Nolan, who always deals fairly with us.

13659. How much reduction did you get?—The rent of that was £200, and he reduced it to £40; the valuation to £200.

13660. The valuation is no standard, of course?—It is a good bit of land, and if there was a migration, I would be glad to give it for that.

13661. What would you take?—Two years' rent.

13662. A hundred pounds?—Yes, and be glad of my tenants.

13663. The President.—We heard just now that there was no sale of tenant right amongst large farmers. It would be a large sum to get?—I would be glad to get that price; I would take less.

13664. Do you think the landlord would be willing to sell?—About a couple of years ago we were willing to buy, and for eighteen years' purchase.

13665. Mr. Nelson.—Under the Right Chuseef?—Yes, we did not agree at all events, but now I think he would take it.

13666. Is Father Linskey in the district?—No; Father Flannery.

13667. The President.—You think nothing but compulsion would make the landlord sell?—I think nothing will make the poor people about there prosperous unless there is a fair rent, and then they will have a certain stock. They paid their rent this

13651. How long ago is that?—Forty years ago; some of them were taken twenty years ago, and I remember one case myself.

13652. The President.—Would you like to purchase your holding?—Yes.

13653. On what sort of terms?—At about sixteen years' purchase on Griffiths' valuation.

13654. Mr. Nelson.—How much would that bring your rent to; you say you do not complain at present of the rent?—No.

13655. How much would your rent be if you bought at sixteen years' purchase; do you know that would be £18, 14s. on the present rent, or about £14 on Griffiths' valuation—that would be a large reduction from £30 to £14; it would be a large sacrifice on the landlord's part?—I do not speak for myself, so much as with regard to the general rule.

13656. But on the purchase that you would give for your own land, the landlord would be compelled to make a very great sacrifice?—It would be, but still in order to live decently, it would be a bigger sacrifice to the tenant.

13657. The President.—Have you anything to say or to add to what the last witness said?—No, I have not.

year better than before, but they may thank the Government, who sent down the relief, for being able to do that. Any one who made a ton of kelp was able to give the rent to the landlord.

13673. Mr. Nelson.—The first thing you want is to fix a fair rent?—Yes, we would be delighted to buy, the whole parish, I am sure, would be delighted to buy at whatever the Government think proper; they would expect justice.

13674. Would you leave the price to be fixed by the Purchase Commissioners?—I would. I think our parish would be glad to leave it to them to-morrow, but what is the use of men offering to buy from the landlord?

13675. Have you tried Colonel Nolan?—He offered to the tenants.

13676. Have they accepted?—No, very likely he may ask too much.

13677. Mr. Knipe.—How many years' purchase did he ask?—I could not say.

13678. Mr. Nelson.—He would ask nothing that was not fair?—Some of his tenants are owing thirteen years' rent, and unless he put them out he cannot get a penny.

13679. Is it possible that for thirteen years they would not pay anything?—I know they owe him that.

13680. Is it possible that they could not pay him anything?—That is only a few. I think his tenants are the most comfortable.

13681. Purchase would be rather an embarrassment to them if they go on in that way?—Some of them would not take advantage of the *Arrears Act* from having to pay a shilling expenses, because they believed that the Colonel would not push them.

13682. These tenants have only to continue their present system, and the land is theirs for nothing. Some of them have got a fine sample already?—I think proceedings have been taken.

13683. Sir James Caird.—Is the land they occupy very bad when they are so much in arrears?—As a rule, these tenants are the most comfortable. These other fellows are not well off; they are very poor.

13684. They are not so well off?—No.

13685. Is the land poor?—It is just like the rest of it.

13686. They are not as industrious as the others?—Whatever happened there, they are not well off.

13686. *The President*.—He is a very easy landlord!—Yes.

13687. *Mr. Neligan*.—You say that he offered to sell?—Yes. It would be a great boon for our country if there was any accommodation for sending off fish to the markets.

13691. *Sir James Caird*.—Do you fish yourself?—I have boats fishing.

13692. Do you know anything about the lobster fishing?—Yes, myself and my brother send £700 worth to Ballinacule every year.

13693. Is there an abundant supply?—Yes.

13694. You have not cleared the supply out?—We never will clear it out. If the people could only send it away properly, if they had the means of transport, it would be a great matter.

13695. There is plenty of lobster?—I often paid £30 for the portion of a day. Then we have to send them down to Galway, and we have to pay considerably for that.

13696. *Mr. Neligan*.—Why don't you get one of the Ballinacule well-boat to come?—We are in oppo-

sition to them. We buy and send to the market ourselves. We have our own hookers, and send them away.

13697. *Sir James Caird*.—I suppose the lobster is about the most valuable fish you have?—I dare say at present it is. We send a tremendous amount of wrack away.

13698. *Mr. Neligan*.—Is that for bait or for food?—For food.

13699. They are not much use for bait?—No.

13700. Mussels for bait?—Yes; with regard to the fishing generally, I may say that of course we cannot compete with the men who pack them in Galway and send them on.

13701. *Sir James Caird*.—Are all the farmers in your place fishermen?—As a rule, they are; it is by the fishing they live entirely.

13702. Is there occupation more than of fishermen then farmers?—Yes.

13703. They get more out of the result of the fishing than the farming?—Yes, except in cases where, like myself, they have a large holding. It is the fishing and help that enables them to live.

Mr. Patrick King examined.

13704. *The President*.—How much rent do you pay?—One-third of two holdings; I pay £5, and two others pay £10.

13705. How do you divide the produce?—Each has his own part.

13706. You have one-third of the holding?—Of course.

13707. And you pay £5?—Yes.

13708. Is it a judicial seat?—No, it is a yearly tenancy.

13709. And do you find it easy to pay the rent?—I find it very difficult. It is not worth one-third of the money. It is very barren land, having neither tithes nor mountain.

13710. And you would like to have a little mountain?—Yes; we had it until it was taken by Mr. Robinson.

13711. Do you like holding in this joint way?—I would rather hold by myself. These joint-holdings were the destruction of Commerce as well as everything else.

13712. Did your landlord give you any statement?—No.

13713. You think the rent high, and would rather hold by yourself, and you would like to have a bit of mountain?—Yes.

13714. Do you do any fishing yourself?—Very little.

13715. You do some?—Yes; myself and also some.

13716. What is the size of your boat?—It is a small row boat.

13717. About what size?—Two tons; they are small four-seated boats.

13718. You set long lines, I suppose?—Yes. We all desire to have the Government purchase the land, and give it to us at a reasonable price. The land we have is worth nothing. An Mr. Mangin said, the red wood burns out the land where the land runs along by the borders of the sea. If a man has only a small portion of land, he cannot afford to lay it out in grass to strengthen it.

13719. You know that the land is running out by the continual use of that sea-wood?—I am sure it is.

13720. Have you anything else to lay before us?—*Mr. Patrick King*. I had five or six brothers who went to America for the want of land at home, and I would like permission to keep the people at home.

13721. How are these friends of yours who went away doing?—They would come back if there was a place to go to.

13722. They would rather stay at home than go to America?—They would; five brothers and my sister are away. I am the only one remaining.

13723. Do you hear from them very often?—I think I heard from them last week. I heard from St. Paul, Minnesota.

13724. *Sir James Caird*.—That is a good country; would they come back from there?—They are very fond of the old country. They would wish to live in it better than any place else.

13725. You think that the land should be given amongst the people?—Yes, there is a townland quite close to us that would give land to a hundred tenants.

13726. How is it occupied now?—It is occupied by graziers. There is another at Round Stone, and there is also another which was taken up by graziers when cattle were dear. Now they would be glad to get rid of them.

13727. *Sir James Caird*.—You think your brothers would do well upon that land if they came home?—Yes.

13728. It is good land?—Of course it ought to be good; it is resting for twenty or twenty-five years, and ought to be good after having been in grass so long.

13729. But the time would come when it also would change?—There is a mountain attached to it, they formerly took away the tectary and mountain, and increased the rent afterwards.

13730. How did the other people get upon your land?—They are not upon my land. There was a good many people in the village, and some of them went to America, and he divided the strips amongst us; these people are related to me.

13731. I mean those who held with you?—One is and one is not.

Mr. O'Grady MacDermott, of Clonoe, Foxford, examined.

13732. *Sir James Caird*.—You are a landowner, I believe?—I am a landowner and tenant farmer.

13733. Where?—In the county Mayo.

13734. Is there any statement you desire to place before the Commission?—No; I merely wish to answer whatever questions you put to me.

13735. Is there any combination in the county Mr. O'Grady amongst the tenants against the payment of rent?—No. *Mr. MacDermott*.

13736. There is no combination?—There is no combination against the payment of rent. I think the non-payment of rent is rather due to a want of facility in the operation.

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Mr. O'Grady
MacDonnell.

13737. And I suppose also to some extent to the inability of the tenants to pay it—There has been a good deal of loss in tanning, but I think the judicial rent would have been paid if there was any finisley.

13738. Do you think the want of facility in the agitation keeps them from fulfilling their engagements—I think it has a great deal to do with it; of course, there are cases, and particularly in the county from which I come, in which from poverty they are unable to pay.

13739. What part of it?—I am also connected with estates in Galway.

13740. You know Lord Lucan's estate?—I know about that; he has large tracts in his possession.

13741. Which he has held for many years?—Yes; and cultivated. There are a great number of mountain tracts near me belonging to Lord Lucan, and they are all wild tracts of land. He stands very well with his tenants there.

13742. Are the results of his farming reasonably remunerative?—I can scarcely speak of that.

13743. You do not know?—No.

13744. I only ask the question, because it gives an example of large agricultural operations in Ireland, conducted in the hands of one man?—Yes.

13745. You cannot say whether on the whole it has been more or less advantageous?—Except judging from what I have seen for the last twenty years, I think that those lands would have produced more if they were in the hands of men who cultivated them, having from 100 to 150 acres each—in fact, if they were in the hands of a yeomanry class, more cattle would be bred and more labour employed.

13746. He employed a good deal of labour, I imagined—Of course, large areas of grass may only require one herd, and in that respect the number of men who would be employed would not be so large.

13747. Have the lands all been held out in grass?—Nearly all.

13748. I did not know that?—On the lands that are laid down in grass not much labour is employed.

13749. In your own experience, do you find that the recent depression of prices has any serious effect upon the power of being able to meet the claims of the landlord?—Certainly, I think the depression in prices, and the disadvantages that farms situated such as those about me in Mayo, and all that part of the country, suffer from in the absence of easy communication with good markets, and so on, has done a great deal to interfere with their profits. For instance, the want of harbours or any means of getting cattle into the English markets has caused us to be entirely at the mercy of dealers who come to our local fairs. They buy cattle, and of course they take care to provide in the transaction for the long railway carriage to Dublin and thence to England, and out of the small class of cattle that the tenant farmers have, the heavy railway and shipping rates do away practically with the poor man's profit.

13750. Since railways came in that difficulty has not been increasing at all events?—It affects them more in this way, that when prices were more a beast worth £10 would be better able to bear this heavy burden of charge than the same at a lower price. There was an attempt made to alter the state of affairs by extending the railway to Killybeg, and having the Scotch and English boats sailing there to carry away the cattle straight from the market, and in that way to offer an inducement to the Scotchmen to come over direct and buy the cattle, and so do away with the intermediate loss. That however failed before a Committee of the House of Lords last year.

13751. Has there been any desire by the tenants to take advantage of Lord Ashbourne's Purchase of Land Act?—I think what I may call the first class tenants of unencumbered estates, where they could deal direct, and where the landlord was the sole owner—that in these cases the Act would be of benefit if carried out; but surrounding me is another class of estate, which is extensively heavily encumbered, the holdings are very

small, the tenants ignorant and poor, and I think in these cases it would be difficult to carry out any arrangement of that kind.

13752. But the larger class of tenants are more likely to take advantage of it?—I see no difficulty in the landlord, who is the sole owner, and the tenants coming to terms.

13753. Have you yourself considered what would be a reasonable number of years' purchase to give for a well-situated farm?—I have not considered that at all, because I have been more engaged in considering what I think is more likely to deal with the peace of the country, namely, the case of the congested districts.

13754. Have you an experience of the congested districts?—I am in the centre of them, in the baronies of Castle and Galien.

13755. Will you kindly give us some idea of what you think is required as far as public assistance might be possible?—I think the principal thing required in these districts is employment. The position of them at present is that in thirty years they have improved to a certain extent. I remember the small tenantry, who had been cleared off the large grazing lands, went into the mountain districts, which up to that time had not been cultivated at all, and they settled there, and they cultivated these patches, and they then went to England to earn some wages. The work was then good in England, and they used to walk from Mayo to Drogheda, carrying their provisions on their backs, and but by bit they took in the mountain and improved it, and in those times, when the labour in England was very good, they brought home considerable sums of money, and those parts of the mountain were striped into holdings, and there were no better paid rents.

13756. But the rents were really paid out of the earnings in England?—Yes.

13757. And out of the land?—No. I could easily describe it in this way, that these holdings were to these people what suburban residences would be to gentlemen employed in a city. They had to go away in the spring time when they ought to be attending to their lands, to look for earnings in England, while they left their women and children to look after the tillage.

13758. With the change in demand for labour in England and Scotland, of course these people have suffered?—Very much; so much so that I calculated the amount of money sent by the labourers for two or three years, and I found the falling off was so serious that I reported the matter to the Local Government Board Inspector.

13759. You mean the wages which they were receiving there and sending home?—Yes, in 1878 and 1879 it had fallen off to such an alarming extent that, being then the chairman of the Sanitary Union, I communicated with the Local Government Board on the subject. I am sorry that I cannot now give you the figures, but at all events the falling off was so serious and alarming that we took note of it.

13760. Would the amount of the falling off be equal to the amount of rents paid in that part of the country?—The English would be very much worse, because they not only pay the rents with it, but buy provisions and other necessary things.

13761. Has that falling off gone on?—It has gone on to a great extent. It is not quite so bad now. Employment is a little better in England. I have read that it has been asserted by very high authority, that such land is of no value at all, and what I think is, that whatever might be done in respect to the disposal of best lands, as between landlords and tenants, by Lord Ashbourne's Act, you would not be a bit more at ease until you had set the matter of the congested districts right.

13762. Do you think it would be a judicious investment for the Government or the people to buy those places, which you say are incapable of supporting them without assistance?—I might not like to put my money in it, but I think it is a matter of public urgency. These were people who existed on the large lands before

the clearances of 1846 and 1847. They have gone upon these mountain lands, which at all events serve for labourers' houses, and they can live upon them now, if they had work to do anywhere in the place.

13743. Is there any probability of getting sufficient work here?—The country is in a terrible state for want of drainage; there are vast areas that could be made profitable if there was a system of arterial drainage.

13744. Who will do it now?—I don't think the landlords will do it; but when the State thought it a public necessity to interfere with the landlord's property, I think that the State has put itself in the position of being compelled to do it.

13745. You think the action of the Government with regard to buying out the landlords would be incomplete without the poor districts being included?—I would begin with them. If the country were prosperous, and these people given employment, you never would have agitation. My experience is that no amount of dealing with the prime lands of Ireland will have any effect to stop agitation, or bring peace to this country, until you deal with the poor lands first.

13746. Have you any knowledge of the proportion of the agricultural population who occupy these congested districts as compared with the rest of Ireland? I saw statistics of the people that leave Ireland to go and earn money in England, and I find that the Union of Salford sends more people than any two other unions.

13747. Putting these people together, would it not be a very small proportion of the whole agricultural population of Ireland?—I think so; still this poor agricultural population will remain, and always must, until something is done for them. They must remain always a trouble until something is done for them.

13748. Mr. Nolan.—How do you propose to deal with this state of affairs of which you speak?—Develop the resources of the country. The difficulty in the way of transporting produce and cattle requires to be looked after, I would make useful and proper harbours. I would make a system of arterial and main drainage, so as to allow the occupiers to make proper drainage, which at the present time they cannot do. I had a good deal to do with drainage, and much of it has become worthless, simply because the great arterial drainage is neglected. I would encourage owners of large areas of grass land to divide them into farms of 100 or 150 acres, and they would give employment to the people of the country.

13749. Sir James Card.—There is one question which we have to consider, and it is this, whether the Act of Lord Ashbourne could be expedited in any way by interfering with the security of the local authorities; what is your opinion about that?—Our local authority is at present the Board of Guardians, and if by the local authority you mean the Board of Guardians, I think I may say that the people would not have any confidence in that arrangement.

13750. Would the local authorities be willing to undertake that?—I do not think so; they were originally constituted for the relief of the poor.

13751. Then you don't approve of that idea?—No; our taxation is sometimes 10s. or 15s. in the pound in these districts, and they are occupied with things that they ought to have nothing to do with.

13752. Do you know how the people in the congested districts manage to live?—Yes; as I said, there is a great improvement since the days when they used to go to Drogheda, carrying their food with them on their way to England to earn money. They have

improved a good deal since, both with respect to clothing and food; still they live upon very poor food—they live principally upon potatoes. A little American bacon comes in, and that gives them a taste of meat. Herrings used to be the great thing. The wonder, when you come to consider the matter, is that they are able to rear such fine healthy children and feed themselves upon what we see to be their income.

13753. What have they when the potatoes are finished?—They lived entirely upon the potatoes and meal until the American flour came in. There are stores all through the country, and they have better food in that way than they used to, but in another way it does them harm, getting credit from shops. They used to make their friends, and do a great deal in that way. It was a very lasting and serviceable cloth, but now money goes to buy the shoddy goods, and of course the money that is spent in that way goes out of the country; and besides that, there is the fact that the clothes don't wear so well as the friends did.

13754. Mr. Nolan.—You do not believe that the Acts of 1851 and 1855 reach the congested districts at all, and that they require special legislation?—Yes; I wish to explain that it is a dangerous thing that the Land Act should remain as it is, and we have another adjustment of rents. It is unnatural to expect that the tenants would go on improving their holdings where they might expect to have their rents increased. About three years ago, there were thirty tenants on the townland had their rents settled. The old rents were reduced by about 154 per cent. They were very well satisfied, and paid their rents fairly well since; but three men on the townland did not serve notice on the Commissioners. They said they had sent notices. I received none, but the Land Commission did not receive theirs. I asked these men to pay the old rents, and they did pay them. At last they stopped paying, and went into the Court, with the result that their rents were reduced 30 and odd per cent. Now these were about three of the best holdings on the townland, and of course the other tenants on the townland are naturally dissatisfied.

13755. Mr. Knappe.—Is there any general desire on the part of the landlords to make terms with the tenants, or to sell their interest in the property?—Perhaps they would be willing to sell if they were able, but the unfortunate position in which they are placed is this, that while the rent is reduced their mortgage and charges still run on, and they have to pay 30s. in the pound upon them. I can give you one instance of a landlord, with an estate of £2000 per annum, in which the whole of one year's rental was cut off. Thirty per cent. was taken from the rental by agreement, and he was left in that position with the mortgage and charges on the estate. He had only a quarter of the rental to live upon, and the Land Act cut off his quarter and has left him penniless. You ask me what I would do in matters of that kind; well, it occurred to me that there should be compulsory sale of such estates from the landlord to the State. The amount of the purchase money to be a final discharge of all mortgages, the owner to have the same facilities given him to retain the residence and lands in his own possession under the State as might be given to other occupiers, provided he was resident and farming those lands, thus preventing his being alone subject to eviction for what could not be realised out of the land. I know an instance in which a mortgagee has foreclosed and stepped in and taken up the lands and house occupied by the landlord, where absolutely the man did not get from the lands the money to pay the mortgage—a case in which it had been cut off.

Mr. Patrick Ryan examined.

13756. Sir James Card.—Where do you come from?—From Clare, Galway.

13757. You are one of a deputation here?—Yes.

13758. Do you wish to make a statement with

regard to your own lands?—Yes; as regards my holding under Lord Clonmerrie.

13759. Is that under a lease?—It is a freehold lease, and the last life is about eighty years of age, and we get no reduction.

Mr. Patrick Ryan.

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Mr. Patrick Ryan.

13780. What is the acreage of that place?—About thirty-seven acres; the lease was made about forty years ago.

13781. It is a perpetuity lease?—No; a lease for lives and years.

13782. And there is one life still living?—Yes; and we got no reduction.

13783-4. What is the rent of thirty-seven acres?—The rent is £32.

Mr. Patrick Ryan examined.

Mr. Patrick Ryan.

13785. Sir James Caird.—You are also one of the deputation?—Yes.

13786. Do you hold under a lease?—No.

13787. You hold from year to year?—Yes.

13788. What do you want?—I want some money to live.

13789. Have you had a judicial lease?—No.

13790. Did you serve an originating notice; did you go through the Law Court?—No.

13791. Why?—Because I did not know the acts, and that was the cause of it.

13792. Mr. Nelson (to Witness).—You did not go into Court, not having a survey made?—No; there is a good deal of it under water.

13793. Sir James Caird.—Your desire is that you should be saved the expense of making that survey?—Yes; the land goes to and fro; I have eight little pieces.

13794. Mr. Nelson.—Whose name is in the rent book?—Lord Clonmore.

13795. But who is the tenant?—The village; I am one of them.

13796. Sir James Caird.—Has each person in the village a share?—Each has a share.

13797. And is each man responsible for the rent of the others?—No; only for his own.

13798. You find the rent too high?—There are

13785. Mr. Nelson (to Witness).—Your desire is I suppose to get under the Land Act of 1881, and to get a decrease of rent?—I am very much rented. The landlords can give reductions to others.

13786. Sir James Caird.—You feel that you are at a disadvantage compared with the tenants who have yearly tenancies?—Yes.

13787. And you believe you ought to get a reasonable reduction?—Yes.

thirty-eight tenants, and they have only eighteen acres of land. It is upland.

13802. There is not land enough to support you?—How can there be?

13803. In what way can we help you?—Begg, I don't know, Sir; I suppose you can make something out for us.

Patrick Ryan.—They lost nearly all their grain by the floods.

13804. Sir James Caird (to Witness).—Have you been there for long?—From generation to generation.

13805. Do you manage to get on there?—Begg, Sir, we would if we could. There is plenty of land now us.

13806. What is the name of the village?—Moaugh.

13807. Do you go out to earn wages as a labourer?—Yes.

13808. Do you find labour?—Yes; in the harvest.

Patrick Ryan.—They take care.

13809. Mr. Nelson (to Witness).—What do you suggest yourself?—That some of the large farms on the property should be divided between some of them.

13810. Sir James Caird.—Would you like to get part of the good land?—Yes.

Mr. John Connolly examined.

Mr. John Connolly.

13811. Sir James Caird.—You wish to say something?—Yes.

13812. Who do you hold under?—I am under Major Lambert. I have very bad land.

13813. How much do you hold?—Fourteen acres of bad land, and I am striving to live in it; and I went into the Land Commission. I never got a farthing. The devil a ha'porth they would give us.

13814. Sir James Caird.—Was the rent reduced?—We got 3s. since.

Patrick Ryan.—He got 15 per cent. abatement from the judicial rent.

13815. Mr. Nelson (to Witness).—How much was

the old rent before you went before the Land Commissioners?—£12 6s. 6d.

13816. What did they do; how much did they take from the old rent?—Scarcely a penny.

13817. Sir James Caird.—Then you are under the judicial rent now?—Yes; the landlord gave 3s. in the pound.

13818. What more do you wish to say?—We have the worst oats and potatoes that ever you saw. Although we manage them right well, they are very bad potatoes, and the price in Galway was 4s. 6d. and 6d. a stone.

13819. Your statement is that the potato crop is very bad, and that the abatement you get is not as large a one as you require?—Yes.

Mr. Thomas Hughes, an Irish-speaking witness, examined through the Interpreter.

Mr. Thomas Hughes.

13820. Sir James Caird.—What have you got to say?—I am losing by means, and the crop is not worth half of it.

13821. Do you buy manure?—I buy sea-weed, seven Irish miles from Galway.

13822. Is it sea-weed you use?—Sea-weed and dung.

13823. Mr. Nelson.—You say your crop is so very bad that it is not worth the cost of the manure?—Yes; I paid money for guano, and the crop is not worth it.

13824. Sir James Caird.—How many acres have you?—Twenty acres.

13825. Is it good land?—It is bad land.

13826. To Patrick Ryan.—Is it bad land?—It is fairly good land; I would not call it bad land.

The Witness.—I have gone to the expense of a good deal of labour.

13827. Mr. Nelson.—Who is your landlord?—Mr. Lambert.

13828. Where does he live?—In England. The agent is Mr. Edward Murphy, from near Tralee, in Kerry.

13829. Mr. Ryan.—You have got reduction this year and last year?—Yes.

13830. And these reductions were upon judicial rents?—Yes.

13831. Are there quite a number of landlords giving reductions on the judicial rents?—Yes; except Lord Clancarty's agent.

Patrick Ryan.—We are not speaking of Murphy being a bad agent at all.

13832. Mr. Neligan (to Patrick Ryan).—If you went into Court you would be all right?—Yes.

13833. If you got the advantage of going into Court that would go a long way to meet your wishes?—Yes.

13834. Are there any householders in your locality?—Yes.

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13835. If they came into Court they would be well satisfied, I suppose?—Yes; I am sure my rent could be reduced by half. The most of it is cut-away bog, and only growing rushes.

13836. Mr. Keirce.—Have the other tenants a desire to go into the Land Court?—I cannot say that, but I presume they have.

Mr. Harward Wade examined.

13837. Sir James Caird.—You are a member of this other deputation?—Yes.

13838. Where do you come from?—From Aradown, seven miles from Galway. I can come with these other gentlemen from that district. They represent about 400 families living in that district.

13839. All connected with agriculture?—Yes.

13840. Are they householders, as a rule?—No; they hold from year to year.

13841. Have they taken advantage of the Act of 1881; have they got judicial rents fixed?—They have, but they got very little reduction. I know several of them who only got 1s. 6d. reduction off the old rent.

13842. Do you mean 1s. 6d. in the pound?—No; but 1s. 6d. and 2s. on the whole rent. There were about forty families in this village, and a letter appeared about it in the papers. It was one of the first cases tried.

13843. How much rent did the forty families pay?—I could not say exactly, but I know several of them only got 1s. 6d.

13844. 1s. 6d. of how much; 2s. or 3s. or £10 rent?—None of them got 3s. and some 5s. It was Mr. Taffie and Mr. Garfield valued it.

13845. You do not wish to represent householders?—No.

13846. Well, what do you wish to lay before us?—I wish to lay before you the unfair reductions that were given to these unfortunate people in my district.

13847. When were these reductions given?—I think it was in 1850 or 1851.

13848. Were they satisfied or not?—No; the poor Mr. Harward creatures were going to appeal to the Land Commission.

There is another place called Carragh, and it would be well if you sent a special Commissioner there. One of the 8th-Commissioners went out upon it; that is about eight miles from Galway. It is the worst land in Ireland. I could take my oath that it is not worth more than 7s. 6d. an acre, and the rents were £1 an acre. I would like you gentlemen to walk out and look at it. The Sub-Commissioner went out, and valued it at £1 an acre.

13849. Have you received any reduction?—Not a penny.

13850. Have they been paying their rent since?—They have been paying their rent badly, they are not able to pay them; they are not able at the rate the Commissioners fixed upon them. Some Commissioners acted very fairly. If you send a special Commissioner, I will be there and show you, and you can see the valuation I refer to.

13851. Have you considered Lord Ashbourne's Act, which enables a tenant to purchase his holding?—I consider it a very good Act, and if a person only knew what the valuation would be, it would be all right. I would say twelve or fourteen years' purchase would be sufficient.

13852. That number of years' purchase on the present rent?—Twelve or fourteen years on the judicial rents. Anything over fourteen years would be too high. I would consider that fair.

Mr. John Ryan, of Galway, examined.

13853. Sir James Caird.—What have you to say?—I have a lease of thirty-nine acres, and in about ten months that will run out. I am a rent-raiser. The valuation of the land requires to be looked into all round in the Galway and Oughterdown Unions.

13854. Mr. Neligan.—You see we are not a Commission to inquire into the value of the land. Have you any suggestions to make with reference to the Acts of 1881 and 1885?—If you take Lord Walsworth's estate, you will see the state of affairs. Beefy was sold from 6s. 6d. to 10s., but when the rents were fixed that beefy was 16s. or 18s. It is a purely agricultural estate. It nearly supplied the market here in Galway; it is not good grazing land.

13855. You wish to say that there has been a considerable fall in the price of the agricultural produce from which the farmer expects to pay his rent?—Yes.

13856. We have all kinds of evidence about that already?—Well, I will pass to the next point.

13857. Have you anything to suggest to us, with regard to any alterations in the law which would improve the working of those Acts?—The first great thing would be to reduce the rent or sell to the tenants.

13858. You recommend the revision of rent?—Yes, Lord Walsworth gave 20 per cent. reduction on the judicial rents.

13859. Is that good enough?—No; not for this year.

13860. Is this the worst year?—Much; what they got 13s. for last year they had to sell for 6s. 6d. this year. I saw cattle sold very cheap.

13861. You see we don't want the prices. We have

the prices now in every market in Ireland. Have you any suggestion to make with reference to the present law?—The only thing I can say for the present is, that the rents are too high; the people are disposed to pay them, but they are not able.

13862. You would recommend reductions of rent?—Yes; with regard to the improvement of the land, I may say that there was a good deal of that going on twenty years ago, but the land is far worse, and the small tenants cannot sell themselves of loans, and the Board of Trade charges too much.

13863. Sir James Caird.—What do you think of the Land Purchase Act?—It is a good Act; there is no doubt it is a splendid Act. If it was in operation three or four years ago, the whole country would have jumped at it; but from the depression of prices and there being no money, some of the tenants are in a desperate way, and don't know what to do, and there is a great difficulty in getting them to buy. Under the Land Act of 1881, the tenants should contribute a portion of the purchase money. I know an estate where it could have been bought, but it got into Chancery, and the landlord had no control. In the islands of Arran—

13864. Have you personal knowledge of the islands of Arran?—Yes; it is wonderful how the people live in the islands of Arran. Instead of in soil, they have to grow the crops on the rock. The rock stretches out like a flat piece of ice, with no vegetable matter on it, with nothing in the way of soil, and yet this is measured out to them. The first Commission gave from 10s. to 20s. reduction, but the late Commissioners

Nov. 5, 1886.
Mr John
Hynes.

gave 40 per cent. The people manage to reclaim the land; the way they do it is this—they lay down sand on the rock, and then come down and carry up a lot of the red wood, and they lay that on top of it, and it prevents the wind from blowing away the sand; then they put more layers of sand and seaweed. I was a long time in Arran. I spent a great part of the spring there. It is all said—there is no clay, and I found in some cases that what you may call the soil, or the sand, was blown away, and into one heap, and the people had to carry it back again and spread it over the rock. I have no hesitation in saying, with respect to Arran, that one-third of what they are paying would be enough.

13865. But in such a soil and climate, do you think it possible for farmers to make a good living?—No one could live in the place except those who are born there.

13866. Is there any emigration?—Very little, on the whole.

13867. Would it not be a good thing to encourage emigration?—I believe every family would send out one or two.

13868. Nothing could be more wretched than the state of affairs which you describe?—You will have to look a good deal to find even a patch of grass growing, and yet some of the best cattle are brought from there. I am told that there is no policeman or coast guard on the middle island, and the person who told me, also told me that it was the habit of the people to live on one meal in the day.

13869. They could not get more?—I suppose not; but I must say that it is wonderful, I never saw so fine specimens of people.

13870. Fine specimens of people, notwithstanding all that?—Yes.

13871. The place is not fit for human habitation, and yet it produces fine men and women?—Yes; I believe so.

13872. And the best stock?—Yes; the best stock, notwithstanding all that. There is another large district along by Skiddal, and the holdings are very small. I will take Carrington's estate. On that estate the tenants got 4s. reduction on the first reduction.

13873. Four shillings in the pound?—Yes.

13874. On the judicial rents?—Not at the time of the fixing of the judicial rents. The place is in Chancery. The Courts in 1836 and the latter end of 1855 gave some of them 12s. 6d.; they are very

industrious. They do not consume much food. I observed everything, and I spent a good deal of time amongst them. They have a very simple way of living. It is very difficult for them to get on. They carry up this red wood a long way from the sea and put it on the land.

13875. Is the population decreasing?—No.

13876. Some of the people are constantly moving off, I suppose?—Yes; but I believe others are coming in.

13877. And the population is not decreasing?—No.

13878. Is it increasing?—I should say so; when I was there in 1883 there were a hundred children at school, and only a master and mistress, and there are 300 now, and nine teachers.

13879. Are they getting a good education?—Splendid.

13880. And yet they do not use their way to leaving the island?—I am not speaking of the island; I am speaking of Carrara.

13881. Is it a congested district?—It is considered so, there is only about an acre of two in each one which they can till.

13882. But I suppose they find employment in labour?—Yes; they are pretty convenient to the town.

13883. What do you desire to place before the Commission that could be recommended as an amendment of the present laws affecting Irish land?—I desire that there should be a purchase of 1309 or 1409 acres of good land for these people, and to give some of it to them, and where the land is conveniently situated to them it could be done splendidly.

13884. Mr. Netten.—You mean that you would take the land from the big farmers?—Yes.

13885. How much land would you allow each man?—It depends very much upon the quality of the land, I think at least ten acres for each man.

13886. Ten acres of good land?—Yes.

13887. Do you think they ought to get that from the larger farmers?—Yes.

13888. Have you considered the question as to whether the local boards should be entrusted to any degree with assisting in the carrying out of local purchases; do you think that could be used to give some further security to the public or to the Government, for the money advanced for the purchase of land?—I do not think they would be willing to undertake that responsibility.

13889. And you would not be in favour of 81—85.

Mr. Timothy Eyre and Mr. John Eyre examined.

Mr. Timothy
Eyre and
Mr. John
Eyre.

13890. Sir James Cresswell.—Are you from the same part of the country?—Yes; I am a leaseholder, and this other man who is with me is a leaseholder, and we have grievances.

13891. What is the date of the lease?—Sixty-four years ago.

13892. For what term is it?—Thirty-one years, or three lives; there is still one life living.

13893. What you desire is to come in and get the benefit of the Act of 1881?—Yes.

13894. And obtain a judicial rent?—Certainly.

13895. Is the present rent that you pay much higher than it ought to be?—It is double it. For instance, this was valued from £61 to £110. We never got a single reduction. They asked 25 per cent. last year, and the landlord refused. I have a quit rent, and I asked to get rid of it, and he refused.

13896. Your object in appearing here is to point out to us the difficulties under which you labour?—Doubtless; and I labour under another difficulty. Before the lease was made he possessed 24 an acre for every acre that we reclaimed. It is the very worst land. There are 700 acres not worth more than a penny an acre.

13897. What you want is to get under the Act of 1881?—Yes; he promised that, but he never allowed me a single shilling.

13898. We have many instances of a similar character?—There are few so glaring as this.

13899. You think this a hardship that the Act of 1881 does not apply to you?—Yes.

13900. And you think that you should be allowed to serve an originating notice?—Yes; he offered me, and said twenty years, but I never will pay fifteen years.

13901. Do you mean of the present rent?—Yes.

13902. But if you had a judicial rent?—That might be different; it is all my own improvement.

13903. Are there any other leaseholders in the district?—None except John Eyre and myself.

13904. The judicial rents are lower about you than year rent?—Much lower.

13905. How much lower?—It is a rock rent. I have got a judicial rent fixed upon another part, and I want to build, and I got notice not to build. There are only two houses upon it.

Mr. Netten.—This notice does not prevent you from building. It is only to the effect that no monetary compensation will be given to you, but you may build the house if you wish.

13906. Sir James Cresswell.—It is explained to you that you may build, but you are not entitled to receive any compensation.

Mr. Mark Colkin examined.

13907. Sir James Caird.—You occupy 250 acres of land, I believe?—Yes.

13908. How much do you pay?—£425.

13909. Is it very good land?—No, it is fair land; when I got it in May 1870, sixteen or seventeen years ago, it was better than what it is now. There is a twenty-one years' lease.

13910. This land is nearly run out?—It is running out.

13911. What rent do you pay?—£425.

13912. Are these Irish acres?—Yes, there are nearly 250 Irish acres.

13913. You desire as a leaseholder to get the benefit of the Act of 1881?—Yes.

13914. So that you may obtain a judicial rent?—Yes.

13915. And you very much desire that?—Yes; it is a blessing upon me not to be able to do it. Other tenants get 25 per cent. reduction, and I do not grudge them that, but I think I ought to be able to get my rent fixed also.

13916. Is their rent lower than yours?—A great deal. I am able to make nothing out of the land at present.

13917. I suppose if you were ready to come under the Act of 1881, you would get a reduction?—Yes.

13918. Yours seems a strong case?—I made an application to the Court of Chancery to get my lease broken, but I could not.

13919. Have you been making money for the last two or three years?—I have been losing fast.

13920. Mr. Milnes.—You can surrender the lease?—But where would I go then?

13921. Mr. Knipe.—The fact of your being able to make nothing is owing to the low price of produce and cattle?—Yes; I recollect when we used to get a good price for wheat. I recollect when the land produced far better crops.

13922. Sir James Caird.—Do you employ much labour?—From ten to twenty and thirty at hay-cropping or something of that sort. We are losing money instead of making it.

Mr. Patrick Concessan examined.

13923. Sir James Caird.—Where do you come from?—From the neighbourhood of Team.

13924. Are you a leaseholder?—No; I have ten acres of land. My old rent was £10, and the Land Commission brought it down to £3; half is boggy, swampy land; I have only three acres of tillage.

13925. You are now under a judicial rent?—Yes, the rent is £3.

13926. And when did you get the change made, is it some years ago?—It is two years ago.

13927. Were you satisfied with the rent as it was then?—No, and I am not satisfied now.

13928. You do not think the reduction was Mr Patrick Concessan sufficient?—No.

13929. Did you ever apply to the landlord since to get a further reduction?—Yes, but he would not give it to me.

13930. You get no reduction on the judicial rent?—No.

13931. Do you find the present times very unfavourable?—Yes; a man with only three acres of tillage could not make the rent of it.

Mr. Michael Newell examined.

13932. Sir James Caird.—Where do you come from?—From the neighbourhood of Headford.

13933. What statement do you desire to make; are you a leaseholder?—No.

13934. Have you a judicial rent?—Yes.

13935. When was it fixed?—Two years ago last March.

13936. Were you satisfied at the time with the reduction?—No.

13937. What reduction did you get?—£2.

13938. £2 on how much?—I was paying £17, and my rent is now £15; that is on eighteen Irish acres.

13939. You find that the state of the markets has caused that reduction not to be sufficient?—It is not, as was it sufficient at the first.

13940. It was not sufficient at the time it was made?—No. Mr. Michael Newell.

13941. Did you pay your rent regularly before that?—I always paid up to the day.

13942. There were good times you know since you got a reduction?—Very bad times since we got it; during the three years I may say we have been paying the rent out of pocket, the produce paid nothing.

13943. Your statement is that the reduction made in your rent is in consequence of the fall in price not being sufficient?—It is not.

13944. Have you any desire to buy?—Yes; if I could get it at a fair rent.

13945. At such a price as you think you could pay?—Yes; I have a brother living in the same townland. He was anxious to go into Court also.

Mr. Michael M'Hugh examined.

13946. Sir James Caird.—Where do you come from?—I come also from Headford.

13947. Is that in this county?—Yes.

13948. What statement do you wish to place before us?—I have very bad land, and I cannot make any thing out of it.

13949. Have you a lease?—No.

13950. Is it a judicial rent?—No; it is not.

13951. Do you desire to go into Court?—The rent used to be £10, and it is £16 2s. now.

13952. Mr. Milnes.—Why don't you go into

Court?—There was another tenant on the land, and he Mr. McKel and I could not go in; he said it was no use attempting. M'Hugh.

ing it, that the case could not be tried.

13953. That was your grievance?—Yes.

13954. Having a sub-tenant, you cannot go into Court?—I was told that.

13955. How does your sub-tenant hold from you?—He has two or three acres of land; he pays me the rent.

13956. He is a tenant from year to year?—Yes; he is in company with me, and I pay it into the landlord. I have a holding where I am living of twelve acres.

Mr. Mark Lanyon, an Irish-speaking witness, examined through an Interpreter.

13957. Sir James Caird.—What do you wish to lay before us?—I have fourteen Irish acres, at a rent of £15 10s.
13958. Where do you come from?—Headford.
13959. Is that a judicial rent?—Yes; I had it before for £14.
13960. It has been raised?—Yes; the rent was £14, but it was raised to £18.

13961. What do you wish to do?—It is not worth the rent.
13962. That rent is too high?—Yes.
13963. How long is it since it was fixed?—Last March; two years.
13964. Mr. Keble.—Did you get any reduction of rent since?—No.

Mr. James Dohy examined.

13965. Sir James Caird.—Where do you come from?—From Claremorris.
13966. How much land have you?—Twenty acres of land.
13967. Are you a leaseholder?—No.
13968. Have you had a judicial rent fixed?—Yes.
13969. When was the rent fixed?—It was fixed three years ago by the Commission Court Judge.
13970. How much was it reduced?—From £30 to £15 11s. 6d.
13971. Were you satisfied with that reduction at the time?—I was, at the time.
13972. But the times have got worse since then?—Yes.

does that feeling prevail very generally in the district?—Yes.

13984. Mr. Nelson.—How much do you think you would pay every year if you gave the landlord ten years' purchase? Are you aware that that would bring your payment down to £4 14s.; that that would be the amount of your yearly instalment?—I did not understand it so well; I did not understand what I would be charged for the purchase money.

13985. Would not the whole thing depend upon the amount you should pay?—Yes; I would give £9 a year.

13986. Whatever year's purchase that was?—Yes.
13987. Mr. Keble.—Do you think that if times improved you could give £10 a year?—I think I would, if the times improved, but not with the state of the times at present. The crops are failing, and our land is exhausted.

13988. What was the old rent before you got the judicial rent fixed?—£30.

13989. Is it in consequence of the low prices of cattle and produce that you find it so difficult to make money?—Yes.

13990. Have you been able to make the rent off the farm in the last few years?—No; I am in debt with the landlord.

13991. Sir James Caird.—Are you in arrears?—I am; I am two years in arrears. Our holdings are not fit to rear our families.

13992. Mr. Nelson.—If you paid £9 a year it would be fifteen years' purchase in round numbers; you did not understand that?—No.

13993. If you were liable for £9 a year you would be giving that?—It is nine or ten years' purchase that I would give.

13994. Mr. Keble.—Could you pay £9 or £10 a year for this land?—It is not worth more than half the present rent.

13995. Did not you say you would pay £9 or £10?—No; nine years' purchase.

13996. You do not understand it?—I would want to bring the rent down to one half what it is at present.

Mr. Kevin Burns examined.

13997. Sir James Caird.—Where do you come from?—From Eyre Court.
13998. How much land have you?—Twenty-four acres.
13999. Are you a leaseholder?—No.
14000. Is it a judicial rent?—Yes.
14001. Did you get a reduction?—Yes.
14002. How much?—From £24 to £17 15s.,—that is £8 5s. off.
14003. Were you satisfied with that reduction?—No, we are not able to pay that; we used to get it out of the crops, and now we cannot.
14004. Have you got an abatement from the landlord since the judicial rent was fixed?—No, since.
14005. Who is your landlord?—Lord Donnell.
14006. Since the judicial rent was fixed?—Yes, he gave us that. It is not worth the rent. He cannot

get much more out of them. It is wet pasture. We are adjoining Tipperary, but it is all a bad ruin of land.

14007. Have you been considering at all the power that is given you under Lord Ashbourne's Act to purchase?—We would rather do that, and get rid of them. The land is not worth half the rent.

14008. If you get fair terms, would you purchase?—Yes, we would do that, leaving the value to men of understanding. They would see that the land is no good.

14009. Is there anything else you wish to lay before us?—My neighbours are unable to pay the rent.

14010. Who do you say is the landlord?—Lord Donnell. The agent is Mr. Gerald O'Connor, but he does nothing but what he is ordered. It is no use to expect anything from him.

Mr. Kevin Burns.

Mr. Thomas M'Beay.

14011. Sir James Caird.—Are you a leaseholder?

—I am.

14012. Where are you from?—Eyreecourt.

14013. How much land do you hold?—Seven acres.

14014. Under lease?—Yes.

14015. What is the terms of the lease?—The life of Queen Victoria, Prince Alfred, the Prince of Wales, and thirty-one years.

14016. Was there an increase of rent at the time of the lease?—Yes.

14017. What is the date of the lease?—I think 1839.

14018. Have you always paid the rent up till now? There is 3 years or 2½ years due.

14019. Who is your landlord?—Mr. Flanagan, who lives at Eyreecourt.

14020. And you desire to be released from the lease, and go into Court and get a judicial rent fixed?—I would wish if I could to get out of the landlord and no mistake, because I have as much grievance as I can get on with. We are running into debt in spite of ourselves, and never were so badly off. There is no mistake about that.

14021. Mr. Keble.—And would you leave the price that the landlord should get to be fixed by a

Court that might be established?—It is not worth that risk.

14022. But you have a desire to purchase from the landlord?—Yes.

14023. If there was a Court established to fix the price, would you leave it to that Court?—Yes, I think I would, for I know they would do justice to me. Any one who would hear my case would.

14024. Mr. Nelson.—But the Land Commission do not appear to have been very successful?—I consider nine or ten years' purchase would be sufficient.

14025. But it would not be left to yourself to say what you should give.

14026. Mr. Keble.—I want to know would you be satisfied to leave it with a Court established to interfere between landlord and tenant?—I would be satisfied: I could not be worse off than I am. There is no Court would make it worse. The rent was raised at the time of the making of the lease.

14027. Mr. Nelson.—Did you make any offer to the landlord about buying?—No.

14028. Was the rent reserved in the lease higher than a judicial rent?—A good deal.

14029. How much?—7s. or 8s. or 9s. an acre.

14030. Mr. Nelson.—You want first to get a judicial rent?—Yes.

Mr. Michael Larkin examined.

14031. Sir James Caird.—Where do you come from?—From Eyreecourt.

14032. You hold fifteen acres?—Yes.

14033. Are you a leaseholder?—No.

14034. It is a yearly tenancy?—Yes.

14035. You have not gone into Court to get a just rent fixed?—No, he gave a reduction to £15. It was £15 8s.

14036. Now you can go into Court?—He reduced it since then to £12.

14037. What was the old rent?—£16 8s.

14038. Sir James Caird.—You do not think that is Mr. Michael Larkin a sufficient reduction?—I do not: it is not worth more than 10s. an acre.

14039. You want it reduced again?—Yes.

14040. When was the last reduction?—Two years ago.

14041. You never went into the Land Court?—No, I never tried the Court.

14042. If you want a further reduction, why did you not try it?—Well, I did not.

14043. You have still that remedy open to you?—Yes.

Mr. Walter Conway examined.

14044. Sir James Caird.—Where do you come from?—From Ballinrobe.

14045. You have purchased your holding under Lord Ashbourne's Act?—Yes.

14046. When did you purchase it?—In September.

14047. Do you mean last September?—Yes.

14048. Are you satisfied with the purchase you have made?—Yes.

14049. Is there anything you wish to place before us—how many years' purchase did you give?—Twenty on the reduced rent.

14050. You mean the judicial rent?—Yes.

14051. How much was the judicial rent?—£36.

14052. Is that the reduced rent?—Yes.

14053. And you gave twenty years upon that?—Yes.

14054. How much does that leave you to pay every year?—£21. In 1879 he made 28 of a reduction.

14055. Then you feel yourself in a very satisfactory position?—Yes.

14056. Because the land will be yours in forty-nine years?—Yes.

14057. And you are paying less all the time?—Yes.

14058. Mr. Nelson.—What is the name of the landlord?—Mr. Tighe.

14059. Mr. Keble.—How many more on the property are there that have purchase besides you?—Twenty.

14060. Is that now you?—Yes.

14061. Have all the tenants purchased?—They have, Mr. Walter Conway.

14062. On the same terms?—Yes.

14063. And are they all satisfied?—They are all; if they were not they would not accept it.

14064. Is the purchase entirely concluded?—Yes.

14065. Is there a general desire in your part of the country to buy?—I think so, if they got fair terms.

14066. If they were met as you were met?—Yes.

14067. If they were all dealt with in that way?—Yes, to buy on the reduced rent.

14068. You did not go into the Court to have a fair rent fixed?—No, he reduced it without pressure.

14069. Is there a very good understanding between you and the landlord?—Yes.

14070. Is he resident in the country?—Yes, he lives within nine miles of Ballinrobe.

14071. And I suppose he won't be any the worse off by that?—We are as good friends as ever, and will be.

14072. How big a demesne?—Yes, a large place.

14073. Does he intend to remain there?—Yes.

14074. Will he sell any more of his property?—He has all sold. He did not sell the grass land.

14075. Do you think you got a larger or a smaller reduction than you would have got in the Land Court?—About the same.

14076. Were there other tenants on that property who went into the Land Court?—Not one.

14077. When did you make this arrangement?—Last September.

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—
Mr. Walker
(conting.)

14078. You think there is a general desire on the part of the tenants in your part of the country to buy?—Yes, on fair terms.
14079. Would they take the same terms as you get?

—Some pay a higher amount all round. It depends upon the rent. We were under a very good landlord. We always had the land cheap from him, but that is what a good many of the tenants did not get.

Mr. John Kilgus examined.

Mr John
Kilgus.

14080. Sir James Caird.—Where do you come from?—From Oranmore.
14081. Are there any more tenants from your district here?—Yes, Mr. Burke and Mr. Kearney.
14082. Is there anything which you wish to speak of?—We are reduced in our means through not having the return in our crops of corn and potatoes, and so on, that we used to have.
14083. We are quite aware that prices have fallen of late?—We had not the return in the corn at all.
14084. You mean this year?—Yes.
14085. Has the crop been an inferior crop?—Yes, & failed upon it; the times were very bad.
14086. Do you represent the other gentlemen who are here from Oranmore?—Yes.

14087. Are you a leaseholder?—No, I have a commission lease.
14088. You mean you hold under a judicial rent?—Yes.
14089. Was your rent very much reduced?—It was reduced from £38 to £25 14s.
14090. Are you satisfied with it now?—I do not think that I can pay it. I am as bad now as ever I was; I cannot pay the rent.
14091. You find it difficult to pay the rent now owing to the fall in prices?—Yes.
14092. Mr. Nelson.—When was your rent fixed?—About three years ago.
14093. In 1883?—Yes.

Mr. William Burke examined.

Mr William
Burke.

14094. Sir James Caird.—You are from the same part of the country as the last witness?—The same parish.
14095. Do you hold under a lease?—No.
14096. Have you a judicial rent fixed?—Yes.
14097. What was the amount before you went into the Court, and to what was it reduced?—The old rent was £36, and it was reduced to £32 18s., but they appealed and it was put up again to £38.
14098. In what year was that?—When the Commission was in Galway three or four years ago.

14099. Do you find that the fall in prices now has made it difficult for you to pay your rent?—The land has got bad; it is not able to produce as it ought.
14100. The crop is worse and the price is worse, both?—Yes.
14101. Have you anything to say to the Commission further?—We would like to get some land that we can live on.
14102. You would like to get a further reduction?—Yes.

Mr. Frank Kearney examined.

Mr Frank
Kearney.

14103. Sir James Caird.—Do you come from the same district?—Yes.
14104. Are you a leaseholder?—Yes, I have a judicial lease.
14105. How much was the rent reduced to under the judicial lease?—The rent was reduced from £33 10s. to £26 13s.
14106. Are you satisfied with the reduction?—If we have to pay the rent at present, we cannot pay it; we are not able to pay that rent.
14107. Is that on account of the fall in prices?—Yes, and the failure of crops.

14108. What crop?—Both corn and potatoes.
14109. Is that all you wish to say to us?—I wish to say that we want the rent fixed, so that we can live in a better way than at present; we are not able to pay the present rent.
14110. Did the potatoes get blackened with disease?—They are very bad.
14111. Did the blight come upon them?—Yes.
14112. Mr. Knappe.—Do you breed cattle upon your farm?—No, except a milch cow and eight ewes, that is all I can breed.

Mr. Patrick McInerney examined.

Mr. Patrick
McInerney.

14113. Sir James Caird.—Where do you come from?—From Castlerea.
14114. Do you hold by a lease?—Yes.
14115. You are a leaseholder?—Yes.
14116. You do not mean a judicial lease?—No.
14117. How much land have you?—I have twenty acres on one farm, and eight acres on another farm.
14118. Both under lease?—Yes, both under lease; and I have another farm of eleven acres which is not under lease, that is on the property of the Marquis of Clanricarde.
14119. Your lease is an old lease?—£30 I pay for the last twenty years on the lease.
14120. What length is the lease?—Thirty-one years; there is more than twenty years expired.

14121. Do you desire now that you should be able to go into the Court and get a judicial rent fixed?—I would like that if I could get it. I am paying £30 a year for twenty years, and there is eight acres model for the last week—in fact, it is flooded six months in the year. The reduction is £13 5s., and I am paying £20 for the last twenty years. I am paying £10 for the eleven acres on the property of the Marquis of Clanricarde, and I went into Court. They gave me £1, and they appealed and dismissed my case then.
14122. When did you get £1 reduced?—More than twelve months ago.
14123. Are you going to get any this year?—I got no abatement a second time; they dismissed the case a second time; and did I get any reduction. He never reduced the rent.

Mr. Michael Leahy examined.

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14134. Sir James Caird.—What part of the country are you from?—From Castlegar.

14135. Do you hold your farm under a lease?—Yes; it is a small farm.

14136. You do not hold under a judicial rent?—No.

14137. But under a lease?—Yes.

14138. How long is the lease?—It is usually out; it was for twenty-one years.

14139. Then you can go into Court to have the judicial rent fixed?—Yes.

14140. Do you intend to do that?—Yes.

14141. That is all the remedy we can give you?—I have to pay £6 10s. for four acres, and try to rear ten

of a family. I could not feed sheep or a cow or any thing; I would not be able to live on it, if I was to get it for nothing.

14142. Getting a judicial rent fixed might not then help you very much?—Yes. I cannot be worse than I am. There is a farm there adjoining, taken up by another man who is not living there at all, and if it was distributed amongst us I think it would be what ought to be done.

14143. Mr. Nelson.—I am afraid that adding nothing to nothing won't make it produce a livelihood.

14144. Sir James Caird.—You want more land?—Yes.

14145. How much have you now?—Four acres.

Mr. Michael Giles examined.

14146. Sir James Caird.—Where do you come from?—From the same district.

14147. How many acres do you hold?—Four acres.

14148. Do you hold under a lease?—Yes; the lease is out by Christmas.

14149. Do you think of going into the Court to have a judicial rent fixed?—I am only longing for it.

14150. We must only hope that you will be better circumstanced than I hope so; we are living in misery long enough. My rent is £4 10s., and I got a reduction to £3 10s. I have to take comense from a man who has it set to the tenants, and he has most of the land himself free.

14151. Do you take that for oats?—So much for oats and so much for potatoes, and that is what is robbing us.

14152. Do you work for wages, do you labour for other people?—But we are giving our money to that man for comense.

14143. You complain that your holding is too small?—Yes. I should have more acres.

14144. That man is himself a tenant?—He is a tenant, but at the same time he is living in the property. We cannot live upon such a small portion of land as we have. I have only four acres, and half of it is bog. It is very hard for a man to live there.

14145. Are you living there long?—Sixty or seventy years.

14146. You have managed to live a long time there?—Because times were better than they are now. We used to be able to cut the turf.

14147. Where is that place?—Three miles from the town of Galway. Only for a brother of mine, that went to Australia eight years ago, I should have been compelled to stop.

14148. Why did you not go to Australia?—I will go soon unless I get some way of living here. It would be better to live in any other place, or in any other way, than the way we are here.

Mr. Michael Whelan examined.

14149. Sir James Caird.—What part of the country are you from?—From Castlegar.

14150. Do you hold your land under a lease?—I do not.

14151. You hold under a judicial rent?—I hold fourteen acres, and the rest of that was £16 16s. I got a release and went before the Commissioners, and they made it £14. The lake water rises upon the land every winter, and when the lake water rises I must go away from there, me and my children.

14152. Have you been long there?—I am twenty-eight years on Mr. Blake's property.

14153. Have you paid the sixteen guineas since that time?—Yes; I paid it every year until the Commissioners came. I failed two years, and was put out on payment. I was reinstated again by his lady. The release is only £3 15s., and the Commissioners put

£14 on it, and they did that while they saw the flood on it. It was a sheet of water. They gave us no justice. We were eleven of a family, and I lost my wife.

14154. Do you go away for work?—Every winter we are sent away by the floods. I have seen the whole place covered, and there in the house the pigs floating about.

14155. Where did you go to?—We went to a neighbour's house. Sometimes I used to go to the top of the house when the floods came, and I used to bring up a big pot, with fire, and I used to be blinded with the smoke.

14156. I do not know what we can do for you as far as that is concerned?—I am in a bad way. I have suffered a great deal where I am. I think something ought to be done for us.

[INQUEST ADJOURNED.]

Nov. 5, 1886.

TWENTIETH DAY, MONDAY, NOVEMBER 5TH, 1886.

LIMERICK.

Commissioners present.—Eight Hon Earl COWPER, President; Sir JAMES CAIRD, Bart; Mr. NEWMAN, Q.C., Recorder of Londonderry; and Mr. KNIFE.

Mr. HOOKER, Secretary, was in attendance

Mr. W. H. O'Sullivan translated.

Mr. W. H.
O'Sullivan.

14157. The President.—I believe you were formerly member of Parliament for this county?—Yes.

14158. And you are a landowner?—Yes.

14159. You are also a tenant farmer?—Well, I only farm my own land. I have some quans and have works, and other matters that I am tenant of; but I hold no agricultural land as tenant.

14160. You can tell us from your own experience how far the farmers will be likely to make their rent without great difficulty?—Yes, my lord. I know practically, as well as from what I hear from the farmers, of the difficulty there has been this past year. It is a question I always took a very deep interest in, because, of course, it being the only staple I may say of living that the people have in this country, there is a great interest in it; and I thought, from the letter I got, that your lordship might be anxious to hear what I consider to be the wants of the Land Act of 1881. I took a few notes. First, I consider that the leaseholders should never have been left out of that Act; they should have been included.

14161. I suppose the leaseholders were the most respectable men?—As a rule I found that, previous to the Land Act, leases were rarely given unless for an increase of rent or a fine; and I found also, from my own knowledge, that, as a rule, they were the most industrious tenants that generally got the leases. Of course, in those days a lease was a valuable thing.

14162. As a rule, are the leaseholders higher rated than those tenants whose rents have been judicially fixed?—Yes, I think, as a rule, they are. The exceptions are where the rents have been brought down by large fines.

14163. Where the rents are lower than judicial rents would be, of course, the Court would take into account the facts that had been paid in fixing the new rents?—Yes, of course. There are very few leaseholders whose rents are under judicial rents, except those who have paid large fines, and brought down their rents by that means.

14164. Supposing that all leaseholders were admitted, would the Court take care that where fines had been received they should be taken into account?—I expect they would.

14165. Supposing that leaseholders were to be admitted as a rule, do you know of any exceptions that it would be desirable to make in the admission of leaseholders?—Of course, you would not want to bring in freehold holders, for they were generally purchasers—their predecessors were purchasers.

14166. Do you know of any cases in which free farms have been forced on tenants?—No, but I will tell you where a great injustice has been done to leaseholders. Of course, your lordship is aware that the Act of 1870 contemplated that in all new leases or lettings the county cess should be equally divided between the landlord and the tenant. In this country the tenant, up to 1870, had to pay all the county cess. The Act of 1870, although not imperative, still by means of its clauses—I forget which—intended that in the case of all new lettings the county cess should be equally divided between the landlord and the tenant. I know that in more cases out of ten the tenants were written out of that by contract, and made to pay all the county cess.

14167. And made to pay it even on the judicial rents?—No, but on the new taxes. When the new taxes came into operation after the Act of 1870, they were written out of it by the landlord or the agent. I have brought a lease, made so lately as 1875, to a tenant named Dolan, in order to show you how that has been done. The Act of 1870 contemplated that in all new

leases after that date the county cess should be equally divided between the landlord and the tenant. There was nothing retrospective in it; but it unfortunately left the power still in the hands of the landlord or the agent to write the tenant out of it. I have seen lease myself of a small holding in which I was written out of it, and I have brought you the lease to show you how it was done, although the rent is as high as ever.

14168. Were the rents rescheduled after 1881?—After 1881 it does not apply.

14169. Don't the Commissioners take that into account?—They do. I know one case in which the landlord, having made the tenant pay all the county cess up to that time, they took it into account, and made the landlord pay half. It was all right enough since the appointment of the Commission under the Act of 1881. But what I complain of was, that those who got leases—not yearly tenants—were deprived of their rights under the Act of 1870.

14170. Mr. Nelson.—Perhaps you had better read the section for his lordship?—It contemplated that in all new leases the county cess should be divided equally between the landlord and the tenant; but unfortunately it left power in the hands of the landlord to write the tenant out of it where there was any written contract. In nine out of ten of the leases after 1870, the tenant was written out of his rights. The law intended otherwise, but, as O'Connell said, a coach and four was driven through it by the lawyers.

14171. The President.—If we allowed leaseholders to have judicial rents fixed, would not the Courts take that into account, in fixing the new rents so that the injustice would be done away with?—I don't know if they have the power. It would not be a new law.

14172. They can fix the rent?—Exactly, they can take it into account and give the difference in the new rent, but I am afraid that as the law stands at present they have not the power in the case of old holdings to compel the landlord to do it.

14173. Mr. Nelson.—In fixing the rent now, one of the inquiries is—"Do you pay the whole or the half of the county cess?" The Sub-Commissioners ask that question of the tenants, and therefore they do take the matter into account in fixing the rent.

The President.—It will be very useful if you had that lease in.

Witness.—I duly say man to make the rent that it is that lease this year—£4 and something the acre. It is about 25 1/2 the statute acre.

14174. Sir James Caird.—What is the land?—Near Killybeg, in this county.

14175. Is it fine land?—Good grazing land—good farming land, but the rent is so high that no man could make it this year. Another reason in favour of admitting leaseholders to the benefit of the Act of 1881 is, that they took leases formerly at a very enormous rent, because they were so much afraid of eviction. Of course, up to 1881 it was very easy to evict, and I have seen very bad cases myself in my neighbourhood. Now for that reason they often gave more rent than is justice to their families they ought to have done. But they were so much in fear of eviction that they gave those high rents.

14176. The President.—You say there is no reason why leaseholders should be excluded from the Act of 1881—that it would not be more unfair to the landlord to leave those leases broken than it was to have the rights which he had before 1881 taken away?—On the contrary, they want it more than the others. The personal element in that lease which I have handed in

ought to be broken. Those severe penal clauses the yearly tenant escaped from altogether. You will see glances putting a penalty of £5 an acre on a man if he breaks more than three acres, and £5 an acre if he makes more than three acres, and another penalty if he sells of any straw. These clauses are very severe, but the yearly tenant escapes them altogether. I would like to call your attention to a fact that caused a great deal of dissatisfaction in the country in this way. On one isolated instance one, two, and three may be yearly tenants, and may have got reductions of their rents. Number four, who, as a rule, is a more industrious tenant than any of the other three, happens to have a lease, and therefore he is kept at the old rent. I need not tell you what dissatisfaction and annoyance that causes. I know cases on some townlands of two or three tenants—

Mr. Nelligan.—You need not reason it much; we are all with you, I think, on that point.

Witness.—The third point I wish to speak about is the town fields.

14177. Mr. Nelligan.—Town fields?—I don't mean town fields near the big cities, for they are valuable for standing of cattle and dairy keepers, but the fields near the small towns in the country. Of course, near Dublin such fields are very valuable. But where they lie near the small towns, I think it very wrong to exclude these from the Act of 1881, for they are paying rents that they could not possibly make out of the land. I know town fields near my own town that are paying £4 15s. an acre. It is impossible to make that rent this year, with all their industry.

14178. Sir James Caird.—Are you speaking of Irish ones?—Always. We have no English ones in our neighbourhood. They have to pay these rents out of other industries—these shops, or trade, or profession, as the case may be; so that the landlord is getting more than the land is actually able to make.

14179. The President.—But supposing that the landlord wants to use this land for building purposes, it becomes very valuable in that way?—That power is reserved by the Act.

14180. You would not interfere with it?—No, I would not. I would be very sorry. That would curtail the improvement of towns.

14181. Sir James Caird.—Are those yearly tenants whom you have been speaking of?—Yes. It is a great accommodation for this reason. They want to keep a cow or two for their family, and they want vegetables and potatoes, which they can't get, unless they have this land. Some of them are given reductions of their rent. I know one man who was given 20 per cent reduction last year, and the same this year. Another was given 15 per cent, which reduced it down somewhat. But even at a loss, this land is such an accommodation that the tenants don't like to part with it. I think that in common justice it is not fair that any landlord—whether for a town park or anything else—should be getting more for the land than it is actually able to produce. That is what I say is a great injustice.

14182. The President.—What is your remedy; would you submit these town lands to the Act of 1881?—I would submit them to the Land Court. Of course, the Commissioners would put on another rent for these lands near towns—a rent not so cheap as for lands in the country. But in common justice they ought to be admitted to the Court. I don't know why the law ever excluded small town parks, for the land is of very little value near small towns.

14183. How would you draw the line?—I would draw it at towns with a population of under 20,000 in towns with anything over a population of 20,000, the land is more valuable. I would admit the lands adjacent to towns having a population under that.

14184. Mr. Nelligan.—On the last clause?—Yes. I now come to a very important point—the improvements of tenants. The Land Commission have unfortunately taken the improvements of the tenants into account in valuing their holdings, and that I think is very unfair.

14185. The President.—They were by law directed not to do that?—Unfortunately, I think they did. I would ask your Royal Commission to direct that—

throwing the onus of proof before the Land Commission upon the tenant—wherever he is able to prove that improvements of the land or of buildings, as the case may be, have been done by him and not by the landlord, these should never be taken into account in valuing his holding.

14186. I suppose that where the Commissioners have taken them into account, it is a direct contradiction to the Land Act?—When I came to it further on, I shall show you cases of two or three industrious tenants who enhanced the value of their land from 10s. to 15s. an acre by extra manuring, and yet the Commissioners took that into account in valuing their holdings. There was not only extra manuring, but building, draining, and draining. There were two cases, I think, of agrarian outrages—murders—in the county, in which the landlords raised the rents on industrious tenants and evicted them, which were attributable to this cause. It was the great cause of the country which caused the murders and all the agrarian outrages that ever we had.

14187. The eviction of tenants that were really not able to pay?—I mean evictions when they got into arrears after the bad times came. These were the two great causes—first, the confiscation of tenants' improvements by the raising of the rents; and secondly, evictions which, further on, I shall show you, were rather harsh. I really think that the confiscation of tenants' improvements previous to the passing of the Act were the cause of the present position of the landlords in Ireland.

14188. Previous to the passing of which Act?—Previous to the passing of the Act of 1881. I think one of the greatest mistakes that the good landlords made was to have made common cause with the bad ones. I can speak both of good and bad in my neighbourhood. I think we have some as bad landlords in my neighbourhood as you have in any part of Ireland; and if it be not out of place, I could give you their names.

14189. We would have their names?—There is no case I am giving you that I do not know of my own knowledge.

14190. Sir James Caird.—It does not help the case at all, you know, to give names?—I have known cases in my neighbourhood in which the rents were raised twice on the most industrious tenants. I know one case of land which was actually going to waste, which a shopkeeper in my town bought from two poor tenants for a while, and they emigrated. He set to to drain the land; and I really think he spent more than half the value of the fee simple of it in draining and manuring until he made it good. Then the landlord first raised his rent to 25s. an acre, next to 30s., and finally to £2 1s. 6d. an acre.

14191. The President.—That was before the Act was passed?—Oh, it was. It was before the Act of 1870 was passed. The last raising of the rent was, I think, since the Act of 1870, but I cannot speak positively. These are the two things I most complain of—one is the confiscation by the landlords of the tenants' improvements in the shape of increased rents, or fines, previous to the passing of the Act—which caused great irritation. Of course, they cannot do it since the Act of 1881. The other is the bringing of evictions for very little cause. Where a tenant is not inclined to pay, he fairly deserves it, and I am not advocating his case; but I advocate the cases of those who, by distemper or bad years, such as those of 1879 and 1880, have been thrown into difficulties. I now come to another point. I would ask this Royal Commission to recommend, in the interests of peace and harmony, that all the evicted tenants who are willing, and believed to be able to pay a fair rent for their holdings, should be reinstated. There were four cases of eviction in my neighbourhood within six or seven years, of which I have the particulars; and these will strengthen your hands in trying to get the Government to recompense the giving back of these farms to any tenants willing and able to pay a fair rent. The first have such a tie to home that there is nothing they feel more than being driven away. In fact, they have such a love of home, to my knowledge, that they would rather live in a poor place where they were born and reared than in a better place elsewhere. May I give you the particulars of those four evictions, they were in my neighbourhood?

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O'Sullivan.

Mr. Neligan.—If you do, we shall have to send for the landlords so as to hear both sides.

Witness.—I shall be able, any day you want me, to come in and do so. The agent lives in the neighbourhood. There is no difficulty about it. I want to show you the trifling reasons for which they were evicted. They were old tenants, and I am sure it never would have been done in England.

14192. The President.—You can do it without mentioning names?—I will mention the tenants' names.

Mr. Keipe.—You need not mention their names if you wish.

Witness.—The tenants are evicted. There is no harm in mentioning their names. The first is Timothy O'Connell. He held thirty-three and a-half acres at a yearly rent of £103 5s., or about £13 1s. 8d. an acre. I mean Irish acres. The Government valuation of his holding was only £49 13s., or less than half the rent he was paying for it. I knew this man to be a most industrious sober tenant.

14193. The President.—What was the date of this transaction?—This was in 1879 and 1880—the two bad years. The year 1879 was the worst we had for forty years up to the present. The present year is nearly as bad; but 1879 was the worst. He got into arrears for the first time in 1881, owing to the badness of the years 1879 and 1880. His cattle were seized on the 1st of August 1880 for one year's rent due up to the 1st of May previous. That was the first time that he ever was in arrears. He was then put to £39 4s. 3d. costs. He paid that. He was then served with a second writ for a half-year's rent due up to the 1st of November 1881—one guinea—and the interest of his farm was put up for sale by the Sheriff in April 1882. On that day there was no bidding. It was put up again on the 13th of May. The reason why I mention about its being put up in April is that a year's rent was not due until the 1st of May following. A second half-year's rent accrued, and his interest was put up for sale again on the 13th of May 1882, and bought in by the representative of the landlord.

14194. Sir James Caird.—Did the landlord pay a good price?—I think 25 or £10—a nominal price. When the landlord bought the tenant's interest he had been evicted. Afterwards the tenant wrote to the agent, stating that if he would give him back his farm at the same rent—bear this in mind—as the Land Commissioners had fixed for one or two adjoining farms, although these had the advantage of being nearer to the road than this man's, which was a mile from the road, he would take it, and pay £150 out of the fall rent due, including the little *bedgong*, which was from November to May—being the total amount due, less £4 17s. 6d. This the agent refused to do. The whole total was £154 17s. 6d.

14195. Sir James Caird.—But if he had done that at first, would it not have prevented the sale altogether?—He was not able. His friends came forward. His brother was well off.

14196. Had he the money in his pocket?—He had not. His brother tenants had got reductions of 10s. an acre on their farms. Their land was, if anything, a shade better than his. They were near the road, and he was a mile from it. He felt demoralised at the time; and I say, for argument's sake, that even if he had the money I think he was right in endeavouring to get the reduction that the others got. But he had not the money.

14197. Was he a tenant under lease?—No, he was a yearly tenant. All three cases came after the bad years of 1879 and 1880; and they were all old tenants, some of whose fathers and grandfathers had been in the holdings.

14198. The President.—That was the cause of the passing of the Land Act?—It was. The second case was in the same district. The tenant held twenty-one acres at a rent of £48 12s. 4d. a year.

14199. Mr. Neligan.—Was this before the passing of the Act of 1880?—It was.

14200. The President.—What you want is that we should recommend that these people should be restored?—That in all cases evicted tenants who are willing to pay a fair rent should be restored. I would do so in

the interest of peace and harmony. I don't think we shall have it otherwise.

14201. Is this man still on the property, and wishing to get back?—He is still in the neighbourhood.

14202. Mr. Neligan.—Has anybody gone into occupation?—No; it is in the landlord's hands—or rather the landlord's. I don't believe it is making a half-penny of rent.

14203. Sir James Caird.—Is it grazing land?—It is now. It was partly tillage and partly grazing.

14204. The President.—Wouldn't it be the interest of the landlord to take him back?—Of course it would.

14205. Why doesn't he?—Unfortunately, he is a man used to the old times, when he could do what he liked with his tenants and treat them as slaves, and he does not like the new state of things at all.

14206. And he is lying out of the rent?—I think he is a man who would rather let the land go barren, in order to carry out his idea. Of course, that is only one landlord out of three.

14207. Mr. Neligan.—Would there be any difficulty in putting out the other men?—There is no one at any of the cases I am giving you. The farms are all in the landlord's hands.

14208. The President.—What is the second case?—In the second case the man held twenty-one acres at £48 12s. 4d. This farm, like that in the first case, was nearly a mile from the public road—it was three-quarters of a mile anyway. I speak from recollection. He was evicted in 1880, owing one year's rent. The Government valuation of his holding was only £20 a year. This man is now getting out-door relief. He is a broken-down man. His father and his grandfather had the place before him. The landlord now works the land himself. She is a small landholder and a tenant farmer besides. In the other case the man is a large landlord, worth £4000 or £5000 a year. The third case is that of tenant who held 43 acres 3 roods 27 poles. I brought this and the remaining case before the House of Commons during the debate on the Tenants Bill, and I was asked by a gentleman to give them to you. The yearly rent of that third tenant was £140 10s. 4d., being about £3 1s. an acre. The Government valuation of the holding was only £71, or about half the rent. The cause of this tenant getting into arrears was that he lost by distemper, in 1877 and 1878, about eight cows and a few calves—I don't know how many—and never got a shilling compensation from the landlord. He was evicted for one year's rent and a balance of £20 in the year 1880.

14209. Sir James Caird.—When you say that he never got compensation from the landlord, was the landlord bound to give him compensation?—An allowance I should have said—not compensation. "Allowance" would have been the proper word. He never gave him any allowance for the loss of the cows and calves. That was what drove him into arrears and broke him. He owed one year's rent and £20 in June 1880, when he was evicted some time afterwards. To show you the great hardship of the case—the growing crops were sold by public auction at the agent's instance, and they made within £9 12s. of the rent due, the balance being £9 12s. rent, together with £31 14s. 8d. costs. The balance was tendered to the agent long before the six months allowed for redemption had expired, and he refused to receive it, but referred the tenant to his solicitor, Mr. O'Shaughnessy of Chulerville. The solicitor refused to receive the balance due and the costs without getting also half a year's rent which had accrued since eviction. I don't know whether that was legal or not; I suppose he could do it; but you will admit that it was a case of the hardest description, where the tenant's father and grandfather had had the holding. The solicitor told that he was instructed not to take it without the half that he was instructed up to that day. The same year's rent that had accrued up to that day. The case of the second tenant was Charles McDowell, of Lisnashurn, and the third Denis Murphy of Lisnashurn. The fourth case is that of the widow Casey of Lisnashurn. She held forty-one acres, including waste land. These cases included waste of road and river in two instances, and of road in two more. She had forty-one acres of

£148 per annum, the poor-law valuation being £80, 8s for back as 1856 and 1857 she had twelve cows and eight calves; and her husband took it so much to heart that he lost his reason, and died in a lunatic asylum four years afterwards, and she had the care of the place on herself. I must add that this woman would have got on much better, but that unfortunately the rules of the estate would not allow her to break the land. She was allowed to break only a few acres out of the forty-nine—some three or four. She never got any allowance from the landlord for the loss of her cattle and calves. She was evicted in January 1884—since the passing of the Act—for a year and a half's rent.

14210. *The President*.—Did she bring her case before the Court?—There is a clause requiring the tenant to pay up in full before he can bring his case before the Court.

14211. *Mr. Hodder, secretary*.—There is no such provision—I thought there was. She was evicted for a year and a half's rent on January 1884.

14212. *The President*.—Why didn't she go before the Court and have her rent reduced?—She offered one year's rent to the agent, which he refused, unless she paid the other gals with it, which she was unable to do. That term also is on the landlord's hands.

14213. *Mr. Neligan*.—She could have got a fair rent fixed?—She was struggling, because she had lost her husband. He had lost his reason from the loss of the twelve cows and the eight calves; and she was a struggling woman for several years. She said she would have been able to hold on if she had been allowed to break some land, but it was against the rule of the office, and the agent would not allow it. The last one is that of Mrs. Duggan. I don't know what rent she owed—to the best of my knowledge, it was one year's. Her husband built a fine shielked house on the place ten or twelve years previously, and that was confiscated—taken by the landlord when he evicted her.

14214. *The President*.—In what year was that?—I cannot speak to the year. The woman lives a long distance away, and I could not get the particulars. She paid £5 an acre, and it was given to another tenant at £3 8s an acre when she was evicted; so that the landlord got 8s an acre more, and confiscated all her improvements. I cannot tell you the amount of land she had.

14215. *Mr. Neligan*.—How much rent did she owe when she was evicted?—I think it was a year's rent, I cannot speak positively. Perhaps it was a year and a half's rent.

14216. Then the landlord was a year's rent out of pocket?—He was; but he got 8s an acre on 70 acres.

14217. *The President*.—Was the rent of her successor afterwards reduced by the Court?—He got an abatement without going to the Court.

14218. *Mr. James Caird*.—Had Mrs. Duggan a judicial rent fixed?—No; it was previous to the Act.

14219. Had she no right or privilege to sell any improvements?—Unfortunately her husband deserted her, and went off with another woman; and she, not being the tenant at all, was evicted while her husband was away. She was not in possession as tenant, and could do nothing. The want of consideration on the part of the landlord in that case is what I complain of. It is one of my five cases of evictions, but I have not the details of it. With regard to the Land Commissioners I have reason to complain, from my own knowledge, that they have made some very great mistakes in their valuations. I think that we owing a good deal to the Act regarding that the head Commissioner of the Sub-Commission should be a legal man, as a rule, and positively he knows nothing about land. I think they have made many mistakes. In my neighbourhood I know Thomas O'Donnell of Abbey Farm, and this is one number one of errors of the Commissioners. He holds sixteen acres, out of which there was at least two acres of waste, as he has a river, part of a road, and the ruins of an old abbey in it; so that in reality he has not more than fourteen acres.

14220. *Mr. Neligan*.—Under the statute, these should have been excluded by the Commissioners in valuing.

Witness.—They did not take them into account. The old rent of the sixteen acres was £60 a year, or about 24 2s. 6d. an acre for all, including the waste; and the Commissioners only reduced the rent to £3 9s, and I don't believe they took an inch off the waste, which you say they had full power to do. He had waste in three ways, namely, the road, a large strip of river, and the old abbey ruin, which takes up at all events an acre for itself.

14221. *Mr. James Caird*.—It must be land of a very fine quality?—It is of very good quality.

14222. *Patience land*?—It is dairy land. There is land as good as it let from £2 5s and £3 10s an acre. The Commissioners could have known that, yet they only reduced the rent to £3 9s an acre, which I think was a very great mistake. The second case—a worse case—is that of James Carroll of Flenagh Town. He had forty-one acres at £3 an acre, which he had improved very much during the last twenty-five years. I know that he bought hundred of pounds' worth of manure, and drew it out a mile and a half from the town to his place. The Commissioners refused to give him any reduction.

14223. *Mr. Neligan*.—Did these men appeal?—No, they did not appeal, unfortunately. I am sorry they did not. It was in the early stage of the Land Commission.

14224. *Mr. Knipe*.—Had Carroll a judicial rent fixed?—They fixed it without giving him a shilling of reduction at £3 an acre.

14225. Had he held it long at £3 an acre?—He had, and his father before him.

14226. Paying the same rent?—His father had it at £2 5s. In the old times. The yearly rent of the whole farm in 1813, and the poor law valuation is only £73.

14227. How long had he held it at £3 an acre?—I don't know exactly. His father had it at £2 5s.

14228. I want to know how long he had held it at £3?—Over twenty or twenty-five years certainly.

14229. Over twenty years?—I cannot speak positively. The next case is that of Patrick Browne, who held fifty acres at £3 17s. 6d. an acre. In this case the Commissioners gave no reduction either, although there are a number of farms in the same district, of quite as good land, let at £2 5s and £2 10s an acre.

14230. *Mr. Neligan*.—Did Browne appeal?—No, neither of them appealed. They seemed to have lost confidence when they saw how things went. Now I have done with my information, unless there is any that I can give you with respect to the Land Act of 1881. I wish, however, to give you my opinion of the Land Purchase Act.

14231. *The President*.—Yes, we should very much like to hear it?—The Land Purchase Act I have always considered to be a good liberal measure, having regard to the easy terms on which the money is lent by the Government to the tenants; and I believe that the tenants are all anxious to buy, but the great drawback is the fixing of the basis of purchase. That is the great difficulty. Rents vary so much all over the country. You see I have shown you cases of one man paying £3 9s, and another man £3, while similar land on the other side of a ditch is let from £3 5s and £2 10s. Even the judicial rents are too high. I know these cases in which the judicial rent has been fixed at £3 9s, £3, and £2 17s. 6d., yet there is quite as good land let for £2 5s and £2 10s. by other landlords. Some landlords are so anxious and screw up the rents, while other good landlords don't do any such thing. That makes a difficulty in working the Land Purchase Act, of finding a basis of purchase. What I would recommend is, that all the land should be sold on the basis of Griffiths' valuation, with power to give a certain percentage over that in the case of rich grass lands.

14232. Do you think that Griffiths' valuation is the one to be trusted as being fair, taking one farm with another?—Griffiths' valuation is about fair for tillage lands. It is a little too high in some cases. It is not quite sufficient in the case of rich grass lands, because at the time it was made the prices of beef and mutton were down very low, while those of corn were up

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very high. Of course, things are quite the reverse now.

14235. But even as regards different tenures, it is a fair valuation, taking out farms against another—I say that it is a fair valuation for good tillage lands; but for grass lands I would allow an additional percentage to be put on. I think another want in the Act is, that the Government should have at once declared a compulsory sale of all tenanted lands at fixed prices, so as to make peasant proprietors all at once.

14234. You mean to compel the landlords to sell?—Yes, fixing the valuation. The Government had a right to have done that.

14235. Would you give the landlords power to insist on the tenants buying too?—I would have the Government declare that all lands were sold at a certain number of years' purchase on the basis of Griffiths' valuation.

14236. On both sides?—I would declare that at once. I would make it compulsory all round. I would give a right to the tenant and the landlord to appeal to a competent tribunal whenever they thought they were wronged. I would declare a sale at once. Do I convey myself?

The President.—Yes.

Witness.—I would declare all tenanted lands in Ireland sold on the basis of Griffiths' valuation.

14237. At a certain number of years' purchase—you don't name it?—Well, it is not very easy. It is a matter for consideration. Griffiths' valuation varies as regards the rich lands and the tillage lands. It would not be for me, as an individual, to declare that at once. But in order to effect a compulsory sale on both sides, I would not go into individual cases at all, but would declare all lands sold at a certain number of years' purchase on Griffiths' valuation, giving power to the landlord and the tenant to appeal to a superior tribunal if they thought they were wronged.

14238. On the conditions of Lord Ashbourne's Act?—On the conditions and terms of Lord Ashbourne's Act. I think that is what would settle the question at once. It would simplify it, and get over it quicker than any constitutional could do.

14239. Sir James Caird.—Have you considered how much capital that would render necessary to be advanced by the Government?—I don't think it would be half what they say. The free-hold holder, of course, would not go under it at all; but if they did, their rents are small; secondly, there are a great deal of purchases throughout the country that don't appear at all. There are the globe lands; and there would be private purchases. There are purchases under the Act of 1870. I don't think that it would come to anything near what they say.

14240. Mr. Neligan.—How much do you think it would come to?—I cannot believe that it would come to £120,000,000. I don't set myself up as an authority. I know that there are a great many sales through the country that the Government are not aware of at all. Another great drawback to the working of the Act is the keeping back of one-fifth of the purchase money from the landlord. It prevented a large number of landlords from selling. First, many of them wanted the money, and could not afford to leave it out; secondly, there was a dread on the part of the landlord that the tenant would take advantage of the fifth being stopped; and that prevented many landlords from selling.

14241. Mr. Kirby.—Wouldn't you throw the risk of loss on the estate by what you recommend, instead of on the landlord, who gets the money?—I don't believe there is the slightest risk about the transaction, if the sale be at a fair price; but if there were any risk, I would put it on the county or union.

14242. Would the county or union accept it?—I don't know. I think they would.

14243. The evidence we have had is that they would not?—That is a question I cannot speak on, but if the State wanted security, I would put it on that if they did not think the tenants' interest enough.

14244. The State has adopted the security of mortgaging that one-fifth, and it is no great loss to the landlord, for he gets his interest on that fifth.

14245. I am aware of that; but there are two reasons to be considered. First, that a good many landlords want the money in consequence of mortgages and family changes; secondly, they are afraid that if anything went wrong, the other fifth would be deducted.

14246. You think it would be more fair that the State should lose?—I don't think any one would lose it.

14247. The landlord is afraid of losing the deposit?—I don't think there is any fear, but I have heard landlords say there is fear. I don't see any use in the security at all, and I will tell you why. You are selling only the landlord's interest. You have the security of that interest, and you have also the interest of the tenant, which, as a rule, is nearly one-half the value of the landlord's.

14248. Is that saleable at this moment here?—It is, amongst the tenants, but not at the rate it used to be. It is not saleable at half the amount it used to be, the times are so depressed. There is one very important thing I would recommend you at once to do, and is which I don't think there is any ignorance, namely the—I would recommend you to cut down the interest of all mortgages to 4 per cent, conditionally on its being paid within thirty days after it is due. This may look like an injustice to the mortgagee; but I don't think it is the slightest injury to any man having money to lend to have it well placed at 4 per cent. In railways 4 per cent preference shares rate at from 106 to 114. If you ask men who have money to lend why they charge landlords so much, they say it is because of the danger and difficulty connected with the matter. There is no more danger in land than there is in debenture stock of railways; but necessity often made landlords pay more than 4 per cent, which ought to be a fair interest—suchness in their case often made them give more. You would be doing these lenders as justice if you put them—conditionally to their getting payment of it within thirty days—upon 4 per cent interest, if they did not get it, let them go for the full amount of their interest. I think you would have the landlords, if they did not pay such a high rate of interest as they do, more lenient. You would be giving a fair interest to the mortgagee, and at the same time giving it to them more promptly than they would get it from railways or banks, and if they did not get it, let them go for their period of time. I don't know that there is any other information that I can give, except that I would impress on you as much as I can to recommend the giving back of their farms to evicted tenants.

14249. The President.—In all these cases of evicted tenants, are they all there ready to take back the land?—They are; the moment it is left to the Land Commission to say what they ought to pay, they will take it back.

14250. And the farms are all empty?—They are on the landlords' hands in three out of the five cases. There are not more industrious tenants in my neighbourhood. Their fathers and grandfathers had the places before them, and yet they never were in arrears until in or about 1879. No man could make 90s as acre out of the land. I kept an accurate account, and I scarcely made anything that year.

14251. Are the rents being paid in that district?—In every place where there have been fair valuations they have been paid. The landlord who evicted those of them is a very hard man, as can be seen by his own words. This year he is liberal in giving good valuations to the tenants who are settling with him.

14252. Mr. Neligan.—That is the landlord in the first, second, and third cases?—The landlord in the first, third, and fourth cases.

14253. The President.—You think the tenants would be glad to purchase?—Oh, yes. The great drawback is the basis of purchase.

14254. Do you think the landlords would be willing to sell?—I don't know if all the landlords would be willing to sell, some of them are. But they recognize that the keeping back of the one-fifth of the purchase money is a great barrier to it. Your best recommendation, in my opinion, would be a compulsory sale on

both sides, on the basis of Griffiths' valuation. It is nearer on the whole to justice than the rents that I showed you—rents of £3 10s., and for similar land exactly the same diff. £3 5s. and £3 10s.—Griffiths' valuation for both lands being nearly the same.

14255 Mr. Seligson—I am sure there must have been a great many hard cases; but it is possible also that there may have been some cases of eviction where the tenant treated the landlord badly, and behaved not with propriety on his side, would you apply the same rule to those cases?—When any man is known to be an untenantable man, willing to pay a fair rent, I would give him his land.

14256 It would be difficult to ascertain what a man is known to be. Should it not be made the subject of some preliminary inquiry?—No; the inquiry I would give would be, that you should give power to the landlord, if he had a decided objection, to go before some tribunal and show that objection.

14257. You would give him that opportunity?—I would. I know that in the case I have mentioned they are men whom I would be glad to have for tenants.

14258. I am certain of the accuracy of your statements; but if the reinstatement of evicted tenants is to be made the subject of statutory enactment, would it be right to give the men who evicted them the opportunity of—

Showing cause?—I would have no objection whatever to that.

14259. With reference to fee-farm grants, and the opening of the Act of 1881 to leaseholders, if you came to the conclusion or had reason to believe that in many cases fee-farm grants were forced on men, you would not exclude them from the operation of the Act?—Well, you could not tell it forcing.

14260. Suppose a case in which a notice to quit is served saying, "If you don't take the fee farm grant I will evict you;" you would not exclude such a man as that?—No; what I meant in speaking of fee-farms were the cases where men paid very large fees to find down the rent. There would be no reason why a case like that should go into Court.

14261. You know that in a great part of the country there is a hold under grants of fee-farm submitted for leases for lives renewable for ever?—Not in any neighbourhood.

14262. You would not apply your evidence to such cases as these?—I would leave it open to every case where there is a case of complaint or depression of the times.

14263. Then the fee-farms, in most of the cases, would be accepted?—I suppose they would where the rent is too high.

14264. Are you aware that in certain cases of leases the tenant had power to bring unreasonable clauses before the Commission and have the leases containing them declared void?—I was not aware of that. Before the Sub-Commission, do you mean?

14265. Before the Commission and Judge O'Hagan?—I was not aware of that.

14266. Mr. Seligson—I did not think that was in your view when you spoke of clauses which were unreasonable, having regard to the character of the holding.—But they have no power of changing the rent.

14267. The rent is another matter. In point of fact, they have the power of breaking the lease altogether where the clauses are unreasonable?—Can they? Oh, I see. I thought it should be shown that it was forced on them in some way or other.

14268. From what you said, I took it for granted that in the case you alluded to the lease had been forced on the party?—No, it was not. It was a new take—a voluntary contract in 1873, and no compulsion.

14269. I misunderstood you. I thought it was a case in which the lease had been forced on the tenant?—No, it was not. It was in the good times; and he was an industrious man, and thought he would make it, last year the same landlord—who had previously given the tenant 50 per cent. reduction—told him that he wanted the rent on the 18th of the month. The tenant did not give it until the 25th, and the landlord then re-

frused to give him the 12½ per cent. reduction which he had offered him.

14270. It is the change in the times, necessitating a change in the mode of farming, which renders these clauses necessary to be altered?—It is in this particular case.

14271. Are you aware of any cases in your district of landlords who have allowed their leaseholders to get the benefit of the provision with respect to the payment by the landlord of half the county cess?—I have not known any landlord to do it. I know cases of landlords allowing them into Court—a few cases—but I haven't known any cases in which the leaseholders got the benefit of the provision as to paying only half the county cess.

14272. With respect to the evicted tenants who, you think, should be reinstated, a great many of these men, I suppose, have been impoverished?—One of them is an idiot. Another was until his children were able to work, and then he was struck off. Another is employed in the Post Office.

14273. There would be a difficulty in reinstating a man like that in a large farm. He would require capital to work it?—Not in this case. He has three good boys.

14274. But as a rule?—No, I don't think there would be in the cases I have mentioned. Three of them are particularly industrious men, and their friends would stand to them and enable them to buy stock. If he did not allow him to use mixed husbandry there might be a difficulty.

14275. I am trying to generalize, rather than to deal with these particular cases?—Yes.

14276. Do you think that Griffiths' valuation is sufficiently equal to apply it as a rule for the entire kingdom?—I did not say it was. I told you that in tillage land it was quite sufficient, and in some cases too much; but that on rich grazing land you should add a certain percentage in order to make it fair.

14277. Are you aware that there are districts in Munster where the tenants asking abatements are facing them at one-half the rent?—How?

14278. Offering to pay the rent abated by one-half; that is, 50 per cent. I—I am sure they will be very glad if they get it, but I have given you cases in which the rent was nearly double Griffiths' valuation. But I have given you liberty to go over it for grass lands. There is a precedent for that in a small way. Mr. Gladstone, in a Licensing Act which he brought in about 1882 or 1883, made it a rule that in Ireland all licensed houses should be valued by the Excise. I showed how unfair that was; and an amendment was brought in making it Griffiths' valuation, with power to the Excise to add 20 per cent. Now they must take Griffiths' valuation, but they can add 20 per cent. for a good house. It was I who brought in that amendment, and Mr. Gladstone accepted it.

14279. Mr. Seligson.—Are rents fairly well paid?—Of course, they are not paid as promptly as they were. First of all, purchases for stock cannot be had. Formerly the tenants could sell all their cattle. Now they have two-thirds of their calves on hands. Butter has fallen £1 a firkin this year; and cattle are down £3 or £3 a head. In the case of fair sized farms the loss to tenants who make butter is about £3 a week.

14280. Is it your experience that it was more difficult for tenants to pay their rents last year than this year? For the last two years it has been difficult, but this year was worse than last year. On account of the great wet, they have lost nearly one-third of their harvest. They could not save their hay.

14281. Is it your belief that where the rents are not paid, it is because the tenants cannot raise the money off the farms?—Generally the tenants expect that they ought to get reductions, and I am glad to say that most of the good landlords are giving them. Some of them are holding out without giving the reductions, and they are not getting the rents.

14282. Are the reductions which are given on judicial rents?—Yes; I have heard that some of them are on judicial rents, but most of the reductions were on old rents. I have good grazing land myself let at two guineas an acre; and I gave 17½ per cent. only last

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month. He paid me the rent due up to last September twelve months, getting that credit of 17½ per cent.

14283. What is your experience as to the financial position of the farmers?—I think the majority of them are in a great strangle. They had to contend against the failure of the Bank, which was very liberal in dealing with them. It came down, and they had to try to pay up. Then there were the bad times. They are on a very difficult financial position at present.

14284. Speaking of Lord Ashbourne's Act, do you say that the tenants have generally a desire to buy?—I think so. Every tenant, I believe, has that wish; but they all consider that the prices asked by the landlords are too much.

14285. Have you thought over the effect that would be produced in the country if the tenants were made owners?—I have. My firm belief is, that if they were made owners of the land to-morrow they would improve the land very much, and make it produce from £1 to 30s. an acre more than it does at present. That would be nearly £250,000,000 a year added to the wealth of the country.

14286. And you believe they would be more industrious and apply more labour to it?—They must, of course. It would be the consequence of their applying labour that they would improve the land and their own position. I believe it would make the country very quiet and peaceable.

14287. That being the case, you say it would make them better subjects?—I think the people would be industrious and turn their attention to business and improve the land, and thereby improve the whole wealth of the country.

14288. You recommended a Court in the event of the landlord and the tenant not agreeing as to the terms of purchase, to which either should be at liberty to appeal?—Yes.

14289. Did you mean the Land Court?—I did not say any particular Court. Of course, you would have a superior Court. I should like to have in the Land Court some practical men.

14290. You apprehend that the landlord and the tenant might not agree in many places?—Yes; I would give them the power to appeal to a Court.

14291. On certain conditions?—I would make a certain number of years' purchase on Griffiths' valuation the rule. I would make a sale of the whole country compulsory on both sides; and wherever either the landlord or the tenant thought himself aggrieved, let him appeal to the superior Court. In that Court I would like to see some practical farmers, or one at any rate.

14292. Might not the Land Court, as constituted at present, be competent to deal with it?—Well, they have had a good deal of practice now for the last four or five years. There are two gentlemen, whom I know personally, and have a great respect for, on that Court, but I would like that they had a little more practical knowledge of the work. I would like to see two men added to the Court. I should like to see a Court of five practical men of experience in the working of land having been added to it. I would not object to the three present men, but I would like to see two more added.

14293. Is it your opinion that, before the Act is swayed of to any great extent, it will be necessary to establish a Court?—Which Act?

14294. Lord Ashbourne's Act?—Oh no, no. This would be a new thing that I would recommend. I would make use of Lord Ashbourne's Act, so far as the terms on which the money is given. This would be a compulsory sale on both sides that I would recommend. Then I would let the Land Court stand as it is, but I would add to it men who would have practical knowledge of the working of land, and in whom the country would have confidence.

14295. Sir James Caird.—Is not all the land in your county above average quality?—All the land in my neighbourhood is good land, with a little exception. One of the five farms that I mentioned is very poor land. The other four are good land.

14296. You say that Griffiths' valuation has one element of error, inasmuch as grass land has very much risen in value comparatively since Griffiths' time?—Oh, certainly.

14297. Therefore Griffiths' valuation would, to regard a large portion of the land of Ireland, be erroneous?—It would be under the value in some instances, and a little over the value in more. When Griffiths' valuation was made, wheat was from 2s to 2s 6d, a stone. Now wheat is worthless, Griffiths' valuation is too much in some tillage land, while it is far too meagre in land.

14298. Do you think that between being too much on the one hand, and too little on the other, it would become a fair average on the whole?—No, you would do injustice to men with light poor land, who must still till it. Plenty of it is not good enough for grass, and must still be tilled. Griffiths' valuation would be too high in that case. Now medium land it would be fair, but for rich grass lands it would be too little.

14299. Then Griffiths' valuation is only applicable to one class of land?—That's all.

14300. There are two classes of land which it is not good for at all?—That is the reason why I should give the landlord and the tenant a right to go into a Court. I would make Griffiths' valuation the basis of sale at a certain number of years' purchase, with power to add a percentage for rich grass land.

14301. Should the Court be the judge as to whether Griffiths' valuation is true and trustworthy?—No, what I wanted to convey was this: For poor tillage land Griffiths' valuation is a little too high. Therefore, in making an estimate of the value, they might go under it in that case. For medium land that could be used for either power or tillage, Griffiths' valuation is about fair. I am not fixing what the number of years' purchase; I would leave that to other parties. For rich grass land—fattening dairy land—Griffiths' valuation would be too low, and I would, in that case, allow a percentage to be added.

14302. Would it not be better to allow the Court to go by what they should conceive to be the true value at the time; it is quite evident that there is uncertainty as to the matter?—That would take years to do, if you went into individual cases. For the peace of the country, I would like to have it done at once; and therefore I would give power to make those increases or decreases on Griffiths' valuation on whatever number of years' purchase should be fixed. That should be fixed, and I would compel the landlord and the tenant to accept it, with the right of appeal.

14303. Giving a discretion to the Court to raise or lower Griffiths' valuation?—No, on that head. Let Griffiths' valuation be the basis. I am not basing you to Griffiths' valuation; but I will take it as a basis. I have given you three classes of land, and I give a right to the party conceiving himself injured to go before the Court to have the valuation reduced or increased. That would facilitate it. If you were to take up the cases individually, it would be like the Land Commission, which has been going on for five years, and is not two-thirds over yet. You would have learned for the next five years. I want to do it immediately.

14304. Mr. Nelson.—In connection with so big an operation as the buying out of a whole kingdom, involving possibly £150,000,000, what would you think of a re-valuation of the country on a proper basis?—I think it would be a very good thing, but I am for settling the thing at once, so as to stop the confusion, the passing through, and the excitement and the disappointment and the state of uncertainty we are in. I think it would be the only way to stop it at once. You could also give power to a Court to appoint valuers who could go into the valuation fully. That could be done in detail afterwards. But let the tenants see that they would be made owners, and let the landlords see that they would be secured in so much money, and then you would settle the question. That is my idea.

14305. The President.—You give up all hope of the matter being settled by arrangement between the two parties?—I do, my lord.

Mr. James G. Barry examined.

14304. The President.—I believe you are a landowner in this county?—Yes.

14307. And that you are agent to Lord Enly?—I am an agent in the counties of Limerick, Clare, and Tipperary. My brother succeeded me in 1881. I was four years and two months on the Land Commission.

14308. First I would ask you about the Act of 1881. Were you directed to find out whether rents are paid, and if not, whether it is owing to combination or inability to pay. Can you give us some information on those points? First, are the rents being pretty fairly paid?—The rents in this county have been fairly paid where statements have been given by the landowners on the judicial rents. Abatement has been given of from 15 to 25 per cent. in some cases on some of the larger properties in the county; but there is no doubt that there is a combination to the extent that rents will not be paid without some abatement.

14309. Then if the abatement is not given, the tenants combine and refuse to give anything?—Well, it depends a good deal on the districts. There is a great deal of pressure from outside. I know as a matter of fact that statistics have been demanded from the Lord Land Leagues by the head office in Dublin as to the statements on different estates; and I think, the object of that is to hold up tenants who do not demand abatements on certain estates to public odium. But I must say I don't know in this county of any one where tenants who have been sent fairly by the landlords have refused to pay the rents.

14310. You think they pay?—Where abatements are given. I can give you an instance where in certain districts tenants have become to a certain extent demoralised—where even though large abatements have been offered they have from one cause or another declined to pay, or have not met the landlords in a fair spirit. It is a property my brother was acting on, and belonged to the late Earl of Clare; it is now the trustees of the late Earl of Clare. They are all judicial leaseholders that I allude to. In the beginning of this year they demanded a certain abatement which the agent considered exorbitant; they demanded 40 per cent. on the judicial rent. The agent refused, but he recommended the trustees to give them 15 per cent.; and afterwards there was an offer of 20 per cent. on the judicial rents made by the agent, and 25 per cent. to non-judicial tenants, but that was not accepted until the interest of some tenants had been sold by the sheriff.

14311. Were there one or two sales?—There were three sales by the sheriff of judicial leaseholders. The landlord purchased these interests, and the tenants took delivery when the landlord tried to recover under the sheriff's decree and brought him before a jury in Dublin, and they put the estate to costs since last November of 1892. In one case there was this peculiarity. He was the largest tenant on the estate. When he came of age in 1878 he applied to me—I was the agent at that time—to get him a lease so he could be wished to settle with the rest of his family and to get married, and the lease would be an advantage to him as he could raise money on it. I got him the lease. When the Land Act of 1881 was passed it applied through me to the trustees to accept a surrender of the lease so it was then a disadvantage to him. I was consulted by the trustees and recommended them to take the surrender and allow him like the other tenants into the Land Commission Court. That was done, and he went into the Land Commission Court about the year 1885 and got a fair rent fixed.

14312. Did they knock off much?—About fifteen per cent. His rent was reduced from £351 to £290.

14313. That would be more than fifteen per cent?—Yes; it would be more. Oh, I beg your pardon—from £351 to £315. I have reduced it by an abatement of 20 per cent. to £290 since. I offered him that.

14314. Mr. Nelson.—What was the reduction by the court?—From £351 to £315. He was one of those whose interests were sold out. There was a meeting of the local Land League at which they passed the following resolutions:—

“That we accept only forty per cent. on Griffith's valuation as the allowance on which we are prepared to pay our rents.”

“That no man pay his rent until each and all get the settlement looked for; and in case of legal proceedings against some that each and all will subscribe to a fund already in existence, according to the valuation, to defray the cost as imposed, the said fund to be under the direction of the associates of tenants already named.”

14315. The President.—Was that a resolution of the League?—Yes, of the League presided over by the parish priest. Of course these terms could not be accepted, and proceedings had to be taken, and this tenant was sold out and the landlord purchased his interest. He (the tenant) took defence, and his defence was rather a peculiar one. He set up the lease of 1878 against the judicial lease, alleging that he was not a tenant in occupation—that the legal estate was vested in the trustees under his marriage settlement; and he defeated us before a jury and put us to £500 costs, and he has not paid a penny of rent since. The result was that there were besides, and a gross amount was borne for his victory over the landlord. If you allow me I will give full particulars.—

14316. Was this on the same property?—It is a case on the same property.

14317. Is the fight going on still?—It is going on still. We have not got the rent. There are twelve judicial leaseholders. Their old rent was £1,300 a year; the judicial rents come to £1,185, being a reduction of 10½ per cent. On that I offered them 20 per cent. abatement, which would further reduce the rents to £968. All the rent that has been received within twelve months is £311, and the costs incurred by the landlord to recover that amounted to £243 14s. 6d.

14318. And this is still going on?—It is a district that has become demoralised on account of the tenants on the adjoining properties having been sold out some years ago; the lands are lying waste. They have given a great deal of trouble and have not paid rent for some time without legal proceedings. But that is only an exceptional case. It is in the county of Tipperary.

14319. Sir James Caird.—Is the land of good quality?—It is of fair quality. There are all large tenants.

14320. The President.—It is one of the worst cases?—That is one of the worst cases that I know of. It is still going on. If I took possession of the lands they would be boycotted; and the landlords are not in a position to work the land themselves—they haven't capital.

14321. Sir James Caird.—Practically you cannot do anything?—I can do nothing. I would be in a worse position if I took possession of the lands than I am in at present. There is to be a sale of one of the tenant's interests next week.

14322. By the tenants?—No; at the suit of the landlord. Something must be done.

14323. A sale of the tenant's interest?—Yes.

14324. Not a sale of the land?—A sale of the interest of a solvent tenant who has refused to pay unless he gets 25 per cent. abatement on his judicial rent, although he has got 20 per cent. already.

14325. A sale of his live stock and interest?—A sale of his charitable interest in a public-house and farms.

14326. The President.—In this case you have no doubt that the tenants could pay with the reductions you have given?—Some of them could pay. Others are, I am afraid, insolvent.

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14327. And you pick out the cases?—I pick out the solvent tenants. The cattle have been sold off those lands by the tenants.

14328. Mr. Neligan.—There is no stock in the place!—No stock on that farm that I alluded to in connexion with which the lease was set up against the landlord's claim. The land has been run out by mowing. I must mention that in my opinion there has been a considerable fall in prices for the last three years, and that dairy farmers in this county have suffered very considerably.

14329. The President.—How do you pick out the solvent tenants in order to proceed against them?—We generally know them. One of the solvent tenants set up a deed of mortgage to defeat the landlord, and it was decided by a jury to be a fraud.

14330. Mr. Neligan.—The mortgage was to cover himself?—To cover himself. The price of Irish butter has fallen, to the best of my knowledge, nearly twenty-five per cent. within the last four years.

14331. Sir James Caird.—Do those tenants depend very much on the price of butter?—Yes, of young stock and butter. Store cattle and butter. There is mixed farming in the county of Tipperary.

14332. Mr. Knipe.—Have you figures of the fall in the price of cattle?—I have, for the county of Limerick. We have 95,000 head of dairy cows; and I calculate that the average yield, one year with another, would be about 178 lbs. per cow. This year the price averaged very little, if anything, more than 9s. a pound or 84s. a cwt. I have a dairy-farm myself and am taking the figures very much from my own experience.

14333. Is that much lower than the previous year?—Taking the six years ending 1878 in comparison with the six years ending 1860, I have calculated a fall of fifteen per cent. in the produce of my own cattle; and there is a greater difference from the year 1874—taking the years 1874, 1875, and 1876, and the year 1860—a fall of nearly thirty per cent. in the price of butter.

14334. Have you the prices of the other stock as well?—No.

14335. You are aware that there has been a considerable reduction in the prices?—There has been a considerable fall in the price of young stock.

14336. What per cent. would you say?—I know that some years ago yearlings used to fetch from £10 to as high as £14.

14337. This year I should say that £10 or ten guineas would be about the highest?—That is so—going back ten years. The prices all round were higher.

14338. Sir James Caird.—That would be about thirty per cent.?—About thirty per cent. That is, comparing the highest years with this year, which is about the lowest.

14339. Mr. Knipe.—If you go back six years the reduction would be larger?—I don't think the reduction would be larger. Six years would bring it back to about the same as in 1860.

14340. Mr. Neligan.—These figures were taken from your own particular case?—Taken from my own particular case.

14341. There are tables of the declines from 1860 down?—I am aware of that. I am just giving my own particular case, and I find that there was a fall to that extent. I have a return here since the year 1820 of the prices of corn. I had these returns when I joined the Land Commission, and I took an average of the preceding five or six years to make calculations for the fixing of fair rents. I find that for the last four years the price of wheat was about 8s. 10d. per cwt.; of oats, 7s. 10d.; and of barley, 7s. 4d. The average from 1876 to 1881 was, wheat, 10s. 4d.; oats, 8s. 4d.; and barley, 7s. 6d.

14342. The President.—You think that in general, giving a reduction of twenty per cent. on judicial rents, the farmers ought to be able to pay, and that after that there is no harm in taking proceedings?—Cer-

tainly; I think that where the landlord treats the tenants fairly they ought to pay the rent, and as a body they are paying.

14343. Mr. Neligan.—Except in this demanding district?—Except in the particular district I speak of, Fethard in the county of Tipperary, where I say there is more land boycotted than in any other district that I know of. Land has been lying desolate two, three, and four years near Fethard. I speak of the Lerringe and the Beasley estates. That helped to demoralize the whole district. Here in Limerick we have a large district lying waste. Lord Clancarty's property of about 5,000 acres, the greater portion of which is lying waste. That is at Murroe, near here. It helps to keep up the agitation and bad feeling in the country.

14344. The President.—You have no effect for these waste lands?—No; no tenant will take them.

14345. I suppose they are afraid of outrage?—They dare not take them. They would be boycotted.

14346. Sir James Caird.—Are these evicted lands?—Evicted lands. The tenants' interests were bought by the landlord so far back as 1862. The tenants are living in Land League huts.

14347. The President.—And no evicted lands are taken?—No; except that a person takes them at the peril of his life.

14348. Or under police protection?—Or under police protection.

14349. And practically none are taken?—Practically none are taken. Some lands are worked by a body called the Land Corporation, but I understood that they are not worked at a profit. I don't say that as all waste. Well, then there is another matter in the county which helps to keep up the bad feeling and agitation, and that is the case of the leaseholders. In the county there are 17,900 occupiers of agricultural land. The leaseholders number between 1,000 and 8,000—about 7,000, that is, terminable leases. There are 1,200 leaseholders in perpetuity besides, and there are 1,676 owners of land.

14350. What do you think about those leaseholders—do you think they ought to be admitted to the benefits of the Land Act?—From my experience as a Land Commissioner going through different parts of Ireland—I have been over two years in Limerick and a year and a half in Connaught—I have formed a very strong opinion that they are the source of increased agitation in the country. As a body they are of the class in whose interests the priests, the country attorneys, and the country doctors come. They are men of very great influence in the country, and they consider themselves very badly treated in being excluded from the Act of 1881.

14351. Sir James Caird.—They have a real grievance?—They have a grievance. Up to this year as a body they did not get much reduction, but this year as a body they are getting reductions.

14352. The President.—Do you think they ought to be admitted to the benefits of the Act of 1881?—I think so. That is the conclusion I have come to from my experience. I know cases of very considerable hardship amongst the leaseholders. I may give you an instance in this county on the property of a non-resident landlord who was obliged to give a statement to ordinary tenants. He actually threw in one case that I know of called up the renting job on a leaseholder who paid £3 6s. an acre and refused to give a penny reduction. The leaseholder had to pay three guineas of rent this year, which, in my mind, is sufficient to cause a very bad feeling throughout the district.

14353. You would admit these to the benefit of the Act—that would do justice as far as they are concerned?—Well, my lord, I propose to give further on in my evidence a suggestion as to leaseholders. It was at one time suggested that it might be fair to admit leases made from 1869 or 1870, but

that it would not be fair to admit leases made before the Act of 1870. In my opinion, there was a good deal to be said for that opinion, because before the year 1870 a lease was of pecuniary advantage. It was of money value, and it was a benefit to the tenant that got it, it gave him a sort of security. After the year 1870 it had a different effect, and leases to my knowledge were forced on tenants after 1870 at a high rent.

14354. About their admission, you have no doubt, but about the earlier ones?—About the earlier leaseholders it is a matter of opinion whether they should be admitted. But from the way things are going just now, and with the great fall in prices, it is a question worth consideration.

14355. Mr. Nelson.—That is your opinion?—That is my opinion.

14356. The President.—Before the Act of 1870 they had the advantage that their improvements were protected, whereas those of others were not?—Were not; but now a great number of leaseholders who had to extract themselves out of the benefits of the Act of 1870 are in a worse position than their neighbours.

14357. The earlier ones had the advantage during the few years between their leases and the Act of 1870 that their improvements were protected?—Just so.

14358. But that advantage which they possessed during those few years is not, in your opinion, enough to deprive them of the right of coming before the court?—I think, my lord, that if you settle the land question—if there be any animosity in the land and have those leaseholders out there will be still a class having a grievance, and they may reopen the whole question.

14359. You would admit those whose leases were made before 1870?—I would give them the option of going before a tribunal.

14360. Sir James Caird.—All the agricultural leases?—All the agricultural tenants.

14361. The President.—Of course you would allow the landlords the same option, for that would be fair?—It would be fair to allow the landlords to do so except in cases where the landlord got a fine when he gave the lease. That is, if he was paid for giving the lease at the time, if the tenant gave a certain price for it.

14362. Mr. Nelson.—Some more and some less?—Some more and some less.

14363. Wouldn't it do to leave a discretion to the Commission fixing the rent?—Yes.

14364. The President.—The Commissioners would take the fine into account?—They would.

14365. Mr. Nelson.—They would consider the length of time that he had enjoyed the lease and the amount of fine that had been paid?—It would be a matter of discretion. There should be some discretion given to them as to leases before 1870—that is, assuming that the dual system or division of ownership is to last.

14366. The President.—With regard to perpetuities, would you bring them in?—Certainly not.

14367. I believe that perpetuities were granted after 1871 to evade the Act?—Any leases after 1871 I would admit to the benefits of the Land Act.

14368. We have had cases of leases granted in perpetuity after 1871 for the purpose of evading the Act of the previous year, which have not been broken since?—I would admit all leaseholders after the Act of 1870.

14369. Even perpetuity holders too?—Yes, because the Act of 1870 was a new departure. It put tenants in a different position from that which they were under by Judge Denby's Act of 1860: it substituted contract for status and customary tenancy.

14370. Mr. Nelson.—It substituted contract for tenure?—For tenure; and the Act of 1870 admitted a dual ownership in the land. That's the reason I would be for admitting all leaseholders since 1870. But I would go further, my lord. My suggestion would be to turn leases into fee-farm grants—to allow all leaseholders to become tenants in fee-farm, fixing down their rents by three-fourths.

14371. Sir James Caird.—Explain what you mean?—I will. Fixing down their rents by three-fourths—that is, their future rents would be one-fourth of a fair rent. I would create a machinery for negotiating the sales.

14372. The President.—The fee-farm rent would be what?—Suppose a tenant was paying £2 an acre: I would reduce that by three-fourths to 15s. an acre. He would have the option of purchasing from the landlord at twenty years' purchase, the money to be advanced by the State. I would make that compulsory on the landlord. I would make that distinction between resident and non-resident landlords. I think it would be a misfortune to expropriate all landlords; therefore I would give an interest to leaseholders to remain in the country. I would allow leaseholders or tenants of a valuation over £20 the option of fixing down their rents by three-fourths and turning them into fee-farm grants.

14373. How would you determine whether a landlord was resident or not?—What I mean by a resident landlord is a landlord who has a residence in the country.

14374. Mr. Nelson.—Who keeps up a residence?—Who keeps up a residence in the country.

14375. Sir James Caird.—Where would the tenant get this money to pay for the three-fourths?—From the Treasury, or under a scheme which I shall put before you.

14376. Public money to be advanced for the purpose?—Advanced for the purpose.

14377. What would be the advantage to the tenant of doing that?—He would get the money at four per cent. You must make it compulsory. Landlords as a rule, where they have solvent good tenants or leaseholders won't give them the option to purchase.

14378. The President.—Why should you keep one-fourth of the rent?—To give the landlord some object in staying in the country himself. There would be that much less advanced by the State. I would give it to all tenants having a valuation of over £20, that is, mostly the option.

14379. Mr. Nelson.—It is an idea of Mr. Barry's which is very much to the purpose?—I put it forward so far back as 1860. I do not confine it to leaseholders. I include not only leaseholders but all tenants having a valuation of over £20. Of course where the landlord is willing to sell it would be different. This is when the landlord is not willing to sell, but wishes to stay in the country.

14380. You would leave the mutual agreement sale where it is?—Quite so.

14381. The compulsory power you would limit as you say?—Yes, where the landlord does not wish to sell and leave the country, I would give him an opportunity of remaining.

14382. Sir James Caird.—That proposition of fixing down is not known to us.

Witness.—It is a proposition I made so far back as 1865, and again before the Bunsbrough Commission.

14383. The President.—I believe it has been made by other people too?—It has since 1870, and to a certain extent is recognised by the Act of 1881.

Witness.—I put it aside by side with the purchase. I give the option. If the landlord wishes to sell outright let him do so with or without the consent of the tenant.

14384. The President.—But you would not have a compulsory sale for all?—I would have a compulsory sale for non-resident landlords.

14385. Leaving a fourth of the purchase money unpaid?—No; altogether.

14386. Mr. Nelson.—Would you include corporations?—Yes, I would make it compulsory on corporations and non-resident landlords to sell to their tenants. But in the case of resident landlords taking an interest in the country it would be most unjust to force them against their will out of the country.

14387. The President.—And you think those fee-farm rents that they would be receiving, of one-fourth,

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would be sufficient to induce them to remain?—It would. It would give them a proprietorial feeling. I think a great many of the larger tenants would be glad to accept the offer to turn their tenures into fee-farms.

14388. Wouldn't the landlord rather be free of the whole trouble of agency and collecting the rents?—He might. I would give him the option.

14389. This is only to apply to tenants over £201—Over £20.

Mr. Nelson.—That is an arbitrary figure.

14390. The President.—The small tenants would still remain?—Yes. In my opinion the land legislation has commenced at the wrong end. It ought to have commenced with simplifying the transfer of property and working down, just as in the Channel Islands, Belgium, Norway, Sweden, and Denmark, the transfer of property is simple and cheap. In the Channel Islands now one-fourth of the cash passes to the landlord and the rest is paid off by debentures.

14391. To the landlord?—No, they are transferable debentures. I want to put before you my ideas on this subject. When there is to be a compulsory purchase of a non-resident estate, or a fixing down of the rent, and optional purchase of a residential estate, I would suggest the creation of land debentures. These should be transferable, like bank notes. I would create these land debentures to the extent of one-half at least of the purchase-money. The other half I would have contributed by the State—advanced by the Treasury.

14392. In a lump sum?—Contributed by the State, the tenants paying five per cent, and the amount to be paid off in forty-nine years, just as under Lord Ashbourne's Act. The tenant purchaser should pay four per cent on both the debentures, and the sum advanced by the State.

14393. Mr. Nelson.—Is that plan in actual operation in the Channel Islands?—It is not exactly. It is to a certain extent. The land debentures are in operation.

14394. Sir James Caird.—Would four per cent debentures redeem themselves in the same way that the State money is to be redeemed?—I have not quite finished. At least one half of the properties in Ireland are mortgaged. I would give to the mortgagee these debentures, bearing interest at three or three and a half per cent. It would reduce their income; but their income comes from the land and should be reduced proportionally. Instead of paying them off in cash, or in consols, I would simply give them these transferable debentures, bearing interest at three or three and a half per cent.

14395. That would not redeem the debentures?—I propose that the tenants should pay four per cent, and that would redeem them. The State would pay the debenture holder three per cent. The tenants would pay the State four per cent. That one per cent would redeem the debentures in forty-nine years.

14396. How would the mortgages be redeemed?—He would be redeemed by the State gradually during forty-nine years. An estate of the annual value of £2,500 is mortgaged for £25,000. It pays five and a half or six per cent, which comes to £1,000 a year. I would create debentures on the £25,000 at three per cent. That would give £800 a year guaranteed by the Government. The tenant would purchase the £2,500 a year for twenty years purchase, which would be £45,000. The instalments would be £1,000 a year instead of £1,000 a year, as at present. So that the State would have £1,000 a year clear, paying £800 a year to the debenture holders. That £1,000 a year would be redeeming the debentures, and the amount advanced by the Treasury at four per cent. One-fifth would be paid off in seventeen and a half years.

14397. Mr. Nelson.—When the debentures would be redeemed, what would become of the mortgage; his security would be gone?—Oh, no: the mortgagee can transfer his debentures, he would have been paid off. Both the debentures and the money advanced by the Treasury would be paid off. The land will be free in

forty-nine years, and the mortgagee gets his principal sum all the same either from the Government or in the open market.

14398. Sir James Caird.—When does he get his principal sum?—On the spot. He gets it in debentures.

14399. These are constantly bearing interest?—At three per cent, instead of a mortgage at five per cent.

14400. In short, the debentures would be three per cent stock?—Quite so, but transferable in the country; and they would tap all the money that is lying idle in the Irish banks. We are supposed to have from twenty-five to thirty millions idle in the banks, at one per cent. These debentures would bear interest at three per cent. I think there is abundance of money in the country to buy up these debentures which, remember, are redeemable.

14401. Mr. Nelson.—Perhaps I am not as clear as I ought to be. The tenant would pay four per cent for forty-nine years?—Yes, on the total of the debentures and money advanced.

14402. At the end of the forty-ninth year he would have his farm discharged from the debentures?—Yes.

14403. After he has got discharged from the debentures, in the fifth year, where would the interest on the debentures in the hands of the mortgagee come from; should it then become a State debt?—It would have been paid off.

14404. Sir James Caird.—It would become from the first a public debt—the three per cent. would be a public debt?—It would be a State guarantee, but the money would come from the land.

14405. Mr. Nelson.—Sir James Caird is right, for mortgage, when his dividend would come due, would go to the Bank of Ireland to be paid from the Government?—Certainly.

14406. And the Government would have been previously indemnified by the four per cent?—Yes.

14407. At the end of the forty-ninth year the Government would have got back all their principal?—They would not.

14408. Sir James Caird.—Amounting to one half of the original debt?—They would have the power of paying off the debentures.

14409. Mr. Nelson.—They should pay it in cash?—Pay it in cash. There should be a power given to liquidate the debentures after ten years.

14410. Mr. Nelson.—An Irish landlord would be an increasing of the public debt?—No, decidedly not.

14411. Sir James Caird (so written).—You put it in this way—the mortgage debt in Ireland is about half the value of the property?—Yes.

14412. You propose, by the four per cent, to be paid by the tenant, that half of that should be paid off?—The whole debt.

14413. But the other half is to be paid in three per cents, which are not to be paid off; therefore at the end of forty-nine years only one half the price of the land is really paid to the public?—Well, I think a will all be paid.

14414. You have increased the public debt by half the value of the land in Ireland?—I don't think so.

14415. A permanent debt of three per cent resulted?—No, because I give them a sinking fund.

14416. There is no sinking fund out of the three per cents?—Yes, but they get it in another way. The created a redeemable stock, but they get the money from the land all the same—the public get it at one per cent. In forty-nine years they are paid. I propose the one per cent to meet that. The public are paid all the time though they never advanced any cash.

14417. Mr. Nelson.—I understand half of the purchase money to be covered by debentures on which there has never been an advance of cash?—Correct.

14418. The Government never have given cash?—No; not to the mortgagees.

14419. At the end of forty-nine years they have removed cash?—Yes, both interest and principal.

14420. To an amount which indemnifies them for the future?—Quite so. There is no anticipated payment at all. There is no money advanced from the

public treasury to the mortgagees. It is their money that is in the land at present which is utilized. If you pay off the landlord and give him all consols he has to pay the money direct to the mortgagees and the State has to advance it.

Sir James Caird.—We will require to see it all in print. It is difficult to understand.

14421. Mr. Neilson.—Have you reduced it to writing?

Witness.—I shall do so. Mr. Gladstone's compulsory scheme would have cost £150,000,000 to buy out the Irish landlords. My scheme would not cost half that at the first going off. Half is in the hands already on mortgage, you would only have to pay the balance. Let the mortgagees get the money from the land as they are doing at present, but in debentures instead of cash. I would reduce their interest. The landlords are reduced. I would reduce the incumbrance to three per cent. with Government security.

14422. Sir James Caird.—You cannot do it without severely suffering. The mortgagees must live every day.

Witness.—Some of them are getting nothing at present. They would gain a security and get three per cent. Instead of paying them in cash you would pay them in debentures and give them good security.

14423. Mr. Neilson.—There are few six per cent. mortgages now.

Witness.—There are no six per cent. mortgagees, I should think, these times.

Sir James Caird.—Kindly put your scheme in writing for us.

Mr. Neilson.—It is extremely ingenious.

Witness.—It meets some difficulties. I have been striking it for some years. I will give you a case in point. I know a small property and am about to give you facts relating to it which I know of my own knowledge. About the year 1838 or 1839 a gentleman who had been left £12,000 purchased a townland in a wheat-growing district. The net rental of it was £800 a year. The purchaser had £8,000 of the purchase money in cash, and £4,000 of it in mortgages. At that time wheat was 50s. a quarter. The potato famine came and after it the Incumbered Estates Court, and the property that he had his mortgage money on was completely sold, and he did not get payment of his £4,000. He, therefore, had to charge the tenant on the property that he bought. That came to £200 a year out of the £800, which left him £600 a year. He lost £200 a year by his mortgage. He had married and put a jointure of £200 a year on the property for his wife. He died. The Act of 1851 came. His son went into possession of the property. The Land Commission Court cut down his rental by £200 a year. Therefore, the owner of the property didn't get a penny out of it, because first he had lost £300 a year by the Incumbered Estates Court; next the Land Act took away £200 a year more; and then £300 more went to the widow and the younger children. The nominal owner was merely a receiver for others, and would be only too glad to be relieved. There are many small cases like this throughout the country.

14424. The President.—So that he gets nothing?—Actually nothing out of the property. The mortgage is that one is getting five per cent. Why should his person in possession suffer all the loss? There are many cases of that kind, and all by Act of Parliament. In the case I mention the owner never raised his rents. There had been no increase of rents. The Incumbered Estates Court were able to force a sale of the property on which his money was lent for ten years purchase, and his mortgage was never repaid. I know that of my own knowledge. Therefore, I say that if the landlord is to suffer and the tenants to suffer, in a certain sense the mortgagees ought also.

14425. Mr. Neilson.—No mortgage could complain who would get consols?—At three per cent.

14426. Your debentures would pass from hand to hand?—From hand to hand. There would be debentures of £20, £10, and £500, and £250, and the mortgagee would be able to turn these into money at any time. Then you would tap the £20,000,000 lying

idle in the Irish banks, and the whole country would be benefited, for they would get three per cent. for what they are now getting only one per cent. for.

14427. That is, that if a mortgagee preferred gold to his debenture he would go into a bank and get it, and the money at present hoarded and idle in the country you think you would let loose?—Certainly; that is one of the objects of my proposal. But I must say that my proposal does not refer to the congested districts.

14428. The President.—It does not refer to small tenants anywhere?—It does not, to small tenants. But there is no reason why the debenture system should not refer to all classes of property in the hands of mortgagees.

14429. Where there is a voluntary purchase?—Yes. What I mean is that my plan of fixing down the rents and compulsory purchase and all that does not refer to congested districts.

14430. You wanted to say something about rentals.—I have a map here which gives you an idea of a rental estate I was on myself. There are nine tenants on the portion coloured; they have holdings of from nine to six and four acres each. I think there was not sufficient liability about the Land Act of 1851 in connection with the congested districts. The tenants in these districts were treated as if they were independent agricultural farmers such as we have in the South and in Limerick.

14431. Sir James Caird.—Is the land in a congested district mortgaged as a rule?—It is, as a rule. It would be an exception to find property not mortgaged in a congested district.

14432. Did people lend money on such securities?—At one time, but not at present.

14433. Now they have got into it and cannot get out of it?—And cannot get out of it. My experience is that with regard to congested districts, talking in a general sense, nearly all the owners are in the courts. A good deal are in the Bankrupt Courts and in the Court of Chancery, with receivers over them. It was with great difficulty that I got information about these properties on that account. The mortgagees have appointed receivers on most of these properties.

14434. Then very few of these mortgaged districts are in the hands of the nominal owners?—There are the large estates like Lord Dufferin's. He has 84,000 acres in the county of Mayo. The rental is £24,000 a year, and he has 4,000 tenants. Of these 3,000 are labourers who emigrate to England every year to make their rent. There is Sir Roger Palmer's estate in the same county. It is 80,000 acres in extent, with a rental of £21,000 a year. He has 3,000 tenants, most of whom migrate yearly to England to raise money to pay their rent. As a rule they bring back about £12 each. They merely make use of their holdings as a home in which to rear up their families.

14435. Then the mortgagees are not very often cleared off from these congested estates?—I should say on the smaller estates they are seldom or never cleared off. These estates change hands very frequently. In Connaught, for instance, there is the Martin estate, most of Connaught, which was sold by the Law Life Insurance Company, who had a mortgage for £140,000 on it.

14436. Did they get their £140,000?—They foreclosed and sold for £230,000 about twenty-five years ago to a Mr. Berridge. The rental was £11,500 a year. Mr. Berridge sold the Mayo estate for £70,000, retaining the Galway estate, the rental of which is £8,000 a year. Of that £1,000 a year comes from a salmon fishery and another £1,000 a year from an oyster fishery. He has 1,500 tenants. That is a congested district, and the most neglected district in Ireland. It is in a state of nature—160,000 acres—a disgrace to the empire.

14437. We had some information the other day in reference to Spiddal?—That map refers to an estate at Spiddal.

14438. It was prepared by a gentleman whom we saw there?—I fixed the rental of a good deal of that property.

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14435. It was stated in reference to small tenants on a district about nine miles beyond Spiddal, that they really could not make a living from the land as it was so much exhausted by continuous sowings of potatoes and oats!—And no manure, except seaweed and sand.

14440. And as there was plenty of good land on Mr. Berridge's estate, and Mr. Martin's estate, as we understood, it was proposed that they could be migrated with very great advantage to themselves to those estates. Does your knowledge of any part of the Martin estate lead you to think that that was correct advice?—Talking in an agricultural sense there is no such thing as land at all in that district. It is all bog and moor, with immense granite boulders, and the tenants can only get spots between the boulders here and there to grow crops on. That is, where they hold now.

14441. But with regard to the land possessed by the majority of them, is your knowledge of the country sufficient to enable you to say, whether that advice is sound or not. Would there be any land that they could get further back, not now improved, but which is capable of being made good enough to make those people comfortable?—There is an immensity of land on that estate which is improvable by spade labour. There are mountain roads, of course, which are fit only for sheep and mountain cattle; but there is a great deal of moor land capable of improvement.

14442. The land, you think, is naturally good enough?—The land is not good. It is all moor; but by cutting the turf off it you could make land of it.

14443. It would be a costly process?—It is; but it is done. It is the way all the properties in Connemara have been made.

14444. Would you think it a good investment for the labour of these poor people to put them on other land which, in the course of time, they could bring into a profitable state?—I think they might exist, but they would not make money there.

14445. Do you think it would be better to assist the majority of them?—I am in favour of both plans. At present this estate (referred to by me) is all in rush. I would give a discretion to the Land Commissioners to square the holdings, instead of stereotyping that system, which we have been doing.

14446. The President.—They can do that now—can they not?—They have no power whatever to square.

14447. I think they have power to do so under an Act of 1855?—That is in case of sale, but not of fixing fair rents. I had to fix rents. If you allow me I will explain this map. Thirty-five years ago the land was all wild moor. Then the landlord removed twenty families off the land that they had reclaimed on another part of the estate on to this moor. He fixed the rent at £40 for twenty migrated families—that is, £2 for each holding. Then they drew lots for the holdings themselves, and that is the result. Two old men described the whole process to us. They put flowering plants of different colours under the bog stones to mark the plots, and drew coloured lots; and according as each man drew a certain colour he got a certain plot, as marked off. This was done thirty-five years ago.

14448. Sir James Caird.—One man getting several plots?—Each of the twenty getting several in place of the reclaimed land from which they were removed, and which the landlord retained himself.

14449. And at inconvenient distances from each other?—Some of them a mile. They are living in hamlets. They don't live on these plots of land.

14450. Would there be any object in having their lands more equally and conveniently divided?—You could not well divide the land there, but you could migrate some of the people. Suppose you took away one half of them and increased the holdings of others, and gave them a more extended run of commonage. There is a great deal of commonage attached to this estate. It has been fenced in by gardens not as large as this room; according as they reclaimed it the rent increased in the same ratio as the reclamation.

14451. Your knowledge seems to go to this—that you think one half of the tenants might be migrated from certain localities with advantage, leaving in the other half the whole of the land?—Certainly.

14452. And that the half that went away could go to places where they would be better circumstanced than they are now?—Quite so, or helped to go to America with their families.

14453. By assisted emigration?—In families but not individuals. I have found that it is the able men and the young women who leave the country, leaving the old people at home. All this country must be worked by the spade.

14454. That is amongst the rocks?—Yes.

14455. Would it be spade labour in the bog land that we are speaking of?—All spade work. All through Connemara it is the same sort of land.

14456. I remember that in the Martin country near Ballymahinch we did not come on any story land. That is all wild bog and moor, with the mountains in the background—the Twelve Pins and another range.

14457. So that the land they would be migrated to is not bog land?—It is wild moor land never tilled by the hand of man. It is capable of being improved—a portion of it at least. Lord Lucan has a large estate in Mayo, 10,000 acres in his own possession, very improvable land.

14458. Lord Lucan's is good agricultural land?—Some of it is good, but a great deal of it which the people were removed from forty years ago is going back into a state of nature. Between Westport and Newport there is some land belonging to the Marquis of Sligo going back into heather.

14459. You don't mean on high mountains?—They are not high mountains on the road from Westport to Newport, but there is a good deal of peat land.

14460. You don't propose that those mountains should be used for the purpose of removing the poor people to from the congested districts?—No; not the wild mountains, but along the brow and the foot of the mountains there is land that had been reclaimed in former years, and that is going back into a state of nature again—into heather and bracken. There could maintain a certain number of people, but what is required most to assist the people in these congested districts along the coast is some assistance for developing the fisheries.

14461. The President.—Before we leave the subject of waste land let me ask you would it be necessary to have powers of compulsory purchase in order to carry out that plan of migrating?—If the Government took the whole of the Berridge estate as an experiment it would pay. I would make it compulsory. He has done nothing for the land. It is in a state of nature as it was 500 years ago. I would buy an estate like that where the landlord has done nothing. I would make a compulsory sale of it to the Land Commission.

14462. Sir James Caird.—How many acres would you get of that estate that would be really useful and advantageous to the people in the congested districts?—I dare say you would get one-fifth of it.

14463. That would be how much?—The Berridge estate is 100,000 acres, which would give about 20,000 acres. Say one-tenth of the estate, so as not to be oppressive.

14464. Fifteen thousand acres?—Yes; that you have the mountain commonage.

14465. That would take a good many men?—Yes, it is the only cure for that district.

14466. Except emigration?—Except emigration; and you won't get the whole of the people to emigrate.

14467. You don't want more than half of them to emigrate?—The people will be increasing. They increase in a certain number of years again. You will have the same thing over again.

14468. Nothing but emigration will cure that?—Nothing but assisted emigration. But there are no wants. In Connemara and all the congested districts if the people fill and they have not enough of land, they starve; and that happens every day and year.

14466. It may happen in any year?—I find one great want in that district where the people are very ignorant and poor, and that is the want of seed for their farms. I think that it would be for the advantage of the State and for the good of the people of the country to make depots for giving good seed to those small farmers; along the coast you have contraband depots at distances of every five or ten miles, and also police barracks through the district. These might be made depots. I would give potato seed and grass seed to the tenants to purchase at a cost price. The experiment would be worth trying, because they are so backward; they have no means of getting seed. Then they require all along that coast, harbours—not so much large harbours as small piers for their small fishing boats. They live by fishing—they live, rather, in two ways, actually—by emigrating to England and earning the rest, and by fishing. The land is not able to support them independent of those means. Another matter in connection with that is, that in the National schools they might be taught how to make nets and helped in that way.

14470. Mr. Neligan.—You would extend technical education?—Technical education. I would teach them how to make nets. All along that coast, round by Mayo and Sligo, they have no idea how to make nets.

14471. They could not make them so as to compete with the Scotch nets?—At all events, if they got the materials at cost price it would be an advantage. Then there are the Islands of Arran.

14472. That is a district we have heard nothing about?—There are three islands about thirty miles from Galway. The largest, called Inishmore, is six miles long by half a mile across, and contains 1,500 statute acres. Inishmurray, the middle island, is three miles long by one and a half miles across, and contains 3,250 statute acres. Inishbeg, the south island, is two and a half miles long by one and a half miles, and contains 1,400 acres. The total acreage of the three islands is 11,000. The population is 3,100, and the rental is £23,100. The people are very primitive. The rental was reduced about forty per cent. The land is now limestone rock. It slopes from the north-west to the north-east, and the people live in hamlets along the north-east coast, which is the sheltered side. The old Irish agricultural system is still in existence there. The land is divided into townlands, connagies, carrows, and carrows. A carrow is one sixteenth of a carrow, which is one-fourth of a carrow. There were no arable lands when the Land Commissioners went there—the people knew nothing about the English system. The nearest approach to it was a carrow of four statute to twenty-six statute acres in a holding. The quantity varied according to the locality and the quality of the land. The rents varied from 50s. to 84s. a carrow or holding. These holdings in time became subdivided. We found some of them subdivided into six and seven parts, so that it became very complicated. What they call the gardens or tillage portions of the land are patches not much larger than this room in the sheltered nooks of the rocks, enclosed by walls of from five to eight, and sometimes ten feet in height, to protect the soil. The soil is all artificial. It is got from the crevices of the rocks and the sea sand raised. So that the land varies; it may be barren rock one year and a new garden next year. The soil is composed of sand mixed with a material called murrey—a vegetable mould found in the crevices of the rocks.

14473. Bottom seaweed?—No; it is a kind of stuff formed by the rotting of vegetable matter—fern. There is no peat in the islands. It is all turn rock—as here in the table; and this material is a mould formed by decayed vegetation between the crevices of the rocks. The rocks are tables of limestone belonging to the glacial period, and divided by crevices, in which a vegetable, including the maiden hair fern, grows luxuriantly. They make these gardens artificially. In windy seasons the crops all fall, because when the people have no soil to support it and touches the rock it dies away. That happened last year. They have no fuel except what they get from Connemara.

14474. Sir James Caird.—Have they no means of watering the land?—There are dripping wells but no streams in the islands. There are these dripping wells from the rocks; I have seen the people form in lines and take the water in turn. They rear a very good class of stock. The climate is so mild that they can feed them out in the winter, and they rear a very excellent quality of calves and cattle. But they are always liable to periodical famines when the potato crop fails; and they have very few harbours. They have a harbour on the large island; but they have practically no harbours on the other two.

14475. Then a dry year is the most dangerous to them?—When we have good crops inland they have no crop, because their land is too dry. They require what is called a "dripping" season, which is absolutely necessary for the potato crop. The people are primitive. They all speak Irish; they manufacture their own clothes and flannels; but they do very little in the fishing way, although the sea is teeming with fish. It is excellent ground for lobster; but while I was there they had not a single lobster pot on the island, until they imported some. In former years they made their rent by burning the seaweed for kelp; and it was proved before us that they sometimes made as much as £3,000 a year from kelp; but that trade has failed them. The only remedy I see for their chronic state of poverty is the development of the fishing industry.

14476. The President.—They have no harbours except on the big island?—They have harbours on the big island—a small harbour for boats was made on the middle island last year.

14477. Mr. Neligan.—In some months is not the harbour bad?—I have been there in a storm myself, when the boats have had to run from the harbour. Sometimes they are for days without communication with "Inland," as they call the mainland. I have been myself living on the island for three weeks. In an archaeological point of view it is a most interesting place, full of old ruins dating so far back as the 6th century—cells and oratories.

14478. Sir James Caird.—Is it supposed to have been a place of early Christianity?—Oh, yes; in the early days of Christianity it was full of religious orders. St. Endlin was the patron of the island. There are also the most magnificent ruins, belonging to the baronial times, of stone forts that I suppose exist in Europe.

14479. The President.—Danish?—No; pre-Danish. They were a protection against the Danes. We call them "Danish" forts, but they were a protection against the Danes and Northern invaders.

14480. Sir James Caird.—What is the population of the islands?—3,100. The rental of £23,100 was reduced by 40 per cent. The history of the estate is this. It was granted in the Cromwellian period to Erasmus Smith. Sir Stephen Fox and his successors sold to Dugby, Bishop of Elphin about the year 1740, who purchased the islands for £8,200. At that time there was the outstanding interest of a millowner in the islands—O'Haherty, the owner of Connemara. A further sum of £2,000 was paid for his interest, so that the whole island cost £10,200; and the rental we found was £2,100. That rental was fixed in the early part of this century.

14481. Mr. Neligan.—Who are the present landlords?—The present landlord is the Hon. Kanelin Digby, a step-brother of Lord Howth, who succeeded his aunt, Miss Digby. His name is St. Lawrence. He is the son of the late Earl of Howth. His mother was a Digby, a sister of the owner of the islands, who was a maiden lady and died unmarried. I have nothing to recommend about the Arran Islands except the development of the fisheries, the building of harbours, and the seed depots. That applies to all the congested districts.

14482. Sir James Caird.—Do the people emigrate?—No, not much.

14483. Does the population increase?—They increase considerably I fancy. They marry and intermarry

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amongst themselves. They are a very fine race of people. I cannot say as to the exact yearly increase.

14484. Then the population is increasing?—I should say it is increasing.

14485. Without any increase in the produce?—No possible increase of produce, for the islands won't give any cereal crops.

14486. But they are a fine race?—They are—very fine. The men are very fine-looking.

14487. Have they no crops?—Practically nothing but potatoes. They grow some oats and rye. They never eat animal food. They sell all their cattle.

14488. Do they live solely on potatoes?—They live solely on potatoes and fish. They have canvas made of wicker-work and canvas, which are the only sort of boats they have. There is one man on the island who has got a hooker. There are two priests, a doctor, and a parson, on the islands.

14489. Are they healthy?—Very healthy—a remarkably healthy fine people.

14490. Mr. Nilgives—I have heard that there never was a case of cholera there.

Witness.—It is a most healthy island, with a beautiful climate—at least a very mild climate.

14491. The President.—Except when they have a famine?—They die of famine fever when they have not food sufficient.

14492. Sir James Caird.—Mr. Tuke has done a good deal to assisting them?—He has all along the coast. I don't think he was on the Islands of Arran, but he gave them assistance. He was on Inishobinna, Inishurk, Clure, and Achill Islands. I can give you some information about Achill Island. It is all bog, moor, and mountain. They have no limestone.

14493. What is the population of Achill Island?—About 4,000.

14494. Then it is larger than the principal of the Arran Islands?—It contains 35,000 acres. Achill Island is thirty miles north of Westport, and the Arran Islands are in Galway Harbour. Achill Island is outside Clew Bay, in the Atlantic.

14495. What is the character of the land on Achill Island?—All bog and mountain. I will give you a short history of it. It is only about a mile or so from the mainland; but it is quite outside of Clew Bay. Achill Sound divides it from the mainland. The history of the rental of the island is thus. It was sold to Mr Pike and the trustees for the Irish Church Mission in 1833, by Sir George O'Donnell for £18,000. The rental then was £800 a year. The rental in 1853 was £2,500 a year. The rents were increased from 1853 by the Church Mission Society who owns to convert the natives; and they were reduced by the Land Commission to £1,100, being 55 per cent. The English public—the charitable public of the United Kingdom supported them last year. The potatoes failed and they could not support themselves.

14496. The President.—They still belong to the Church Mission Society?—Yes, and to Mr Pike. Some small portions of the island belong to other proprietors, but it practically belongs to the Irish Church Mission.

14497. Sir James Caird.—Are they solely dependent on potatoes?—Solely, except they emigrate. They go to England.

14498. The President.—Have they no cattle?—They have cattle, but they are of an inferior class. I saw them at fair in the county of Mayo last year, and they were miserable. People from the island drove cattle twenty-five miles to a fair, and did not get a bid for them, and had to drive them back again.

14499. Sir James Caird.—The island is totally different from the Arran Islands?—Totally different in quality; it is all bog. If the two islands were united, both could get on—if they had limestone to improve the land and if the Arran Islands had their turf and bog. Eagles build their nests in the mountains which are over 3,000 feet high.

14500. Are the people not so well off as those on the Arran Islands?—Oh, they are miserable. I

think the people on the Arran Islands are the best off of the two.

14501. The President.—They are not a very healthy looking people?—No; they are a different class of people.

14502. Are they worse off than the people on the mainland?—There is a good deal of land of the same quality close to Achill Island.

14503. Sir James Caird.—Having regard to the great risks they run, one year with another, from the failure of the potato crop, do you think that the money of the State could with any safety be advanced in the purchase of such property?—Well, by assisting them by public works and by running railroads to the coast.

14504. I am speaking of buying the estate out and out from the landlords in order to make the tenants proprietors of it under Lord Ashbourne's Act?—I do not think so. The land would not support them.

14505. There is no security?—I don't think that the land was given to these people free of rent, they could exist without assistance from outside—without assistance from fisheries and other means, such as going to England. If they had to live on the land they could not exist. I will give you some information about the amount of rent they pay. Our Commission sat in Westport, and we had to go to the Island of Achill to fix some rents. We got a man way on the mainland, but could not cross in consequence of a storm, although it was only a quarter of a mile across. The people came from the Island, therefore, in order to have their rents fixed. There was practically only one man whose rent we could fix. His rent amounted to 10s. 7d. He asked us to reduce it by 2s. 6d. The landlord consented that they fought for an hour. We had to visit his holding and we did reduce his rent by half-a-crown; but it took three members of the Commission three days and it cost, I suppose, £40.

14506. The President.—Was it a test case?—Not at all. It was one of some cases remaining. The rent had been practically fixed before. It shows that the Land Act did not apply to a case like that. It was waste of power.

14507. Was it the Church Mission that raised the difficulty?—It was not on the Church Mission estate. It was on a small estate on the island.

14508. Sir James Caird.—Is there any fishery to develop there?—Oh, yes, but the fishery there is not better than the Arran fishery; and it is very easy to make harbours there.

14509. The President.—Emigration would be a good thing for them?—Emigration would assist them.

14510. Sir James Caird.—Is there a lobster fishery there?—Yes.

14511. Is it good?—All good; but there is no use in catching fish for you have no means of preservation. The fishery may be thirty or forty miles from a railway station, and there are no means of bringing the fish to it. The same thing applies to Clure, which is fifty miles from a railway station. I saw the fish fish in kippers there thrown to pigs. There is no means of transport.

14512. Do none of the large fishing vessels come round?—The coast is so wild and it is such a dangerous coast; there are no harbours. All round the coast by Svyre Head there are practically no harbours, and it is a most dangerous iron-bored coast. The water is deep, but there are hidden rocks and shoals, and if a storm comes on suddenly from the west the boats have no harbour to run to unless to Westport, or Galway, or round to Sligo, or the Shannon, which is a hundred miles off. A steamer does go round the lobster along the Galway coast. I bought the first lobster for 1s. and 4s. 6d. a dozen.

14513. If you allow me I will give a few examples as to the necessity that existed for the Land Act of 1881, which came under my notice as a Land Commissioner. They show the necessity that there was for the State to interfere. I will give you the

or ten instances of properties that came before me. There was a property in the Queen's County which was purchased in the Incorporated Estates Court, in the year 1851 for £1,760. It contained 715 acres, and the rent was £445. That was about four years' purchase; but there was an outstanding annuity to be paid for some years by the landlord. I came on the property to fix a fair rent in 1852. The rental then was £1,150—it had been raised to that. We reduced the rent thirty-five per cent. I should say that there had been money spent by the landlord under the Board of Works; and in that way 150 acres had been improved by the landlord; but the rent was out of all proportion to the value. The judicial rent in 1882 was made thirty-five per cent. under the old rent.

14513. The President.—Do they find it hard to pay that now?—I should say so. There was another case where a landlord, Mr. John George Adair, purchased as a speculation a townland in the Queen's County, in 1845 for £10,540. The rent was £450 in 1865. Lord Digby, who held an adjoining property, a very considerable property adjoining this townland, was anxious to purchase it in order to square a portion of his property; and the following year he gave £32,500 for it to Mr. John George Adair, who had raised the rent to £1,090. There is a peculiarity about this case. Many of the tenants refused to pay this increased rent and had to go out.

14514. Sir James Caird.—Raised in a single year?—Raised in a single year, between 1865 and 1867 it was raised. This evidence was given on oath in court and not contradicted by Mr. Adair, who was present. Many of the tenants refused to pay this increased rent which was double their old rent. Mr. Adair agreed with Lord Digby that he would take a lease so as to become a middleman on the estate, thereby securing the rent to Lord Digby, and that he would make the tenants pay him—that would be his look-out. These men had to pay the rent or go out. Some of them were put out. Others paid the increased rent. We reduced them over 35 per cent. That was in 1882. The rents have been raised a good deal since now—by 50 per cent. The Court of Appeal, I may say, on the evidence reduced it further, although Mr. Adair appealed from our decision—they brought it down considerably. There are some within my own knowledge in which I acted as Commissioner.

14515. Is Mr. Adair still there?—He is dead. His representative is still paying rent to Lord Digby. He was a very remarkable man. He was a terror to the country, but he acted very fairly to men when they paid him; but he put up the rent to the commercial value of the land—that is to what he could get for it. His rents have been considerably reduced since. The middleman is paying rent to Lord Digby, who will be the landlord when the lease drops. In the County of Wicklow there is a small estate which was purchased in the year 1852. The rent was then £505. In 1882 when we went there we found a rental of £610. We reduced it 37 per cent. The district is a very poor one. At present, under Lord Ashbourne's Act, one-fifth of the purchase money is retained in trust as a security for the instalments—a guarantee in deposit. I have heard and believe that this has a mischievous tendency. The tenants consider this deposit a sort of fund for a bad season that they will be entitled to repudiate portion of their annual instalments equal to the guarantee. They say the Government have taken means already to secure it for themselves; and they look on it as an incentive to repudiate that one-fifth of the instalment money when a bad year comes. They think it is a safety-valve the Government has left for them. Under the present state of things the Government have only the same remedy as an ordinary landlord. Where there is a very strong Government defect in the country that is nominated by the people—that is the Land League.

14516. The President.—Would there be sufficient security for Government if you did away with the one-

fifth deposit?—Having regard, in the first place, to my suggestions about debentures, I don't think it would be necessary, but if the Government thought some security was necessary I don't see why the local authorities should not give that security—that is assuming that dual ownership came to an end and all occupiers of land became owners. I think the local authorities might then give any security that was required, for the taxation would then be thrown on the occupiers, who are practically the people who would gain by the transaction. Under the present system it would not be fair, because the landlords, who have nothing whatever to say to the matter, would have to pay their share. But if there was compulsory sale the local bodies might give the security, because the result would be that if there were defaulting tenants it would be the interest of every tenant in the locality to make them pay up.

14517. Do you think the local authorities would be willing to undertake it?—We have an example at present. Under the Labourers Act they do it.

14518. It does not work very well?—I think myself the Labourers Act has been a great mistake; for the labourers have got the upper hand of the Land League, and they are forcing the farmers on, and there is a very bad time before the country on that account. The Franchise Act has given power into the hands of the labourers and artisans in the villages and towns.

14519. Mr. Nelson.—In point of fact they are the governing body?—The governing body in the country. I know it from clergymen who are presidents of the Land League, that the under stratum are the men in power.

14520. The President.—The thing to be inquired into is how far the local authorities might intervene to give security?—I would approve of it with a limitation. That is, supposing there is to be compulsory purchase, and that the tenants are to become owners and the landlords to be got rid of. Then I don't see why they should not go security for one another. If there should be a defaulting tenant they could then make him sell his interest. It would be their interest to do it. If you take away the landlords' property and expropriate them why should they give security?

14521. Sir James Caird.—You acted as a Land Commissioner for the fixing of rents for several years?—Yes.

14522. May I ask you whether in estimating the rents of that time you took into consideration the average prices of previous years, or in any way had a view to the possible still further fall of prices?—I may say for myself that I took an average of the preceding five or six years, and I went on that basis. I could not prophesy how times might change and therefore I took an average of the preceding five years.

14523. Preceding 1882?—Preceding 1881, including 1881. I commenced in 1881 as a Land Commissioner.

14524. The average prices of those five years were considerably higher than those of the past five years?—The average prices were higher than those of the last five years.

14525. And still more so than those of the last two years?—Yes, and than those of this year in particular.

14526. The President.—Do you think fifteen years too long?—I do; I think it is impossible for any set of men to anticipate. We could only judge from the past.

14527. Sir James Caird.—Have you considered any mode by which it would be possible that prices should equalise themselves according to the annual value of certain principal products of the country?—I don't think it would work in this country. It might have worked years ago. It would not work now. Things have gone too fast. The dual system in my opinion cannot last. There is not room for the two classes in the country, when contracts cannot be enforced.

14528. Until the Act of 1881 the system which the people themselves desired was that of the *thru "P's"*—They desired that system, and the farmers clubs of that time wanted a sliding scale, but I for one was

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always against it because I am undermind the scale always sliding down, but I never could see how it would slide up.

14522. That is, that they would not be satisfied to pay a higher rent when the scale went up?—No. In a pamphlet published by me at that time I said, referring to a sliding scale, "A varying rent would leave room for future agitation. Periodical valuations, it is asserted, would be favourable to the landlords. Anyone delving deeper than the surface of this movement must know the contrary. A certain income is preferable to an uncertain one. Will it not be easier for the tenant to show the necessity for a reduction in his rent than for the landlord to prove his claim for a rise. Constant quarrelling would be a natural result. A fixed rent liable to be extinguished gradually by purchase would increase the tenant's interest in his holding, and thus increase the landlord's security."

14530. The President.—That would apply to the fair raising of rent under any circumstances?—Yes. I think renters have come to that pass that it will be impossible ever to raise rents in this country again.

14531. Sir James Caird.—Still if everybody got satisfactory prices would there not be a new competition for the land?—If you could settle the agrarian question finally there would be a new competition.

14532. Would the three "F's" not have settled it finally?—I am afraid not, with the competition in the country.

14533. Can you not see your way out of the difficulty, comparing the rents you fixed in 1881 and 1882, and the prices of those periods with the prices at the present time?—I don't see clearly how the State can interfere.

14534. Do you see any mode except a produce rent?—I see no way out of it except by purchasing the landlords' interests and transferring them to the tenants.

14535. When that is done of course the tenants would be entirely dependent on prices; they would have nobody to go to but themselves?—Nobody; the survival of the fittest.

14536. They would be entirely dependent on prices?—They would altogether.

14537. If a produce rent were fixed they would be equally dependent on prices?—They would; but we have experience of how tenants have combined, and how they have learned to combine.

14538. Has not this combination arisen entirely since the continuous fall of prices?—It is very unfortunate, but it is so.

14539. Is it not possible that if we should have a return to better price combinations would cease?—Well, it may be so, but when once people have learned their power I hesitate in saying that they won't use it when it suits them.

14540. Isn't their power depending on their inability to fulfil their obligations?—Not altogether. It is, to a certain extent. There is a certain inability this year which is not quite over. There is a panic just now. One must not take a single year.

14541. It wouldn't be safe to do what I have said?—No, I think there is a kind of panic existing at present.

14542. There is no panic as to prices?—No, but about reductions. The tenants all think that we have not touched bottom, and that things will be getting worse every day.

14543. They would be running considerable risk, if they are right, in buying at present?—Yes; they think this depression will continue.

14544. And they would be safer under the three "F's"?—That is one of the obstacles to extensive purchasing. The landlords can be secured.

14545. We have found in evidence that the tenants themselves don't know how far the depression may go, and that they don't like to commit themselves to purchase?—That is so. It is different from when it was after the famine years. Things commenced to rise after the famine years and that made all the difference. But now they have been gradually falling year after year. There is a fall of twenty-five per cent., as I have said, in the price of butter.

14546. You haven't fully considered the question of produce rents further than that they might be fair if prices should go up?—I should not like to say anything in their favour in the present state of the country.

14547. The President.—I want to ask you about the labourers. Supposing that the tenants bought and became owners, and that the landlords were compensated, what effect would that have on the labouring class?—would they be better or worse off?—I am afraid they would not be improved.

14548. And you say that they are already becoming a great power and are getting discontented?—Yes.

14549. And that we should still have a great deal of agitation, and that it would be extended to another class?—I think so, my lord. I think that is before us.

14550. Sir James Caird.—Are not the labourers pretty well employed now?—I have been farming for 25 years, and during that time the wages of labourers here almost doubled. When I commenced farming 25 years ago I got labourers all the year round for 4s a week, and now I am paying 10s.

14551. Then the position of the labourers has improved?—Their position has improved immensely.

14552. And there is no discontent amongst them?—There is, because they have not got constant employment. There is a want of constant employment.

14553. Otherwise their condition is improved?—Their condition is improved very much.

14554. The President.—Are there many labourers in these parts?—I mean labourers who have no land of their own, but are entirely dependent on employment.—There are a considerable number. When I commenced dairy farming the highest wages of dairy servants were 30s. per quarter for three-quarters of the year, and now they are double that. The girls go to America as a rule, and we have to get girls from Kerry to this country to do the work.

14555. Sir James Caird.—Because the people who used to do it have emigrated?—Yes.

14556. Do you know the result of these emigrations?—have they been successful?—I had several sons myself—labourers—and they have been most successful. They all went to the United States—not to New York, but to inland towns.

14557. Did they take to farming?—No, one of them took to farming. They got employment of one kind or another—some in large establishments, and others in gardens. They are all doing well and send for their families.

14558. And get them over?—And get them over. They have sent a great deal of money into the country as you are aware for the last 30 years.

14559. Then we may take it that they have improved their condition by emigration?—Certainly.

14560. Do you think that in the congested districts it would be advantageous to assist emigration?—I think so to a certain class if you could get them into the country districts of America; but I know it is the ruin of many who go into the large towns.

14561. The President.—Is there a great wish on the part of the labourers to get a bit of land of their own?—Oh, the greatest possible anxiety; and they are getting it. They are getting half an acre, and a scotch in this union they pay a shilling a week, and the employers have to pay the difference.

14562. I don't mean an anxiety to get half an acre but to become tenant farmers?—It is their greatest ambition to become tenant farmers.

14563. How are they to get the occupation of it if it is all sold to the present occupiers?—It makes very little difference. Land cannot be transferred without money. Labourers have not got the money to purchase the interest in the holdings, which in this county range from 6 to 16 years' purchase on the estate I manage myself.

14564. That is entirely since the Land Act?—Entirely since the Land Act.

14565. There was no tenant-right before that?—No, some estates it was conceded at.

14566. Sir James Caird.—It is the half acre attached to the cottage generally good?—It is generally good land. The Government inspectors are very particular

about getting a good piece of land, well drained and not in a bad situation. It must abut on a public road.

14567. Mr. Neligan.—A disadvantage is that the landholders fixed on a township four or five labourers who are independent of him and over whom he has no control.—As a matter of fact many farmers are willing to build labourers cottages for their labourers but they are not allowed to do it. The labourers prefer to have cottages under the hands of guardians, because then they are perfectly independent of the farmers. He may be on the farm but he is not bound to work for you.

14568. It becomes a monstrous abuse.—Oh, a great abuse. I look on it as a serious matter for the taxpayers of the country.

14569. There have been £40,000 put on a union that I know of.—There is something like £160,000 to be spent in this union. There is another matter which concerns the peace of the country. I am in favour of creating a large yeomanry class who would in the lapse of time become Conservatives. I don't want small men but men of £50 valuation and upwards. That is one of my reasons for suggesting about the landholders.

The President.—I think when we have your ideas more fully detailed in writing they will be very useful to us.

14570. Mr. Neligan.—You speak about admitting landholders to the Act of 1881—have you turned your attention to the question of town parks?—Well, I had to consider that matter when I was on the Land Commission.

14571. Have you formed any opinion with reference to them?—I think some of the decisions of the court rather hard on residents in small towns.

14572. Would you make any suggestions with reference to them?—The only suggestion I would make is that a certain discretion should be given to the Land Commissioners with respect to them.

14573. It has been suggested that town parks should not be recognised except they are near towns of not less than 1,000 inhabitants.—I would not have any land and that line of that sort. I would leave it very much to the discretion of the Commissioners.

14574. As it is at present?—There is very little done at present.

14575. With reference to the opening of leases to the benefit of the Land Act would you say that when a lease for three years or more has been converted into a perpetuity it should be allowed in?—I do not think perpetuities before 1870 can be safely interfered with.

14576. The question is a serious one?—I have not considered the question.

14577. There is an immense tract of country held under these agricultural leases—have you turned your attention to them?—I have never done so. The leases that have become present tenancies.

14578. You confine your evidence to terminable leases?—To terminable leases. My own opinion is not favourable to admitting leases of every kind.

14579. With respect to compulsory purchase have you ever considered the question as to whether it should be applied not only to the leases you have described, but also to estates encumbered for their full value, and as to whether the circumstance of a proprietor being resident or non-resident should in that case make any difference; in the case of an estate encumbered for its full value is there any object in preserving the proprietor's rights?—I should say not.

14580. You would place in the category of compulsory purchase, first corporations and then non-resident landholders, would you add estates encumbered to their full value?—Certainly.

14581. The President.—But in the case of non-resident landholders, only those having a valuation over £501—All tenants.

14582. Where the landlord is resident would you make the purchase of tenants under £20 in value compulsory?—No, I exclude the property of resident landholders.

14583. They are only to be compelled to give Section 5 to their big tenants?—Yes, unless they wished.

14584. But they are only to be compelled to change

the lease of their big tenants?—Into perpetuities at a fee-farm rent. The only compulsion should be on non-resident landholders.

14585. "Non-resident" landholders would be those who did not keep a residence in the country?—Quite so.

14586. You have had a great deal of experience as a Commissioner of several counties. Was it the practice of your Commission to put rents on tenants' improvements?—We were bound by the decision of *Adams v. Durness*; but certainly we avoided to the best of our ability putting rent on tenants' improvements. I look on the decision in *Adams v. Durness* as most unfortunate for the working of the Land Act. The Act says that tenants' improvements are to be excepted. There are different classes of improvements of course. The judges killed the Act. Their decision, as a rule, were adverse to the spirit and policy of the Act.

14587. With reference to the fifteen years' term, what term would you substitute for it?—I disapprove of it. I think it is a failure.

14588. What term would you substitute for it?—My evidence is altogether towards purchase.

14589. In the event of compulsory purchase not being practicable and the present Act having to work its way, would you suggest any alteration in the term of fifteen years?—Five or seven years; but I think the same difficulty might arise.

14590. Of course it would?—For myself I would not suggest it, but as you have asked me the question—

14591. You have said that you disapproved of the term of fifteen years; I want to know what you would substitute for it if the thing is to be by term. It must be if there is no purchase?—Five or seven years; but still I feel that the same difficulty would arise. The dual system is a failure.

14592. You believe that you would only get falls in the rents and never rise, and that if you did get rise the rate would not be paid?—It was understood when we fixed the judicial rents that they were to be paid. Now they are not paid, and there is no means of making them to be paid. The fall in prices affects the whole thing; and along with that a certain outside pressure. Where men are insolvent in a locality it is their interest not to allow a solvent man to pay anything until they get a large statement themselves. They know that if the agitation ceased they would have to go. It is their interest to keep it on foot.

14593. Would you break the contracts of existing judicial leases?—I don't see any way as to how they are to be broken. Having taken part in fixing them I would be very slow to break them.

14594. You think that they might be converted into sliding scale leases, having regard to the prices which prevailed in 1882 and 1883 when they were fixed?—Yes, if they are to be interfered with.

14595. But you think it impossible to interfere with leases already fixed?—I think so, my lord. The only way is by estimating the amount of purchase money. If they were going to be made into perpetuities, and if a man considered the rent exorbitant he could agree to pay a less amount for the fee.

14596. I think you did not say how the price was to be fixed?—There should be some body to arbitrate between the landlord and the tenant. At present there is a great difficulty in bringing the two parties together.

14597. To fix the price?—To fix the price. There are volunteers doing that present, but no legitimate body.

14598. You mean that in a case of compulsory purchase you would leave the price to be fixed by a Purchase Commissioner?—By a Purchase Commissioner. I would first start with at least twenty years' purchase, and they should show cause why they should not give twenty years' purchase.

14599. Mr. Neligan.—That is twenty years' purchase on a fair rent?—On a fair rent.

14600. Mr. Neligan.—If you were called on to fix those judicial rents now that you fixed from the passing of the Act of 1881, taking the low prices of produce into account, how much additional reduction would you give?—Really I could not give you a straightforward answer to that.

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14601. Well, as nearly as you possibly can, taking everything into account—the whole price of produce!—I have said from my own calculations that there must be a difference of about from twelve and a half to fifteen per cent. in the prices since 1881, but we may have a rising market next year.

14602. We have the testimony of other gentlemen who acted on the Commission; I want yours!—Going into that question is most unfortunate at present. Where rents have been fixed on an estate already, a few tenants remain on that estate requiring to have their rents fixed. They came before the Land Commission when there is a panic, and they got reductions of fifteen per cent. more than their neighbours, which spoils the whole settlement on that estate, and fosters discontent in the country.

14603. Supposing you were commencing now to fix the rents over the whole country!—I should go by the average of prices of five years.

14604. And that would reduce rents by fifteen per cent.—From twelve and a half to fifteen. But I think it is a mistake to fix rents at present in isolated cases, which tend to undo the work of the Land Commission for the preceding four years. This, however, is the fault of the system, not of the Land Commissioners.

14605. In reference to a question put by Judge Nelson, there was a class of leases under the Church Act in which the tenants were compelled to take out

perpetuities. Would you allow those to stand as they are?—It is a matter I have no knowledge of. The only suggestion I would make is that the interest on their purchase-money should be reduced to the four per cent. that they are offering now under Lord Ashbourne's Act.

14606. These were ordinary agricultural leases. They are perpetuities.

14607. They were forced upon the tenants under the Church Act!—I know there are a great many cases of hardship. It may be a matter for consideration by the Legislature; but I myself should not like to express any opinion about disturbing perpetuities.

14608. In the case of ordinary leases you would have no objection to do so!—Where they become present tenants under the Act of 1881. That Act provides that ordinary tenants on the lapse of their leases shall become present tenants. It does not make leases in perpetuity present tenancies of any kind. I am only working out the Act of 1881. The other would be quite new legislation.

14609. Under the Church Act they were compelled to take out perpetuities!—I have no doubt of that, and I have heard that their rents are too high and their instalments too high. But I have not personal knowledge of the subject, and don't like to give an opinion. The opinion I have given to-day is in matters within my own personal knowledge, and which I have thought over.

Mr. William
Spright

Mr. William Spright examined.

14610. The President.—You see a landlord!—Yes. 14611. And are accustomed to valuation?—If I were to value for all the tenants round me who ask me to do so they would keep me employed for a whole year. I hold as tenant also to a large farmer.

14612. Do you hold under a judicial lease?—No.

14613. Under a lease?—Both my terms are under leases as tenants.

14614. You know other cases of landlords who hold under lease?—Well, I give leases to two of my tenants whom I wished to serve. On the passing of the Land Act, when I read it I thought the leases would be a disadvantage to them, and therefore I sent for them and told them I would take the leases back, as I thought they would be better without them.

14615. Were they glad of it?—They were very glad. It ended in an arrangement for a big abatement ordered on the leases, and they said they would keep them.

14616. Do you see any reason why landlords as a rule should not be admitted to take advantage of the Act of '81?—My opinion is that they ought to have been the first parties admitted. I always thought so.

14617. With regard to perpetuity holders who held perpetuities since 1871, do you think there are any cases in which they ought to be admitted to take advantage of the Act?—The only perpetuities I know are under the Church Commissioners. They are at a moderate rate; and testing them by present values they would not be reduced.

14618. You see no reason for interfering with any of the perpetuity holders?—Not that I am aware of. I may say I have no experience. I had two myself under the Church Commissioners. I was the occupier of one, and I bought it under Lord Ashbourne's Act, paying twenty-five years' purchase for it, and the other I would be very glad to buy if they would make a change in the law which would give three-fourths where it is occupied by a tenant.

14619. Can you give us any information as to the working of the Act of '81?—Some four or five of my tenants—hold a dozen of them, perhaps—brought me into the Land Court. One of them was a tenant on my father's death, in 1862, and complained that the land was dear. I allowed four of them to fix their own rents, and every one of the four brought me into the Land Court.

14620. Did they get further reductions?—The first was a woman who reduced her rent from £39 to £33. I recollect as if it were yesterday that her expression

was, "I would pay you with pleasure the £38 for me." She was the first that brought me into the Land Court. They "lived and thrived," as Judge O'Hagan said, and so finally of tenants did better than those in the barony. I made a desperate fight before the Commissioners to get back my old rent, as I thought it was only fair I should. However, the Commissioners said they would not alter the rents the tenants had put on themselves, and they left her at £33.

14621. Have you had much difficulty in getting your rents, lately?—The son of that woman asked last year and got the farm. He is the blackest and wildest fellow I have, and would not pay me if he dared; but he knows that if he did not, I would send him out. He is doing better than his mother. I walked the farm the other day, and there is not a fine of thirty Irish acres in Munster, or out of it, that the tenant is doing better on. It is bustling with stock of every kind, and of a good class. The only thing he wanted was grass, of which he was short.

14622. Has he not paid you?—Well, he hasn't, but he will. I only laugh at him, when he promises and says he has no money. I offered him 38s. a piece for his whole crop of lambs. I have lambs on land, at £4 10s. an acre, and they are not as good as those on that holding, which he has for 28s. the Irish acre.

14623. With the exception of him are you getting your rents fairly?—Well, I have not had a refusal from anyone. They are all paying me fairly, or arranging.

14624. Have you given any abatements?—I would not give abatements on judicial rents, except in the case of one crochety poor old fellow, who lost his children, and who brought me into the Land Court. He was one of those who fixed his own rent, and he fixed it at £18. He brought me before the Chairman of Quarter Sessions, who, to show his sympathy with the tenant, took £1 off. That poor old chap lost a couple of cows in each year of the last two, and when he was paying me I allowed him £5 out of his judicial rent. That is the only case in which I took anything off a judicial rent.

14625. Do you see no reason why the tenants who here should not pay their judicial rents, even in their times?—Well now, I know another townland which was bought some twenty years ago by a poor relative. The rent was then reduced twenty-five per cent. on the whole of the tenants. They all entered into a combination to seek another reduction. I sent one of them the other day and said—"How is it that you

learn the necessity to seek for another reduction, and put them burning with produce?" It is on the public road to Kibboko, and the potatoes, turnips, and are an splendid crops. He made excuses about not being dear, and a servant boy being dear. I said I would be satisfied with a very little. That man could pay the rent three times over. This very year he rent was reduced from £42 to about £30. Every tenant on that townland is comparatively well off. They could pay, without difficulty, if they were inclined.

14634. Is there much combination against paying?—Well, I think you know, if the agent were energetic they would pay at once. If he went to them, one by one, and said, as I do to my fellows—"pay you must, or I will make you"—they would pay cheerfully, and they are very well able. There is a townland adjoining belonging to Dr. Twiss, an unhappily circumstanced property. Half of it is left to four or five ladies, and the doctor has the reversion; and it is in Chancery and managed through the Court and a receiver. It is a bad, wet, rushy townland and some of the people are badly off. They got their rents reduced by the Land Court and entered into a combination not to pay. The extraordinary part of it is this. He has 304 acres of what is known as pullagh. This was a great advantage to the people in my neighbourhood, because they got the meadowing by auction and overlooked for the money until the 25th of March; so that it was a great public advantage to all the poor for five or six months round. These men adjoining this, who would not pay their rents, when the rate of the meadowing were called for, stuck up notices of boycotting, calling on everyone to avoid them and take notice of his meadows, so he would not give the tenants a reduction.

14637. Mr. Nelson.—Were the notices successful?—They were.

14638. The meadows were not taken?—Not an inch of them. These meadows set usually at from £5 to £6 an acre. The receiver offered me the whole meadowing at 40s. an acre. Nobody dared to take it. They would get into a row. I like to live in peace.

14639. Is there a great deal of uncultivated land?—No.

14640. No evicted farms?—No, not at all. I declined to have one myself. I had an eviction and put a tenant out last June. She would not come in terms, but I see by a local paper, the *Newspaper*, that she has advertised it. The peasant did everything he could to get her to give in. She refused and I ejected her for £79, three and a half years rent. I had offers from two priests, for their relatives, of £200 each, for the farm, if it could be sold with her consent. I said to the woman—your own son £79 and costs, I forgive you the whole of it, if you will only take the £200 and go away."

14641. The President.—Did she take it?—She refused at first. I wrote to the parish priest about the landlord of having offered her such terms, and her refusal to go, and I received a letter in reply. There was a letter from another priest offering £200 for the farm.

14642. Mr. Nelson.—What became of the woman; is she a widow?—She was, with seven children. I used to rear and maintain them, and give her a decent house that I had vacant; but she would not come. She told me a lie—that the priest would not let her. I wrote to the priest, telling him what she said, and there is his letter.

14643. The President.—I suppose eventually she will take it?—I saw the advertisement last night. The time for the redemption does not expire until the 15th of December.

14644. Is she the only one whom you have evicted?—The only ejectment I had these twenty years.

14645. Can you give us your views about the Purchase Act of 1885?—I bought a holding I had

under the Church Commissioners at rather a high price—25 years' purchase. They said they could not sell it for less. I have an adjoining holding set to a tenant for £230 a year; and I would buy that if they would allow me to buy it on the same terms—that is, I to pay one fourth in cash, and the Government to advance me the remaining three-fourths.

14636. Mr. Nelson.—Would they do it?—They can't at present. The idea struck me that it might be made a general rule that, where the land was good, and the price a fair one, the Government should advance to the landowner three-fourths of the purchase-money, the buyer paying one-fourth in cash. I would not do it on any other terms; and I would set it at any price in what they call the congested districts. But what I suggest is, that it would suit the land market if in all cases where a fair price was given and well-circumstanced land was sold subject to the approval of the Land Court, to give three-fourths of the price to all buyers of such land on their paying a fourth in cash. It would relieve the landowners and set a great deal of land free. But I would only do it in the case of good well-circumstanced land, and in no case except the buyer paid a fourth of the money down.

14638. Sir James Caird.—You mean that instead of the Government reserving one-fourth you would make the buyer pay one-fourth?—Exactly, in order to make the thing perfectly safe to the Government.

14639. The President.—In case he hadn't it he would have to borrow it from a money-lender?—The Crown should only lend the three-fourths; and any one who lent afterwards would do so at his own peril. The Crown would have the first charge. I conceive that if this were wisely administered it would cost the Government and the Crown nothing.

14640. Sir James Caird.—You would not advance purchase money in the case of congested districts?—I would not touch them at any price. They would never pay anyone. We have had experience of that. Look at all that had to be forgiven after the famine years, and from the jobbery and the rigour of those western unions, which are involved at this moment, and which spent all the money that they got from the Government.

14641. Mr. Nelson.—It was a great deal?—A great deal of money, and it was spent wastefully. A decent moral people were demoralised, and a parcel of idle worthless jobbers got the whole plunder.

14642. The President.—Do you think many of the tenants about here are anxious to become purchasers?—A good many of them are; but they are shunning about the price, my lord. I am trustee to my brother-in-law, and will mention a circumstance that occurred in connexion with a negotiation for a sale of his property. The tenants are all respectable, and one of them wrote a year ago, offering me twenty years' purchase. When they found that the owner was in difficulties and wanted a sum of money, they hung fire, and never answered my letter. The one concluded a sale at twenty years' purchase, but all the others think they can get it at eighteen.

14643. Mr. Nelson.—Is that on judicial rents?—The part that was sold was not under a judicial rent; but those who are offering eighteen years' purchase hold under judicial rents.

14644. The President.—It would be too great a loss to the landlord to sell at eighteen years' purchase?—Well, I think, my lord, I will make them pay the twenty years' purchase before I have done with them.

14645. Mr. Knipe.—If you can't get the twenty years' purchase will you take less?—I am not sure that I would not buy it myself.

14646. The President.—Even twenty years' purchase would be a loss to the landlord?—Well, you can't expect to get more.

14647. Are there many landlords in your neighbourhood who would take twenty years' purchase?—I hold a farm at a rent of £340 a year. I got it utterly exhausted about thirty years ago. It had been

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remained for ten or fifteen years. In every way possible as a large grazing farm, I have improved the land, and it certainly would feed half as many more cattle to-day than it would have done the day I took it. I have a lease with two lives still in being. When Lord Ashbourne's Act came in I offered twenty years' purchase to the owner. I have spent £1,500 at least in improving the land. He says he will sell it to me at twenty years' purchase on Griffith's valuation which is £35 a year above the rent at which I took it in that worn-out state. He said if I would pay him twenty years' purchase on Griffith's valuation he would "oblige me by giving it to me." These were his words.

14648. Mr. Neilson.—I dare say he thinks that eventually you will have to take it!—Very likely. I am very tough at a writing game.

14649. The Land Act of '81 will help you whenever that lease falls out—you will then be a present tenant!—Oh, I have two young lives in the lease. I got caught in another case where I am a leaseholder owing to a mistake made by myself and my solicitor on the expiring of a previous lease. I made a mistake and was caught, being peculiarly circumstanced. I had five or six hundred head of cattle and a corn crop, and they made me take a lease raising the rent from 30s. to 50s. The wet years of four or five years ago came on and the land produced nothing but rushes, and he would not abate an iota of the rent secured by a lease without a chance of surrender of 50s. an acre. They write asking me for it a month after it is due. It is about the biggest case of hardship that I know amongst leaseholders.

14650. Mr. Knipe.—You think the leaseholders have a grievance?—I do.

14651. You would recommend that they should be admitted to the benefits of the Land Act?—I think they ought to have been the first people to get it before any other tenants in the community.

14652. Have you not found it more difficult to make money by farming during the last few years than it was nine or ten years ago?—I have, because I have made none for the last two or three years. I have made a loss. I made no dividend a loss last year that I applied to the Income Tax Surveyor and furnished him with my farming accounts, showing the incomes and the outgoings, and that the result was a heavy loss. I farm in Clare, Limerick, and Tipperary about 1,260 acres in all. The result was that they struck out the demand against me under Schedule B. That was because of the low price of produce.

14653. And the additional cost of production?—The falling prices.

14654. Does it not cost you a little more to cultivate your farms than it did?—Labour is a little higher, but I don't find it a great deal. I am not anything of a tillage man. All my farming, I may say, is grass. It is wholly grass in Clare, Tipperary and Limerick. I had a few acres of turnips, followed by a few acres of oats.

14655. Does that include four years, or do you go further back?—Certainly, four years.

14656. Perhaps five years?—I think the six years began with us about 1880. I had no stored this year. I was tormented with rain.

14657. And you say that although you are paying a great deal of attention to your land, and cultivating it very properly, you find it impossible to make money by it?—I have.

14658. I suppose that would apply to tenants with smaller holdings than yours?—Well, the only tenants with me that are really hard hit are the tenants of what is called rushy land. They are in a difficulty, and could not get on if I did not help them, by employment, to enable them to buy food. I do it to them all.

14659. The low price of cattle has been hurtful to you?—Well, the low price of beef. I scarcely sell anything except what is fat.

14660. The people that rear the young cattle suffer severely?—Well, they do, but I consider that our cattle at the present moment are quite out of the running, in proportion to the price of beef and the present reduced and depressed state.

14661. Have you known many landlords in your locality to give reductions on judicial rents lately and this year, owing to the bad prices and the bad seasons?—I cannot say that I know it well. They are at war about it. On a townland near me, if I were manager, I would not give it. I heard that on the other side of me a relative of mine, Captain Southwick, has given some. But I have not much experience of matters outside my own business. In some few instances they have been given, and in a great many instances they have not. I have a man who is a very large land agent over ten or a dozen properties, and he told me the other day that he had got in all his November rents, and that he did not give a further reduction on the judicial rents.

14662. But does your own experience lead you to believe that it has been more difficult to collect rents this year and last year than it was for a number of years before?—Do you mean on my own estate?

14663. No.—your general experience?—I think it is generally more difficult. It is more difficult to people to make money.

14664. Sir James Colind.—Have you had any experience with regard to the lands sold under the Church Act?—Not, except my own.

14665. What did you purchase under the Church Act?—I purchased one farm in my own county from the Church Commissioners under Lord Ashbourne's Act, and I paid 25 years' purchase.

14666. Has that turned out well?—I only bought it about a year ago. I have paid two instalments. I have forty-eight years' instalments before me.

14667. You don't know whether the people who bought under the Church Act have been satisfied with their purchases?—There are no small tenants here under the Church Act, such as the large glens in the north—there are no holdings of the kind. I have another farm on a townland, which I would buy if they would give me three-fourths of the money at four per cent.

Mr. James
Frost.

Mr. James Frost examined.

14668. The President.—You are one of the landowners in this county?—I am a landowner, my lord, and I am a tenant, and also a land agent.

14669. You have chiefly got to do with judicial lease holdings?—Yes. Some of the people on the estates which I manage have gone to the court and had their rents fixed, and after some of them had settled their rents in court, I settled the rents of their neighbours, on different estates, at the same rate.

14670. Amicably?—Amicably—without going into court.

14671. Is there a difficulty in their paying the rents now, that were fixed two or three years ago?—There is, my lord.

14672. Owing to the low prices?—Owing to the low price of produce, mainly.

14673. Do you find that they are willing to pay in general, where they can?—I find them more willing this year than they were last year and in previous years.

14674. Mr. Neilson.—You do find them not so

14675. The President.—Have you been giving statements?—Yes, I have given an statement, even upon judicial rent.

14676. And where you gave statements were they affixed to meet you?—Yes.

14677. And you have done pretty well this year?—Yes, my lord.

14678. Mr. Neligan.—You receive a great deal of rent in various localities?—I do.

14679. The President.—And you hope to receive the rent?—Yes; most of the rent has been paid to us September.—1855.

14680. Were you obliged to take any steps against those who had not paid?—In a few cases, my lord.

14681. You were obliged to evict?—No, I did not go as far as that. They have settled.

14682. Do you think the combination against paying rent is diminished?—I think it is.

14683. And that the Land League is getting less of the people?—I think so; that is observable. There was more disposition last year to oppose the payment of rent than I notice this year.

14684. What amount of statements did they get?—Fifteen per cent. on the judicial rents.

14685. Are most of the landlords and agents, in the neighbourhood of the different estates you manage, holding in the same way?—Yes, a good deal of them, not all of them.

14686. And the tenants are paying to them also as well as to you?—They are.

14687. Have you turned your attention to the Land Purchase Act?—I have.

14688. Have you been concerned in any transactions connected with it?—No.

14689. Do you think that on the whole the tenants are anxious to buy at fair prices?—I think they would be very willing to buy.

14690. And are the landlords inclined to sell?—Not where they have good tenants.

14691. Do you think it would be for the advantage of the country that the tenants should buy?—I think it would.

14692. And do you think the thing would work itself by degrees—would the landlords part with their land under Lord Ashbourne's Act?—I don't think they would where they have good tenants. I don't think they would ever to sell to that class of tenants.

14693. Are you in favour of compulsory purchase?—The system would scarcely work otherwise.

14694. How would you arrange about the price?—I would make the judicial rent the groundwork for fixing the price, which I think should be 30 years' purchase on that judicial rent, less certain outgoings which I shall mention just now.

14695. Would you give any discretion to the Purchase Commissioners to make any alterations if they thought fit?

14696. Mr. Neligan.—As to the guarantee deposit, or anything.

Where—I think the purchase and sale of the land should be conducted under the eye and under the care of the Land Commissioners, or some such body; or that they would review any cases in which an appeal should be made to them. I consider that that would be fair to do.

14697. Sir James Caird.—You were going to tell us about outgoings?—I was going to say that I would make the judicial rent the groundwork of the valuation; and assuming that that judicial rent would be worth 30 years' purchase, there are certain things going out, for instance quit rent. There is tithe-rentcharge, which generally amounts to 4 per cent. upon the valuation; and the landlord's portion of the poor rate amounts to about 5 per cent. Then there are the agency charges for collecting, which amount to another 5 per cent.

14698. The President.—The whole would come to what?—I think to about 3 years' purchase, my lord, and that would leave a net purchase money of about sixteen years.

14699. That would be a loss to the landlord?—No, because he has to bear that loss at this moment where he employs an agent.

14700. Seventeen years' purchase on the net rental would be a considerable loss?—I would put it this way?—Suppose a farm with a judicial rent of £700 a year. Out of that £160 there are deductions of £15 for the reasons I have just mentioned, leaving about £585. That multiplied by twenty, gives seventeen years' purchase on the net rent.

14701. Mr. Neligan.—The result of that would be that the landlord would get only £58, where he had been getting £100?—No, but £74.

14702. He would be getting £58 in place of £100—seventeen years' purchase on the net, or twenty on the gross?—He would get £1,700.

14703. The President.—He would be a considerable loser, investing that money at three per cent.?—Oh, he would.

14704. Mr. Neligan.—Supposing he got four per cent. for his money, his income would be £58 a year?—Quite so. At the same time we are assuming that he would be able to invest it more profitably than at three per cent.

14705. Sir James Caird.—There would be no bill for a reduction of rent afterwards?—No, he would not have had tenants or his years. I am not sure that he would not be better off.

14706. The President.—You would not be sorry to get the landlords out of the country altogether?—There are many of them already gone.

14707. And as to the reasoning how it would be no matter—you don't think it would be an advantage to have them in the country?—Oh, it would be an advantage to keep them at home.

14708. Do you think that if they kept their demesnes they would be willing to reside in the country if they had sold all the rest?—I am perfectly certain that they would if they had their homes. A great deal of them have a certain quantity of land in their own occupation.

14709. You would be sorry to lose all of them?

14710. Sir James Caird.—There would be nothing left for any jarring between them and the tenants?—Nothing on earth.

14711. The President.—Have you any other suggestion to make about purchase?—Except that any arrangements between the landlords and the tenants about purchase ought to be carried out by mutual persons as the Land Commissioners. It would be necessary to have them to arrange about drainage where there are main watercourses going through the country and embankments along rivers.

14712. Mr. Neligan.—Wouldn't that be a great difficulty in the way of the general purchasing of the country?—It would not be so much as you would suppose at the beginning with so large an expenditure. The embankments along the Shannon are estimated at so much a mile; and it would be very easy to distribute that amongst the people whose lands are benefited.

14713. Would you leave that still a charge on the lands, or should the landlords buy it out and out?—It would be very hard to make them buy it out and out?—I would leave that matter for the tenant.

14714. Wouldn't you still leave that as a matter to be borne by the land?—Certainly.

14715. The President.—Who would manage these matters as to making drainage, embankments, &c., if the landlord's hand were removed?—I think the county surveyor could do it in each county.

14716. Mr. Neligan.—It would require the creation of some county staff?—Most certainly; and under the control of a man like the county surveyor it would be very well done.

14717. About leaseholders, Mr. Frost—at present they are excluded from the Act of '81?—We are all of opinion that they ought to have been brought under the operation of that Act.

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Mr. James
Frost.

Nov 5, 1818
 Mr. James
 Frost.

14718. That is your opinion?—Every one that you speak to in this country is of that opinion.

14719. Just before we part from that—most of the gentlemen whom we have been examining would limit it to the agricultural tenable leases?—Yes.

14720. In fact, to those leaseholders who would become present tenants on the expiration of their leases?—Yes.

14721. Would you limit it to those?—Yes.

14722. Do you know of any class of holders in perpetuity who ought to be brought under the statute in question?—I hardly think any. They had leases for lives renewable for ever, and these were converted into free farms.

14723. You are coming to what I want to ask—you would not extend the Act to leases converted under the Renewable Leasehold Conversion Act?—I don't know any case in the country where that would be necessary at all. I have a great deal of experience, and I don't know any case at all where that would apply. There is another class of people excluded from the operation of that Act of '81, and these are the people who hold exclusively pasture lands. There is a great deal of hardship in the retention of that class in the Act of Parliament.

14724. Would you admit all pasture farms?—I would. If you were acquainted with it, you would agree with what I say. It is surprising all the inconvenience that has resulted from the bringing of that class, which was in the Act of 1871, into that of 1881. It was brought in originally by Mr. William Stackpoole, late at night, in committee, and was slipped into the Act because he had a particular farm that he wanted to exclude from the operation of it; and it was copied into the Act of 1881, simply because it happened to be in the Act of 1871. It has been productive of a great deal of inconvenience.

14725. There is another class of persons exempted from the Act of 1881, about whom I should like to hear your opinion, namely—the owners of what are called town-parks. I have heard a great deal of diversity of opinion about them—I don't think a person that is a townsmen, has any business to call himself a tenant farmer at all. I would leave them as they are.

14726. Where a man occupied a plot of land, adjoining a town for the accommodation of himself and his family, you would exclude him?—I would positively. I never heard of anyone complaining because of their exclusion. Even they themselves don't complain.

14727. A great many have!—Well, if they have they have no reason.

14728. In calculating the outgoings of an estate when you come to purchase it, you deduct so many years purchase to title-rentcharge and quit rent. Supposing a man is compulsorily bought out of his estate at such a rate of purchase, it would be virtually seventeen years purchase on his property. Is it right that he should have to redeem those outgoings at twenty-five or twenty-two and a-half years purchase?—It did not occur to me in that point of view. It really would not be doing him justice certainly.

14729. Doesn't it seem a hard case to make a landlord sell at seventeen years purchase of his net income, and make him redeem his quit rent at twenty-five, and his title-rentcharge at twenty-two and a half years purchase?—On the other hand it is capable of being presented in this point of view. As he is circumstanced at this moment he is obliged to consent to deduct so much out of his income, and his clear income is what I say—about seventeen years purchase.

14730. Have you ever turned your attention to the case of mortgages and incumbrances on land—to the fairness or unfairness of making them contribute to any of the losses, of submitting to anything like a reduction of the rate of interest on their mortgages and incumbrances?—They have been always treated with exceptional favour in this country. They are exempt from poor rate. They don't contribute to the

support of the poor at all. There is no reason in that.

14731. If any plan to facilitate the sale of land should depend for its working on a compulsory reduction of the rate of interest on mortgages, would it to that extent commend itself to you?—It would. These people have been always too favourably dealt with.

14732. And that whether they were first charge or prime cost?—Yes.

14733. As to the state of the labourers in the country?—In our part of the country their condition is unfavorable.

14734. The President.—Has it not improved very much from what it was twenty years ago?—Oh, very much.

14735. What effect do you think the transfer of property from the landlords to the tenants would have on the labourers—would it improve their condition?—I don't think it would. I think it would be beneficial. There would be more disposition amongst the tenant farmers to improve their holdings and drain them.

14736. And they would employ more labour?—I think there would be more labour employed. It has been always noticeable in this country, from the time of the Incumbered Estates Court, that certain persons who bought, or at least a certain portion of them who bought, lands in the Incumbered Estates Court, employed more labour than had been employed before their time.

14737. The only ones who would suffer would be those whom the landlord personally employs on the demesne?—Yes. I don't think it likely, my lord, that a great many landlords would go away out of the country. They have a great deal of land in their own possession, and when they should have peace and quiet, and should be let to hunt, things would go on in the old fashion. They would not be so much inclined to turn their backs on their homes.

14738. Mr. Keble.—You think they would be less inclined to stop at home?—I would say so.

14739. Have you a general knowledge of the financial position of the tenant farmers?—I have been managing a farm for one of my brothers who has been very ill, and I have brought a little memorandum of what is produced this year. I don't know if you would care to hear it. There is an island on the river Fergus containing 180 Irish acres. The net law valuation of it is £360 a year, and the yearly rental is £360. The grand jury case of it was £48, the poor rate £18; and the cost of labour £20. That makes a total of £443. It is all grass land—fine fattening land. It fed eighty strippers, and kept three-year-old bullocks. "Strippers" are cows which have been put in to fatten, having calved off. They were also 180 sheep as it. The profit on the eighty strippers was £3 10s., apiece; and that on the big bullocks about £3 10s., as close as possible, and on the 180 sheep about 15s. each. There was £32 worth of hay sold off in, leaving £43 worth for consumption on it. The whole of the several items came to between £460 and £560, being the income from the farm. The rent was £360, and the other outgoings made up to £443. That left £217. The value of the cattle and sheep on it was about £3,000; and yet that was the whole profit of the farm.

14740. Sir James Caird.—In that case, was it profit?—No, but a loss.

14741. Could you give us a good year?—The year this very year we are in now, which was not a good year. The profit was rather less last year than the cattle only left a profit of £2 10s., instead of £3 10s.

14742. What is this a reduction from, taking the average good year—how much would the reduction in the profit upon the stock amount to, in these 15 years, as compared with two good years?—Oh, a great deal. Instead of £3 10s. on each beast, the profit for a good year would be 24.

14743. So that in ordinary years it is a profitable farm?—In ordinary years it is a very profitable farm.

14744. Mr. Neligen.—Up to what period was it making money?—Up to the year 1880. Then it began to fail. There came a very wet season which began in 1879. Its capacity to feed became gradually less.

14745. Sir James Caird.—The grass was not making?—The grass was not fattening.

14746. Did the sheep thrive well?—They did, but the cattle did not. The place that feeds eighty cows this year, fell down that year to seventy. They were not fed so early. The grass appeared to have changed in character and an inferior quality of herbage to have come.

14747. From this great wet?—From the great wet.

14748. The land got into a sour state?—Yes, and was inferior for feeding purposes; there was less capability of feeding. I noticed that, because, as it was an island, I was observing it.

14749. Is it not land?—Flat meadow land, such as you see along the Shannon.

14750. Mr. Knipe.—But for the low prices of the milk, would you have had any profit at all?—I would not. Last year I had only £2 5s profit on each of them, and £2 10s this year. I bought them a little later this year, and but for that I would not have had any profit at all on them.

14751. It was only in consequence of the low prices at which you got the store cattle that you were able to hold your own?—It was; I would have had no margin otherwise.

14752. How did it affect the small farmers who used those cattle?—It affected them injuriously. They were getting up to £5 for their cattle. They got £1 less last spring than they did previously.

14753. It has a serious effect on those small farmers?—It is a very serious thing for them.

14754. Sir James Caird.—They are not looking up any of the fine grass land—are they?—None at all, it wouldn't pay.

14755. And it would be easily spoiled?—It would spoil it if you broke it up. It would take away the farming properties. There is another little farm which I manage for my brother, and of which I have kept a separate account. It consists of 31 acres, at a rental of £22. The whole income out of that while holding was £29, and the outgoings were £79, so that there was an actual loss upon it of £50.

14756. Mr. Knipe.—So far as you are concerned you have not found it profitable to have anything to do with land?—No.

14757. I think you said to his lordship that you have a number of people who had given reductions of rental rent?—Yes.

14758. Is that of common occurrence in your country?—Oh, it is. A good deal more people, I think, have given slight reductions, amounting to ten or fifteen per cent, than have refused to do so.

14759. And there has been a general demand for it on the part of tenants?—Oh yes. I know, from conversations with some of the sub-commissioners, that if they were to value land now, which they valued three or four years ago, they would make the valuation a little less than they did at that time.

14760. Mr. Neligen.—About how much?—I think, as far as I could gather from them, about ten per cent. They would be inclined to reduce them by ten per cent, if they were to do it de novo.

14761. Mr. Knipe.—That would be from the years '84 and '85?—I think so. If they were to do it for the last couple of years, I have heard them say that they would reduce. They are all very intelligent men, and they are quite unanimous in that feeling.

14762. From what you know of the tenants, you think that they would pay, but that they find it very difficult this year?—They find it very difficult this year, no doubt.

14763. As to the Purchase Act, is there a general desire to purchase on the part of well-to-do farmers?—I think there is; I am sure there is.

14764. Have you thought of the effect it would produce if they did?—It would be very beneficial to the peace of the country.

14765. Do you think they would employ more labour?—I think so.

14766. And cultivate their land better, and be better citizens?—Yes, and there would be more peace and quietness.

14767. Mr. Neligen.—Assuming that ten per cent would be a proper thing for the sub-commissioners to take off if they were to value now, when the landlords are shading from fifteen to twenty per cent of their judicial rents, are they not meeting the emergency?—I think so. They are doing what the sub-commissioners would be very likely to do.

14768. Mr. Neligen.—And that is being done?—There is a sort of compromise between the tenants and the landlords. There was a good deal of debating and holding away from one another, but they are gradually approaching one another, and adapting themselves to the existing state of circumstances.

14769. Mr. Knipe.—From what you know of the landlords and the tenants, you think it would be necessary to have a court established to decide between them in questions connected with purchase?—It would be essential for many reasons; I would mention one or two of these. In the case of embankments, watercourses, roads, and things of that nature, it would be desirable to have somebody to whom they could refer if they had differences, and who could arrange between the tenants themselves.

14770. In some cases the landlords would be wanting too much, and in others the tenants would be refusing to give what was fair?—Yes, and it would be desirable to have an arbitrator to settle between them. Really, there seems to be a disposition on both sides now to come to terms.

The Commissioners adjourned to the following morning.

Nov 8, 1891.
Mr. James
Frost.

TWENTY-FIRST DAY.—TUESDAY, NOVEMBER 29th, 1856.

The Commissioners met at 11 o'clock.

Present:—Right Hon. Earl COWPER, President; The Right Hon. the Earl of MOUNTAIN, Sir James CAIRD, Bart.; Mr. NELSON, Q.C., Recorder of Londonderry; and Mr. KESTER.

The Rev J. S. Flanagan, P.P., examined.

The Rev.
J. S. Flanagan
P.P.

14771. The President.—You are the parish priest of Adareb—Yes, I wish to say that I came here at the request of others. I don't come here to represent myself as possessed of any information that I know to be of any real service; but I am quite willing to answer any questions that I am able to answer, and that are considered serviceable. I have not come to put any views forward—nothing of the kind—but merely to give you information if I can be useful.

14772. I am very much obliged to you for coming. How are things in your part of the county—are rents being paid?—In my parish the time for demanding rents is not exactly come. It is just beginning in the great aggregate of the estates. Lord Dunsaven is the largest proprietor in my parish, and his rents have not been demanded yet. I have paid my own rent, but as to the other rents I am not aware that any of them have yet been paid on any of the properties. But they have been demanded on some. In one case the tenants have not come to terms with their landlord yet. Whether they will or not, I can't say.

14773. Are the landlords giving abatements?—Yes; with the exception of one. Perhaps he may do it—I don't know whether he will or not. I can tell your lordship if you wish all the circumstances about Lord Dunsaven's giving abatements, varying, I should say, from 30 per cent. in many cases, to 15 in others, and, perhaps, to 25 and 30 in others.

14774. According to ———?—According to the circumstances of the individuals.

14775. And you think that these abatements will enable them to pay?—I trust that they will be able to pay with these abatements—that is to say, that there will be no factions opposition to payment. A question may arise, as did last year, when they wanted more than was offered, but on a little remonstrance, they instantly gave in, and paid what they could.

14776. There is no determined opposition or combination against paying rents?—Not with us—except on this particular property that I tell you of. It is not a large one; but strange to say throughout all the difficult times, from 1855 and 1851, all his rents were paid without any abatement whatever, and without any law proceedings. But this year they have refused to pay without an abatement, and I shall tell you the reasons—one is, that it is an exceptional year; and the other is because a very large tenant of this landlord, belonging to the gentry class, threw up his farms, as he could not come to terms with him. He had between 200 and 300 acres, and a residence, and he threw up both. Before he threw it up he was offered a large abatement. The other tenants expected as great an abatement. They now have, I know, offered to pay their rents less 30 per cent., but I suppose they will take 25, and I really believe they have lodged their rents with my curate, worse than this. I don't suppose that on the other three or four properties there will be

any great difficulty; I hope not. In another selling instance yesterday, I myself got 15 per cent. of a judicial rent for a man who holds under a landlord who is the owner of one townland only. I know that Colonel St. Ledger is giving abatements if tenants will pay—I think his abatements are 15 per cent.

14777. On judicial rents?—Well, your lordship, it so happens that on the great bulk of the land in my parish, they did not go into court at all. For instance, Lord Dunsaven, with the assent of his tenants, got a valuator, who valued his whole estate, and when the rents were fixed, he voluntarily gave 25 per cent. beyond what the valuator fixed, and they signed judicial leases. The same holds good with Colonel St. Ledger—his tenants signed on private arrangements. On Major Boy's estate they have not gone into court, except four. The only other estate of consequence in my parish is Lloyd's, and the tenants on it went into court and got considerable abatements.

14778. I think you negotiated some purchases—did you not—under the Act of '81, on behalf of tenants?—Yes, I did. I only negotiated one. None under Lord Ashbourne's Act. The circumstances of that one I will mention if I am not going too far. There finally in my parish held one townland. The landlord was not a rich man. They had leases, and there was so much that under these leases they were extravagantly highly rented. He could not, and would not, make any abatements. They were threatened with being put out of their farms, and the only way out of the difficulty was to purchase them. Unfortunately for me I took the matter up, for of course these poor men did not know how to go about it at all. I got a friend, a solicitor, to make an agreement with me to charge only a definite sum for their part of the cost, the landlord to bear the rest. I had negotiations with him, and he agreed to sell. He offered to sell at 14 years purchase on his rents. He said, "No, I won't do that, but I will put a rent upon the farms, which I consider a fair one, and I will give you twenty years' purchase upon that." I got very great pains about it, and, of course, consulted his tenants, and showed them exactly how they would stand, and I sent up to Dublin to a friend who had experience, and asked him—"Do you think I am doing right, or setting badly?" He said—"I think you are making very good terms." So we came to terms. They entered into possession as tenants, and now these men are in a difficulty. They had not their engagements up to this pretty punctually, but this year they were in a great difficulty to meet the May instalments. The Commissioners, when they saw this difficulty, gave them six months' grace, and it was only the other day that they paid that instalment. The November one is on them now, and is payable, but I came lately to say that they would be better. I said, "I cannot help it, I am very sorry for it." They wanted to know if we could get them under the new Act. But they are in a bad plight, and I should be very sorry to repeat the question. I say all

that they have been so straitened that they have not paid their own solicitors' costs yet.

14775. Lord Millican.—What proportion do their instalments bear to their rent—to their former rent?—I have it all in detail, but I began by saying that I came unprepared. I could speak with absolute accuracy as to all, but I am now only speaking from recollection. It would be about twenty-two per cent. off the tenement rents.

14780. The President.—I gather from that, that you took twenty years' purchase, on a fair rent, is what a great many tenants would be glad to have!—Yes; but I told that, that what was fixed as a fair rent four years ago, no man in the country now—at least no man having a direct interest in hand—would consider a fair rent at present.

14781. Do you think it about what the Commissioners would have given?—At that time!

14782. Yes!—Well, I really believe that that must have been in their minds. I almost think that when I was making the calculations, one of the elements of the calculation must have been that I said—"Well now, as a rule, the Commissioners are making reduction of twenty and twenty-five per cent., and that would be what you would get."

14783. Sir James Caird.—Are we to understand that at the price at which they bought, the instalments due were to pay annually were twenty-two per cent. lower than their former rent?—Yes, the former rents were very high.

14784. Still they paid them!—The instalments!

14785. The instalments they had to pay after the purchase were twenty-two per cent. below the rent they formerly paid!—That is so.

14786. So that they had an immediate advantage through it!—Certainly.

14787. Besides gradually growing to be purchasers!—Of course.

14788. There was the immediate reduction of their rent by twenty-two per cent. I—I suppose they would have been ejected if their rent had not been taken down.

14789. The President.—What were they, compared to the rents you fixed for a fair rent—what have they to pay now?—I think I must have reduced their rents by from twenty-two to twenty-three per cent.

14790. Then they are paying about the same now as the rent you put upon it—Of course the first thing I said to them was—"Do you think this will be a fair rent for you at so much an acre, and we will be able to manage it?" Then I said—"We will give him twenty years' purchase on that." It was a very difficult transaction, because they were not perfectly free if they had not leases it would have been different, but they were bound to buy or go.

14791. Sir James Caird.—On the terms on which you did purchase, you got them on very much the same terms as if you had given them a judicial rent, and bought on it at twenty years' purchase!—I am confident that I thought so at the time.

14792. That was the effect of it!—I think so.

14793. And up to this year they had paid their instalments without any difficulty!—Without any difficulty. Well—

14794. At all events they paid them!—They paid them.

14795. And now they say they are unable to do it!—Now they are in a very great difficulty—two of them—and I don't know what will become of them, ultimately. I don't know how to get them out of it. They are very hard-working men.

14796. Sir James Caird.—Suppose they should fail to pay, would they be liable to lose all they have already paid—I mean of principal?—They would, of course. They asked me what would be the result, and I said of course—"The Land Commission act towards you as a landlord, and if you don't pay, you will be ejected and will lose your money." They said—"We will gladly lose it if we are reinstated at a lower rent."

14797. The President.—In fact they do not care for the prospect of ownership!—That is not so very vividly before them, because it is so remote. They would go out to-morrow and forfeit their four years' instalments, if they were to be reinstated at a lower rent.

14798. Sir James Caird.—Then they desire to get a lower rent!—That is what they are desirous of. That desire is engendered by the fact of their seeing everyone around them getting reductions of rents that were fixed on the same soils as theirs.

14799. Of course they get no reductions!—They cannot. The tenants adjoining them had their rents fixed at the same time, and they see them getting 25 per cent. The tenants near them, I think, got 50 per cent. last year.

14800. The President.—If the transaction took place under Lord Ashbourne's Act, they would have got a considerable reduction!—They would. I don't know of any other case of a person having purchased now so.

14801. You are personally in favour of creating a present proprietary, do you think it would be a good thing for the country?—I am not prepared to give anything but a personal opinion, but I really don't see any solution of the forced tension of things at the present moment except that, if it could be managed. It is a thing most harassing that every day that comes round there is a state of excitement, and a tension of things that makes life almost intolerable, instead of being like the old times, when men on their rent day were prepared to pay their rent if they had it.

14802. Sir James Caird.—But how would that be changed?—If they became proprietors, and were in the position of the purchasers I have described, that is if for a series of years there were a still further depression, they would be in exactly the same difficulty, and they would not have a landlord to deal with—they would have the Government.

14803. The Government would not be so easy with them as the landlord!—It could not be, unless things came to such a crisis that parliament would have to look into it. The commissioners may give an extension of six months to three men, if they cannot pay in November; but when May comes, they must pay without an atom of reduction; whereas on Lord Dunraven's property a reduction would probably be given.

14804. That would not be looked for from any Government!—It is useless. How can it be done? I don't know.

14805. I put that question to you because you said the only remedy you saw was that the tenants should get the land on their own!—Exactly; but I do not see how to guard against the recurrence of a depression during a series of years such as we have had, when the tenant is making his purchase.

14806. Of course, nobody can foresee that!—I took immense pains in those cases described to guard against that difficulty.

The President.—But looking forward to fifty years hence, there would be no trouble in that way.

14807. Sir James Caird.—You have to get over the forty-nine years!—I suppose if a man got twenty years towards it he would be all right. I suppose that in some cases if a man bought a good farm

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instead of bad farms, and if four years instalments were paid, he might get a good price for it.

14806. The President.—Is there any tenant-right now? Can a man without difficulty sell his tenant-right now?—Perfectly—with perfect ease.

14807. And he can get something for it?—He can get some money for it.

14808. Is there any sale for it?—If I confide myself to my own parish, I think that with the exception of a very small matter there has been no purchasing in my parish for some years, except a small one the other day, when a poor widow with seven acres of land sold her interest for £70.

14811. For a holding of what?—Seven acres, I think—ten years purchase. But if a man holds a good grass farm, with meadow land attached to it, he will always get a purchaser. Of course, I know very well, that if a man is ejected from a farm even for non-payment of rent it is not easy to get a purchaser.

14812. Is there a feeling against buying from the landlord?—I would illustrate that from my experience. There is a man in my parish who was ejected this month for non-payment of a great many years' rent, without any chance of being able to hold on; and I think he is at perfect liberty to sell if he can get a purchaser. But he could not get a purchaser to pay a sufficient sum of money to pay his debts and rent.

14813. I think you said that those people were leaseholders that you took this trouble about?—Yes.

14814. And were very highly rented, are there several leaseholders in your neighbourhood?—I don't think we have any except judicial ones.

14815. Would their wish be to come under the court?—I suppose there would be a great difficulty about the leaseholders, as for instance, if a landlord has a lease against a man and if the land leased is worth £2 an acre, and is leased at £1.

14816. It might turn out that the ancestor received a sum of money down?—Not necessarily. All the leases made in 1848, in the time of the famine—they are nearly all new—left an enormous interest. There is an instance near this place where a man was able to give some £20,000 for what he held as tenant under a lease of 1848.

14817. But in the great majority of cases the tenants pay more?—More than they would have to pay, no doubt, if they could go into court. That is incontrovertible. If the land was let many years ago, the landlord cannot get the same rent now.

14818. Sir James Caird.—It would be difficult not to admit the landlords as well as the tenants in the case of leaseholders?—Undoubtedly. Mr. Gladstone used some expression to the effect that he would leave a shred of contrast in existence. I do not see that there was any other reason for excluding leaseholders, except that a lease may cut two ways.

14819. Do you see any difference between breaking a landlord's lease, and taking away the right of free contract from him on the whole?—It is a nice distinction.

14820. Lord Milnes.—Would it tend to the stability of the country if the people became owners of their holdings under Lord Ashbourne's Act?—I should be very glad that all my parish were in that state, provided they bought advantageously.

14821. Do you think it would render them more upholders of law and order?—Of course. I should say that would be obvious. They would have an immediate interest in their own farms, and they are very tenants of them. Whatever may be said, after all, the Irish tenant who has not paid his rent, is a very unhappy man.

14822. I am very surprised to hear that?—He is a very unhappy man—no question of it.

14823. It is curious what a number of them place themselves in that state of unhappiness?—They do, because there are cases in which they have not got what is demanded; or if they have, they cannot pay their rent in some cases without injuring the soil they cannot pay—at least they think so. But they are always miserable. None are more delighted than those whose rents have been adjusted for them by the aid of a friend.

14824. I take it you would be of opinion that when they should have paid five or six instalments of the purchase money, they would come to have a considerable stake in the country which would render them, not in the party sense, but in the ordinary sense of the term, conservative of law and order?—In the concrete cases that I spoke of, it would have no effect whatever, because they consider that they have made a bad purchase.

14825. Is that case it would not?—Certainly.

14826. Then they would be liable to join any agitation for bringing down the instalments?—If they felt that they had made a bad purchase. Don't you think that is natural?

14827. It struck me that if they had once paid instalments a considerable sum of money, they would then have such a stake in their purchase that they would be sorry to see it snatched away from them. Well, of course, they would be. They are very to see their farms now, without any such stake snatched away from them—very sorry.

14828. But the case you are supposing of a sale of bad years, following the last two very bad years, not bringing on a crisis, is not a very probable one to occur, is it not likely that we should have more years than the two last?—I should hope not. But it is very hard to say.

14829. Supposing things are no better than they are now—which is taking rather a pessimist view of it—should you anticipate that they would be any difficulty amounting to anything like an impossibility in paying instalments, which would only be only 50 per cent. of the rents they paid some time ago?—I should say not on your hypothesis. It is a very remarkable with what punctuality they pay the instalments under the Arrears Act.

14830. The loans that have been hitherto made then to the Irish tenants, as a rule, they have not their best to repay?—I think so—wonderfully so.

14831. The Fisheries Loans and matters of the kind they have paid with singular punctuality?—All these tenants that raise money to pay off under the Arrears Act generally bring it to me, and ask me to pay it into the bank for them.

14832. And then, provided nothing of an unusual character occurred, in a very few years all these would have a very substantial interest in their holding, and be on the high road to ownership?—And be very good citizens, I think—very good citizens. I have a parishioner who bought under the Glac Act, and he had not to borrow. He had the money. He is a very comfortable man.

14833. He bought under unfavourable conditions?—He did. They are much cheaper now. But he bought and had not to borrow the money, so that he is not paying anything to Government. He has a few acres.

14834. Mr. Neligan.—That leads me to ask you whether you think it would be desirable to encourage tenants to pay down a certain amount of the purchase money by giving to those who are able to do so advantages over and above those who do not?—By giving them advantages—I quite agree with that.

14835. To encourage them to make an effort to buy?—Yes. If you show them that by paying down something they would gain a very substantial advantage—if you show them that—I think that is so. But you ruben up in my mind thoughts that occurred to me at the time I was making those purchases. It was necessary if anything was to succeed, to be able to tell the tenant that he had not to bring out any money, and that he had no costs to pay. It was necessary to be able to say to him—"You can sell your farm without anyone advancing any money whatever, and without incurring any costs—You have only to settle the price." Then you would get the man to purchase very rapidly. But if you were to add to the proposal that if the tenant chose to pay £300 or £400 of the purchase money that would bring his rent down £5 or £7 a year, I think that would be a good thing to put in.

14835a. It would be an encouragement to buy?—An encouragement.

14836. Should you be of opinion that in those instances it might be desirable to extend the payment of the instalments, so as to reduce the amount?—To pay it over so many years?

14837. Yes. I don't see how else they are to give the money?—I don't see any other way myself.

The President.—One other way would be by reducing the price from 20 years' purchase to 19½ years or those who paid ready money.

Mr. Nelson.—That would be out of the landlord's pocket.

Witness.—I want to get it out of the State's pocket.

14838. Lord Millicross.—I understand you to say, Father Flanagan that you are on the whole in favour—very much in favour, I think I may say—of a peasant proprietary, provided it could be fairly and honestly obtained?—Supposing it could be fairly and honestly done, I am. And if the purchase is made at a price which will leave the instalment repaid in four years as equitable as the selling fair rate.

14839. Just the case in good or bad seasons?—In good or bad seasons, unless there is some wonderful change. Suppose you get beef and mutton down to a penny a pound.

14840. Are you in favour of compulsory purchase?—I have never thought the question out. I don't like to give an answer without having really thought it out. That is—to compel the landlord to sell and the tenant to buy?

14841. Under certain circumstances?—I really should not like to answer.

14842. Sir James Caird.—Under the decision of a competent court, fixing the price—I suppose that is what Lord Millicross means?

Witness.—You say to the tenant—"You must buy." The tenant says—"Well, isn't it a hard one to be made to buy at this price. I would never be able to do it—I would never be able to pay that rate," he would say. "Oh well," it would be replied, "You are to have it decided by that great tribunal, the Land Commission, which is infallible." He would say—"Ah, they are not to be trusted—they don't know what the poor tenant has to do."

14843. Lord Millicross.—Is that the general opinion of the Land Commission?—It is really a difficult question to answer. I don't like the word "compel."

14844. You would be of opinion that it would be time enough to try that if we found compulsion necessary?—Well, I have not thought it out. I should not like to answer.

14845. Are many landlords in your neighbourhood

willing to sell on fair terms?—Well, my chief landlord is Lord Dunraven, and I think he would sell if he got a fair price. We have had no offer. Nothing of the kind has occurred within a good radius of me. I can speak not only for my own parish, but for a good radius around me; and there has been no offer made by landlords as yet. I don't know what is doing under Lord Ashbourne's Act, because it is such a very unfavourable time for working it.

Lord Millicross.—We have had evidence that it is working very fast.

Mr. Nelson.—In Ulster.

14846. Lord Millicross.—And as there are only £5,000,000, at the present time, there is no time to be lost.

Witness.—Well, speaking generally, I should think that most of the landlords would be inclined to sell.

14847. Do you think that if they sold their estates it would have the effect of inducing them to leave the country altogether?—I really cannot say.

14848. Would the sale of their estates drive the landlords out of the country as a rule?—Well, as I said, I did not come prepared with thoughtful considerations on all these subjects, but I have often heard that talked about in society. Some people take one view, and some another. My own impression would be that most of the large landlords would leave the country.

14849. But there is no country to Irishmen like Ireland?—They would soon lose that feeling. They would become citizens of the world, and would gladly settle in England.

14850. I don't think so at all. But if it were to have that effect, don't you think that it would be a very unfortunate thing, as depriving the country of a resident gentry?—I think it would be an unfortunate thing for the time being, and unless something grew up out of the new state of things that would be a substitute.

14851. Mr. Nelson.—A new class of landlords?—Some people think they would remain. Of course you would have to take this element of hunting into consideration. If we had a peasant proprietary, would they let them hunt?

14852. Why not?—Peasants are naturally fond of hunting; it is not hunting that they object to, but the collection of rents?—I should hope so. It is difficult to form a true judgment about it. I do not think I am competent to form a judgment.

14853. Sir James Caird.—There would be less difference of opinion between the purchasing tenants and the old handworkers—there would be no jarring interests of any kind?—None whatever. If landlords like Lord Dunraven, or even lesser men, had incomes out of the funds, and kept houses here, their relations with the people would be admirable. Those of Lord Dunraven are excellent at present, I am happy to say.

14854. Lord Millicross.—But do you think the tenants would be unwilling that Lord Dunraven should go away?—I say emphatically yes. I may confidently answer that.

14855. If they thought the result of a compulsory purchase would be to drive away Lord Dunraven; they would be altogether opposed to it?—If you put the particular case I think so. If you put the particular case I say so, because you see besides our tenants we have our labourers.

14856. I suppose the labourers would look on an exodus of the gentry as a great misfortune?—Undoubtedly.

14857. They are constant employers of labour in your neighbourhood?—Yes.

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14855. And the landed gentry generally are the most constant employers of labour?—Well, of course they necessarily are. If they are farming they must have them.

14856. And if they are not farming they must have them to keep their places in order?—Yes, almost every one farms.

14857. Is there much employment for labourers in your neighbourhood?—Exclusive of Lord Dunraven, very little; very little, in fact. But I live nine miles from Dunrick, in the village of Adare, which is like an appanage to a nobleman's place. I suppose if Lord Dunraven went away, the village of Adare would decay. You would have no employment, and the shopkeepers there are dependent on the labourers whom he employs. There is no other residence there of any note; and we have very little employment of labour amongst the farmers.

14858. So that if the gentry went away the immediate result would be to throw an enormous amount of labourers out of employment?—I should say so.

14859. And on the rates?—Speaking from my own personal knowledge, I should say certainly on the rates.

14860. That would cause a considerable amount of dissatisfaction?—Undoubtedly.

14861. And a great amount of misery amongst these poor people?—It would be a most melancholy state of things. My parish may be rather exceptionally situated.

14862. Mr. Nelson.—Have you known many instances in which men who could pay their rent have not paid it, for fear of injuring insolvent neighbours—you alluded to that just now?—You will excuse me for confining my answer to my parish. We have had up to this no non-payment of rents.

14863. I beg your pardon; I thought you intimated some cases where men who could pay did not?—Up to this we have had no non-payment of rents on our estates—that is, no person holding out absolutely as a body; but at this very moment there is now a body of tenants who have said to the agent, "We cannot pay unless you allow us 30 per cent."

14864. I misunderstood you; I thought you were intimating cases?—That was in general. My belief of the Irish tenant in general is that he really desires to pay his rent, and has no such phantoms before his mind as the thought that there is no rent to be paid. He likes to pay his rent if he has it; but of course, in a combination of men, if our man has the rent, they will say, "Don't you pay now; you will ruin us."

14865. Have you known any instances of it?—I don't know instances of it, but I am sure there are instances of it.

14866. Mr. Knipe.—You have a general knowledge of the farmers in your country?—I think I have a very good knowledge of the farmers in my own parish and neighbourhood—a very intimate knowledge.

14867. With regard to their financial position, are they improved in circumstances, or reduced, for the last two or three years?—Undoubtedly reduced. I tell you what I say deliberately, because I have inquired about it. I know the absolute circumstances of every man in my parish. He makes no secret with me; if he has money I know it. If he has not a rap I know it as well. I have said over and over again to men—"Tell me honestly, are you living as your father lived, who owed £30 or £100, and he would tell me, 'I am living just as poorly.' 'Your father never killed a pig for his use.' 'Never.' 'He left £100 at his death.' 'Yes, he did.' 'And you have not a rap?' 'Not a farthing.' 'I defy anyone

to find an instance of a farmer who has made more, within the last few years, or saved anything.

14871. Lord Milltown.—Do they live as frugally as their fathers?—Yes, and I add that in a parish of 2,000 people you won't find six drunkards. The rest of them don't touch a drop of beer or porter from one end of the month or year to the other. But is it any that they are expending money on drink is pure nonsense. I think they are living just as frugally as their forefathers, and not making money better.

14872. Mr. Knipe.—Has it come under your notice that some of these farmers have had to draw on their little savings in order to meet the demands on them at present?—Well, that is a nice question. I don't remember an instance. It may have occurred. Very often I hold deposit receipts, and I have them in my own house, and I don't remember exactly a man drawing upon them. I am now trying to be accurate. A man is left to do it. He doesn't like to do it; and I should not like to say that I absolutely know a case in which a man had a deposit in the bank and drew upon it to pay his rent.

14873. Is it a fact that any man has had to sell some of the stock necessary for his farm in order to meet his rent?—Oh, yes, that is so.

14874. And is it the position of the farmers generally?—I think it arises really from their impoverished state. They are generally impoverished, and I am told by others of instances, one of which I may mention. He is the son of a farmer, and his father had a number of dairy cows. He lives on very good land indeed, and his father was able to bring him up as a peasant, and another son as a solicitor, and another son in some commercial trade or something of the kind. His brother and sister are now working the farm, and they are making nothing of it—they are not saving anything. His landlord would not give him one fraction of an abatement this year, and he is going to pay now, and I dare say has paid the day the rent due on November the 1st.

14875. Lord Milltown.—There is no hanging gale at it?—No hanging gale on it. I saw a letter from the agent, saying: "If you don't pay before Saturday the thing goes into the hands of a solicitor, and I will not allow him to make one penny of abatement." That is in dairy-farming. We have not much of it in my parish. Putting these things together, I think the tenants are very badly pressed in Ireland. Every one knows that this is a bad dairy year. The prices are very low.

14876. Mr. Knipe.—Your experience is that if they had the money they would pay their rents without making demands for reductions?—Without making demands for reductions? That is a very nice question. Shall I answer it in this way? My belief is that if there were a very prosperous year, the tenants would gladly pay their rents as they stand.

14877. Your experience is that this and last year have not been good years?—Quite so.

14878. And, consequently, that they cannot run it much money off their farms as is sufficient to pay the landlords?—Quite so.

14879. And are under the necessity of getting a reduction of their rents?—That is my firm belief. That is the state of things. You insist that it is not a factious move?

14880. Exactly?—Oh, I don't think anyone below that who knows the country. I think not.

14881. It has been said that in some cases the tenants have the money, and have refused to pay the rents; I want to know is that your opinion?—My opinion is that where they have the money paid off the farm then they do not withhold it, except there is a general reduction on poorer men going on, and

then they would expect to come in for their reduction, too. That is my belief.

14832. There have been considerable reductions given by a number of landlords whom you have mentioned?—In my parish?

14833. Yes!—Almost every landlord in my parish.

14834. It is very general, isn't it?—It is.

14835. Is that on the judicial rents?—Yes, on what we call judicial rents.

14836. Is it from 15 to 30 per cent.?—I think I may say it ranges as far as 30 per cent. on Lord Darnley's estate, at all events. He gave me 30 per cent. on my own farm, and I paid the rent the other day.

14837. The President.—Is that on a judicially fixed rent?—No; I did not go into court.

14838. Mr. Keble.—You had some hesitation in replying to Lord Milltown's question as to compulsory sale?—I had. I have not thought it out.

14839. Do you think it likely that the landlords and the tenants would agree as to terms if they were left to sell themselves?—It depends on so many circumstances that no one could give a positive answer to that.

14840. Can you tell me any instance of where the tenants on one property having bought from the landlord, the tenants on an adjoining property were willing to buy, but the landlord refused to take reasonable terms?—No.

14841. Have you thought what effect that would produce?—No sale has taken place within a large radius of me, or offer of sale.

14842. I am only taking this as an illustration; supposing that the tenants on one property had made arrangements with their landlord to become the owners of their own farms, and that the tenants on an adjoining property were most willing to buy from their landlord, and that he refused to take the same terms—have you thought what effect that would produce in the country?—I have not thought it out, but I should say it is very similar to the case of one landlord taking down his rents, and another man siding by with him refusing to take them down. It would have a very bad effect.

14843. In a case of that sort don't you think that a court might be established or that the State might interfere to bring the sale about?—Well, I should have thought it would be very advisable to have some court of appeal to settle a matter like that, where you are aiming at a great measure, to cover the whole land, and to make an utter change of things in the country. In fact I suppose it would be necessary.

14844. Supposing that the landlords who had sold to their tenants remained in their parks and demesnes, would they not employ the same number of hands, and give the same amount of labour, after they had sold to their tenants, as they did before?—I think that would depend on their incomes.

14845. Would there be any necessity for them to leave the country?—That depends on many social and other considerations. I am not prepared to say that they would remain. If a man's income were diminished he could not keep up his park and gardens, and hothouses, and horses.

14846. But that general good feeling does not exist; do landlords mix with their tenants?—Oh, we are not come to that.

14847. Aren't there a number of landlords who don't reside here at all?—Oh, of course, you mean a number of men who never saw their estates. Your question would not be pertinent if you spoke of these. There are landlords who have never come to this country—whose tenants have never seen them.

14848. Lord Milltown.—Your answers can only refer to non-absentees?—To non-absentees; to men with residences who are here now. Of course the relations between landlords and tenants are bad enough in many places, but I should be sorry to say that a landlord now cannot come back to his house and enjoy himself.

14849. Mr. Keble.—After he should have arranged with his tenants would not that friendly feeling exist; is there any reason why he should leave the country?—Well, it is an open question. It is very difficult to say whether a man would remain or not. It is a very difficult question to answer. I suppose you know that at this present moment if a man has an income of over £10,000 a year he is very much inclined to seek for his enjoyment elsewhere. It is only smaller men who are obliged to live in this country, that do remain—men with £2,000 or £3,000 a year.

14850. I just want to ask you one question, Father Flanagan, with reference to those farmers who become owners of their land—do you think they would give more employment to labour and cultivate their land better than at present?—If they were purchasers?

14851. If they were owners—if they had purchased their holdings from the landlord—would they have a greater desire to cultivate their land better and employ more labour?—This depends on the largeness or smallness of the farms. If a man has forty or fifty acres, he generally has as many hands in his own family as will till them, and they are perfectly well aware when there are too many hands on the farm. When the family is too large, the surplus hands are sent elsewhere. Perhaps that is a satisfactory answer. I don't think they would employ more if you speak of thirty acre or fifty acre farms.

14852. Oh, according to your ideas it may be; but is it not your opinion that the farmer, if he felt that he was the owner of his land, would cultivate that land better and employ more labour?—That he would take more interest in it?

14853. Yes!—Undoubtedly he would take a much greater interest in it. He would feel that everything was his, and that he had perfect security for everything that he did.

Mr. Richard Stapepole examined.

14854. The President.—What are you?—I am a proprietor, and agent to relatives and friends in all directions in the County of Clare.

14855. Are the farmers on the estates which you have to do with paying their rents?—Some of them are very well.

14856. Are they receiving abatements?—Where their rents were not judicial I gave them fifteen per cent.

14857. But not on the judicial rents?—Not on the judicial rents.

14858. As to those who are not paying, do you think they can pay?—In the majority of cases I think they could pay. There are some few cases in which it is not so, particularly on an estate I have near Scariff, on which there are three or four tenants very poor.

14859. In those cases do you intend to give abate-

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man's—I don't intend to give statements on the judicial rents at all. These were fixed on very lately, and even then they started, immediately after the rents were fixed, with a combination to pay none. I took them into court because they held their hand under the Government valuation.

14910. Lord Ashbourne.—Were the rents raised?—No, they were not. There were one or two cases raised. The others were below the Government valuation.

14911. You took them in to have them raised?—I took them in to have them raised, and also to have a judicial term. I thought I could recover the rents more easily. However, the Act gave us no further power of recovering rents than we had formerly.

14912. Were they lowered? Yes, in one or two cases, in which I expected that they would have been raised.

14913. If they don't pay, you will take steps against them?—I have taken steps against all who refused to pay, and the result was that with the exception of about five, they all paid their rents. They are paying slowly and there is no combination, I think, amongst them now not to pay. There was a great deal of difficulty in getting the notices of ejectment served. The process-server was assaulted and had to make their escape to the police barracks.

14914. When was that?—About two years ago. The process was then sent by registered letter through the post, and it came out on an inquiry before Mr Kelly, the Chairman, that the postmaster was one of the tenants, and that these people had been told not to call for their letters. He threatened to report the man to the authorities, but I don't know if it was done.

14915. Lord Ashbourne.—He told them not to call for their letters?—Yes, they were registered letters, and he was one of the tenants himself.

14916. That would not have invalidated the service?—No, it did not. The Chairman gave decrees in every case. The receipt of the registered letter is sufficient.

14917. The President.—Do you think the farmers are in poor circumstances owing to the fall in the price of produce?—I don't think so. Not generally. Of course there are instances of men who have lost stock.

14918. Not as a rule.—Not as a rule.

14919. Then you think they can pay as a rule, and that with a few exceptions they will?—Yes.

14920. There is no organised intimidation?—Except the boycotting. I think the boycotting has been reduced to a science in Clons now, and is worse than ever. I should like to show you the opinion of a county court judge on a case of boycotting that came before him at sessions on Friday week. A Mr. Kelly gave evidence as to boycotting, and he was shot on the way home. It was a case very imperfectly reported in the papers. The only paper I saw a report of it in was the *Clons Journal*. Those men were deprived of their licenses by the sessions magistrates, and they appealed to the chairman, and this was his judgment:—

"His Honor said the bench were unanimous in confirming the decision. It had been proved as clear as daylight that this man had joined in the offence of boycotting—a most serious offence. He wished to state that he had taken the trouble to inquire into the law, and he would say there cannot be a more criminal offence, and he would visit with very serious punishment any person convicted of it before him. He had known persons who had suffered in their health and in their means from that infamous system of boycotting. You see people talking of it as if it was no offence. The word was given out that a man was not to be supplied with the very necessities of life. He had heard it from

leading gentlemen of the county, and from clergymen, and this system was carried out to such an extent that life had become almost unbearable, and it must be owing to apathy, negligence, or cowardice that the Government would not put an end to it. In common law it was a crime. Any combination to injure a man was illegal, and the way to deal with it would be to send up a man to prison. The authorities seem to be afraid to do it, perhaps, they were seeking for popularity. They could apply to the Court of Queen's Bench to change the venue to Dublin or Cork if there was reason to expect a fair trial could not be had in the county—if it came before him he would sentence the parties to twelve months in gaol. It was an *illegal* combination; it was a criminal act. The people join in it as if it was a pleasure. This man admitted that he had joined in a crime—a criminal offence. He may be a man of good character. He may be in other respects free from imputation, but his name was not carried on as the law required, he refused to supply the very necessities he got the house for. If he joined in that crime—a serious crime—he must not expect the magistrates to give a certificate that he has been properly conducted. Boycotting was the effect of combination, and people were more afraid of the deans than they were of the courts of justice. He had heard from a clergyman that an order he (Judge Kelly) had made enforcing a will was reversed by the National League, and the order of his court set at naught. He never touched on political matters; but if the Government knew that such a system was allowed to go on it was a disgrace not to supply a remedy for it.—*Clons Journal*, Monday, November 14, 1893.

14921. The result was that he took away his rights?—Yes. There is the most perfect system of boycotting in Clons that there is possible to be. Last year I set some grazing of lands that were in my own hands to three tenants. They were ordered to give it up. They refused to do so, and the result was that two of them were seriously wounded one night, and the third fellow had a bullet fired into his back. They immediately surrendered their places to me. One of them did not surrender until he was paid a wound visit, and then they all surrendered to me, having paid me the money down for the land previously.

14922. These men took evicted land?—It was not evicted land. It was taking grazing, and raising the price of land.

14923. Then it was not for taking the grazing that they were threatened, but merely for raising the price of the land?—Yes. A fourth man took a grazing farm from myself, and he had to surrender it. He paid £14 on it, and then gave it up to me in September—the best part of the time—and I returned him a couple of pounds.

14924. This happened two years ago?—Two years ago. This year nobody would be allowed to take grazing from me. I had an application from Mr. H. (his name) to say that his whole demesne is let in grazing, and that they have all been told to give it up.

14925. Is the land lying idle?—The land would have him idle, but I told Mr. McDermott that if he was in trouble about it I would take the whole place from him.

14926. Have there been many outrages?—Well, this very season two men who have grazing on Mr. Mahon's estate, where I am agent, cut the hay and stacked it, and both their houses were visited and shots fired into them. Another man named Kane had to surrender his gun. The other men told me the other day to draw the hay horse, as they could not touch it.

14927. Is there much land lying idle this year?—The farms that I have, with the exception of one taken by the Land Corporation, are lying idle. These farms are a small distance from me. They trespass on them as they like. I have a farm in the county of Clons, near Milltown Malvey, which was surrendered to me by a tenant. It is 100 acres in extent, and I put my own stock on it each season with great difficulty. The headmen left. A head

and friend of mine near there allowed me to send my cattle one night on his farm. He has been boycotted for doing that—for giving me one night's lodging. His plough was broken, his walls thrown down, and every annoyance given to him. I had the tolls of a fair at Kilmahall remembered to me three years ago by Colonel Lloyd. He did not take the precaution of making an under-tenant give me possession, and I had to evict him. The Land League interfered, and would allow no tolls to be collected at the fair. I at the toll of the fair to the father-in-law of the late under-tenant. He never has been allowed to hold a fair on it since. I got an injunction from the Court of Chancery, and sold the estate of the defendant in it for the costs of the injunction; but the fair has not been allowed to be held since. The priests are apprehensive that a riot or murder would take place, and just before the last fair, which was to have taken place on the 1st of this month, it was agreed that the matter should be left to their decision. Twelve of them met in Kilmahall, and decreed that the fair was to go back to the original fair ground, and that this man was to be allowed to carry it on; and there is the notice that was posted afterwards. I never saw such a thing in my life.

14928. Mr. McEgan.—Did they allow the fair to take place?—In consequence of the dread they had that a riot and murder would take place, they wished that the tenant should be allowed to hold the fair on the fair ground. I have received no rent out of it for two years. He could not pay me anything. I think this is the most infamous document I ever saw. It was sent to me by the police. It was as follows:—

"No surrender. Your shoulder to the wheel. Farmers of West Clare, you are all aware the tyrant Skoopols has bought the Holy Oil from the priests of West Clare to restore him to life and full vigour again to pour oceans of death and to evict, &c. But he has not bought your National principles. Now, we hope you will maintain and prove your nationality this day by standing on the National fair or road of Kilmahall, to sell and buy cattle, paying no custom. God save Ireland."

14929. The President.—Is intimidation practised down there against persons who are disposed to pay their rents?—I don't know of any instance of it.

14930. As far as I can make out there is not actually a strike against rent at this moment?—Not that I am aware of. If there is it is unknown to me; but things can be done without outsiders knowing such. As these persons are fond of denouncing me as a traitor, an extortioner, and all that sort of thing, I wish to hand you in the judgment that was delivered by Mr. Reeves, the Sub-Commissioner, on the first session that I was before him, when there were 33 or 34 tenants having judicial rents fixed.

14931. The President.—Read it out.

The Witness read, from the *Limerick Chronicle* of Tuesday, July 17th, 1883, portions of a report of the judgment of Mr. Reeves, Q.C., Sub-Commissioner, in reference to the rents of tenants on the estate of Richard and Jane Skoopols, viz. :—

"Mr. Reeves, before announcing the decision of the court in the cases filed for hearing from this county, said first, what was notorious in this country, as well as what was declared in court at the hearing of these cases, there could be no doubt that lately the agreeable relationship which had always subsisted between landlord and tenant on this estate had been interrupted. It was not the business of the Commissioners to interfere with matters outside their province, but he (Mr. Reeves) thought it right to say that there was no estate in the county Clare, but less cases for complaint, as the rents fixed would show, there being only one case in which a reduction of any magnitude was made."

Then followed his decision, and the report proceeded:—

"In announcing the decision of the court in this case, Mr. Reeves remarked that the Commissioners would not inter-

tate in making a reduction in the rent when justice required it; but they were bound also, if they had a case in which they considered that the rent was not sufficient, to increase it."

Then a decision was given increasing the rents of three or four tenants, after which Mr. Reeves referred to the case of a woman:—

"The tenant in the last case, who owed a great deal of rent, and refused to make any payment to the landlord, who, consequently, was compelled to bring an ejectment against her for the payment of these arrears, but before doing so offered to take 25, being the half-year's rent, and a trivial sum for costs. This offer having been declined a decree was obtained against her for £15 11s. 10d., £12 being for rent, and the residue for sheriff's fees and costs."

The Witness continued:—I should like to mention that the Labourers Act is so used now—almost altogether as an implement for punishing landlords. They attempted to put two evicted tenants on a farm of mine which is in the occupation of the Land Corporation—actually to build cottages on the farm and to put two evicted tenants back into it again.

14932. Lord Milltown.—As labourers?—As labourers.

14933. Are there many labourers in that part of the country?—I mean labourers who have got no land of their own—were there any distinct from farmers?—There are a number of fellows hanging about the streets of Ennis who do a day's work when they can, and who have no other way to live. I have a large number of labourers in my own employment. I pay over £300 a year for labour.

14934. Do they live in Ennis?—Some of them do. I have ten or twelve cottages on my own place, and they wanted to put more on it. The Board of Guardians now are simply a Land League Club. They give no situations to anybody who is not a Land Leaguer; and it is necessary for a labourer before he gets a house to subscribe to the League. I will tell you of a case of which I am aware in the Tuam district. A farmer was unpopular, and they pointed a woman as a labourer on this man's farm, and she had an illegitimate child, twelve years old—

14935. The President.—In fact, it is entirely at their discretion to plant anyone they choose anywhere they like?—Anywhere they like; and no person is eligible that does not belong to the Land League.

14936. Lord Milltown.—Surely, he can appeal to the Local Government Board?—The Local Government Board were appealed to in this very case which I have mentioned, and they said there was no reason why she should not.

14937. The President.—Do you suggest any amendment in that law—the Labourers Act—or do you say that it is bad altogether?—I should not like to say I would be against it altogether, but there ought to be some discretion as to the character of the man they are putting in. In the first place, he is in no way bound to work for anybody. He may go in and sleep there, and unless you have some control over them they would be a very great nuisance in the way of trespassing on the farms around. They would break in your hedges, and have their fowl and pigs all over your place.

14938. You think that the Labourers Act are capable of being made to work if well amended?—I think so. I don't see why they would not; but there ought to be some discretion given to the man they are going to plant the labourers on—he ought to have some choice or discretion to compel them to work which he is not provided with now.

14939. Is there anything more that you wish to say on the subject of intimidation or boycotting, or shall we pass to another point?—I cannot say further than what I have. I think boycotting is allowed to proceed to a dangerous extent. It is very hard to check it, for it is done in a most systematic way. Ifs.

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man sees your cattle at a fair and gives a snuff to another, your cattle won't be looked at. Fortunately I have not to send to fairs for people buy from me at home.

14340. It does not take the form of interference with the payment of rent—I think so.

14341. With regard to leaseholders, have you many on your estates?—I have a good many leaseholders. Several of them had their leases set aside at the time of the inquiry here. There was an inquiry held here by Judge O'Hagan, and a great many leases were set aside on that occasion. Judge O'Hagan considered that I imposed conditions in those leases that were not exactly in conformity with the Act of 1870. The Act of 1870 gave you the power of contracting out of the estate, and I thought it was right and fair to do so. My leases have been very carefully drawn from time to time. Mr. O'Hagan considered that they were unfair to the tenants; and they invariably learnt to swear to the exact amount of compulsion that would entitle them to have their leases set aside. I had one or two similar cases where the leases were set aside, and the Sub-Commissioners did not reduce or alter the rents.

14342. Do you see any reason why leaseholders should not have the benefit of the Act of '81?—I think it hard on them, looking at the concessions that have been made to all the other people, that they should be left out in the cold; and at the same time I think the whole thing was most unfair. The fact is that the bad tenants got the biggest reductions; and the same way with the Arrears Act. The bad tenants got the whole benefit of the thing.

14343. You don't see that it would be more a hardship to you to have a tenant's lease broken than to have the right of free contract taken from you?—Nothing more. I don't see the difference, except that the one is in writing. I think the tenant from year to year was a great deal better off than the leaseholder.

14344. Lord Milltown.—His tenancy was often in writing too!—And his tenancy had no termination. You could not put him out; the felling was against it; and you would be shot for doing it and that sort of thing; whereas when a lease expires the lease is out, and you can make a fresh bargain.

14345. The President.—Have you thought of Lord Ashbourne's Act in any way?—I have made inquiries of all the tenants I have to know if they would purchase under it; but they are not allowed. I think that is the way.

14346. Not allowed by the Leases?—Not allowed by the Leases.

14347. Otherwise do you think they would?—I think they would. In two ways they prevent them from availing of that Act. They tell them that the number of years' purchase is too great, and that if they continue the agitation they will get better terms.

14348. Do you think that the landlords are willing to sell at fair prices?—I think they would. I know I should be happy to sell every place that is not in my own occupation.

14349. What price do you think would be fair?—I think twenty years' purchase on the net rental.

14350. That's about 17 per cent. on the gross?—I should say yes. You know you cannot sell what you are not getting. It should be varied in every union, because the rates vary. In some unions my rates would be only 3s. in the Kesh Union they are 3s. 6d. at the very least. I speak for myself. I should be very glad to get that price.

14351. You think that if the tenants were not interfered with they would be willing to buy at that rate?—I think they should, because if they calculate it they would see that they would be better off. They have a great dread in connection with the payment of

instalments, and I don't suppose that time or any indulgence would be shown to them by the State.

14352. If they were to have power to give six months, but not more, do you think it would be a good thing for the tenants to have that sort of indulgence shown to them?—Well, I have never refused that indulgence to a tenant—to wait for a particular fair, or perhaps for a little shifting of prices.

14353. But to be allowed to wait for more than six months in the year?—Then there would be two instalments due. Once they got into arrears they never would get out of it again.

14354. I suppose where an estate is incumbered it would make sale very difficult?—Very difficult to pay. You get no reduction in connection with the incumbrance, I need not tell you. I think a hardship is inflicted in the collection of tithe-rentcharge; they never make any reduction in it. In cases where properties have been purchased and paid for in instalments, whether you get the rent or not you have to pay the instalments. Only a portion of the tithe-tax is allowed. You get no poor rates or anything else of the kind.

14355. It seems hard that mortgagees should be getting 5 per cent.—In any case the mortgagee has the remedy of being able to lift his money, or you can pay him off. I think it would be hard on mortgagees that where they have paid their money they should lose; they should have the opportunity of being paid. It is quite different with respect to estates on which there are large family charges. A man having a property creates a charge for his younger children—a jointure for his wife—and all that sort of thing, all of which has to be paid in full, and they contribute nothing whatever. If it is absolutely necessary in the interests of the State to reduce rent, I don't see why they should not pay their share.

14356. You think they ought to be treated differently from what they are?—I think that if the owner of an estate has voluntarily contracted unreasonable for his sons and daughters and wife, and if the note of that estate are cut down one-third, they should be all in the same boat.

14357. Lord Milltown.—Do you think, Mr. Sturgess, that judicial rents fixed two or three years ago, or three or four years ago, have become impossible rents now?—I do not, sir. Of course, taking on your word another, there might be a bad year, but they might have a good year as against it. The Commission, I must say, seems to think so, for they have been reducing them more and more every time. It is notorious that in Clare, on some estates which are reasonably managed, and the tenants of which are shown very great indulgence, the reduction was worse than on others on which there were, I am sure to my mind, more harsh landlords, they got off better than the men who had fair rents. I know cases in which rents of a guinea an acre were reduced to 10s., and rents of 7s. 6d. an acre reduced to 5s.

14358. Then you do not think that the judicial rents of four years ago are unfair rents now?—I do not. I hold lands in my own possession, and am largely; I keep strict accounts; and I am sure that I am not doing nearly as well as I was. I sold out this year as well as ever I did in my life, and at a good profit. Two or three things have fallen heavily. One is wheat, which we don't grow. Wheat did fall heavily, but there has been a little improvement in the price of it this year again.

14359. A considerable improvement?—A considerable improvement, but not reaching anything like the former price. Sheep are bringing as good prices as ever.—30s. for lambs this season.

14360. Then you don't call this a very bad year?—I would not call it a bad year.

14361. Is it better than last year?—I think so.

there was a very good produce this year of all kinds. I am speaking from my own experience and what I see in the country. I think there were fair crops this year.

14962. Looking back twenty years, has the fall in price been exceptional?—If you go back twenty years, in certain commodities that you name to me; but this inquiry is limited to from 1880 to 1886.

14963. Pardon me—we have to inquire whether the alleged difficulty in paying rents arises from an exceptional fall in the price of produce. I am asking you, from your experience of prices during twenty or twenty-five years, whether you would call the fall that we have experienced, an exceptional one—that is whether there have not been quite as great falls before?—I have looked into the matter, and I can see only two articles in which there has been an exceptional fall, and these are wheat and wool.

14964. And wool is now recovering?—Wool has recovered one-fourth this season, but is nothing at all near the price it used to be.

14965. Is there general satisfaction in your district with the decisions of the Land Commission?—Oh, I could not say that. I am very much dissatisfied myself.

14966. Well, but amongst all classes—in there satisfaction with their decisions?—I could not say, but I will tell you what I think—I don't think the tenants who get big reductions are one bit better off.

14967. I want to know whether there is a general idea that these alterations are made on any rational or intelligible principle?—I could not say that. I think none of them ought to be very well satisfied, but it doesn't appear that they are.

14968. You don't quite understand me?—I think it is due to the teaching they are receiving. They are told that they can pay no rents at all, and that if they had the land for nothing they could not live on it, and so on.

14969. What I want to get from you is, as to whether it is the opinion of all classes—landlords and tenants—that the judicial rents are fixed on an intelligible and proper basis by the Commissioners?—As far as it regards the tenants, I cannot speak for them, because I don't know their opinion. As far as I am concerned myself, I am very much dissatisfied with some of the decisions of the Commissioners, because I do not think that any man in the world, at certain seasons of the year, could go on land that he never saw before, and tell you what it is worth. There is a large house farm near Scariff. I have had an experience of two or six years of it, and I say that so now going on it in the month of March will put a rent on it of within six or seven of what he would put on it in September; it is so different in appearance. These sub-commissioners go on land at all seasons of the year, in the worst of weather, when it would be impossible for any man, no matter how practical a farmer he was, to put a fair value on the land. And land values so much in Clare, we have a great deal of my land.

14970. Mr. Neligan.—By "crag" you mean stone?—I have a farm of thirty-six acres of crag land, for which I pay £20 a year, the valuation being £50; and it is the best farm I have.

14971. Sir James Caird.—What do you mean by "crag" land?—Limestone cropping up through the grass. Sometimes you walk without taking your feet off the limestone. But in the crannies there is very good grazing.

14972. Then the land is all grass?—It could not be tiled.

14973. And grass of a very fine quality?—In some places it is of very fine quality. There are what are called "winter" places, where men could leave their cattle when in the snow, and take them off on the 15th of May, and drive them to Ballinasloe.

14974. The crags do no harm, except causing you to lose a portion of the ground?—Oh, there is some

perfectly white crag, where nothing but stone is to be seen.

14975. Is this upon the sea-shore?—No, it extends twenty miles from the shore. There is a vast tract of this land to the east part of Clare; you can go from Lisdoonvarna, in Clare, to Galway, without getting off this extraordinary crag.

14976. Do you know the country to the east of Galway?—Yes.

14977. Is it similar to that?—Yes, only that there is a great deal of rocks, and they are closer together.

14978. The land on the east side of Galway is held in small farms, which are practically tiled?—Yes, but the greater portion of that bit of land, of the Galway crags, was very much run out. There was a dense population, and every possible space that could be cultivated, by spade culture, was run out, till it was of no use; they forced the potatoes by manure and guano until the land was of no use.

14979. The same thing will be done on this land that you speak of?—It could not be done. I have cleared acres of it at an enormous expense; and the little patches you get are the best tillage land. But that costs a fortune.

14980. Then the best management of it, is to leave it in its natural state?—I think so. Where there was a dense population they cleared out the stones, and there are the little gardens remaining. In my country we get rid of the stones off the orchard, and used them for lime.

14981. Then this land that you speak of is worth, you say, £20 a year, rent?—I pay £20 a year for it.

14982. Do you find that it is remunerative even at that cost?—Yes.

14983. When you speak of the savings of it, do you include those stones and rocks?—Oh, yes.

14984. How many acres are there?—Thirty-six acres.

14985. All these stones and rocks occupying half the ground?—No, not at this particular place. I cleared some two or three acres of stones, at an enormous expense.

14986. Mr. Neligan.—You hold a quantity of land in your own hands?—Yes.

14987. How many hundred acres?—About 600 Irish acres on my own hands at present.

14988. Did you find it as profitable during the last two years as it was?—I think so. I am making nearly as much of it as ever.

14989. You keep a regular account?—Oh, most regular. I will show you the books if you like.

14990. Mr. Neligan.—Did you make as much during the last two years as before—is that what you say?—That's what I say.

14991. Sir James Caird.—Can you give us your final balances on each year and make it as short as you can?—I can. Shall I begin with 1880.

14992. Yes?—My sales in 1880 were £1,129. I got a little more land into my own hands after that, and my sales in 1881 were £1,384. My sales in 1882 were £1,852. My sales in 1883 were £2,310. I think about 1883, I got an extra farm of eighty acres on my own lands. My sales in 1884 amounted to £1,600. Sometimes there is more stock left on hands at the end of the year than in the previous year. My sales in 1885 amounted to £1,548; and my sales up to the present, in 1886 have been £1,364. I have a large quantity of stock on hands now, that will not be out before Christmas. The cash account for these years, includes household expenses and that sort of thing. The cash account for 1881, includes everything, that is stock, household expenses, and expenses of labour, house and farm—£2,635.

14993. That is money that you paid out?—The money I paid out.

14994. Mr. Neligan.—Does it include private expenses?—All my household expenses—servants' wages and everything. The cash account for 1882 is £2,736;

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that for 1883 is £3,719; that for 1884 is £2,587; that for 1885, £3,404; and the amount for 1886, up to the present is £2,556.

14995. *Sir James Caird*.—Your expenditure has been far beyond your income!—Of course, because all my household expenses are there.

14996. *Mr. Knipe*.—You have been at a loss every year!—But I could not live on nothing.

14997. Sure farmers can't live upon nothing either!—But, good gracious, don't all the expenses of my family and everything else appear there. Mind you, there is one item there of £900 a year, for labour alone, and that is what no farmer spends on his farm. There is a garden to be kept, and all sorts of expenses.

14998. I don't want the particulars of your household expenditure; my object is to ascertain whether you have been making money by your farms or not!—Well, I could not tell you that myself. I tell you how you may put it. I have so many acres of land in my hands, and the same they have produced include everything.

14999. But your expenditure is much greater; you have been at serious loss every year!

15000. *Sir James Caird*.—I think what the witness has brought out is this. (To witness).—You said that in '81 your sales came to £1,584; in '82 to £1,852; in '83 to £2,310—they were growing up to that date; and then they suddenly fell to £1,609 in '84!—For this reason that I might have had very heavy sales of cattle out of stall, just before Christmas, and I might not have had the same amount in the following year.

15001. Then in '85 the amount was £1,540—very much the same as you had in '81; and then as to '86, the return is not complete; therefore I think it may go for nothing!—I have forty head of cattle in stock now.

15002. The effect of the figures is that you realised as much in '85 as you did in '81!—Yes, and my household expenses exceed what I am making out of the farms.

15003. *Mr. Knipe*.—The only object I have in view is to ascertain whether you are really making money by this land or no!—Yes, Well, I think I am; because, mind you, everything is charged there—rents, taxes, and every single thing.

15004. Most undoubtedly you are losing by the land!—I am losing by the land. I never expected to live out of it. I never would think that all my expenses of labour and of my domestic—

15005. From your returns the natural conclusion is that tenants have a great deal of difficulty in realising their rents!—Yes.

15006. Isn't it your experience that these last two years have been worse than any for a number of years past?—I would not say this year. Last year was. This year I don't think so. I never had better crops than I had this year—on good mangels and turnips as in any place—and I have had good oats.

15007. Have reductions on judicial rents been given in your immediate neighbourhood by some landlords?—I think there were.

15008. I suppose you had applications for reductions?—I had.

15009. And you refused them?—I refused them.

15010. I suppose it led to a little feeling between you and the tenants!—I don't think there was any bad feeling in consequence. I said I did not see why I should give it, and they did not press the matter at all. Where there were not judicial rents I gave 15 per cent.

15011. But where other landlords gave reductions on judicial rents did not that create dissatisfaction on the part of your tenants?—I think the position of the landlord has very much to do with it. If a man's hand up and must have money, he will pay more money to get it than if he were not. It is like going to a Jew in London; if you must have the money you will pay 40 per cent for it.

15012. *Sir James Caird*.—I notice—to confirm a few your statements—that you had the three first years—namely, 1883, 1884, and 1885—good, the average being £1,531!—Yes.

15013. And you had two years, '84 and '85, bad, the return being £1,573!—Yes.

15014. These were all much alike on an average!—Yes. I have forty well-fed calves which will produce a considerable amount of money.

15015. *Mr. Knipe*.—They have not been selling well!—I think old cattle have sold very well this year. I deal largely in small cattle—Kerries—and I find they pay very well. They are less liable to disease than the larger cattle. They are healthier, and you have not so many accidents and disappointments with them.

15016. You are extremely fortunate; then as general complaints all round that they are not paying!—I buy all my Kerries from a man named Burke. Last year they had risen in price. I paid him from £10 to £15 apiece for them; and within the year I got them out at £11 and £12 each.

15017. Has the price of oats been lower than in other years?—I have seen oats lower. I bought a large quantity of oats the other day at 8½d.

15018. There is a great deal of inferior oats this year!—A good deal.

15019. And barley has suffered?—I don't consider that the hay and oats are so well minded as they ought to be. You see enormous quantities of hay cuttable best parts of the country. They are very neglected some counties. In Kildare, which is a good county, there is no place where they neglect it so much. They leave it out until the top and bottom become wet.

15020. This was not a very favourable season for securing it!—No.

The Rev. Thomas Maugher, P.R. examined.

The Rev.
Thomas
Maugher, P.R.

15021. *The President*.—You are parish priest of Newport!—Yes.

15022. Do you know the circumstances of the farmers and other people in your parish?—Pretty well.

15023. Are they paying their rents?—Yes, on a modified scale.

15024. Have they received statements?—Yes, as a rule they have.

15025. The landlords have been willing to give statements?—I found that. I corresponded with the landlords.

15026. Is all going smooth?—As smooth as you please.

15027. And no intimidation?—Not the slightest.

15028. Or prevention of their paying?—Not the slightest.

15029. Have any of them thought about purchasing?—Yes, but the rate of purchase was too high.

15030. You are in favour of creating a joint proprietary?—Certainly. Quite so.

15031. Have you been negotiating what?—I did, but I was not successful. A Mr. Henry proposed to me to act between him and his tenants. I think he is a Charity Commissioner. He said he would sell 18 years purchase. I got the tenants to meet. They were to pay all taxes, and get a reduction; but I said that not more than 12 years purchase would be given, and he would not accept it.

15032. Eighteen years purchase would have been a loss of income to him!—Oh, but of course we must not alone look to the present, but to future years. For the last two or three years there has been a serious depression. I thought the eighteen years to

High. Of course he gave an abatement, but that would not do. It may at present, but not hereafterward.

15033. We don't know what future years may be!—But everybody must be safe; that is my opinion of it. I may be wrong, but I think that the purchase should be made at the market price of the day, and that by law.

15034. Twelve years purchase would reduce his rent by one-half?—Oh, yes, I think so. I think that is the proper thing to do. I want that. I may say that couldly.

15035. Beyond this question of price, is there anything with respect to the Act that you can recommend?—Yes. There is another thing that I don't like. I am entirely in favour of cutting up head rents.

15036. You are for compulsory sale at 12 years purchase!—At the market price of the day. I don't say twelve years.

15037. Who is to fix that?—We should have an Act of Parliament. If you will allow me to read a paper on the matter, which I wrote some time ago, it will put the matter in a very clear light. The witness then read the following:—

LAND TENURE IN THE CHANNEL ISLANDS.

The most perfect system of land tenure is those Kingdoms, because of its simplicity, equity, and comprehensiveness, is that prevailing in the Channel Islands, which lie between England and France.

There the occupier holds in perpetuity, subject to a reasonable rent, that is a rent which may be gradually bought up. The Market value of the fee of the different qualities of land, say 1st, 2nd, and 3rd, is there recorded in the Official Market Notes, as with as in the case of houses, corn, meat, &c.

The rent, including taxes every succeeding year, is the ordinary interest of the country on the selling value of the fee.

The ordinary interest in the matter of land is in three kinds, as it is in every part of the Continent for the last 1500 years, 5 per cent. and can't be more or less.

The selling value of the fee each year is ascertained from the Official Market notes, and may vary from time to time.

While taxes remain unchanged, as a rule the market value of the fee remains unchanged, but when a depression occurs the market value of the fee is reduced. The reduction is ascertained from the market notes, 5 per cent. on said reduced value is the rent during the depression.

The rent when seasons oblige for the worse might be raised; when they elapse for the better it could not be lowered.

To apply the system to Irish tenures:—

A tenant holds his land, say at a judicial rent of £20 a year. The rate of purchase is at present say 10 years, the selling value of the fee is £200. 5 per cent. on that amount is £10.

This will be the rent and taxes hereafterward, that will the judicial rent alone.

15038. Who is to settle the number of years purchase?—The Government by Act of Parliament.

15039. And to fix the price for all eternity!—For all time. There should be an Act of Parliament passed, fixing the rate of sale between the landlord and the tenant, as it is in the Channel Islands Court. The witness read in continuation:—

I said the rent was reasonable. To carry out such redemption, the fee value, that is £200, was divided into debentures or quarters, as they were called of a uniform value of £50 each. As the present case the number of quarters will be ten, the interest on each at 5 per cent. will be £1.

Let us suppose an occupier has some money and wishes to buy up one of the quarters above referred to, or half one. He cannot compel the landlord to sell, but he can buy one of the quarters of a neighbouring estate of land not inferior in quality to his own. These debentures as bought up to landlord's credit in local land office, give him notice thereof; landlord must accept them. He can, if able and willing, report the same process again and again until all the debentures charged on his holdings are bought up. He has then the land free.

The tenant can reduce his holding and landlord's income is not diminished. It continues the same but charged on a different estate. In this way the complex relations of landlord and tenant with their multiplied variations incidents which now would, any were created to benefit buyers, are got rid of. Everything is regulated by the simple process of buying and selling. The moral of these standards is fixed

by one ruling of the Courts, instead of settling that of every holding by heavy litigation as is the order of the day in the Land Courts.

The Purchase Act of last Session goes somewhat on the lines of the Channel Island system. Thus it virtually adopts the equitable interest of 5 per cent., 4 per cent. for rent and 1 per cent. for taxes, which must after purchase be paid by tenant exclusively. But the equitable estimate regarding the fair value of the fee is ignored in the Act altogether.

I want to have an Act of Parliament to fix the rate of purchase as well as the instalments.

15040. And that it should be fixed at the market value?—At the market value every year.

15041. And that could be ascertained by what?—By the market notes—by the Incorporated Estates Court.

The President—This document gives your views very clearly; we will put it in.

Witness—Thank you. Allow me to read a little more, and then, perhaps, you will ask a few more questions. [Reads.]

This should be the present market value that is from 8 to 10 years' purchase, whereas its value in said Act is left to the good will and pleasure of the landlord, who, as a rule, requires double that sum, or 20 years' purchase, and hence the reason why the sales under the Act are so few.

If the Government insist on making the most of value the rate of purchase, as was done in France, Russia, and Prussia, at the time of their respective land revolutions, then I imagine the sales under the Act would increase rather rapidly.

In such event the case of Irish occupiers would be as follows:—

The rental of all Ireland before the Act of '81, was about 17½ millions. The reduction given by the Land Courts average 50 per cent. on the old rental—that for all Ireland would be 8½ millions, leaving the judicial rent 14 millions.

The average sale of estates at present in the Land Estates Court, is about ten years' purchase of judicial rent.

The capitalized value of all Ireland would, at that estimate, be 140 millions. According to the system prevailing in the Channel Islands, 5 per cent. on that amount, or 7 millions would be a fair value for rent and taxes.

The local taxation of Ireland on real estate, that is on land and houses, is at present something under 2 millions, leaving only 4 millions or a little over for rent. The capitalized value of the taxes is 60 millions, of the rent 80 millions. 4 per cent. on the latter, that is 32 millions, is the amount the Treasury would have to pay the landlords for 40 years under Mr. Griffin's plan of purchase, leaving the tenant liable for all taxes and poor rates, as they substantially are at present.

An alternative plan of purchase might be proposed, that the instalments be paid at 5 per cent. per annum for 32 years. That rate would pay the entire in the time stated, with interest at 5½ per cent.

The term of 40 years in the Purchase Act is rather long. In France in these cases the Code Napoleon never permitted the instalments to go beyond 30 years.

The above supposes that all Ireland is sold. I would remark with that the benefits of the Purchase Act that is to be, be so extensive with those of the Land Act of '81, that it, be confined to bona fide residential occupiers, and lands so situated. These comprise scarcely one half the surface of Ireland. The new rental or purchase instalments on these on the 32 years' plan would be 2 millions a year, with a million and a half taxation. On the 40 years' plan it would be 1½ millions with the same amount of public imposts.

The remaining half of Ireland, that is the outlying holdings should, in my humble opinion, be reserved for distribution, subject to compensation for improvements effected, to present occupiers, among the landless male adults in Ireland; for, say what we will, every man in Ireland without land is a rebel in his heart and will so act when an opportunity may offer, and if we want to tranquillize Ireland, these must be considered. That is, if possible, all must have some land with which to keep body and soul together in the land of their race.

France and Russia recognized this principle by law, in the former as one is allowed to occupy a space in excess of 1½ acres Irish, in the latter the average is 2½; in France, the rule by practice, is 5 acres; in Belgium, 3½; in the smaller States of Germany, in Austria, Switzerland, and all the Northern States of Europe, the same system of small farms prevails. In England, it was so in the days of Henry VII. no farmer could occupy more than 25 acres. Of course this

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plan will involve hard lines for our Irish large farmers. Let them be managed as they were in Prussia, in 1810, that is, each get a farm of statutory size rent free, the remainder to be parted with for distribution among the landless.

These outlying holdings comprise some 2½ million acres of Ireland's furthest lands. They are now occupied by 35,000 persons, from these lands were exiled for the last 50 years some 500,000 families. It is clear some reparation was made to these poor people and their descendants. I see no effective way of doing this except the way above suggested.

15042. Do you mean that the landless should keep them?—No—distribute them amongst the landless. They should be given to the congested districts to those that are living on them. Because, I think, we have too many large farms in Ireland; and the remaining half of Ireland—the outlying holdings—should be reserved for distribution amongst the landless made adults in Ireland, for every man without land in Ireland is a rebel in his heart. It may be a bold thing to say—perhaps it is a strong thing—but it is the fact.

15043. Sir James Caird.—Could you let me look at that. It is a paper written by yourself—I say myself. I got it printed for distribution amongst my friends.

You can leave a copy of it—I will send seven or eight copies of it. There (handing book) is a book which I wrote on the land question six or seven years ago, in which I think you will find a very large amount of information.

The President.—Thank you, that will be interesting too.

15044. Sir James Caird.—It goes into the question of the Channel Islands.—Oh yes; but since I wrote it I got more information on the Channel Islands.

15045. Did you get your information, which is in the paper regarding the Channel Islands, from personal examination?—I got it from a book written by Mr. Shaw Lefevre on the subject.

15046. Then it is all in his book?—I think so. I suppose he wrote several books on the subject. The thing was very long, and I took the marrow out of it.

15047. You never were in the Channel Islands?—I never was out of Ireland.

15048. Then it is only Mr. Shaw Lefevre's opinion that you are giving us?—Yes. But I suppose, gentlemen, it would be too long for me to read the rest of this paper. If you like to take it from me you can have it published.

The President.—Yes, I think that will be all right. It gives your views very clearly, and I don't think we need ask you any more questions.

Witness.—There are thirteen pages in all; and you won't forget to have it published in the printed evidence?

The President.—I am very much obliged to you for coming.

Witness.—I think, gentlemen, we must go to the bottom of it all. I am entirely for making the market valuation of the day the rate of purchase. If you require any more information from me call on me and I will give it to you.

The President.—Thank you very much.

The following is the paper referred to by the witness:

"There are five things in connection with the land question, Ireland, of which we have reason to complain—

"1. Our judicial rents are too high.

"2. The reductions made in these rents in recent times of depression, where given at all, are too small.

"3. Our rate of purchase, as permitted in the Act of 1881, is excessive.

"4. Where land subject to head rents is sold to occupiers, said head rents should be apportioned, but they are not.

"5. Our overgrown farms have appropriated to the maintenance of the aristocracy should be cut up, and distributed in holdings of moderate size amongst the people.

"What is a fair rent in Irish tenures, where all improve-

ments under and over the soil devolve on tenant? This, according to Continental law, which is justly styled the perfection of reason, profits rents, never to increase. The rents once fixed are fixed for ever. The Austrian Empire is governed by this law. The circles of Upper and Lower Austria—the hereditary States of that well-governed and happy country—comprise 55,000 square miles, or 23,000,000 statute acres. The conditions of tenure are the same as with us—that is, the work of improvement devolves on tenant. The rental is 25,000,000, some 2s. 6d. an acre. The rent is unchanged since the day it was first fixed—that is, some eighty centuries ago. This we have on the well-governed Isle of Wight. Charles, in his book entitled "A Tour in Holland and Countries along the Rhine." The same condition of things prevails in the other countries of the Continent—that is, Spain and Portugal, with their colonies. This we have on the authority of Mr. C. Leslie. Also in Sicily and Southern Italy. In France also the same condition of tenure prevailed before the first French Revolution, but by the operation of the Code Napoleon it was changed into compulsory compulsory ownership. It said to landlord, "We don't want to deprive you of your property or your right to have tenants, but if you let you can do so, and need give only a short lease, but subject to the following obligations:—1. You must execute and maintain all the improvements under and over the soil—that is, roads, and buildings; 2. Furnish tenant with watercourses, fenc roads, tithery, and quarry if on the property; if you fail in this you can receive no rent while improvements continue, and in addition we have indemnified for loss resulting. 3. You must submit to valuation when necessary; 4. By tenant." If you let your lands unimproved, as landlords do in Ireland, you can do so, but as soon as tenant will he can compel you to sell him the fee of his holding at a price mutually agreed on, generally 20 years' purchase of gross rent, and pay the purchase-money by annual instalments not going beyond 30 years, all to be arranged in the Land Office, of which there existed one in every Commune. If tenant were not satisfied with landlord's terms of sale he could remain a tenant, and hold at gross rent, so that compulsory expropriation in Ireland at present is only a application of the civil law of France.

"In Great Britain the rents received for land, considered in its present condition, are very small. The amounts define rent in England, Wales, and Scotland to be moderate interest on capital expended on improvements. The amount invested in that way is said to be £1,500,000,000. The land that is the rural rental is, or was before recent depression, £47,000,000.

"Yearly expenditure on outgoings (that is, repairs and cost of rent collection) is 17 per cent. on the rent (that is, £8,000,000). This we have on evidence furnished to the Cairns Land Commission. This leaves only £39,000,000, net rent funded interest on £1,500,000,000. The amount expended in improvements in £42,000,000, so that for the raw soil English landlords receive £3,000,000 less the nothing; while for said raw soil in Ireland Irish landlords receive as judicial rents fully £14,000,000, or 10s. 6d. 6s. statute acre.

"What should our Irish rents be were we to get the same rights as tenants do under Continental law? They should be what they were some 150 years ago, the time our 10th rent system first began. What were they then? Dowd Swift, who lived at that time, says £2,000,000 a year, or 2s. 6d. the statute acre. So that Ireland is the only country in the world where improvements devolve on tenant, and yet not small fixed rents, but ever-increasing rack rents at the order of the day.

"So far as regards our judicial rents, let us now consider the subject of reductions from said rents for the last few years. The average fall in the prices of cattle and other agricultural produce is, since 1870, as ascertained by agricultural statistics, fully 20 per cent. Where tenant improves his land, they never went beyond 20 per cent.—scarcely approached it; but, since depression, the farmer, not only in the means of reducing his rent, but also in that of cost of production and otherwise these have to rest the proportion of 20 per cent., as ascertained before, it follows as a necessary consequence that to have tenant indemnified against the loss in price in the amount of produce required for all his outlay, there must on judicial rents, on which about a reduction is possible, be a reduction of 80 per cent.—or other words, fully two-thirds.

"This will appear from the following—

"Let us take the outgoings and impositions of a farm of 10 acres, Irish, of prime pasture land, for the years 1850 and 1880.

1883.

"Number of estate is well supported, winter and summer,
2. Outrent, £120; judicial rent, £200.

Outgoings.		2 s. d.
Cost of dwelling and outgoings, five years' rent, £180; 5 per cent. interest on that, £10; 20 milk cows, £280; same interest,		34 0 0
Cost of one man and two girls to work the farm,		18 0 0
Additional work, say, in sowing hay,		75 0 0
Annual cost of reaping stock,		15 0 0
Taxes and poor rate on a valuation of £64—Taxes' portion, 2s. to the £1,		9 12 0
Repairs, £10; cost of insurance, £10,		20 0 0
20 firlins, 2s. each,		5 10 0
		£187 2 0

Income.		
25 firlins of butter at £3 6s. each,		175 15 0
12 calves, £1 each,		48 0 0
18 pigs at a profit of £2 each,		36 0 0
		£264 15 0

Leaving for rent in 1883, £59 13 0

"In 1883 the state of the question will be as follows:—

Income—25 firlins, at £3 15s.,	143 0 0
12 calves, at £3 each,	36 0 0
18 pigs, at a profit of £2 each,	36 0 0
	£219 0 0

Outgoings—Same as in 1883, reduced by 44 interest on present reduction in the price of stock,	183 0 0
	£36 0 0

"That is, in other words, while the sum available for rent in 1883 is £19 15s., or £1 10s. no more, that available after the depression is £16, or 8s. an acre—a depreciation in value of fully 75 per cent. So far as regards the subject of fair rents and reductions. Let us now consider

"THE PURCHASE ACT OF 1883.

"The great blunder is it leaves the fixing of the rate of rent to landlord, and this fulfils an ancient hardship on tenant. For a correction of both, that is a mode of enforcing fair rents and fair purchase, all required is, that we consider the land laws prevailing in the Channel Islands. There we have after considering.

"An alternative plan of purchase might be proposed, that is one where Government does not interfere at all. It would be as follows:—

"There must first be a land tribunal, say the present Landed Estates Court, or a Land Commission, if you like. Let the occupier be declared by that tribunal owner in fee at the number of years' purchase of the judicial rent as ascertained from the market value, as already explained. The tenant would probably average for all qualities of land ten years. Some say this would be confiscation; I think not. A few years after it was as high as sixteen, but we must charge the purchaser bought then the ownership—fee is, the present rent, and as a supplement a title to occupancy in other words, a title to increased rent, and a fine in addition. For we must observe before 1883 tenants held on a rule, be evicted, even though rents were paid. Now all that is changed, for under half of tenants the occupancy is the exclusive property of tenant, from which he cannot be disturbed so long as he pays present judicial rent. Consequently, nothing remains for sale as present fee ownership and present fixed rent. This, I think, is sufficiently high at market price—that is, ten years.

"Say, then, the sale of the holding in fee simple is fixed by Land Commission at ten years, the payment of purchase money in annual instalments, with interest at three one-eighth per cent., and running for 40 years, will, as in the Act of 1883, be for principal and interest four per cent. If the number of years for repayment be limited to thirty, it must be in France, the annual instalment will be five per cent. In both cases the taxes and poor rate must form part of the annual payment. Is this there will be no inconvenience, as in the plan here proposed payment by instalments will be to private individuals, that is, the creditors of landlord and not to Government. In years of unusual depression there must be a corresponding reduction, but in years of superabundance there must be no increase. This was the rule on the continent, and it was so to protect the working man.

"Now as far as holding is concerned, tenant holds the plot of land, and landlord creditors will have to look to him for their claims.

"As landlord ownership, that is, ownership without occupancy, has since 1861 fallen fully one-half in value, in all justice fairly claims an every property in Ireland should be proportionately reduced.

"This being done, all claims and charges on property in the way of annuities, endowments and covenants, say for life or fixed limited periods, should be estimated at their present cash value. This might be done by the annuities as happens every day in insurance offices. In France no claims other than cash are allowed to attach to any real property. This being concluded, priority between creditors should be declared, and all at expense of parties concerned. Of course, no charge can be thrown on any present estate beyond its purchase value as fixed by law.

"I said the average value of landlord ownership is ten years. If there be land rents let them be apportioned on the new average, and the rate of purchase be proportionately reduced.

"In France in the days of Stain and Harlebourg the rate of purchase was sixteen two-third years, but the rents were paid in labour, and never went beyond police value.

"These men, in addition, by a registration office in the central town of each poor law union, or county, if you like, where rates be recorded the new rate and cash instalments attaching to each present, as well as landlord, estate within its jurisdiction.

"All the cash charges, as above ascertained, must be charged into debentures or quaters varying in amount with the number of years the repayments are to run. If 40 the interest charged for annual payment will be four per cent., and the amount of the quarter will be 22s. If thirty, as in France, the annual interest will be five per cent., and the amount of quarter will be £20, so that in all cases the annual interest charged on a debenture or quarter will be £1; but this is in effect merely a matter of convenience.

"Occupier is at liberty to pay off the quaters by anticipation as best as he please, according to the plan laid down in the Act of 1883, which in this particular is most liberal.

"The various claims on landlord's property rank, as I said, be charged into debentures or quaters. These are the property of creditors as far as their claims reach, if any superabundant, these are the property of landlord. The creditors will, as I said, up to the amount of their claims, have to deal backward with particular present owners as far as the amount of the purchase of their respective holdings.

"The annuities to be paid twice a year in the respective union or county offices. When a failure occurs in the payment of annual or half-yearly instalments, after six months' notice, an order might issue from the Poor Law Board for the sale of as much of present's property as might be necessary to cover the amount of default. Of course, by-rotting in the case of such sales might be possible, but by-rotting in such instances would be by-rotting against justice, and I think I may feel warranted in saying by-rotting against the demands of natural justice will never resolve any controversy in Ireland. These debentures or quaters might become transferable—that is, they might pass from head to head like bank notes, and even be sold at a premium, for the security is indefeasible. This is true as long as claims amounting to only ten years' purchase are charged on an interest—that is occupying ownership value at present for 20 years' purchase.

"Thus we have a system of peasant ownership created without any demand on the Government for any portion of the purchase money. The only necessity for Government interference would be to compel the Poor Law Boards to see that the Act is enforced within their respective jurisdictions—that is, if occupier declines paying the instalments, the board should compel him to sell and surrender the occupancy of the portion sold to new purchaser.

"In France, at the time of the completion of its land revolution, by the introduction of land banks, that is in 1830, the payments were monthly with the means of recovery in case of default as above. The cardinal point in the programme is that the rate of purchase shall be the current price of the day in Landed Estates Court as recorded in market value.

"The expense of machinery for carrying out the Act should be very small: the clerk of the union, a surveyor, and a copy of the Ordinance maps of the union would be sufficient. The instalments might be very easily paid. They would never exceed one half of the present judicial rent. Even that would be subject to reduction for taxes and further abatements in years of unusual depression.

"Subdivision amongst children must be compulsory, all liabilities attaching to the land to be apportioned.

"This is the case in the Channel Islands for the last 1,500 years. The holdings are as small as two acres statute, and yet the people form the happiest community in the British empire.

Nov. 2, 1885.

The Rev. Thomas Hughes, &c.

I think that would be in consequence of the difficulty of making their rents out of the land; prices are so bad. I think, in many instances, where they hold out they are not able to pay.

15066. Then it is advisable that they should have discounts?—I think so.

15067. Do you find that they are more willing to pay rents that have been judiciously fixed than the others?—To the extent that they are lower they would be. I think they don't care how rent comes to be lowered, whether judicially or otherwise, so long as it is within their reach.

15068. Is there anything more about the state of the country that you wish to mention?—Well, I know nothing more. I believe a good deal of the moonlighting is got up by the tenants themselves, in order to frighten the landlords into giving larger abatements than they are inclined to give. I met some cases, and I reported that as my belief.

15069. You mean not in cases where shots are actually fired, but matters short of that?—Firing shots into houses.

15070. Sir James Caird.—But not designedly?—Yes, designedly; so intimidate.

15071. What is the sign that you think you have of any breaking up of the League? You say you think it is breaking up. What sort of sign do you think it is?—I refer to the people who have been boycotted. Without any change in their attitude, boycotting is slackening off. There is a notable case of boycotting in this county—the case of Mr D'Arcy. He was persecuted to a degree that could hardly be conceived; now he walks about and is not so much shot. He is not molested, and the people are beginning to come back to him without any abatement on his part of the conduct that they took exception to. Then, from my intercourse with agents and landlords, and gentlemen throughout the country, I gather that the rent is being better paid, and that is a very strong sign. I think altogether that if the people got the land what they might consider to be perhaps too much, but really a little under the value, it would go a long way towards satisfying them. It is deep land rather than anything else that they want.

15072. They want reductions, because they are pressed by the low prices and the bad season?—I think so. Certainly, the prices of agricultural products of all kinds, to my recollection, have never been so low.

15073. Has there been, do you think, an increasing disposition on the part of the landlords to show sympathy with their tenants?—Certainly.

15074. You have no doubt about that?—I have no doubt on my mind. The landlords are more inclined to meet the people than they have been.

15075. When did that begin?—I noticed it meet within the last half year.

15076. Then the two parties seem to be approaching each other in a friendly manner?—Decidedly, I think so.

15077. One being as ready as the other to take advantage of the friendly feelings?—I think the people are quite ready to take advantage of it, and a great many landlords are beginning to see that; and, anyway, I hope it will produce a better state of affairs,

and a better feeling between the landlords and the tenants, when rents are found to be placed on a sliding scale, so to speak.

15078. There is no sliding scale adopted?—No.

15079. But the landlords themselves act on the principle of it?—I think so; yes. I think there is an inclination on the part of the landlords to act on a sliding scale.

15080. That is, they take into consideration the difference in prices?—Yes.

15081. And act on it without any legal pressure of any kind?—I think the disposition is in that direction. Of course one man may do one thing and another man another, but you can see, I fancy, that there is a tendency on the part of landlords to meet the people in that way.

15082. Has any serious outrage occurred here for some time?—No serious outrage has occurred here for some time; not for some months.

15083. Then the country is very quiet on the whole?—Well, Limerick has been, lately, very quiet, much quieter than it was last spring.

15084. The county you mean?—Yes.

15085. The President.—Has the return of outrages been lower than it was?—Yes, my lord. The outrages are lower, and the evictions are considerably lower; and the only thing that I do not see is any inclination to take evicted farms. In that respect the League still holds its full power. There is no sign of evicted farms being taken.

15086. Sir James Caird.—That, I suppose, has some effect in the eyes of the landlords?—I suppose it should have. They can do nothing with the land. It might as well be thrown away, unless they have capital to farm it themselves.

15087. Then that course remains unchanged?—That course remains unchanged. The land is then in the hands of a caretaker, protected either by two men constantly in his house or by constant patrolling.

15088. Are many people under protection in this county?—About forty-five at present.

15089. Is that more than there were last year?—There were more last year; but that would include the families of the men. It does not mean the heads of houses. In Mr D'Arcy's house there are four or five people protected, including himself and his wife.

15090. Then, on an average of five to each family, there would be nine families protected?—There are nine or ten families. There is generally protection for two caretakers. I can give you the exact number if necessary. The exact number was eight.

15091. Mr. Ennis.—A number of landlords have given reductions on their judicial rental?—They have.

15092. When this is done the rents are fairly well paid?—Oh, yes; I think so. Of course I have only their word; I have no proof except what people tell me.

15093. But where the tenants make applications for a reduction and it is not granted they generally hesitate a little?—They do, and I have known serious outrages to follow that. I have known moonlighting of a serious nature to follow that.

15094. But altogether the country is improved?—I think so. Where reductions are made.

Mr. Edward Bennett examined.

15095. The President.—You are a tenant farmer?—I am a tenant farmer.

15096. To a large extent?—Well, not very large; about eighty acres.

15097. In different holdings?—Yes, different holdings.

15098. Are they at judicial rental?—No, I never saw judicial rents. I hold by leases made in 1848.

15099. Is that higher than a judicial rent would be?—Well, I consider it is.

15100. Do you think leaseholders ought to be allowed to come into court?—Yes, I think they ought.

15101. You see no reason to be given against it?—I do not see any reason why they should not be allowed, if they wish, to come into court.

Mr. Edward Bennett.

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Mr Edward
Bennett.

15092. Have you considered the matter of purchase? Do you wish to buy?—Well I would wish to buy, but I have not considered the matter very much. The only consideration I have given it is this—that I think the landlord ought to be compelled to sell. I understand the Government, or whoever advances the money—the Treasury, I believe—insist on having a certain proportion of the purchase-money left in their hands or paid down by the buyer—one-fifth. I think the landlord ought to be obliged to leave that, for the tenant can't do it.

15093. But the landlord is obliged to—I thought not. I was not aware of it.

Sir James Caird.—It is the landlord who has to bear the loss of the money that is kept back; the tenant has nothing to do with it.

15094. The President.—They say it stops sales in some cases?—I thought it was optional with the landlord to leave it or not.

Sir James Caird.—The Treasury makes it necessary for their safety.

15095. The President.—Do you find it difficult to pay rent in these times?—In these times I do; very difficult. I do not delay, but I can give you a few facts as to the price of butter, that I got from a friend of mine.

Sir James Caird.—We have full information about prices. We won't trouble you on that.

15096. The President.—I may take it generally that you find it difficult to pay rent, and that the farmers about you do?—To my knowledge they do.

15097. And that you have not found it a very profitable business during the last two or three years?—During the last two or three years I have not.

15098. Mr. Knipe.—Hand the paper that you have to the reporter. Does it deal with anything except butter?—Yes, also with corn and cattle.

15099. The President.—Is there any call for tenant right in your neighbourhood?—Not as present.

15100. Sir James Caird.—There used to be?—There used to be.

15101. But there is no demand for it now?—No demand for it now. I know a man at present wishing to sell his farm, and he cannot find a purchaser or get an offer for it at any price.

15102. The President.—How are the labourers off in the country? Are you employing many?—Yes, I employ a few.

15103. What is the rate of wages?—I am paying one and eightpence a day to each man, and his dinner, besides a sabbath meal. The farmers don't complain of the rate of wages they pay, but of the difficulty in getting labour.

15104. There is no labour?—Very scarce, in my part of the country. I have to send into a neighbouring village for labourers. They are not in the country, they have all gone into the villages and towns.

15105. Do they walk in and out from the villages?—They walk in and out to my place. But I know people who have to send horses and carriages to convey them to work on their farms, morning and evening.

15107. In fact labour is so scarce that they are able to make their own terms?—Quite so.

15108. Mr. Knipe.—Have you been making money by farming this last few years?—Not a penny, but losing.

15109. Is it your experience that the last two years have been the worst you have had?—Oh, yes, by all means. The land is not returning the produce that it used to do, and the prices of produce have gone down, and there is a difficulty of getting labour in the season when you require it. I have seen crops of corn and hay lost in consequence of the difficulty of getting labour to save the crops.

15110. Does it not cost a great deal more now to cultivate a farm than it used to?—It costs a great deal more now.

15111. And I suppose the price of cattle has been affected?—Yes. At the last fair here cattle were considerably down. I understand that they have fallen since.

15112. Have reductions been given on judicial rents in your part of the country?—Not yet, but I understand they will. The tenants on the estate where I live went into court two years ago, and their rents were reduced 17 per cent, and previously they had got 20 per cent, abatement. Since that they have got no abatement. Now, I understand, the agent is offering an abatement of 30 per cent on the judicial rents which is entirely insufficient, I believe.

15113. That will probably cause the rent to be paid?—The rents have been paid all along—if not previously still they have been paid.

15114. Sir James Caird.—Is your land mostly a grass?—Grass and tillage.

15115. In what proportion?—I still abate at twenty acres this year.

15116. You said that the land was not cropping as well as it used to?—Not at all as well.

15117. How is that condition?—Well, I do not think it is. I do not know why it is reducing it gives as good crops as it used, but the fact is that the crops are not growing as they used.

15118. Is that only for the last two years?—They have been gradually declining for years past, for five or six years.

15119. In the quality of the grass?—I do not say grass so much as the other crops—corn and grain crops.

15120. Do you think it is from the seasons then, unless being colder and wetter?—I think the seasons have a good deal to do with it. I recollect when we used to get fairly to fifty tons of turnips off an Irish acre, and now we consider twenty to twenty-five to be a fair crop.

15121. Has there not been a fair crop this year?—There has been a fair crop. Twenty-five tons to the acre.

15122. That is very much less than you used to get?—Very much less.

15123. As to potatoes?—The potato is now about half a crop. This year, my own is about as good as I see in the neighbourhood and it is no more than half of what I had last year.

15124. But if better seasons should return there is no reason to doubt that the land will be as productive as it was before?—Well, I hope it will. I know the land has been run out of condition in a great many places, in consequence of the poverty of the season. They are not able to till it and to manure it, and to treat it as it ought to be treated, for want of capital. The capital is gone.

15125. Is that a common thing amongst farmers in your part of the country?—In my part of the country it is.

15126. Where is your part of the country?—In the county of Clare, about twelve miles from Limerick and Newmarket-on-Fergus.

15127. Have you rich land on the Fergus river?—I have a small portion, not on the Fergus river, but on the Shannon.

15128. Is it good land?—It is reasonably good.

15129. Is it all in grass?—All grass.

The Witnesses headed in the following manner:

"A most respectable cattle dealer told me privately that Canadian fat cattle, 3 cwt. sold in Glasgow market at £13 5s. each, buyers, a butcher twenty-two per cent in the trade, and he never before bought as much fat in so small a sum of money. He also told me that last year he sold 41 per cent within the past three years—that means that a beast of 3 cwt. is worth 55 less now than it was three years ago. I saw excellent hay offered in the market yesterday at 25s. per ton—it could not be had in the market at 15s. per ton at 8d. per stone, he sold the same oats on Saturday last, at 7½d.

"Highest price for top Irish beef in last Glasgow market was 40s. to 50s. per cwt.

—Average price of butter in Limerick market, per firkin, between the years 1875 and 1876, inclusive—

	£	s.	d.	per firkin.
1875	4	9	0	"
1876	4	5	0	"
1877	3	16	0	"
1878	3	19	0	"
1879	3	10	0	"
1880	3	19	0	"
1881	3	13	0	"

	£	s.	d.	Per firkin
1882	3	10	0	"
1883	3	5	0	"
1884	3	5	0	"
1885	3	5	0	"
1886	2	8	0	"

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Mr. Edward Bennett.

"In 1886 oats was 10½d. per stone in Limerick, in 1881 wool was 12. per lb., in 1886 it was only 9½d.; in 1879 and 1880, wheat was 16d. per stone. I sold it last year for 19½d."

Mr. John Browne's *Hazton* continued.

15130. The President.—You are a tenant farmer?—I am a landlord, a small landlord; farming a good deal of my own land.

15131. Have you tenants over part of it?—I have tenants over a part of it. I also collect some rents for other people.

15132. Sir James Caird.—Where do you live?—Your Abbeyside.

15133. The President.—Have you been getting your rents paid?—Well, not except with a reduction.

15134. Have you given a reduction?—Yes, I have given small reductions in some instances.

15135. And have you found that after giving those reductions, they were willing to pay?—They are willing to pay.

15136. That seems to be the case generally where reductions are given?—They pay. I have been also collecting rents that were not judicial rents, and I have found that some of the tenants paid when they got reductions, and others did not pay. The chief thing that I object to is that I find that there is a general contention, and that the tenants come in a body and demand some reduction of rent all round in all the farms. Now, on every property some of the farms are let much lower than others, and what would be a fair reduction in one case would not be a fair reduction in another. There is one property near which I am agent, on which all the farms are held under lease. The leases were made a great many years ago. It used to be considered to be very moderately let. They all came in in a body and demanded 30 per cent. reduction. Some of the farms, which were dairy land, were held at Griffith's valuation. The tenants got 20 per cent. reduction on that. Some others were held at 30 per cent. over Griffith's valuation, and when they got 20 per cent. they were still 10 per cent. over the valuation. I reasoned with the tenants, and said that some of them ought to get more than 20 per cent., and that some ought to get less than 20 per cent. But they all had asked the thing in the Land League, and were told to get the 30 per cent., and I could not get them to change.

15137. You don't suppose that Griffith's valuation is really a fair rent for the land?—No, I don't at all say that, but for dairy land it is generally a reasonable rent. In the case of tillage land, Griffith's valuation is often considerably over the value of the land.

15138. The President.—The tenants seem to have made it a point of honour to get the reduction?—I seem to have made it a point of honour?—Yes, to get an equal reduction all over the property, no matter what the circumstances of the farms were: they were all to get the same reduction. The result of the matter was that the people who had land at a moderate rent before, paid the rents, but a great many people that I would have given a larger reduction to, did not pay. In fact they did not pay the rent at all. I attribute the result to the action of the Land League in a great degree.

15139. Is the Land League as powerful as it was?—Quite as powerful, if not more so. I think it is more powerful than ever. There is not the same open inhibition in so thoroughly to obey the tenants of the Land League that they have not used the same means that they did at first.

15140. Are no tenants here paid in violation of the League?—Not for the last two or three years. In the beginning of the agitation the

tenants came secretly and paid, but now no tenant pays unless the whole thing is settled. They have not fled the League. I consider that the League now has complete domination over the people.

15141. The reason you got your rents paid was that the statements were made, and the League sanctioned it?—The League sanctioned it. Another thing is that I consider that the sale has almost ceased over the country. I do not think anybody would be allowed to sell.

15142. You mean that the sale of tenant right has ceased?—Ceased. They are not allowed to sell. They do not want to have the value of the land fixed by public competition in any kind of way.

15143. Sir James Caird.—Do you mean the tenants or the League?—The League. The only tenants that are inclined to sell are men who are in difficulties. The League wishes to keep these men on their land. They wish to keep as many people as they can that are in difficulties in possession of their farms.

15144. The President.—Have you ever thought of compulsory purchase from the landlords' point of view, that it might be the means of breaking the power of the League?—Well, I think it might. I think myself at present that the tenants are not inclined to buy. In every township I find that there are some tenants in very needy, bad circumstances, and these men at present are not paying their rents, and they are afraid to lose the payment of instalments to the Government in any kind of way. They are afraid to bind themselves, because they say, "The landlord does not wish or is afraid to turn us out, but if we once get under the Government they won't be afraid to turn us out," and they try to keep other tenants from agreeing to it. I also find that there has been a certain number of years' purchase fixed by the Land League.

15145. Do you know what that is?—As far as I can find out I think it is about fifteen years' purchase on the rents that they agree to themselves.

15146. After the statements?—After the statements.

15147. Sir James Caird.—Nobody can see how low that may go?—You cannot tell. Fifteen years' purchase I hear in the mouths of them all.

15148. Fifteen years' purchase on the rent accepted by the tenants?—On the rent accepted by the tenants. Then again, as to calling in the aid of the local authorities to assist in the purchase of land, I think that would not succeed in this country at all. The only local authorities we have are the Poor Law Boards.

15149. You mean about intervention?—Yes, these local boards consist almost entirely of the elected guardians, and the elected guardians are the nominees of the Land League entirely.

15150. At present it would be out of the question looking for their intervention?—For the intervention of these at all. I have been for many years chairman of the Ballykale board. At the time the labourers' cottages came under consideration, a motion was made that no landlord should get more than five years' purchase for the land. That was carried unanimously.

15151. Sir James Caird.—On they force the landlord to sell?—No, they cannot force him, but that shewed what they wish to do. They could not force the landlord, because it goes to arbitration.

15152. The President.—You think, then, that the intervention of the local authorities would be at present perfectly impossible—could it under any circumstances be worked?—I do not think so. I do not think any-

Mr. John Browne's *Hazton* continued.

Nov 9, 1880
Mr John
Brownrigg
Witness

thing could be done now if there were any local boards made up of the same description of persons that are returned to the Poor Law Board. I do not see how you could meet the matter in any kind of way. With regard to facilitating purchase, the only thing is to extend the number of years in which the instalments could be paid. That might induce the tenants to buy, but at present I do not think they are inclined to buy at all. Another thing acts as a hindrance to the tenants wishing to buy, and that is, the local taxation is going up very much. It is increasing in all directions, and they are afraid that the local taxation will ultimately get so high that any arrangement made at present will be entirely superseded by the increase in the taxation.

15153. Do you think that the landlords, as a rule, would be willing to sell?—I think the landlords are very anxious to sell if they could get anything fair.

15154. What would they consider fair?—Well, I think they would consider twenty years' purchase on the judicial rents very fair. With regard to the judicial rents, I think that in some respects the two last years we have had were worse years than any we had before. I think there is more depression, and the country is poorer and more depressed now than it has been yet. And I think also that there is less money in the country.

15155. Then you think they cannot pay the judicial rents?—They really cannot pay any rent at all. I know people in my neighbourhood that have not paid rent for three years. They are exceedingly badly off.

15156. Then the difficulty the landlords and agents have is to separate the cases of those who can pay from those who cannot?—Yes, there is a great difficulty in that, for the people that cannot pay are anxious to prevent the people that can pay from paying. They want to get the whole tenantry into a combination. I often said to them, "You are acting very imprudently in that way, for the landlord cannot afford to be out of his rent. If you all combine and don't pay they will be forced to try to make you pay; it is better for the man that cannot to let others that can, do so."

15157. Sir James Caird.—Are those that cannot pay the smaller tenants? Is there any class that cannot pay different from those that can?—There is no general rule about it. I find some of the smaller tenants better able to pay than the larger ones.

15158. Is there any distinction as to the good or bad land they occupy?—I think the goodness of the land has something to do with it. I think the men that have good land are better able generally speaking, but industrious men that have their own families to work their farms are often doing better than men with young families who have to pay for labour, and who were in debt before the fall in the tines. I think they are getting on better in many instances. I have a man in my mind who is occupying a wretchedly bad farm near me. It is pretty extensive, but the greater part of it is covered with rocks and fens, and he is one of the best to do farmers in our neighbourhood. He gave each of his daughters £100 when she got married, and he is in comfortable circumstances. But then he is very industrious and hard-working.

15159. Mr. Knipe.—You said that you have a number of tenants who hold under leases?—Yes.

15160. Were they desirous to get into the Land Court to get judicial rents fixed?—I think some of them are and some of them are not. I think some know that their rents would not be reduced.

15161. Is it a fact that the rents reserved under the leases are lower than the judicial rents?—I think in some instances the rents reserved under the leases are lower than what are or would be the judicial rents in the neighbourhood.

15162. You would have no objection to allow them to go into Court to get their rents fixed?—Well, no, in many instances I would not. On a small property that I manage the land is held by lease. I reduced the rents myself fifty per cent, though they are held by lease. That is corn land. I may say also that a landlord that I represent holds under what were the Church Temperance Commissioners, and the rent that he pays is a corn rent, fixed on the value of wheat

at 80s. a barrel, and he is held to this excellent rent, whereas he has realised his own rent 50 per cent.

15163. You don't see why the leaseholders should not be admitted to the benefits of the Land Act of 1881?—No, not the least; I would admit all those who hold under perpetual leases, and what are termed beneficial leases, as well as others.

15164. Has farming for the last few years been profitable or not?—I have found the last two years the worst I ever remember.

15165. Although you cultivate your land?—I try to do the best I can.

15166. Have you found that it costs more?—It costs more to cultivate a fere than it used, and there are additional expenses, and then the land that I occupy is chiefly sheep land and corn land.

15167. Taking all this into account, it is not unreasonable that the tenants should ask additional reductions?—No, I do not think so—a temporary reduction.

15168. And are the landlords as a rule meeting them halfway as regards judicial rents?—I think they are. This year I think is the worst year that I remember since 1849. The price of store cattle in the spring was lower than it had been for a great number of years. The price of wool has risen a little lately, but it was exceptionally low.

15169. One question more. With regard to the Purchase Act, is there a general desire on the part of the tenants in the locality to buy?—No, I do not think so.

15170. But the landlords are willing to sell—the landlords are willing to sell.

15171. You think that twenty years' purchase would be a fair price?—Twenty years on a fair rent.

15172. Would it be so the net rental or on the gross rental?—I would say on the judicial rents.

15173. Do you suppose if they were pressed to take little less they would accept it?—I think a great many people would do it from necessity. A great many of the landlords are very hard run just at present.

15174. Do you think the tenants would become more industrious, and cultivate their farms better if they were put in that position?—They ought to be a theory. They ought to be; but it is very hard to say whether they would be or not, because they may have now fifty of tenners, and they are perfectly secure in every improvement they make. There is no such thing as a landlord confounding improvements of any kind. I do not think they want any security that they have not at present.

15175. It is only security of money?—Security of money. One of them said to me—"No matter how low rents are if we want time to pay the rent we will get it now from the landlord. If we become purchasers we are tied to a particular date, on which we must have the instalments paid, and if we don't pay it we will get into trouble."

15176. Sir James Caird.—That is the objection that the tenant himself made?—That is the objection I said, "The moment you go in and buy you get rid of the landlord," and all that kind of thing. But the tenant himself said to me—"That's all very true, but there is no landlord who, if I cannot sell my estate at a fair and if I go to him and say so, won't give me an extension of time to pay the rent." They all know what the instalments mean, as many of them have had dealings been under the Board of Works, and they are afraid to put themselves under these extremely punctual payments.

15177. Don't the banks give advances as they used to do in former years?—The banks are not giving a shilling. If half a dozen tenants' names are on a bill they won't cash it. If the landlord puts his name on it they will generally give the money, but not on the tenants themselves.

15178. What extent of tillage land do you hold as a landowner or farmer?—Strictly speaking a great deal of my land that I hold used to be tillage, but through necessity I have had to throw it into grass. I suppose I have about fifty acres in tillage. I suppose more, perhaps, than half the country round me has, all put together.

15179. Have you ever considered the question of produce rents—rents regulated by the average price

of produce—I have thought about that. I think, you know, in theory it is very fair no doubt, but then the carrying of it out would keep the country in a state of low water.

15180. It would regulate itself you know—it would not be a re-valuation—it would proceed on the basis of altering the annual rent according to the average prices which form that basis?—Well, in the first place, you should take care that in different localities you had all the suitable crops included in the basis.

15181. Would not oats, meat, and butter pretty well meet the average produce of Ireland?—It would not in the part of the country that I live in. It would not do at all.

15182. What would you require?—Ours was a wheat country at one time. It is no longer so; we have sheep.

15183. Well, that is meat?—Well, still, wool is another item. Then we have more cattle.

15184. Meat would include all that?—One of the ways I form is to buy cattle, year-and-a-half olds, and keep them till they are springers, and sell them as springers. I find that a profitable way of farming does at present. Last spring springers went down to nothing. I sold springers last April at very nearly what I bought them at a year and a-half before.

15185. Considering the question of produce rents, or the whole you would prefer to have a fixed rent; or, that it should not fluctuate with the average price of produce?—Well, no; I do not exactly say that. I say that in doing it you should have different kinds of prices for different parts of the island; for different localities. I think an adjustment of rent of that kind would be a fair thing.

15186. Do you see any other way of doing it?—I do not see any other way of doing it. I would not like to have the adjustment too frequently.

15187. Would it not be self-adjusting every year, and nobody would be called on to say anything, because it would adjust itself according to prices; the landlord and the tenant would see that a change had taken place in the prices, and that so many barrels or stons, or whatever it would be, would be taken at average price, and the rent would vary up and down according to that change?—Well, it is difficult to say about it.

15188. It should be taken from the country retailers, or the returns from the whole country, to get a sufficient average?—I understand. I do not know whether I am at liberty to say that the continued increase in the taxation of land is doing a great deal of mischief in the country. Nobody knows what the future is. There is a continued go up, go up, in the taxation of land, while other kinds of property are ceasing. I think as long as this rise in the taxation continues it will prevent people from coming to any agreement. There will be such uncertainty about the future that they will be afraid to do so. Title-charge is much too high in what were the tillage lands in Ireland. In 1833 twenty-five per cent. was taken off the tithes, but they have remained the same ever since, though the value of these lands have fallen from fifty to sixty per cent. since 1833. This is not equitable, and they should come down with the value of the land. Referring to leaseholders I would like to add that I think that beneficiary leaseholders as well as others should be allowed into Court. These last are among the most rack-rented tenants in Ireland, especially those tenants of Bishop's lands who were compelled by the Church Act, 1849, to pay heavy fines and to take renewals of their leases for twenty-one years, based upon the corn average of the previous ten years. In one case I know in this county the tenant paid £1,700 fine in 1869, and he got a free-farm grant, with his rent fixed for twenty-one years, on the price of wheat taken on an average of the preceding ten years, ascertained to be thirty shillings a barrel of twenty stons, which is sixty per cent. over the price of 1835 and 1836. In 1869 this man reduced his under-tenants' rent fifty per cent.—his income is nearly gone; but his rent must be revised in 1891, as a revision now would only anticipate a justice that must be done in 1891. I would also provide for contingencies not touched in the Act of 1835. The purchase of head rents, annuities, mortgages, and all charges affecting land. Owners of head rents and annuities can now stop the sale of many estates, and they should be dealt with in the same manner as the immediate lessor, and whatever rate of purchase he gets they should get the same. One class ought not to be called on to make a sacrifice for the good of the State it should be shared by all.

Nov. 2, 1887.
Mr. John
Dewar
Hewson.

Mr. William Gabbie examined.

15189. The President.—You are a landowner in this county?—Yes, and a large farmer. I have been since 1844.

15190. Are you getting your rents paid pretty fairly?—I collect, as agent.

15191. Do you find that the rents are paid on the estate that you manage?—Well, I must say not as satisfactorily as I would like. I have valued extensively from the passage of the Land Act up to the present date for landlords and tenants, under the Land Act of 1881. This is what your summons applied to. I valued on the estate of Lord Clonessary, the Earl of Bessborough, Lord Leconfield, the Hon. Colonel White, Sir Croker Berrington, Colonel Hare Gabbie's estate, and several other large properties. My valuations were principally made in Cork, Clare and Tipperary, and a few in Waterford.

15192. Sir James Caird.—Not in Limerick?—Yes, my principal one is in Limerick. I have principally made my valuations in Limerick, Cork, Clare and Tipperary, and a few in Waterford. I have had to deal with several qualities of land, and have bestowed considerable care and attention on the matter. I was requested before the House of Commons at their sittings in 1882. I was examined before several Commissions, and also before the Court of Appeal. As regards the decisions of the Sub-Commissioners as to the value of land, I consider that the subject should be more carefully gone into. I valued one large farm of 1,600 acres, and it took me four days hard work; but it was valued by the Sub-Commissioners in a few hours.

15193. The President.—You think they did it rather quickly?—A portion of it is mountain land—very good grazing land. It took me four days very hard work at it, but I think the Sub-Commissioners did it in three hours. I was to have met them there, but they did not attend.

15194. You think that generally they do not give time enough?—Certainly. I have valued between 50,000 and 60,000 acres.

15195. Do you think their decisions are not always in accordance with each other?—I think it would be much better if they were more in accordance with each other. I think it is hardly fair to both the landlord and the tenant that more time is not employed by the Sub-Commissioners in going over the different farms.

15196. Sir James Caird.—Do you think it would have been done better if they had taken more time?—I think they would have acted more fairly by the tenant and the landlord. I will give you a case in point where the head was deteriorated by the tenant and worn out. I don't think that the Sub-Commissioners have taken that sufficiently into account.

15197. Do you think they are quite capable of understanding that?—Well, I suppose the Government who appointed them ought to know that; I cannot give an opinion upon it. My view is this about the Sub-Commissioners, that I consider they have not given fair proper time and taken proper care in going over the several farms.

Mr. William
Gabbie.

Nov. 3, 1886.
Mr. William
Gibbins.

15188. *The President*.—You think that the rents have been rather fixed at haphazard?—I do, decidedly.

15189. Do you think that they are generally too high or too low?—In dealing with Limerick land it is quite a different thing altogether. In dealing with mountain land it is a different thing altogether. I think that in dealing with those poor districts of country a little more attention should be paid than in dealing with a farm of 500 acres of county of Limerick land. The difficulty in dealing with it is not so great as in dealing with a mountain district.

15200. It is easier to value good land than bad?—Of course the Sub-Commissioners going over a farm of 100 acres of good land can much more easily arrive at a conclusion than in respect of 1,000 acres of bad land.

15201. *Sir James Caird*.—When you speak of mountain land, do you mean high land?—I mean high land—a clearer definition would be poor land.

15202. Would you include bog land, though it did not lie high, under the term "mountain land"?—Certainly not, because I need not tell you that bog land, if profitably used, is profitable.

15203. For turf?—Not only that, but for tillage if it is drained.

15204. I have not made myself understood. When you say "mountain," do you mean high land?—Well, you may say bog or mountain land.

15205. When you speak of mountain land, do you mean land of high elevation?—High elevation—that is the land that I allude to.

15206. *Mr. Knipe*.—You complain, Mr. Gibbins, that the land in the county of Limerick has been reduced unreasonably beyond what it should have been?—I think so, as a rule. The good land has been reduced unreasonably. I would, as a farmer, prefer paying for good land from 50s. to 45 the Irish acre, than have bad land for nothing.

15207. *The President*.—Though it was unreasonably reduced at the time, how do you think it is now; how do the rents of two or three years ago compare with what farmers can pay now?—That is a difficult thing for me to answer in this way. I don't think this a bad year. Any man could have stocked his land last year upon reasonable terms.

15208. Store cattle were cheap?—Store cattle were cheap. Another very important thing that you have to deal with is foreign competition. You are aware that the freights that they have been paying have been ruinous to the shipping trade. There are at the present moment several steamers lying up on account of the low freights from the States. This must affect the shipping of cattle and provisions from America eventually.

15209. Then your opinion is that judicial rents can be paid now?—Judicial rents can be paid—that is my opinion, decidedly.

15210. Do you say that the rents on your estates have been pretty fairly paid?—Not on my estate.

15211. On the estates that you manage?—Yes, fairly paid—very fairly paid; but we gave a reduction last year on the judicial rents.

15212. What did you give?—Well, the rents were fixed at 20 per cent. over Griffith's valuation, and we gave a reduction of 20 per cent. on them for that year.

15213. On the existing rents?—On the existing rents.

15214. *Mr. Knipe*.—Was that in the county of Limerick?—In the county of Clare and some in the county of Limerick.

15215. *The President*.—Do you think there is any combination amongst the tenants not to pay?—Well, I am sorry to say there is. There is one question which I think is a very important one, and that is the question of the leaseholders. I think they should be dealt with. I do believe—this was my evidence in the House of Lords in 1882, and I don't alter it now—that the leaseholders will have to be dealt with in order to settle the land question in this country.

15214. You think they ought to be admitted to the Act of '81?—I do, decidedly.

15217. How does that affect the question of combination?—There is a combination. Dick is on one side of a ditch and Tom on the other, and Dick says to Tom—"I won't let you pay your rent if I can not deal with—if I don't get a reduction of 50 or 25 per cent."

15218. Does that prevail more amongst the leaseholders than amongst those who have judicial rents?—It exists in this way, that the leaseholders who have not got reductions from the same landlord, say to the man who has got the reduction—"I won't let you pay unless I am brought in in the same way." That was my evidence in 1882 before the House of Lords, exactly to the same effect.

15219. *Sir James Caird*.—I understand you to say that the combination is not amongst the leaseholders, but amongst the others?—Amongst the whole of them.

15220. From the injustice, as they think done to the leaseholders?—Exactly. That is their desire. They think that they should be dealt with in the same way as the others, and I think very fairly.

15221. *The President*.—You think it fair that they should be admitted to the benefits of the Act in question?—I do. I gave that evidence in '82, and I have every reason to think the same now. But you will have to deal with a certain class of leaseholders.

15222. What leaseholders ought to be exempted, if any?—It is a very difficult question, because there are a lot of middlemen; and there is a lot of property where there are jointures and mortgages, and the middlemen derive an interest from it. It is a difficult question, but leaseholders of from 31 to 60 years should be admitted. There is another very important matter. There are a great number of large properties that I know on which the landlord's interest has been reduced 50 and 25 per cent. on the judicial rents, and on which the mortgages are very heavy, and the jointures are very heavy, and my opinion very strong is that the mortgages and the jointure-holders should suffer in proportion to the reduction of the landlord's interest.

15224. They should be made to bear their share?—I think so, my lord. It is very hard when anyone is reduced 25 per cent. and is, perhaps, being to be reduced more, that the jointure of £100 or £150 a year should not bear the proportion of the loss.

15225. *Sir James Caird*.—Have you any idea how that might be accomplished?—That is a question for the Legislature, not for me. I have interest on my self for the last three years, and I cannot get a penny of it. A lady has £5,000 on that property, and if it were put up for sale she would not get £500.

15226. *The President*.—Therefore, anything that would give the mortgagees 5 per cent. on good mortgaged would be an advantage to them in most cases?—If I had to lend money to-morrow on property in Ireland, I would prefer a guaranteed 5 per cent. than the 5 per cent. we are promised now, which is not got in many cases, for you have to pay income-tax on it and other reductions.

15227. *Sir James Caird*.—Is it generally the fact that mortgagees do not get their interest?—When the evidence comes before you, you will find the same thing.

15228. That the mortgagee does not get his interest?—Not the full interest.

15229. Have you any personal knowledge of it?—I have—my own daughter. She has a portion, and she has not got interest on it for two years. She is a widow lady. There are a great many similar cases.

15230. *Sir James Caird*.—Have you any knowledge of the extent to which land is mortgaged in Ireland?—Oh, very heavily. There is one property which I manage, the estate of a poor widow. The income is now £500 a year; and after paying the interest is £1,700, and after paying insurance, all that she has to live on is £50 a year—that is, if she gets it. And the rents were all judicially fixed, and have been reduced 20 per cent.

15231. *The President*.—Of course the leaseholders remain the same?—The leaseholders remain the same.

ance, and the party who has the mortgage on the property doesn't get the interest because the tenants haven't paid it.

15232. I will let you follow your own line; it is better than questioning me. I—Thank you; I am much obliged. About the working of the Land Act—do you wish any further evidence about the Commission?

15233. The President—I think not. It does not bear very directly on our inquiry. Then about the Court of Appeal—I was examined very extensively before it.

15234. What do you think of the working of it—is it generally more fair—do they take more time?—The only thing they did was to send out a court valuer, who had to look over what I did—look over the land; and, as a rule, I think the court valuers acted very fairly to a certain extent. The Commission is composed of very good men—Mr. Vernon and Mr. Lawson. I have been examined before them in Gules, Lincoln, Cork, and Clonsilla; but I do believe that the men that are required to look over land in this country should be taken from a different class from what they have been.

15235. Mr. Knipe.—Mr. Galbraith, how do you reconcile what you have stated with the fact that the landlords have been giving reductions on the judicial rents?—We have been obliged to do it, because we would get nothing otherwise. It is much better for us, as an agent or landlord, to get what I can than to allow the property to go into arrears.

15236. You complain that the Commissioners give unreasonable reductions?—On some land they do.

15237. And yet you have given additional reductions?—Not on good land.

15238. And you say that a number of landlords in poor immediate neighbourhood have given them?—Not on good land.

Mr. Knipe.—We have it before us that reductions have been given generally.

15239. The President (to witness).—You think the contrary?—My opinion is this—that on good lands if the landlords are good enough to give it, and if the agents are good enough to give it, it is a matter for their consideration; but that on prime good land that I have been valuing the tenants are quite as well able to pay now as ever they were.

15240. What about bad land?—They cannot do it. In some places they are cutting the barley yet; and you cannot sell the cattle that are on bad land.

15241. Then you think that on the bad land they ought to have considerable abatements?—Certainly, my lord.

15242. Are the landlords giving more abatements on bad land than on good, or the same all round?—I don't know. With regard to bad land I recommend considerable abatements more than on good land.

15243. Isn't it the case that the tenants on an estate are apt to ask now the same thing all round whether the land is good or bad?—Of course they are. It all depends on the estate.

15244. Is there anything else that you would like to state?—No, except on the purchase clauses.

15245. What is your view of that?—It has been taken very little advantage of in this district—the Purchase Act.

15246. Is there a desire on the part of the tenants to buy?—None.

15247. No desire?—The reason is—the observation they make to me is this—they prefer the old master to the new. I won't make use of the expression they use, because if they come to an arrangement about the rent and purchase they will have to pay the instalments punctually.

15248. And that they don't care for?—They don't want to do it.

15249. Do the landlords wish to sell?—No, as far as I can see. They would if they got a proper price.

15250. What would you consider a proper price—a good price?—Well, I don't take Griffith's valuation at all as a basis to go by.

15251. I mean how many years' purchase?—I think if the landlords were to get eighteen years' purchase on the judicial rents, I would consider it very fair.

15252. Do you think that, as a rule, they would take it?—I cannot say that.

15253. You think that they ought, but you don't know whether they would or not?—I think they ought. I know I would take it and be very glad to get it.

15254. It would be a loss of income?—It would; but you would gain in another way—you would get your income; and if I had a family, I could capitalise my income so as to get them out in the world. There is another thing affecting the Purchase Act. They are taking into account your Commission, which is a very important one; and I think that the tenants and the landlords will not come to any conclusion or arrangement until that Commission is closed.

15255. Closed?—Until it has reported, and the report comes before the Houses of Parliament.

15256. You think they expect a good deal from it?—I cannot say that.

15257. Sir James Caird.—They are holding out—landlord and tenant—and they hear the confusion at which we arrive?—I think the landlords and the tenants are all wide awake to this Commission, and I believe they will hold back until you send in your report. I may be wrong.

The President.—That won't be very long. (Vivaciously)—There is another important matter that we ought to take into account, namely the labourers' cottages; but perhaps it does not come within your inquiry.

15258. What about it?—I think it is the greatest fallacy.

15259. You don't approve of it?—Not at all.

15260. They have not worked very well?—Quite the contrary. By-and-by, I think it will be a regular tax on the country.

The President.—That is not immediately within the scope of our inquiry.

Mr. Luke Christie examined.

15261. The President.—What is the nature of your holdings, Mr. Christie—do you hold much land?—About 310 Irish acres now—all from one landlord, I used to hold about 3,000, but I got broken up in 1879. I used to hold all from Lord Dunsany.

15262. Do you still hold from him?—Yes.

15263. Sir James Caird.—Near his place?—Between Green and his place—the townland of Corgun.

15264. The President.—What is the value of the holding?—It was all tillage at one time. Now we have it all in grass, except forty-eight or fifty acres.

15265. Is it under a judicial lease?—No, it was a rent arranged between ourselves and his lordship. The agent asked me to take a thirty-one years' lease, and I did, though I objected to do so. I would rather have been at will as I always had been.

15266. The rent is about the same as it would have

if it had been from year to year?—I think so, my lord. He settled it as fairly as an agent could do.

15267. Sir James Caird.—In what year was it?—In 1885, the rent was settled. We have been on the farm near 100 years—my father before me.

15268. The President.—What is your objection to the lease, if the rent is not higher?—I have had the advantage of being sent out by his lordship through Canada, to make a report for him on Manitoba, and the North West of America. I came home through Chicago. If his lordship went, and others came in, the chances would be more in my favour if I had not signed the lease; still as his lordship had behaved well, and the agent was anxious to have the lease, I did not like to refuse, and so I signed it.

15269. Sir James Caird.—When did you go to Manitoba?—In 1880.

15270. Then you had seen it in all its likelihoods

Nov 1, 1884

Mr. William Galbraith

Mr. Luke Christie

Nov 9, 1888
 1888
 Mr. Lake
 Canada.

before you signed this lease?—I had; and I entered into this lease under a protest. I would rather not have been asked to sign it; and I think if I had applied to his lordship he would not have asked me to sign it.

15271. The President.—Very few leases have been made since the passing of the Land Act?—Very few. I don't know of any. But the gentlemen managing his lordship's property are very anxious to start leases. Other tenants have since refused to take out leases.

15272. The rents have been pretty well paid on Lord Dunsin's property?—No. His lordship behaved very well so far as trying to meet the tenants to try to get them to pay. When the fall came he allowed 33 per cent. of his rents in '79 and '80 before the Act, waiting to see what would come, and making the arrangement that when things should be settled, if they did not get the 30 or 33 per cent. they should pay the difference, and that if they got more his lordship would refund it to them. His lordship had a valuation made of his estate, and the tenants got reductions of from 25 to, in a few cases, 35 per cent. The whole came to an average of 25 or 26 per cent. His lordship then, to avoid low costs, said he would give 24 per cent. more, and they accepted the rents at that rate. In the last year he gave tenants of my class 15 per cent. off; to tenants of another class he gave 20 per cent.; and to a poorer class of tenants he gave 25 per cent. off; and he has offered the same this year.

15273. And yet the rents are not being paid?—Notwithstanding that in some of the poor tillage townlands I believe—I can't say of my own knowledge—the rents are not paid.

15274. Is this from inability to pay?—I am quite sure that in the case of the small poor tenants it is inability. His lordship entered himself of that. This time twelve months he was out snipe-shooting, and from what he saw, withdrew an apartment for that reason.

15275. He thought there was inability to pay?—On the poor tillage lands that won't give good grass, and where the holdings are small he is satisfied that they cannot pay much rent. In fact, I wrote to him in 1880 and stated that. He was doubtful as to my being correct, but he has since admitted himself that I was.

15276. Are the tenants on the better land paying?—Yes.

15277. Is there no combination against the payment of rent?—There is no combination against Lord Dunsin.

15278. Where the tenants don't pay it is from inability, and he has consideration for them?—Yes, my lord.

15279. Have the tenants any wish to buy?—I think every tenant that I know of would buy if they could; but it is more a matter of price. The price is the whole trouble they have.

15280. Even where they have got a good landlord like Lord Dunsin they would like to buy?—A sensible tenant on a large holding might wish to remain as he is; but the general bulk of the tenants would buy.

15281. Supposing that the effect would be to drive Lord Dunsin out of the country would they still wish to buy?—Oh, it would be a great loss to the neighbourhood; but I don't think the bulk of the small tenants would consider it very much. They would not take into consideration whether it would be likely to make him leave the country or not.

15282. But they would wish to buy on good terms?—There can be no doubt of that.

15283. Sir James Caird.—But you say that amiable tenants who hold large holdings would not wish to buy?—I don't say that they would not buy; but they might understand that they would do so well by not buying. It would be a matter of price; and in their case they are better security for the rent, and more would be expected of them. Their lands would be sold at a cheaper rate.

15284. The President.—What sort of rate would they buy at as a rule?—It all depends on the rent.

If the rent were an easily paid rent that you would say would be paid in a bad year, and that money could be made of in an average good year, they would give from eighteen to twenty years' purchase, based on the judicial rents. I look on the judicial rent now as a high rent.

15285. Sir James Caird.—You say that you have been out in Manitoba and other countries?—Yes.

15286. Did you spend any time there?—About four months.

15287. How far west did you go?—About a hundred miles west of the 100th parallel of longitude.

15288. Were you in Canada afterwards?—Yes.

15289. Did you go north of the 49th parallel of latitude?—I came back just all but along it. I went out to about the centre of Manitoba.

15290. What did you think of the land?—A great deal of it is very good, but some of it is very wet. The bulk of the land in Manitoba is too wet.

15291. Is it incapable of being drained?—No. The bed of the Red River is low enough to drain it. The bed of that river is forty feet under the general level of the country; but the country itself is as flat as this table. I was there in a wet autumn; I went out in July and I was there in August.

15292. How far west did you go?—As far as Lake Winnipeg—west of the 100th parallel.

15293. The railway was not made then?—I was to Portage La Prairie by railway.

15294. Did you think it was a country suitable for emigrants from Ireland?—I would be very cautious in recommending Western peasants to be sent there without first instructing them how to stand the extremities of cold.

15295. If they were to go out in the month of May, when they would arrive after the cold, and if they were to find shanties built for them and the land broken up and suited for them, and a possibility of finding labour, do you think they could go with a prospect of success?—I recommended to Lord Dunsin a scheme very close to what you mention, and I believe it would be practicable.

15296. But very few people have done it?—They won't do it because it takes more money than they have.

15297. Suppose the State were to assist them?—That is what I asked his lordship to try to get the Canadian Government to put forward, and that the money could be repaid. I thought the Canadian Government could be asked for a little more—that is, to make a present of the land, and to give the assistance that they did give.

15298. Practically, they did make a present of 180 acres to every settler, which was a very good holding?—Not so much as you think. One hundred and sixty acres there doesn't count for as much as twenty or thirty acres here. I recommended them to give those 160 acres here and there, and to get them started in that way, and to sell the intervening sections low after.

That would pay a good deal of the expense, and as soon as they should be able to market their produce they could begin to pay slightly. But they should not be asked to pay until such time as they could market their produce. That would depend on the time at which a light railway could be run into the district. That would be after the first year. But there should be men to inspect the places and set up the farms. At the time I was there it was very difficult to get any crop the first year.

15299. You would be too late in going out?—At any time you go out the prairie has to be broken for the year. We found that they can grow flax in the first year, and if so it would greatly lessen what it would cost the Government to assist them.

15300. Could you grow oats and potatoes?—Not the first year. Potatoes will do the first year, but the oats would not sell for much. To get wheat you must break the sod in June. The earlier you turn it the better; and you must turn it shallow, and then what they call harrow it in the autumn. Then you could grow wheat in the following spring, but that takes two years.

15301. Still, if you had a certain quantity of it

broken and cropped, and ready to give as much as would sustain the people till the next winter, they would be in a good position to go on to—Yea.

15302. The Vrennetes or Russian emigrants have the villages together?—Yea.

15303. They settle down in a village and put their farms along it, so that they can help each other?—Yea.

15304. How would that answer a village of people here?—I object to it strongly, inasmuch as it keeps them from mixing with other people and learning to go to other people, and from spending the good that they know amongst others.

15305. Did you not hear that these villages have been exceedingly successful?—I know they were; but they would have been still more so if the people had been dotted about. They got on there, no question of it, but the Government complained that they did not bring out the number of men that they bargained for; and consequently they got further parts of land than they were entitled to; and they were taking some of it from them and putting it in other men. It would have been better if these men had been dotted about.

15306. Did your inspection lead you to think that it would be a great outlet for agricultural people to go from this country to it?—If I could have been assured that coal could be got, or any other fuel, cheap, I would have recommended the place strongly; but I was doubtful about that. They know nothing of coal at that time. They had been trying for it, and had got nothing but shale.

15307. But they have now got a plentiful supply?—They have. At that time there was no timber. The timber along the creeks would have been swept

away in a year or two. The people were running in so fast that I thought it my duty to warn Mr. Pope of the danger of their being starved out from the want of firewood. They have what they call a "berden" law in vogue. It means that each man is responsible for the damage his cow or beast does, even though the party injured may not have had his corn fenced. That is a local law amongst themselves. The result is that in every village they appoint a public herdsman. That herdsman blows his horn in the morning and everybody gives him his stock. He takes it to the pasture. In the evening he brings it back to the village again, sounds his horn, and everybody takes his own stock. They impose them for the night, and throw rubbish, corn, chaff, earth, and everything under them; and that all becomes worked up into a great consolidated heap. They cut it out exactly as we would turf; and a person not thoroughly up to turf would take it for turf.

15308. That is their firing?—That is the firing they use. It is a wasteful system, but the country is so very rich that they appear to say, "Sufficient for the day in the evil thereof."

15309. Would it take many years before the land would be reduced if it got so narrow?—I was persuaded of that in Dakota as I passed through. They burned the straw, and where the straw was burned you would not notice any improvement in the crop. That would be accounted for in another way besides the depth of the soil, because they have autumn fires every year, and the crop is always burned. The soil there is full of ash. The same thing happens in all prairies by fire or decomposition. What grows falls on the ground and helps to enrich it.

Mr. Solomon Frost, examined.

15310. The President.—What are you?—I am a lumberman, tenant-farmer, and magistrate in the county of Glace. I farm about 800 acres or more.

15311. Of your own land?—Some of my own property; and some land that I hold from two landlords—Mr. Charles Smith and Lieutenant-Colonel Armstrong.

15312. Have you tenants on the rest of your land?—Yes, I have some tenants on a portion of my property.

15313. Have rents been paid about you, do you know?—Yes, the rents are being paid fairly well. Some of my tenants went into the Land Court and got reductions of rent about 1883 or 1884. They paid on the first year or two after that, and I found from their complaints that there was need for reductions to be made, and I gave them, on their judicial rents an abatement, and they paid very satisfactorily.

15314. Sir James Caird.—How much did the Land Court reduce the rents?—About twenty per cent. I give ten per cent. since that time.

15315. The President.—With the statements they are paying well. Then you think there is no combination?—None whatever that I am aware of. There might have been a combination by the tenants on their properties to make their demands on the landlords, but I don't think there is any combination to meet the payment of rent.

15316. Neither on your property nor on any other property?—None on any other persons, with the exception that they are demanding reductions of the judicial rents, considering that they did not get sufficient reductions by these, because the Commissioners were not then giving as much abatements as they are at present.

15317. And the landlords are meeting these half way, and as a rule they are getting on pretty well?—Fairly well.

15318. Which part of the country is this?—My part is Six-Mile-Briggs.

15319. How far is that from here?—Eight miles from Limerick. It is in the county of Glace. The

village of Newmarket is near Lord Inchiquin's place. There is a station on the Limerick and Ennis line of the Great Western Railway.

15320. Has there been much outrage or ill-feeling in your part of the world?—Well, some time ago there was, and we had a little of it occasionally through the country.

15321. Is there much land lying idle?—In the western parts of Glace there are a good many grazing farms, and owing to the decisions of the Land Courts and the Court of Appeal in excluding them from the benefit of the Act, I am inclined to think that a great many of those farms will become vacant, except that they are relying on this Commission to bring them under the benefits of the Land Act.

15322. Pasture land?—All these farms are.

15323. They are left out of that Act because they are pasture?—Yes. If you will allow me, I will state what concerns me. I hold a farm in that part of the country from Lieut.-Col. Armstrong, and I was excluded by the decision of the Court of Appeal. A tenant named James O'Brien applied to the Sub-Commission Court to have a fair rent fixed. This tenant lived on a farm called Poulacarron, held under the Hon. Charles White. His case was dismissed by the Sub-Commissioners. He appealed to the land court, and a decision was made in his favour. From that the landlord went to the Court of Appeal, and the case was dismissed, on the presumption that the farm was let wholly and entirely for pastoral purposes. He surrendered the farm when that decision was made against him, and for some time was out of possession. Then the agent, Mr. Lane Jeynt, came to terms with him and had him reinstated, the terms being that the old rent, £190, which the tenant had applied to have reduced, should be reduced to £125, allowing him also— which he would not have been allowed in court—half the county rate and rates. Another gentleman named Jeremiah Kelly, holding one of those large farms from Mr. Hynditch Darcy, went into court and was dismissed, because it was a grazing farm. After his de-

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Mr Solomon
Frost.

first he surrendered the farm, and the rent which was £405, was reduced by consent to somewhere about £325, and he was reinstated by the landlord. I myself, seeing this decision given by the Sub-Commissioners and by the Court of Appeal, wrote to Lieut-Col. Armstrong to make arrangements, for I felt that my rent was excessive; and, if you will allow me, I will read a letter or two that passed between us in reference to it. This is one of them:—

"Streatsdown, Six-Mile-Briggs,

"Feb. 5, '85.

"To Col. Armstrong.

"DEAR SIR,—Mr Parkinson has written to me for rent. I treat you will take into consideration the unfavorable years we are contending with, and the very great depression in the value of sheep and cattle. I have endeavored at all times to pay my rent without remiss. I would at present, but that I find it excessive, and I cannot continue to pay it. I hope you will not press on me the payment of a rent I have not made. My father took the farm I hold from you at the yearly rent of £125, it was increased to £160, and finally to £185, the present rent I pay. I have no desire or wish to have your land without paying you a fair rent, and from the long dealing between your family and mine I would expect your kind consideration, and if you would permit me to make a suggestion—believing it just—if you allow me into the Land Court, or have the matter to Mr. John Lloyd, C.E. He is a gentleman of considerable experience in the value of land, and has been extensively employed by landlords in this county.

"I am, dear sir,

"Your obedient servant,

"Solomon Frost.

The reply I got to that was as follows:—

"Baskish, Avenue Road, Bournemouth,

"23rd Feb. 1885.

"DEAR SIR,—In reply to your letter of the 9th inst. I may say that I have always heard that my late father took his land at a reasonable rent, and I have heard the same from his own lips. No one more regrets than I do that you have had an unfavorable year, but I think that if you consider past years, you will find the rent not excessive. Under the circumstances, I am prepared to give you a temporary abatement of fifteen per cent. on your present rent for the past year.

"Believe me,

"Yours faithfully,

"J. G. ARMSTRONG.

"To Solomon Frost, Esq."

Some time after that I wrote to him again as follows:—

"Streatsdown, Six-Mile-Briggs,

"August 18, '85

"DEAR SIR,—I regret to have to trouble you again in reference to the enclosed communication from Mr. Parkinson. I am obliged to do so for this reason, I have not made the rent I am asked to pay. Will you kindly say if you will leave the matter to arbitration or the Land Court, and I have to repeat you will treat a tenant that always paid you his rent punctually with that consideration the present time calls for. On receipt of your reply, I will call on Mr. Parkinson.

"I remain, dear sir,

"Your obedient servant,

"Solomon Frost.

"Lieut.-Col. Armstrong."

I called on Mr. Parkinson and asked him why it was that Lieut-Col. Armstrong would not leave the settlement of the rent to the Land Court or arbitration, and he gave me the reason that Lieut-Col. Armstrong said that things would right themselves. I said of course they would.

18324. Sir James Caird.—What you desire to put before us now, is, that it would be reasonable that the conclusion of grass lands should be done away with. Certainly; I think that all the yearly tenancies of grazing farms of that county—all the great area of the north-west of Ulster is seriously affected by the Land Act. They are entirely excluded by the decisions that have been given in the cases of Mr. O'Brien and Mr. Kelly. It is presumed that these lands are and must be used for grazing purposes.

18325. Which they are?—They are Craig land.

18326. Another held by yearly tenants?—They are.

18327. The whole of them?—The farm I hold, in which I have made reference.

18328. Cannot the tenant go to the landlord and say:—"If you don't choose to reduce my rent I cannot stay"?—That is what men are trying to do. They don't wish to leave without making every effort to come to an arrangement, in order to hold their farms. I thought, when I made my proposition, that he would not hesitate to leave it to the Land Court, or to arbitration, because we know too well that the price—

18329. These lands are not paying; they have ceased to be remunerative, and it is not worth the tenant's while to remain in possession where he is losing money; he can go and say:—"If you don't reduce your rent you must take your land."—These don't like to part with land; they like to hold on if they can, and get the rent reduced and keep upon it, for if you leave a farm you may not find another that would suit you as well.

18330. Is there no tenant-right on it?—No tenant-right.

18331. That is to say, that if you were leaving it, you are deprived of the power of sale, because there is no tenant-right in it?—No tenant-right that I am aware of.

18332. The tenant of a grass farm has no tenant-right that he can sell?—At the present time he has not very much tenant-right in it. The farm I hold now is not worth for sale, inasmuch as I have not made the rent of it. I have done everything I could; gone to fairs and markets with the least possible expense, and yet I have not made the rent of it.

18333. The President.—Do these large farms practically change hands very much?—It is only at this crisis that there has been any very great change by selling or surrendering. In some instances settlements have been come to with Colonel White and Mr. Darcy. Other men that I know have surrendered their farms.

18334. Sir James Caird.—Then the landlord must come down with the rent, or take a lower value from somebody else?—Quite so; and he may not find it as easy to get another tenant.

18335. That is why I ask the question. Have you not power to say that you will leave it?—There is no dread that somebody else might go into it. I tried to come to an arrangement with Colonel Armstrong.

18336. We understand your object in asking us to put this case of the grass farms before the Commission?—Quite so; I wish to make one other remark. At the time when the Commissioners dealt with lands at the first going off they did not give a sufficient reduction to the tenants. I will quote for you a case in which I was concerned myself. I have a farm called Cagagh.

18337. Is this a grass farm?—It is not.

18338. Because, I suppose, there is no such thing as the Commissioners dealing with a grass farm at all, the Commission's jurisdiction?—That is the fact I refer to now in very near where I live, and was used for tillage. In 1852 the rent of it was £80, and in 1858 it was £80. It was then under the Court of Chancery, and was valued by Mr. Robert Hunt, the Receiver, and that was his valuation of it then. The Commission then, in 1863, when the present landlord, Mr. Charles W. Smith, came in, and increased the rent to £120. The poor low valuation is £52. That rent continued from '63 until I availed myself of the Land Act in 1881. The case was heard in '82, and the Sub-Commissioners fixed the rent at £83. I appealed from that decision; the landlord appealed also to the Court of Appeal the rent was increased to £95. Having regard to the rents that have been fixed by the Courts in the years '83 and '84, and where I have had dealings with tenants and, where I have to the fact that I felt for myself, having regard to their rents by giving due abatement, I consider that the rent that was fixed in 1882, upon that farm, was excessive. I think also that I did not get the benefit of the representations

that I made with respect to my improvements, for the effect of the landlord coming in and increasing the rent from £80 to £120 was that he had the full benefit of my improvements, and I got no credit for them. Allow me to read the section of the Act of '81, which gives a right to improvements. It is subsection 2 of section 8:—

"No rent shall be allowed or made payable in any proceedings under this Act, in respect of improvements made by the tenant or his predecessors in title, and for which, in the opinion of the Court, the tenant or his predecessors in title, shall not have been paid or otherwise compensated, by the landlord or his predecessors in title."

I was not compensated, but, on the contrary, he compensated himself by the increased rent that he put on me for my improvements, for which I got no credit. In that way I consider that the rent is, at this moment, excessive; and I hope that after this Commission shall have reported, I will be given the right of going into Court to have the rent of that farm re-adjusted, for I consider that I was fairly entitled to it.

The witness withdrew.

Mr. Robert Frost examined.

15339. The President.—Mr. Hunt, I believe you are a land agent in this county?—Yes, my lord. I have the triple capacity of landlord, land agent, and farmer. I am also a magistrate for the counties of Hereford and Gloucester.

Then you can give us information all round on all points.

15340. How are rents being paid this year?—Well, indifferently, except where allowances have been given.

15341. Are allowances being made?—Yes, very considerable allowances.

15342. Do you think it necessary and just to make these allowances because of an inability arising partly from poverty?—Most decidedly; quite just to give allowances, particularly on old rents that did not go into the Land Court.

15343. In spite of these allowances the rents are not being well paid?—Oh, those who have means have settled themselves of the allowances and paid; but a great many, though offered the allowances, are unable to pay.

15344. Are these judicial rents?—These were the old rents. Within the last year or two on judicial rents I have recommended reductions to be given.

15345. Then these persons were unable to pay their judicial rents?—Yes, they were complaining of the fall in prices. The judicial rents were fairly paid when they got the reductions.

15346. Sir James Caird.—What reductions were given on the judicial rents?—Generally 15 per cent.; in one or two cases they got 20.

15347. The President.—Is there any combination, do you think, or any determination not to pay in any place with which you have anything to do?—I gather not, from what you have said?—The combination is, that they make their bargain. They don't pay when they are asked to pay, but come in in a body or deputation, generally headed by their clergy, for the purpose of making terms.

15348. They act together then, under the priests to a certain extent?—They come in—I always invite, in fact wish them to bring their clergymen with them, for I consider that he is better able to put their case forward than they are themselves. They don't do it as it ought to be done.

15349. You don't think there is anything permitted by the Land League—any combination encouraged by the Land League in order to put pressure on the landlord?—Oh, I should think there is. The Land League, of course, are at the bottom of it all.

15350. Then I take it that it is partly from inability that they don't pay, and partly from the proceedings of the Land League?—It is a mixture of motives?—Yes. Priests, of course, have fallen considerably, and there is great competition—vast quantities of American corn coming in, and cattle and butter from other places—so that they are not able to get the prices that they did formerly.

15351. Then if you were asked whether the non-payment of rent is caused by poverty or by combination you would say that it is from a mixture of the two?—I think, my lord, that when the Land Act passed it fixed nearly two-thirds of the tenantry of Ireland on the land. The great majority of them were miserably off. The landlords were deprived of rights

which they had before, and they looked forward to punctual payments and comfort in the future to compensate in some degree for the reduction of their rents. They have been miserably disappointed. The judicial rents have not been paid punctually.

15352. No one anticipated the great fall that has taken place in prices?—It was a most unprecedented fall. When I recommended that the judicial rents should get reductions, I had depositions coming in, and they wrote letters saying—"we demand a reduction of so much." One deputation came in, and I said to the clergyman—"I don't think you wrote that letter in the way you ought. You are a very young man; and I will just tell you, that when I sent that letter to the landlord, I put it in this way for you." I said "they have come to ask as a favour, owing to the great fall in prices, a reduction, promising that the moment prices change they will most cheerfully pay the rent that they agreed on." I said, "won't that better than yours," and he agreed with me. I said—"when you come to ask a favour you should do it respectfully." In another case a clergyman came with a deputation to a landlord, and he commenced his application with a demand. I was sitting beside the landlord, who had said she would not receive the deputation unless I was present. I heard the word "demand" several times, and I said—"now recollect, you are speaking to a lady, and you are asking a favour—don't use that word again." He at once saw that I was right, and he asked respectfully and all was settled.

15353. Then, altogether, there is not a very bad feeling between the landlords and the tenants?—The landlords are doing the best they can. I represent a great deal of property; and many landlords and landladies, in consequence of their heavy family charges and enormous reductions, are left almost penniless. When a young man entering upon his inheritance and getting married be settled a jointure upon his wife, and settled charges for his younger children; and the amount of the jointure and the charges was regulated by the extent of the estate at that time. Afterwards, the property is considerably reduced—in fact the reduction in its value has become enormous—and still the charges are required to be paid to the last penny. I can give an instance of a small property of £850 a year, which I bought myself. It had a jointure of £200 a year charged on it; after paying this and all charges the surplus paid me £3 per cent. on the purchase money. At last the Land Act passed; and nearly the entire of that profit was swept away. The jointure is still in existence and they will sell it if they are not paid.

15354. You think that mortgages and younger children, and widows who have jointures, and others, ought to bear their share of the burden?—I would not think it right to put it on the mortgages. I think that the jointures and the charges having been regulated according to the extent of the estate, ought to bear their proportion of the reductions. I think that the mortgages having lent their money honestly on the estates, it would be very hard that they should be reduced.

15355. If they were obliged to take 3 per cent. instead of 5 with better security, would it be unfair?—I think it would be hardly right. Their money was

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Mr. Solomon
Frost.

Mr. Robert
Hunt.

Nov. 5, 1885.
Mr. Robert
Hart

lent on the estate, and they might have put it in the funds. They get first charge, they giving them the entire estate with an ample margin as security. Therefore, I certainly would come at the jointures, and the family charges, but not the mortgages.

15357. That is your opinion. I wish to ask you shortly about purchases. Have you been concerned in any negotiations about purchase under Lord Ashbourne's Act?—Well no, I have not, for though tenants know the Act as well as I do, and perhaps better, and have been invited in many cases to come, they have held back.

15358. The landlords would be willing to sell, but the tenants don't care to buy?—The tenants, I think, are waiting for some further arrangement—for, perhaps a reduction in the valuation, or to see what your lordship and this commission will do. If tenants could see their way clearly to meet the instalments punctually they would be more anxious to purchase.

15359. Are the landlords willing to sell?—Many of them are.

15360. At how much—twenty years' purchase?—I think at twenty years they would be disposed to sell. Another thing I would like to say is, that it was quite erroneous to think—as was supposed by many—that the judicial rents gave an immediate advantage to the tenants. I have been frequently told that now you do away with the hanging gale and with many things in the way of allowances, and make them pay their rents to the moment. They forget that the moment the judicial rent was fixed the tenant who owed a year or two of the old rent had to pay it up before he began to derive any benefit from the judicial rent. The rents due last year are generally paid out of the succeeding year's crop. If he owed two years' rent he had to wait two years before he got rid of the old debt. Then he had to wait for the reduced year's rent to accrue due. At the end of that time prices had fallen. Therefore he was better off under the old rent with the old prices than with the new rent and the low prices. Another great thing is the want of capital. There are hundreds of tenants who cannot stock their lands, or only have them one quarter stocked. What is the use of a farm, even if held at half its value, if the tenant has no means of stockings? Something should be done to see if cheap money could be given to enable them to stock and work their farms. Another thing I took a note of is that it was impossible to send different Commissioners to fix fair rents in the same county, and especially on the same estate, as the different Commissioners took different views of the value of the land; and the rents differing it became difficult to deal with them afterwards. Had the same Commissioners been left in the same locality, and allowed to deal with all the cases on the same property, the rents would have been fixed on a more even basis, and hereafter there could be a reference to it, and we could easily deal with the tenants, as one would not be jealous of the other. They often imagined that there was favoritism whereas it was only difference of opinion; and if the same man went it would have been better.

15361. That leads me to think that you would be in favour of a new valuation?—I am. Another thing is that fifteen years is entirely too long a period to fix the rents for. The Act was intended to give equal justice to both parties, but it is entirely one-sided.

15362. Which is it in favour of?—The rent is fixed for fifteen years. If prices go up the landlord cannot make the least change in the rent; but when they go down he is immediately called on for reductions on those very judicial rents, and these reductions have to be made because otherwise they won't pay.

15363. What time would you think would be a proper one?—I have been thinking that three or five years ought to be the limit, because it is too long to wait fifteen years. A landlord can get no increase if a rise of prices takes place; while on the contrary if a fall in prices occurs he is certain to be called on for reductions.

15364. I suppose you would not break agreements

already made—would you?—Well, unless the law did it; but you know they are breaking them now for the tenants are not able to keep their bargains because they haven't the money.

15365. Still would it not be unfair to the landlords to break agreements already made?—The landlord if he could get his rent would be only too happy to stick to his agreement, for it would be better to have a reduced rent punctually paid, than the name of a judicial rent for fifteen years, and to find that he could not get it. If some arrangement could be made for a three years' period. Under the Titles Act they used to value the land for tithes.

15366. Sir James Caird.—It would need to be a rent depending on the prices of produce from year to year?—I think so.

15367. And that would fix itself?—The only test the valuations could go by is the fall in the price of butter. There has been a great fall. I can show you calculations made with respect to it. I keep an accurate account of my farming.

15368. We have had the subject of prices very fully before us?—Very well. I have a letter here from my butter merchant. The average price for the past year has been 60s. for the first quality. Poor farmers are only able to make inferior butter, and the price of it is not more than one-half that.

15369. Don't they establish creameries or butter factories?—There have been some.

15370. Have they done well?—Wonderfully well. 15371. That is the only way you can get uniformly of quality?—Another way is for several small farms who have only three or four cows apiece to come together and hand their milk to one party. That is in order to get cream enough to make an entire skin. In '83 the average price of butter was for salt butter 70s. 4d.; in '84 it was 68s. 2d.; in '85 I should say it was 60s.; and in '86 it has been 54s. 10d.

15372. This was the lowest year?—The lowest by far. This has been a tremendously bad year. Then as to the congested districts, I have not anything to do with them; but I would suggest that the congested districts should be reclaimed and the holdings enlarged, and the surplus population transferred from these districts to the waste lands. There are heaps of waste lands in the country that could be taken up by the Government and squared into nice little tracts, upon which the surplus population could be put and great employment given. It would bring in property that could be voted for the support of the poor.

15373. That would be emigration?—They do something similar in the Colonies, and it would be a great advantage to do it in this country. In consequence of the reductions granted to tenants and the shares they have upon their estates many landlords have been left very poor; and if some money could be lent to them at a low rate of interest repayable as under the Land Purchase Act, to enable them to pay off their charges, it would be a good thing.

15374. Have you thought out that in any way?—No, but we think it should be done. A great many years ago I borrowed £250,000 at 4½ per cent. in order to pay off family charges at 6 per cent. I borrowed it for seven years, and when those were expired money was most abundant, and I thought I would make an effort to reduce the interest from 4½ to 4 per cent. I accordingly wrote a notice to the lender saying—"If you don't reduce the interest to 4 per cent. I will pay you off. You have never had to ask me for your interest; it has been paid punctually; and I have been giving you 1 per cent. more than the bank or other societies would have given." The result was that I got it at 4 per cent., and for thirty years since I have had it at that rate. This proves the ample security Irish landlords offer to the Government for that assistance they stand so much in need of, and for which they have so strong a claim. In conclusion, I should say that landlords should be allowed to have a fair rent fixed. Improvements made—owing to the imaginary security of a lease—now unless—should be specially provided for.

(Before the Right Hon. the Earl of MILATOWN and Mr. NELSON, Q.C., Recorder of Londonderry).

Patrick Cahill, examined.

15375. *Lord Millicown.*—You are a tenant farmer?—Yes; I am a tenant farmer residing six miles from Lisburn.

15376. How many acres do you farm, Mr. Cahill?—I hold a great deal of waste land, and it is not by the acre. I pay so much for the farm.

15377. Oh, you don't pay by the acre?—I don't pay by the acre, my lord.

15378. Is that common in your district?—It is on close waste, rocky farms.

15379. You pay by the lump?—Yes, sir.

15380. How many acres do you hold?—Direct to the landlord I pay £300 a year. Before '78 I paid £1,800 a year.

15381. For more land?—For more land. Yes. It was surrounding these poor farms.

15382. You hold now a certain amount of land for which you pay £300 a year.

15383. Have you a lease?—No lease. I hold what I live under a judicial rent, though I did not go into the Court.

15384. You fixed the rent by agreement?—I did not know whether I would be admitted under the Land Act.

15385. When did you get your rent fixed?—In '82. 15386. You hold under that now?—That's only on the eighty-six Irish acres. I don't hold anything under less than the judicial rent.

15387. But this £300 a year you were telling us of—how did you hold that?—From year to year.

15388. *Lord Millicown.*—The rent has not been fixed in any way?—No, except for eighty-six acres.

15389. What do you pay for the eighty-six acres?—£160 a year.

15390. And the remainder is not fixed?—Not fixed, my lord.

15391. Are you satisfied with the rent you pay for that?—Oh, no.

15392. Why don't you go into the Court?—It is a rocky farm, full of stones. The Land Commissioners would not entertain my case, I believe.

15393. But I don't understand why not?—Because it is a rocky farm.

15394. Rocky farms are not excluded from the Act?—They are not admitted under the Act, at all events.

15395. That has been decided?—It has, my lord.

15396. *Mr. Nelson.*—Yes. It was so decided by Mr. Nelson, and his decision was appealed against, but was confirmed by the Land Commissioners. There is no action in the Act with regard to rocky land as such, but it has been held that land of a rocky nature could only be used as pasture as they would not be used as pasture but originally for pasture. That was the reason why such land was excluded from the operation of the statute.

15397. *Witness.*—There are two tenants and myself holding some land. They have been admitted because the land is better for tillage and mowing. I have no tillage or mowing land—scarcely as much as would supply a curlew. The other tenants got the benefit of the Land Act.

15398. *Lord Millicown.*—The reason that yours has been excluded is because it is purely pasture land, and can't be used for any other purpose?—Quite so, my lord.

15399. Do you think you ought to be admitted under the Land Act, and to have a fair rent fixed?—Oh, indeed I do, my lord. I am not treated well with regard to the same farms. I took it in '80 at £83 a year.

15400. You told me you pay £300 a year—£160 for the 86 acres, which leaves £140 as the rent of the balance?—I hold a third small farm of thirty acres.

15401. Is that held under a judicial rent?—No, Patrick Cahill, my lord, it is not. I have only one farm under a judicial rent.

15402. This thirty acres, is that pasture, too?—I don't think it is.

15403. Are you satisfied with the rent of that?—It is a pasture farm, but capable of being mowed, and—

15404. Are you satisfied with the rent of that?—I was pretty well satisfied until the late fall in prices—the fall for the last year. It was something very serious.

15405. You find it hard to meet your rent?—Very hard, my lord.

15406. I suppose no improvement of the rent fixed by order of the court, would be such that it would not be hard to meet it?—Yes, but the land is decreasing in value.

15407. The land itself?—And the prices.

15408. Which do you mean?—Do you mean that the land is less productive than it was?—I believe the land has of late become less productive. The prices produced are becoming less.

15409. Is it that the land is producing less this year than it did last year?—Certainly, my lord.

15410. What articles is it producing less?—Beef is less.

15411. Beef is less than it was last year?—I think it is.

15412. Are you quite sure that it is?—We are not getting the same prices for cattle.

15413. Are cattle less saleable with you than at this time last year?—Certainly, sir.

15414. It is not easier to sell your cattle now than it was this time twelve months?—Prices can't be had for them.

15415. But they are selling, while this time twelve months they could not be sold?—I did not find that, my lord.

15416. Because reading the newspaper accounts of the various fairs—the great Munster fair, say—I find it stated considerably more have been sold—beasts that were not saleable last year. Is that your experience?—It is not, sir.

15417. Do you buy stores as well as sell them?—I buy cattle young, and feed them until they are three and three-and-a-half years.

15418. When did you buy them?—Last March or April.

15419. Buying them last March or April, you should have got them pretty cheap?—A great deal less than the March before. I am feeding them still.

15420. It is an advantage, Mr. Cahill, to buy stores cheap; you make more by them than if you bought them dear?—But the prices are going down.

15421. You bought them much cheaper than in the year before?—I admit that.

15422. Well, then, the probability is you will make much more profit when selling them?—The cattle I sold last April and May left me nothing.

15423. But you anticipate a profit on the cattle you are feeding?—I expect a loss.

15424. When a man has given, is it not better to encumber it in the hope that prices may not be so bad?—Oh, no; they won't pay me. I said awhile ago that I was paying £300 a year direct to the landlord. I have a good deal of other grazing land from tenants.

15425. What did you pay for the cattle you bought last spring?—I paid from £6 to £7 for yearlings.

15426. *Lord Millicown.*—You must be rather an unfortunate buyer, Mr. Cahill, to give £6 or £7 for yearlings last spring?—They did not look on me as that.

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Patrick Cairn.

15425. You actually paid £6 or £7 for yearlings last spring. Do you really say that?—I do, sir.

15426. That seems to me to have been an exceptional price to have given. Don't you agree with me in thinking £6 or £7 rather high?—I should buy at the time and find.

15427. You had to pay £6 or £7 for yearlings?—In some cases.

15428. Did you buy any two year olds?—I did.

15429. What did you pay for them last spring?—From £9 to £10.

15430. Well, then, I am not surprised to hear, Mr. Cairn, that you don't expect to make much money if you paid those prices. I think you are quite right?—I thought it was safe farming.

15431. To buy dear? I consider the price was far above the average for stores of that kind selling all over Ireland. You can hardly anticipate to make much by your bargain?—I did the best I could, sir. I prefer to buy that class of cattle to more inferior beasts.

15432. Have you any sheep on your land?—I have some sheep. I haven't as many sheep as I should wish. My land is not well suited for sheep.

15433. Sheep are selling well now?—They are, sir.

15434. Wool has risen also?—There is a little rise.

15435. Better also a little?—I am told it is not.

15436. Who tells you that, Mr. Cairn?—I heard it since I came to this city.

15437. Did you take the trouble to look at the market notes yourself?—Very seldom, for I don't make better.

15438. A very good reason. You consider those two last years have been very severe on you?—I do, sir.

15439. You don't hold any land under lease?—No, except one under judicial lease.

15440. Do you consider fifteen years too long for six rents for?

Mr. Neilson.—Say for a judicial term.

Witness.—I'd rather get a lease.

Mr. Neilson.—That is what we want to know.

15441. Lord Milnes.—We have to report as to the advisability of making any alteration in the law, and we wish to ascertain the opinion of the tenant farmers on this point. Do you think the term of fifteen years—the term now fixed—is it too long or too short, or do you think it is right?—Yes, I know. I settled out of court.

15442. Your term was, of course, fixed at fifteen years. Would you rather have it fixed for seven?—I would, sir.

15443. And take the chance of things being better at the end of seven years, and have the farm put up again?—It is because I fear the rent is too high at present that I think fifteen years too long.

15444. Lord Milnes.—If the rent is too high now, the term would be too long for one year, not to speak of seven?—I settled out of court in 1832, and I did not expect the fall we have had since. I know if I went again into court I would get more.

15445. You would get a larger reduction?—I think I would.

15446. Are you anxious to purchase your holding?—I would like to purchase it, sir.

15447. Under the new Act?—Lord Ashbourne's Act?—Yes.

15448. You know about the new Act?—I don't presume to know much about it; but I would like to become the owner of my holding.

15449. How many years purchase on your rent would you give?—If there was a percentage off the judicial rent, I could easily answer the question, but the rent is too high.

15450. You pay now £300 a year. If that was reduced by 20 per cent. would you be prepared to pay £240 for forty-nine years—twenty years purchase. That would be your rent. After forty-nine years it would be your own. In fact you would have bought it the moment you had concluded the bargain, but the payments would cease at the end of forty-nine years. Should you be inclined to enter into a negotiation

such as that?—My present rent is entirely too high. Sometimes I get 10 and 15 per cent. reduction off the £180, which I pay for one of the farms.

15451. I understand, you wish to purchase your holding, if you get it on fair terms?—I would, sir.

15452. Would you like to purchase for the sake of becoming owner of your land?—Yes, sir.

15453. Of course you would like, at the same time, to get a reduction in your rent?—I could not buy on twenty years purchase.

15454. If the price was fixed at twenty years purchase, on what would be a fair rent; would you be prepared to buy?—I'd rather do so than remain as I am. I'd be more content; still twenty years is very high. That, of course, depends on the rent it is calculated upon.

15455. Mr. Neilson.—Just for argument, take area of £120?

Witness.—I'd be willing to pay £100, although the Poor-law valuation is only £63.

15456. Then supposing you were paying £80 a year, and that you gave twenty years purchase, you would then for the future only have to pay £16?—That is just the terms I would wish.

15457. Lord Milnes.—Are the rents being paid in your neighbourhood?—Well, I believe the poor people are paying as far as they are able.

15458. Is there any combination amongst them against the payment of rent?—I believe there is not, sir. There was a case where some householders laid out. They were served with writs, but I don't know whether the cases were brought into court. The agent, however, came to a settlement with them. They got 20 per cent. off the household rents. That was a case near Limerick, but not on the estate I hold on.

15459. Do you know whether the people would be anxious to purchase their holdings if they got them on fair terms?—I think they would, sir.

15460. For the sake of being owners?—I think it would be very advisable for them to purchase their holdings. The people would then settle down and mind their business.

15461. You think it would have that tendency?—I am sure it would, sir.

15462. And makes them anxious to preserve law and order for their own sakes?—I think it would, sir.

15463. In fact, you think when they would have something to conserve, they would become conservative?—I do believe it, sir.

15464. Is there any other recommendation you would like to make to us?—I understand you to say that under certain circumstances greater ought to be admitted to the benefits of the Act?—Yes; I think it is a great hardship to have them excluded, and leaseholders also.

15465. Yes, we have had a great deal of evidence about that. And would you like the term to be shorter—for seven years instead of fifteen?—I would, sir, under the present rents.

15466. Mr. Neilson.—As a general rule, Mr. Cairn, do you think it would be advisable to shorten the term all round?—I would not like to give an opinion on that.

15467. Lord Milnes.—Do you think it would make the people's minds to have very frequent renewals of seven years? Perhaps you have not thought it out?—Just so. I think it is better not to give an opinion upon that.

15468. Mr. Neilson.—Do you think the people or turning their minds to understanding the nature of Lord Ashbourne's Act, and appreciate the benefits it holds out to them?—Yes, if they could hold their land on a more moderate rent than at present.

15469. Do you think they appreciate how much it reduces their rent?—I know some of them do, sir.

15470. Lord Milnes.—What is the condition of the labourers in your district?—Are not the labourers dependent entirely on labour?—Indeed they are, sir, and small farmers are dependent on it.

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Patrick Cullen.

15471. Have they certain employment?—Not in the winter, sir.

15472. Are there any resident gentry in your neighbourhood?—There are, sir.

15473. They give employment, I suppose, to the labourers?—Not a great deal.

15474. They don't. Do the farmers give much employment to the labourers?—They do in spring and autumn. They can't afford to give it at other times.

15475. What becomes of these poor men in the winter?—They depend on their little farms. In towns they are badly off. They get help from the Guardians in the winter, and some of them go into the work-houses.

15476. Have you any suggestion to make for the relief of these poor people?—I think if those grazing farms were admitted under the Land Act that employment could be given.

15477. How?—In improving those farms—making drains, and so on.

15478. There is not much labour on a grazing farm, is there?—On some there is—clearing stones and making fences.

15479. Mr. Neligan.—As a general rule—I am not speaking of individuals, or of any person in particular

—do you think the financial condition of the tenantry is about as good as it was two or three years ago; or better or worse?—Certainly worse, sir.

15480. Has debt increased, do you think?—I believe the shopkeepers are very cautious lately.

15481. Credit is stopped very much?—Yes, to a great extent.

15482. Lord Millican.—I believe too much credit was given a few years ago when all did so well?—Yes, my lord.

Mr. Neligan.—In point of fact it was then forced upon the people.

15483. Lord Millican.—People lived as if the good times were to last for ever?—I believe some of them did, sir.

Well, we must only hope they will come back again.

15484. Mr. Neligan.—Is there anything you have not been asked that you would wish to say?—If there is, we would be happy to hear it?—I know I am not a very competent witness. I am a little deaf. I don't hear a word in case one. I saw nobody summoned from my part of the country, and that is why I came forward to give evidence.

Mr. Hastings Twiss, Bird Hill House, Bird Hill, Tipperary, examined.

15485. Lord Millican.—You are an owner of land, Mr. Twiss?—Yes, it is in Chancery. I am not the landlord. I am an annuitant, and I live in the house.

15486. Have you the management of the land?—No, it is in the hands of trustees.

15487. On what point do you wish to give evidence here?—As to the boycotting and the pressure put on the tenants to prevent them paying their rent, and the boycotting of the land. There is a meadow of 130 acres.

15488. Mr. Neligan.—What year is it you point your evidence to?—The place has been boycotted this year, and it has been boycotted before.

15489. Lord Millican.—Has it been set?—My brother has for one year of it, about. It is called the Palkins-Meadow lands, an alluvial soil, irrigated by the Shannon. My late brother had been in the habit of selling it every year. On an average it has brought him £2000 to £700 a year. But of late years the sale of the meadowing has been boycotted. The people object with hanks, &c., when the auctioneer arrives, and no one is allowed to go in to bid for the land.

15490. And what was the result?—The result was that these I say.

15491. When did that happen?—About August last.

15492. That was the first time it was interfered with?—Oh, no, it was interfered with before.

15493. When did it first happen?—I think in '84. That year about 70 soldiers, 100 police, and 100 emergency men had to be brought to the place. Troops were ordered on the land for the military.

15494. Did they save the hay?—Indeed, they did not. They attempted to save it, but it was so bad that it could not be sold. My brother died in 1878. It has been boycotted since; but some years I was able to sell it.

15495. Why was the meadowing boycotted?—There are two or three reasons. Some of the large tenants on the property are anxious to get these meadow lands into their own hands as tenants. A second reason is that having the power to prevent a sale of the meadowing, they thought they could manage with their own rents as they liked.

15496. That was useless. Have you attempted to take up their land?—No; they thought that by boycotting the sale of the meadowing they would be able to show their power, and thus to get their own rents raised.

15497. This year were you able to sell it?—Oh, no; it was boycotted this year again by some of these

tenants from a neighbouring part of the property; Mr. Hastings Twiss. and everything of that kind came there, and when the auctioneer put the meadowing up for sale no person would buy it.

15498. What did you do then?—I endeavoured to save it, but the labour and everything else cost a great deal, so that very little value, if any, was got out of it. Not much more than one-third has been saved.

15499. What was the other matter you wished to refer to?—I was considering that the very best way for putting a stop to boycotting would be to make it a malicious injury, the same as any other malicious injury, and to come on the county for it.

15500. Mr. Neligan.—To make it a malicious injury, so as to bring it within the section of the Grand Jury Act?—Yes; I think, in all probability, if anything would put a stop to it, that would.

15501. Lord Millican.—Is there much of that kind of thing going on in your neighbourhood?—Yes, but nothing to the same extent that there was.

15502. Is it your belief that those things are done for purely personal purposes?—For personal purposes and others.

15503. Is there a combination against the payment of rent in your neighbourhood?—This must be a combination, for the combination was to prevent the rents being paid without a large reduction. It is with that object boycotting takes place.

15504. Are the rents being well paid now?—No; they got some reduced the other day. Some of them owe up to three and a half years' rent—jumbled rents.

15505. What has been the result?—Are they paid now?—Not paid yet. I think eight or ten tenants were got out at the Quarter Sessions. They have not been served there yet. The estate is in Chancery.

15506. Have there been any outages, other than boycotting in your neighbourhood?—They have endeavoured to annoy us, not by injury to the person, but in every other possible way, by poisoning dogs and injuring cattle. My son had a large net, which he used for fishing, and they destroyed it.

15507. What has been your evidence; I can't quite understand?—My evidence is, that the tenants want reductions in their rents and I have no power in the matter. My sisters are large annuitants. They have a couple of thousand pounds a year out of the property, and their claim is prior to mine. They are not inclined to give anything. They are not living in the country. They are only annuitants for life.

15508. Is there any other matter you would wish to mention?—I don't think there is anything else.

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15509. Mr. Neligan.—Did I understand you to say that the estate was in Chancery, for the purpose of securing payment to these annuitants?—Yes, the annuitants put into Chancery.

15510. And the annuitants take precedence of you?—Yes, their annuity takes precedence of me.

15511. Do the annuitants very nearly absorb the profits of the estate?—For the last eight years I should have got £16,000, but—

15512. The object of my question is this—are you of opinion, that if a change in the times necessitates an abatement in the rent, the annuitants should bear

a portion of the loss, proportionate to the amount of their annuities?—For the last eight years I should have got altogether £16,000, but I haven't got a third. My estate receives an annuity of £5,000 a year, but their annuity is prior to mine. I also am an annuitant, and should have received £2,000 a year.

15513. Have the first annuitants been paid in full?—Oh, yes.

15514. That is what I am getting at—whether in such an event, there should not be a proportionate abatement by the annuitants?—I should think so. However, that is a matter of opinion.

Mr. Andrew Harte, tenant farmer, Harrington's Bridge, County Limerick, examined.

Mr. Andrew
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15515. Lord Milltown.—Are you a landed proprietor or a tenant farmer?—A tenant farmer.

15516. Do you hold under a judicial lease?—No, sir. By agreement I hold one farm, and I have a lease of another.

15517. You haven't gone into court for either?—For either. I could not go into court for the farm held under lease.

15518. With the other, are you content with the rent?—I got no abatement with it.

15519. If you were allowed, would you go into the court with regard to farm held under lease?—Certainly, sir.

15520. Are you of opinion that leaseholders ought to be allowed to have their rents fixed?—I always thought so, sir. I think it is a great defect in the Act, in excluding leaseholders; for my knowledge of the country shows me clearly, that leaseholders were the highest rented—much higher rented than others. I did not ask for the lease. I took the lease in 1874. It deprived me of certain things.

15521. Mr. Neligan.—You contracted yourself out of the benefits of the Act, I suppose?—That was an unfortunate year to take a lease. I never read the lease.

15522. Lord Milltown.—That was probably the object of the lease. Had you to pay an increased rent?—Yes, £350 a year. I took the farm at a high rent, but I apprehended it could not hold so high. However, as long as I got any interest on my capital I would not grumble. I paid £750 per annum for the two farms for nine years.

15523. How many acres did they contain?—About 330 Irish acres.

15524. Have you any idea of the poor low valuation?—On the farm I lived on it was £320, on the other £148 10s.; so that I suppose I paid 120 per cent. on that farm beyond the valuation.

15525. Was it not rather a rash thing to take a farm at such a high rent?—I took it as I told you. I was managing this land for the owner for twenty years previously. Three or four years previous to '74 there was no rent made by him, and it was for that reason he let it to me.

15526. It had been in his own hands up to that?—It had, sir. The land was taken up from the tenants in '48, and I then became the manager of it, and managed it for twenty-two years.

15527. During that period of twenty-two years, from '48 to '74, prices were far worse than now?—I made more rent.

15528. The prices were far less?—Not on grain.

15529. On stock and sheep?—But there was much tillage on this farm, particularly on the one I am living on; and my accounts show that I made more money then than now.

15530. What description of grain did you sow?—Wheat and oats.

15531. Did you grow wheat extensively?—About seventy acres at an average. I had about thirty acres of grain every year between oats and wheat.

15532. Wheat has fallen enormously since then?—But oats held its own. I got on an average 1s. a stone for oats for a good number of years.

15533. How many?—For eight or nine years I got from 10d. to 14d. per stone. I used to grow a good quality of oats from fresh seed. I got 14d. in the spring frequently. I never got less than a shilling until late years.

15534. But surely, Mr. Harte, during all those years from '49 to '74 oats were frequently down as low as it is now?—The year I came to live in this county—'51—and the year following the price of oats fell, but after that it gradually increased in price.

15535. The average price for oats in Belfast from 1850 to 1881 was 4s. 16d. 1—White oats alone in '50 decreased very much in value; but black oats—

15536. But of black or white oats there has been a good growth this year. Prices now are not below the average of thirty years?—I know a great deal more oats was grown on the farm I live on than now. On the farm on which I receive the receipts also used to be £2,000 a year, which, after cost of production and labour, left £900. Then there was taxation and poor rates. I happened to manage well for the landlord, and that turned against me in the end. I acted honestly towards him while doing his business.

15537. At any rate you know the worth of the land very well, and as a shrewd, practical business man, you agree to pay a very high rent for it in '74?—I did it on the conditions I have told you—that as long as I got any interest on the capital I invested, £2,000, say four or five per cent., I would not grumble. But I did grumble for two or three years before I got a statement.

15538. I suppose you get the statement in a particularly bad year?—I think this is as bad, if not worse. I dairy pretty largely, but I find it is not paying.

15539. Lord Milltown.—The price of butter has risen?—Where has it? I expected to make a good deal of better this month, but I have made very little.

15540. You have the advantage of a fine growth of grass this year?—It is of very little use to me, for there is too much rain, and I don't like to feed my cows on it.

15541. It was a very good year for grass, and stock did remarkably well on it?—I have seen better years for putting up beef.

15542. Butcher was better than last year?—I did not see much difference in that way.

15543. Do you buy stores?—I buy no cattle except very little.

15544. You produce them?—Yes.

15545. Then the low prices for cattle hit you very hard?—My system is against me—very much against me. I rear fairly calves, and I buy ten or twelve in addition.

15546. Have you any sheep?—I have lost nearly by sheep. I lost eighty hoggets, for which I expected fifty shillings each in the spring, and they only brought an average of 8s. 6d. That was the time the sheep suffered from the rot—nine or ten years ago.

15547. Sheep are now doing well. There was an increase from 7s. to 9s. a head at the Ballinacree fair?—So it has been stated.

15548. At all events they are up. What is your suggestion, Mr. Harte, with regard to this Act—

you wish leaseholders to be admitted to have their rents fixed?—I think it is a great injustice to the leaseholders to be excluded.

15549. Would you be in favour of both the landlord and the tenant having the right to apply?—If prices increased, and that the rent should be increased, the landlord should have liberty to go into the Court, and in the same way the high-rented man should get a reduction.

15550. Should you be desirous to purchase your holding under the Purchase Act if you got fair terms?—If I saw an advantage to myself in doing so I would.

15551. Of course. That is just what I want to know. Do you think it would be an advantage?—I don't know, that would depend on circumstances.

15552. If you saw an advantage, whether in the leasing of your rent or otherwise, would you have any desire to purchase?—Apart from that, I would as soon remain a judicial tenant. Fixing the rents would make both parties satisfied, and I think it would be as well if there was no purchasing.

15553. Is that the general feeling of the people?—I don't think it is. Men might be got a little bit out of their way by becoming owners. I am afraid there are a great many people to whom it would do harm.

15554. What harm would it do to them to become owners? Now in what way?—They would get notices into their heads. Owners might not live as thrifty and industrious as tenants. On the other hand, I think the majority of people would be more industrious.

15555. It has been stated. It would have the effect of making them more industrious?—That ought to be the case. With regard to the labourers' cottages, I may say that I had to give evidence in London with regard to the Act. It was said that the operation of the Act, while providing dwellings for the labourers, would not result in taxation; but I pointed out that the farmers of the measure had mischievously surrounded it with legal expenses greater than the cottages were worth.

15556. Mr. Neligan.—Do you think the Act resulted in the lessening of taxation?—Quite the contrary. Mr. Stuart of Waterford maintained it would keep people out of the workhouse. I don't think that at all. I am sure it increased taxation about 3d. in the pound. It has increased it by 6d., but of course the landlords pay 10d.

15557. Do the farmers generally look with favour on the Labourers Act?—They do, and they don't. They are forced there behind and compelled to give their consent. In their hearts they disapprove of it, but outwardly they do not.

15558. Quite so?—None of them like the idea of having a man placed on their land without their having any control whatever. That was the principal part of my evidence. I gave my own case as an employer of labour. I asked if you placed labourers' cottages in different parts of the lands I am working what would be the result? Take for instance the farmer ploughman. He has a right to a cottage independent of me. He refuses to work for me; he wishes to disoblige me, and he leaves my horses there with no one to look after them. In the cattle-pen there is, we will suppose, a cottage occupied by a labourer and his family. They won't do my business, yet the whole family are placed there independent of me; they can do as they choose, and yet retain the accommodation. Where am I to find accommodation for the people who will attend to my business? You will find plenty of cottages through the country on lands where the labourers do not work.

15559. And the tenant of that land has no control over them?—I'd give up farming altogether if cottages are placed on my land, if I am to have no control over the labourers who occupy them. I should cease farming. I could not go on. Of course here in the South of Ireland we give no employment. The dairy farmers here employ nobody, as a general rule, but give, except when haymaking.

15560. Lord Milltown.—Otherwise they don't?—It is the worst county in Ireland for employment.

15561. What becomes of the poor working man?—They are in the worst of houses. In this county—in the richest part of the county—there you will see the most miserable hovels. At the Junction and around Kilmallock you will see mud cabins with hardly a bit of rosin in them, and the axes all there together, with the pig in a corner; not an inch of land attached, and bushes stuck on the eaves of the houses to keep the cattle from trampling the thatch.

15562. Who are the employers of these poor men?—Your local gentry were the best employers. In the County Limerick there are very few farmers giving any, save casual employment. They keep them only as short as they can, and wish for the time to expire so that they can do without them.

15563. Of course the labourers look with great regret on the gentry leaving the country?—I don't know. It seems as if they don't know what they are doing. When they suffer from sickness or misfortune it is to the gentry living around them they turn, for they have no other persons to look after them. I never knew a farmer for the past thirty-five years—I don't belong to this county, I belong to the County Kildare—I never knew a farmer, unless one in forty, who would give them a pint of new milk. Well, as to clergymen, I happen to be a Roman Catholic, but I am sorry to say, with regard to the clergymen of my faith that they are never attentive to sick people. They attend to them in a spiritual way, but as for giving relief or nourishment of any kind, I hardly ever knew an instance. But the gentry were always most kind—even gentry that could not afford much. I never saw inattention to cases of real distress or sickness in the neighbourhood.

15564. Mr. Neligan.—I take it the ladies have been particularly attentive?—In the district where I live I have seen them go about like Sisters of Mercy, and yet they are not thanked for it now, I am sorry to say.

15565. Lord Milltown.—What do you attribute that to?—Inhumanity and selfishness. If we are right ourselves that is all we care about. Now, I think the landlords' made a great mistake in T.L. I happened to value a good deal of land in the County of Limerick, and I, as well as most men, could never understand why attention was never paid to my evidence. Except in a few cases the landlords had evidence given of a very strange character. When going before the Commissioners they had valuers who simply did their work, so as never to lower the rent, and in many instances they wanted to prove that land was worth more than the tenant was then paying. On the other hand, a class of evidence was given on behalf of the occupiers, which was equally wrong. The tenants got stupid valuations made. They wanted to lower the rents to what no honest man would put on them. The Commissioners—I don't know how they acted. They had a basis here of putting on rent according to the capacity of a farm to carry a certain number of cows. Well, that again I am sorry to say, would not hold good now. They calculated at the rate of £3 10s. a cow on dairy farms, that are now down to £3 10s.

15566. Mr. Neligan.—At the time that was done it might have been fair?—There is no doubt about that, but it does not hold good now. There is now a very serious reduction. On forty-five cows the receipts for five or six years was never less than £560. For two or three years they reached £580. Last year they reached only £320, and the year before £360, and this year annually as much as last year.

15567. Lord Milltown.—Produce is good, but the price is less?—The price of my butter averaged £3 5s. 6d. This year it was 58s. I don't think it reached 60s. And there is another very serious item; the cost of production. Wages are very high. Wages now are double what they were twenty or twenty-five

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years ago. When I commenced dairying I could get a dairy-woman for £7 or £7 10s. For the last eight years I had to pay a dairy-woman £18 per annum. Then, their maintenance is of a very high character—just as good as you have yourself. Dairy-girls that we used to get for £1 a quarter we have now to pay £10 or £12, and their support has also increased. They must get meat six days of the week, and I suppose but for being Roman Catholics they would have to get meat on Friday also. The wages of the farm labourer has also increased, and it is very hard to get much value out of them except by close superintendence. In fact, they want to dictate, and to become your masters altogether. Altogether, farming now is not a paying business. Taxation has increased, and the tendency is upwards.

15566. In the face of all these things you would rather be under a judicial rent than purchase?—Yes, if I could make anything out of my capital. One of the Commissioners in Dublin, Mr. Le Fanu, asked me what rent I was paying, and when I told him, he said: "If you were a married man and had a family to educate, how much do you think it would cost you?" I replied: "Well, I don't speak from experience, but you can. You have a huge family to educate." "Well," he said, "I think if you were in the position I was, and had a family to educate, you would be able to give a great deal less rent to your landlord than you are giving him."

15569. Do you think pasture lands ought to be admitted under the Act?—Oh, I don't see why they should not. Grazing lands are not as profitable as they used to be. I think my case is a singular one, as producing what I require.

15570. Lord Millicown.—Large fortunes were made by grazing?—Half the cattle supposed to belong to graziers really belonged to Dublin merchants, who advanced the money. They stocked the lands, and got back the cattle again to sell.

15571. Have you considered the question of a sliding scale for the fixing of rents?—I wish we had it.

15572. Now what basis would you go upon? How would you commence operations?—I'd say fix the price of produce—beef at 40s. a cwt., and butter at 28 a firkin.

15573. How would you fix the rents? Do you think it would be desirable to have a sliding scale on a revolution of Ireland taken by the Government on a rating instead of on a rating basis?—I think it would be very desirable. Griffith's valuation is going out of use altogether.

We have heard that universally stated.

15574. Mr. Neligan.—It fluctuates and varies?—That is true.

15575. Mr. Neligan.—A general revolution of

the country would meet your approval?—It would, if you get a competent staff.

15576. Lord Millicown.—Then having got that you should proceed to fix your sliding scale, I suppose you would be in favour of having it self-adjusting, so as to prevent the necessity of going to law?—Oh, avoid law if possible.

15577. And obtain, if possible, finality?—Yes, I suppose there is no prospect of ever having protection of different kinds of produce.

15578. You are in favour of protection?—Yes.

15579. Of what, Mr. Harris?—I think on the importation of butter, beef, and pork.

15580. Cattle and pigs, live stock or meat?—All things coming from the other side of the world.

15581. Don't you think the consumer would object?—I am sure he would, and I am afraid we will never get it.

15582. Suppose you limited it to manufactured goods?—I don't think that would benefit us at all.

15583. Suppose you admitted grain free, but obliged it to be manufactured here and prepared for human food?—Yes; see our fine mills that up at over the country.

15584. Do you think the result of protection is supposed to free trade would be servicable or otherwise to Ireland?—Dairying business is going down in this country, and if matters continue as they are protection would, I think, be necessary.

15585. Now when the building of labourers' cottages has been completed do you think it likely the labourers will hardly pay any rent at all?—I think they mean to pay no rent. If they are put out the will take their horses!

15586. Mr. Neligan.—The sites have been bought out from the landlords?—A proprietor has several sites, the freehold of which has been purchased, scattered over his estates, and he has no control over them.

15587. The labourers are independent of him?—They will do as they like with the houses. The land is paid, and the occupier is well.

15588. You don't expect a great public advantage from that state of things?—Certainly not.

15589. Lord Millicown.—Do the landlords make use of the Labourers Act for the purpose of pushing obnoxious landlords?—I am afraid they put many cottages where they were not needed, and did not put them where they were wanted.

15590. And that this was done to push obnoxious individuals also?—There is more objection to them than to the landlords.

15591. Have you any other suggestion to offer?—No, but I would urge particularly the necessity for admitting leaseholders to the benefit of the Act.

Mr. George Sheehy examined.

Mr. George
Sheehy.

15592. Lord Millicown.—Are you a landowner or tenant-farmer?—I am a tenant-farmer, and I am acting as agent also.

15593. What is the nature of your tenancy?—I hold under a lease.

15594. Have you many acres?—About 200 acres.

15595. Mr. Neligan.—Irish?—200 Irish acres.

15596. Lord Millicown.—What are the points on which you wish especially to give evidence?—That is for your consideration, sir. I may say that I applied to the Earl of Devon, from whom I hold one of my farms under lease, for permission to go into the Land Court, as the times had changed and—

15597. What is the date of the lease?—About 1880. When I made the application I asked three things. Firstly, I said that the times had changed, and I asked that the rent be fixed by himself or the agent, as I had perfect confidence in both; or that I would leave the fixing of it to any person he may appoint.

15598. What is your rent?—£129 16s.

15599. For the 200 acres?—For 75 acres. I hold under different landlords. The 75 acres in this farm is held under Lord Devon.

15600. What is the rent?—I hold town fields, four or five acres, and then I hold a farm from my sister-in-law, a family arrangement. I hold it under lease for 99 years. Well, I said secondly that I was prepared to purchase the farm from Lord Devon, or to let me go into the court and get the rent fixed by the laws of my country, or if that was not done, to make me of the holding, so that I might seek my living, and find a better field for my labour. His lordship replied that he would take my case into consideration, and after some months he said he could not accede to my request. Since then I have been paying the full rent.

15601. Mr. Neligan.—Mr. Curling is the agent?—Yes, sir. In '35 the rent of the farm was £108 7s. 6d.,

in '48 it was increased to £140; in '49 it was reduced to £115; and in 1858, the date of the lease under which I now hold, it was increased to £139 15s., at which it stands at present.

15602. Lord Milnes.—What is the valuation?—The gross valuation is £110. I created horse property, and built a residence and a mansion on it.

15603. Did you do that when under a lease?—This lease is always running. My predecessor built a house, and I improved and built offices. He died in a short time after carrying on a great deal of work. Some time ago I intended taking out a lease, and here is the proposal I signed (document handed in), and by the contract I signed, I was deprived of the benefit of the Act, which equalized the county rates between landlord and tenant. I did not take out a lease then.

15604. The agreement states that on getting a lease you should pay all county rates, without taking advantage of the benefit of the Act of 1870?—I find now from the state of the times, and the price of produce, it is actually impossible to make the rent. The land pays only a little more than the working expenses, and the rates and charges.

15605. When did you make that discovery?—Since '73; the times have gone down so much since '79 I have made nothing out of my farm—certainly nothing. I am not, of course, counting my own living.

15606. '79 was a very bad year?—That was a disastrous wet year. We recollect that in '75 butter brought 54 2s. 3d. Then there was more produce. The land was able to yield more. In '79 the price of butter fell to 22 3s. 6d. per cask of 70 lbs., and the yield was very, very short. I find that 50s. a firkin is the price all round for butter this year, and the milk is less.

15607. Yes, we had a good deal of evidence about the change in prices?—There is also a great change in the price of dry stock. They pay even worse than butter.

15608. Now ought to be a good time to get the benefit of the Act, so far as the fixing of rent is concerned?—Yes. All leaseholders ought to be admitted. I think they are as well entitled to have their rents fixed by the Commissioners as the yearly tenants. We would be satisfied if the rents were fixed by the laws of our country, not by the landlord.

15609. Mr. Neligan.—Would you limit your observation to such leaseholders as on the expiration of the present lease would be present tenants under the Act?—That is for 15 years.

15610. Would you give the benefit of the Act only to leaseholders who are occupiers?—No; I don't see why those having grazing land should not live by it.

15611. Would you give the benefit of the Act to middlemen?—No, I would not.

Mr. Neligan.—That is what I am coming at.

15612. Lord Milnes.—That is what Mr. Neligan means?—The middlemen won't give the profit to the tenants afterwards.

15613. There might be middlemen, whose income may be so much reduced, that they should pay more to the landlord than they were getting themselves. In such cases middlemen would like to get rid of the land altogether?—Family arrangements might not allow them to do that.

No family arrangement would be likely to induce a man to keep lands which are a dead loss to him.

15614. Mr. Neligan.—Would it be impossible for all leaseholders to come under the Act?

Witness.—I would admit them all to the benefit of the Act. What more can a man want than to have the rents fixed by the laws of his country.

15615. Mr. Neligan.—A building lease could not be admitted under the Act?

Witness.—I don't see anything about town parks. I would admit middlemen.

15616. Lord Milnes.—If it would be a great in-

justice to oblige him to pay more to the landlord than he was getting himself, you think it would be a fair thing to allow him to surrender his lease?—Yes.

15617. Mr. Neligan.—At present a great many middlemen have rents fixed against them, and what they receive out of the land is less than their head rents, and the present statute gives them no help.

Witness.—I would help them; I know a great many middlemen who experience great difficulty in getting in rents from the tenants.

15618. Lord Milnes.—You add something, now, about town parks. Does not part of your holding consist of town lands?—I have very little. I am not speaking for myself, but for the public at large. What I have is little or nothing, and it is not worth talking about. A great many people have vastly improved the land in the vicinity of towns, making good soil of it.

15619. What would be your suggestion?—To admit them to the benefit of the Act.

15620. All town parks?—Without any exception.

15621. Would you give any power to a landlord to recover the possession of land for building purposes?—Certainly, in order to extend a town. The greatest injury to the growth of population would be not to let it go on.

15622. Mr. Neligan.—Are there a great many town parks?—Yes. The people in the towns take them for the facility they afford for supplying good milk and butter for their families.

15623. Mr. Neligan.—But there is an agricultural difference?—The Commissioners generally put a higher scale on them.

15624. They can't fix rents on them now. A higher scale of rent would be in accordance with the distance from the town?—They should only take the value of the land.

15625. Lord Milnes.—They are entitled to take into consideration other circumstances?—A great many people about towns have to pay a very high rent for the accommodation they receive.

15626. Mr. Neligan.—With regard to the Purchase Act, would you be desirous to purchase your holding on fair terms?—Yes, sir. When I first wanted to purchase my land, I offered my landlord twenty years' purchase. This was in '81.

15627. When you had to deposit one-fourth?—Yes, sir. I was anxious to be owner of my own place, as I should like to make settlements for my family on it.

15628. The purchase money was based on your then rent?—On my net rent. I don't see why any man should want what he has no power to retain.

15629. You mean the net rent?—Stripped of tithe-rentcharges, income-tax, half poor rate, and county cess—what the landlord was putting into his pocket.

15630. Mr. Neligan.—Was your offer refused?—It was, sir, and I did not blame the landlord for it, so much then.

15631. Lord Milnes.—Why was he less blameable then, than now?—It is a large estate, and a number of tenants were invited to purchase, but I think only thirteen or fourteen—not more than a dozen sent in proposals, reaching fifteen or sixteen years' purchase. I thought otherwise. I offered eighteen years, but I could not blame the landlord for not splitting up his property. His lordship after some time, wrote to say that having taken the proposals into consideration, he could not deal with the purchase, unless a number of the tenants were prepared to come to terms. In 1865 when Lord Ashbourne's Act came into operation, I again offered to purchase my land. The agent sent around a circular, inviting us to agree between us as to the terms. I wanted the agent to visit my land, because he could not see, as I said, judge as to the quality of it from his stool in the office. The agent did not comply with my request, and I then wrote to Lord Devon stating that I wished to have my land valued,

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and to discuss matters, so that we might be able to arrive at an agreement, adding that Mr. Carling had refused to accede to my request to visit the land, and judge as to the quality of it, and not wishing to lose the advantages to be derived from the Act of 1865, I now asked his lordship to appoint a farmer of the county Limerick to meet one appointed by me, to make a valuation of my holding, and if they did not agree to call in a third gentleman, and between them to fix a fair price. His lordship wrote thanking me for the suggestions contained in my letter. His letter was dated the 30th August, and expressed regret that he could not acknowledge it sooner, adding that he would consider the suggestion, and communicate with me again. He did communicate after some time, and it was to the effect that he would not accept my proposal, unless I made it twenty years purchase. I did not see my way to making an offer of twenty years purchase.

15632. Mr. Nelson.—Your offer was eighteen years' purchase on the net rent?—Yes, sir.

15633. Lord Milnes.—In consequence of what occurred from 1881 to 1885, you reduced your offer by two years' purchase?—Yes. That was in consequence of the fall in prices. I offered to leave the matter to the arbitration of a man of business. I may state that no later than three months ago, I was appointed by a landlord to fix the value of a tenant's holding, and that valuation was to guide the value of other holdings. The landlord chose me as a working farmer, and the tenant appointed another working farmer, and an umpire was also appointed.

15634. Mr. Nelson.—Was that in this county?—In this county, sir. The landlord left the whole management of the business to me, and I went into the working of the whole thing. I met my brother arbitrator, and we differed. He thought sixteen years, with some abatements off, was sufficient, and I thought seventeen years, which stood equivalent to Griffith's valuation, would be the fair price. The matter has gone before the umpire, and I have not yet heard the result. I candidly told the landlord I would only deal with the net rent, and he told me to do as I liked. The witness here read Lord Devon's last letter to him, stating that Mr. Carling had sent him the communications that had passed between witness and him with regard to Kilsnoody farm. He had carefully considered the question which arose, and under the circumstances he was unable to accede to his proposal of eighteen years' purchase, adding that he regretted that he had to refuse other applications from other quarters.

15635. Lord Milnes.—Is there a general desire on the part of the tenants on Lord Devon's estate to purchase their holdings?—Mine was a test case. I am certain, as I was speaking to several tenants they would be anxious to purchase. I am sure if any case had succeeded they would have followed my example.

15636. Is that desire from a wish to become owners of their holdings, or is the object an immediate reduction of rents?—Both one and the other.

15637. Which is the more prevailing influence?—Well, I speak from my own experience.

15638. In general?—I think it is to obtain a reduction. That is what they chiefly care for. At the same time a great many of them stand aloof through dread that the times may come worse, and that the Treasury would have to be paid up punctually—that they would not get time, while they get fair time enough from Lord Devon.

15639. If the times got better the terms might be higher?—It would raise their hearts to be working on a place that was their own, in order that their children may have the benefit of it, and that it would be the best means of settling little fortunes for their children.

15640. I quite understand your feeling?—A good many don't take the matter into consideration at all. They don't go into the working of it, and the example of half a dozen purchasing would cause a large number

to follow it. There are a thousand tenants on the estate. The example would spread around, and once the first one a bargain they would come in and purchase. They are a slow people, but when they see the great advantages to be derived from the Act they would come in and embrace it.

15641. Is there any amendment that you would suggest to the Act of 1865 to render it more workable?—If they could extend the number of years purchase and loan the money.

15642. Do you think that would be a good thing to do?—However, I think I'd let the Act stand.

15643. There is a great deal to be said for and against increasing the period. It would be a great thing to get it over as soon as possible?—I know I was satisfied to purchase under the old Act, not to speak of that of 1865.

15644. It is considerably more favourable now than then?—That is so. I wish I could get my landlord to make me some concession.

15645. Is there any other point you would like to bring before us?—Unless the state of the country.

15646. Are rents being generally paid?—Rents were they were, but for the last two years it has been impossible.

15647. Does that arise from inability to pay the rents or from terrorism?—Oh, not in my neighbourhood. There is no terrorism.

15648. Is there much boycotting?—There is only one case of boycotting, and that case is a very bad one. A man came between the landlord and the tenant. I think, in fairness, when the tenant was standing out to come to a settlement with his landlord there was no necessity to step in between them and take the farm. I think it was very hard. The new tenant had a farm which he sold and got £1,400, and then when the tenant of the farm I refer to was negotiating with the landlord he proposed for it to be sold and the tenant was only too anxious to get a man to take it, and he gave the land to him at a reduced rent. He had £1,400 in his pocket, but he was not satisfied with that. I took upon it as stepping into the shoes of the labour and industry of an old family.

15649. He committed an act of very sharp practice?—Very sharp practice. He sold his own land for £1,400 and he goes immediately and takes this farm, which the tenant had thrown up, because, as I believe, it was too heavily rented. If he would land why did he not keep the farm he had? He got this one at a very reduced rent.

15650. Mr. Nelson.—Still it is not an ordinary circumstance to get rid of a dear farm and get a cheap one. The man was ready to make money?—Yes, to make money out of the industry and the sweat of another person.

15651. Lord Milnes.—Have you the advantage of having a branch of the National League in your neighbourhood?—Yes.

15652. Does it interfere at all with the payment of rents?—Not on our estate. I tell you what we do. We call a meeting of the tenantry and we agree to ask for an abatement of say twenty per cent, and a memorial is signed and sent to the landlord requesting him to reconsider the abatement he offers. Last year he did reconsider it and increased the abatement from fifteen to twenty-six per cent. The tenants were satisfied and they went in and paid their rents.

15653. Has there been any attempt on the part of the National League to dictate to the tenants as to what terms they should purchase under the Act?—Oh, certainly not.

15654. Has there been nothing of the kind in your neighbourhood?—I would not listen to dictation from any body of men as to what I ought to do.

15655. Have evidence that it was done elsewhere?—They were openly told what the tenants were doing; they were watching my case, and came to me about it, and I told them.

15656. What is the condition of the labourers?

The labourers in my part of the country are very badly off. Our labour rate is very high.

15457. That is in their favour?—When employment is given the rate is very high. You have to make up in market hiring day to where the men stand in the street, and make the best arrangement you can; they don't care now, they do your business and they must be well paid.

15458. You don't give them constant employment?—I give my men constant employment, but, in general they don't get constant employment. The labourers are very badly off, and there is a frightful winter before them. The staple growth of the country—potatoes (which is not the all-day round food, but they always have them at night)—well, the potatoes are gone completely in my neighbourhood.

15459. Is that so?—It is.

15460. That is quite recently?—I would not give my top-soil for the whole produce. They are as black as not to be fit for human food.

15461. What becomes of the poor labourer when he gets no employment from the farmers?—In the area we try to keep them on as well as we can, we open a fund and put them at stone breaking, and the road contractors buy the stones. We have helped them along up to this.

15462. Is that common in your neighbourhood?—We make some provision every year. But through the country they are very destitute this year, and I am afraid it will try them very much.

15463. Have you any resident gentry in your neighbourhood?—Very few; Lord Devon's agent lives there, but there is no work being carried on on the estate at present. I think I am the largest employer of labour, as a farmer, in this district.

15464. Were there extensive works on the estate formerly?—Oh, yes.

15465. Previous to the Act of '81?—Not for the last 12 or 15 years. It fell away as soon as the roads were ready to make.

15466. Mr. Neligan.—Some people state there was very little value for what was done on the estate at that time?—The drainage was perfectly useless.

15467. So I heard?—It was perfectly useless on a stiff retentive soil. Four feet deep would not do at all. The more to the surface the better.

15468. Lord Millicom.—Have you any proposal to make for the amelioration of the condition of the labouring man?—I fear it would be necessary to open public works.

15469. I don't speak of the winter in particular, but in the future?—If the farmers had the land as they own they would give more employment.

15470. I suppose they had judicial leases?—The farmers should have judicial leases to have absolute security in their holdings. They are chiefly leaseholders, and cannot go into the Court.

15471. Then, as I understand you, the fact of going in under the Land Act of '81 and obtaining judicial

leases would have some effect so far as encouraging the tenant to make improvements?—Quite so.

15472. Do you make improvements?—Yes, and I have kept a pen and ink account of what I have done.

15473. Do you think the term ought to be 15 years, or that the rents should be fixed once and for ever?—Well, I don't know. There is for and against—I don't see, sir, if the times get good, why the landlords should not get the benefit of it, as well as giving the tenant a reduction when the times are bad. A man should also get the benefit of the improvements he makes.

15474. Are you in favour of a sliding scale, according as certain productions rise and fall in the market?—I'd have no objection, myself.

15475. A self-acting scale?—Yes.

15476. Mr. Neligan.—With reference to the general system of purchase—of course, I don't refer to individuals, but want to get your ideas generally from your knowledge of the neighbourhood and the district—do you, at all, apprehend that the scale would result in the creation of some incumbered estates?—I mean incumbering such little holdings with charges for daughters and young sons?—Of course, they should. There would be no other way to provide for them, otherwise the farms would be split up, and sub-divisions would be ruinous. Small men are the worst for the country. Let the young men work and provide for their sisters.

15477. Are there many in such circumstances?—It all depends on whether the parents tie down their children to certain conditions. In my own neighbourhood the daughters of many small farmers go out as milk women, and the sons get situations. The National Schools do a great deal of good. If the sons get good situations they won't be a block in the way of the other children.

15478. Lord Millicom.—Good situations! I am afraid good situations are not easily got?—In the Constabulary, say.

15479. Only a limited number can get into the Constabulary?—I think there are very few educated young men who do not make a living.

15480. Is that your general impression?—Well, sir, I would not like to put any of my children at the tail of a cow. I would spend all I could in their education and have no fear for them. That is what any man should do, no matter what provision he may be able to make.

15481. Mr. Neligan.—Eighteen years' purchase is a considerable falling off on the income of the landlords—on the net rent. It would bring every £100 down to £72?—Yes, sir, but if a fair rent were fixed I'd expect to have it reduced.

15482. When you spoke of 18 years' purchase you allowed for the present rent which you considered excessive?—Oh, yes, as it was I offered 18 years' purchase, but the landlord should make allowance for the half-year's poor rate and tithe rent charge.

Mr. James Halpin examined.

The witness said he had sent the Royal Commissioners a statement as to the evidence he should be able to give, with a list of questions, &c.

15483. Lord Millicom.—The document had been received. (To witness.) How do you hold, Mr. Halpin?—I am a tenant-farmer, residing at Newmarket-on-Fergus.

15484. About how many acres do you hold there?—I hold about 100 acres altogether.

15485. What is your tenancy?—A lease for life.

15486. One of the questions you wished to be asked in this—Is there any contribution against the payment of rents in your district?—My answer is,

that there is not, I know properties on which the tenants are negotiating for abatements in their rents, as they could not pay the full rent. Payment has been delayed, but I do not know of any instance where tenants have combined to resist the enforcement of a legal obligation, and I can give you proof that there is no combination with that object.

15487. You say there is nothing of the kind, that is sufficient. Is there any feeling against men who wish to pay?—None whatever. I have never known a case where a man came to trouble or grief by having paid his rent.

15488. You wish to be asked whether the Act

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is working well as regards the fixing of rents I—I want to show, that owing to the way the rents have been fixed, it could not work well.

15689. You say judicial rents have not been properly fixed. Tell us about that I—I will give you a few cases in proof of what I state. There is the case of a tenant on the Dromoland property; his father lived there before him; there are 44 acres in the holding; the Government valuation being £36, and the rent £24. He went into the Court and the judicial rent was fixed at £50. Mr. O'Neill knew that that rent was too high, and he appealed to the Head Commissioners and they reduced the judicial rent to £44. They also fixed the value of his tenancy at £450. Mr. O'Neill expended £750 in effecting improvements on his holding.

15690. Mr. Halpin.—The rent was reviewed and reduced by the Court of Appeal; and that shows that my statement is correct.

15691. Lord J. M. Macdonald.—Although they laid out £750 in improvements they fixed the price at £450!—Since that he laid out £140 more on improvements. There is another farm at Ballingreen, the Government valuation of which is £22, and the old rent £37. The Commissioners reduced it to £23, but on appeal it was further reduced to £20, showing that the first judicial rent was not correct.

15692. Is there general dissatisfaction in the manner in which rents have been fixed by the Sub-Commissioners?—In general, there is great dissatisfaction. In some cases they gave fair reductions for the last twelve months.

15693. Is it on the ground that the reductions are insufficient or that they are irregular I—On the ground that they are insufficient. The tenants' improvements are not taken into consideration in the fixing of the rents.

15694. You suggest certain amendments with regard to town parks and demesne lands I—Yes, my lord. The holders of town parks are paying for their own improvements. They have great facilities for getting manure in the towns and cities, and they are continually tilling, subsoiling, draining, and manuring, and I think it is very unfair to have those people paying excessive rents for their own industry.

15695. Would you then say that all town parks ought to be admitted to the benefit of the Act I—I would.

15696. Would you give the landlord any power to resume for the purpose of building I—Oh, certainly, if necessary, otherwise he should come under the Land Act. But I think the landlord should have power to resume wherever it would be of benefit to build on it.

15697. Well, with regard to demesne lands I—I know tenants living on demesne lands for the past fifty years. They have been working on them all their lives, tilling, draining, manuring, and building, and at the wish of the landlord they can be turned out, and given very little compensation for their work. That often occurs, in the case of tenants who have effected the most improvements. Mr. William Halpin, of Belahine, lived on demesne land, and laid out £1,300 or £1,400 in improvements. He was served with notice to quit, and turned out. Then he went into the court to get compensation for his improvements, and he was allowed only about £400. The reason that he could not get more was that the old lease, under which he got into the place, terminated in 1871, and they could not go back beyond that date. The heaviest part of his improvements were made between '68 and '71, and he was excluded from the benefit of those.

15698. You say that all demesne lands should be admitted to the Act I—Where the landlord don't reside and where the tenant has for many years.

15699. There are residences—good ones, some of

them, but the owners are not living in them I—Where the owner is non-resident.

15700. Has it struck you that if you further increase liability in letting land you may diminish the amount of land to be obtained by those desirous of hiring it I—I don't think so, my lord.

15701. You can understand that where a man has land which, at present, is exempt from the operation of the Act, he may be willing to let it for a time, but if he was brought in under the Land Act he might prefer to keep it in his own hands I—I have no doubt an owner would keep his own land rather than give it to the Land Court.

15702. Don't you think that in that way it would be injurious to admit those demesne lands I—Well, if the owner was the occupier there would be no objection to his holding the land within the demesne.

15703. You mean the owner that lives there I—Of course. I refer to the land that has been in the entire use of the party who takes it from the landlord. I am in favour of admitting leaseholders to the benefit of the Act. It is a very great injustice to have excluded them, and I think it is one of the most glaring defects in the Act of 1881.

15704. We have had a great deal of evidence in reference to that. Judicial rents, you say, are not a rule, fair I—That is so.

15705. Are those fair samples of judicial rents that you have given I—Yes, my lord. The tenants effected their own improvements, and did their best to keep their farms.

15706. Mr. Halpin.—Do you apply the same observation to the judicial rents struck up to the present—to the whole time from '81 to '85 I—Yes, sir.

15707. Lord Macdonald (reading from witness statement).—Are the improvement classes working well, so as to encourage improvement works I—That is in reference to drainage.

15708. What are the improvement classes I—The landlord only has power to borrow money for arisal drainage, and I think the occupier should also have power to borrow money for the purpose of drainage.

15709. Mr. Halpin.—So he has I—That is if he has the consent of the landlord. But he has not, if the landlord does not consent.

Lord Macdonald.—That's not in the Land Act, I think, Mr. Halpin. I think that in the Acts which empower the borrowing of money for drainage purposes.

Mr. Halpin.—That comes in under one of the Drainage Acts.

Witness.—I thought it necessary to draw your attention to the matter, so that it may be rectified.

15710. Mr. Halpin.—What else do you wish to say about drainage, Mr. Halpin I—I think the principle of drainage should be assisted as much as possible. The occupier should be allowed to borrow money so as to drain his land. Without drainage, you can't have land in a fair state, and further statement of rent must be given. If you give the tenant an opportunity of borrowing money, a large amount of employment will be given.

15711. Lord Macdonald.—Which, at present, you haven't I—The want of employment is felt very much in the country.

15712. Do you think, supposing landlords disappeared off the face of the earth, that it would be necessary to give power to somebody or other to exercise a certain amount of control over drainage works, so as to keep them open I—No doubt, I think control should be localised.

Lord Macdonald.—It would be absolutely necessary to have somebody otherwise you would have the country flooded.

Mr. Halpin.—I find there is a section in the Act of '81 with reference to drainage.

15713. Lord *Milltown*.—I believe you are in favour of extending the time for the repayment of loans?—I think it would be a great advantage to extend the time further than at present if it was no injury to the State.

15714. Lord *Milltown*.—That is loans for improvement purposes?—Yes.

15715. But with regard to the Purchase Act of '85, would you be in favour of extending the time also?—Certainly. I think it would be a great advantage.

15716. You do?—I do; and I think until you have a proper value put on the land, people won't be inclined to take advantage of the Act.

15717. Until there is a re-valuation?—Yes, a re-valuation.

15718. Would you be in favour of a re-valuation of land on a fair rent basis, undertaken by a Government staff?—Certainly.

15719. And make that the basis for purchase?—Yes.

15720. Large sums have already been lent for drainage purposes?—Some of it has not been spent very well, and I think some one should be entrusted to see that fraud was not committed.

15721. What is your opinion of the Purchase Act of '85?—I think the valuation is too high, and I believe until that is reduced people won't avail themselves of the Act.

15722. Still, if they bought at a less number of years' purchase, it would come exactly to the same thing?—I don't think the principle is right.

15723. Practically, it would be the same?—I don't think so. The principle is wrong.

15724. Is there any outside body endeavouring to restrain tenants from purchasing in your neighbourhood?—None, whatever. They are entirely at their own free will.

Mr. John Frost examined.

15725. Lord *Milltown*.—You are a tenant farmer?—I am a tenant farmer, a land owner, and also owner for East Clare.

15726. What is the nature of your tenancy?—I hold about 250 acres, under a judicial lease; about 800 acres as owner in fee, about 250 acres of which I let to tenants who were in possession when I myself came into possession of the property.

15727. How do those tenants hold?—They hold, at present, under judicial leases.

15728. What point do you wish to call attention to?—I live near Newmarket-on-Fergus, and I hold some property near Tulla, about 100 acres on the river Shannon, at a place called Rynanmore, which I bought myself. I may state that my father bought this place called Derrycane, near Tulla, in '55. He left me in possession of the place in '71, subject to charges to two brothers of mine. The place is worth about £300 a year, and I believe my father intended to make the equitable arrangement for the benefit of each—that the three of us should have £100 a year out of the place. The tenants went into the Court and got a reduction of 25 per cent., and the land was included in the drainage district called the Six-mile-bridge drainage district, so it became subject to £32 a year along with the reduction of 25 per cent. on the judicial lease. The drainage charge that the tenants were liable was thrown on me, and I am still in the position of being liable to pay my brothers £100 a year each, therefore, my own interest in the place is almost gone.

15729. What is your proposal to remedy that state of things?—My proposal is, that the reductions the tenants receive in their rents should also be extended to the arrears on the property, that they should also bear their share.

15730. Mr. *Nelson*.—That they should share equally?—Certainly.

15731. Do you think the mortgages should be bound to bear any loss?—Oh, I do think so.

15732. Do you think it would be no great hardship to compel them to take 4 per cent.?—I do not think it would be any such thing. It is considerably higher than any person could get for money now.

15733. Lord *Milltown*.—Such a measure would afford immense relief to numbers of distressed persons?—I believe it, sir. I would merely say that knowing something of the feeling of the country, I believe the

purchasing of their lands by the tenants would be the real solution of the agrarian difficulty—that is if the Government would enable them to purchase their farms.

15734. Don't you think the Act of '85 does that?—I believe it does, but it appears to me as if the landlords, having a portion of the money kept back from them, are less inclined to avail of the Act.

15735. You object to the deposit of one-fifth?—Yes.

15736. Do you think sufficient security would be given when a tenant has deposited the interest on his holding, that such means be well continue to do so. Are you not aware that the paying off of one-fifth as a deposit is not now required?—I ought to be aware of it, but it escaped my memory.

15737. Are you of opinion that the Government could safely advance money without retaining any deposit?—Yes, the prospect, however, is not a cheering one to look forward to, because we are only in the beginning of low prices for every description of produce. I believe that America, South America, and other countries, will send such large quantities of produce that we cannot say we are at the foot of depression as regards prices.

15738. That is your opinion, but it is some comfort to know that other persons, equally well qualified to form an opinion, think just the contrary?—I have no doubt there are persons of that kind.

15739. Is there any desire amongst the people to purchase their holdings?—Not presently, I think their minds are unfixed at the present time. They are expecting something may happen. They are expecting better will happen.

15740. Or worse?—Than the Acts of '81 or '85.

15741. And, of course, as long as their minds remain in that condition they are not likely to purchase, nor settle down to anything?—No, sir, until such time as the Commission has done its work.

15742. Mr. *Nelson*.—People are waiting for the Commission to report?—In fact they are expecting better things than they have got yet.

15743. Don't you think the terms offered by Lord Ashbourne's Act are remarkably favourable to the tenant?—I remember a time when tenants would have been very glad to accept them; but there is no use in saying that, for those times are past and gone, sir.

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Mr. James
Haplin.

Mr. John
Frost.

Nov. 3, 1844

Mr. James
Macnamara.

Mr. James Macnamara examined.

15744. Lord Milnes.—You are a tenant farmer?
—Yes, residing at Singland. I hold 17½ acres of land
from Mr. Henry under a judicial rent.

15745. When was that fixed?—My first rent was
£82.

15746. For 17½ acres?—Yes, sir.

15747. It must be very good land to pay £82 for
17½ acres?—The judicial rent is £38, sir; and the
land is covered with water. The landlord appealed
against me then above all the tenants, and the rent
was raised to £66 10s.

15748. Tell us how in the world you pay £66 10s.
for 17½ acres?—It is covered with water, sir.

15749. There must be some reason why you pay
such an enormous rent?—My valuation is £33 10s.

15750. And you are liable to floods?—About four
acres are every day in the year covered with water.

15751. Your complaint is that you are paying too
high a rent?—I'd agree to pay £50 a year.

15752. You would be prepared to pay that?—I
would, sir.

15753. Is it meadow land?—I can't get the hay
except an odd time. I must have a horse and car
after the men cutting it.

15754. Only being flooded you could not meadow it
every year?—Oh, yes, sir.

15755. It is an advantage to you to have it under
water?—It is not always at the right time. It takes hay

from me in fine weather. The finest day in the year
it would drown me. The water is let down from
Messrs. Barnatyn's mill, and floods the land.

15756. Bring an action against them?—A certain
height of water is required, and when they have
enough they let it down on me.

15757. What do you want to have done? Your
complaint is that your rent is too high?—A half
year's rent fell due last Monday, the 1st November.

15758. Mr. Nelson.—Did you get any abatement
last year or the year before?—No, sir.

15759. Would you like to buy your holding at a
fair price?—I would, your honour.

15760. For the sake of being an owner?—Yes, sir.
But I would not be able to buy it.

15761. Lord Milnes.—Under this Purchase Act
you don't pay anything down at all. The Government
will pay the landlord, and you would have to pay
them by instalments, and the yearly payments would
be 20 per cent. less than your present rent?—Mr.
Henry won't take the half-year's rent. He must get
the year's rent, and as I am not able to pay the year's
rent he says he will put me out, and it is only due
since Monday.

15762. That is very hard on you?—I am not able
to pay it to him, and I must only give him the land.

The Commissioners adjourned till the 11th at
Kilfinney.

TWENTY-SECOND DAY.

Thursday, November 11th, 1886.

The Commissioners met at the Railway Hotel, Killarney.

PRESENT,

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MERTON. | SIR JAMES CAIRD, K.C.B.
MR. NELSON, Q.C., Recorder of Londonderry.

MR. J. TOWNSEND TRENCH, J.P., examined.

Nov. 11, 1886.

15,763. The President.—You are agent for Lord Lansdowne?—Yes, my lord.

15,764. How has the Land Act of 1881 been working in this part of the country?—The Act of 1881 does not appear to have realised the expectations formed of it, and that is so in spite of the very large concessions that were made under it to the tenants; and it appears that the extent and the evidence of these concessions are among the causes which have led to the failure of the Act, because they have created expectations that still further advantages could be obtained by continued agitation and by the spread of an organisation for resistance to the payment of rent, and those causes created a reluctance to pay rent even where what I might call more active intimidations, intimidation in its more acute form, does not exist. Besides that, the tenants have been educated in the art, and very successfully educated in the art, of resisting the payment of their debts. Of course when they got under the Land Act of 1881 was "the three F's"; they got "fair rent," they got free sale, and they got "fixity of tenure." Now the fixity of tenure appears to be the only one of the three concerning which the expectations have been realised. With regard to the free sale, if we look to page 27 of the Beaumont Commission Report we find that the free sale was regarded as being one of the principal means for giving satisfaction to the tenants. Paragraph 68 states: "Let the sale be free and fair, and there will be no feeling in the emigrant that he has been 'ruined' and no cry at home against ruthless extortions," and under the Compensation for Disturbance Bill a landlord evicting a tenant for nonpayment of rent was allowed to escape from the penalties attaching to such evictions by offering to the tenant a "reasonable alternative," it being understood that permission to sell his interest constituted a "reasonable alternative." Now, at the present time, every tenant in Ireland has, as far as the law is concerned, this alternative open to him, and on many estates the additional alternative of buying his farm from the landlord upon liberal terms. And yet, although that is so, the "free sale" has not practically acted as a solution of the problem, and the number of sales effected where tenants are in distress has been exceedingly small.

15,765. Sir James Caird.—Does that apply to the whole country, or only to this part of the country?—It applies to the whole country.

15,766. Can a tenant just now realise anything by free sale?—Not much.

15,767. Can he realise anything just now?—Oh, yes.

15,768. Mr. Nelson.—For instance, could a man under evictions sell?—He could, if he were free to do so, and if he was not interfered with.

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15,769. Sir James Caird.—Who interferes with him?—Oh, the Land League, in the most decided way.

15,770. So as to prevent him going away?—No, but to prevent another man from coming in.

15,771. Well, I suppose that is much the same thing; but why is the interest of the tenant himself not considered by the League?—No; they do not care a straw about the individual tenant.

15,772. The President.—It never was the custom of the country in any way to sell here, was it?—Yes, it was.

15,773. It was?—Yes, the tenant had the right to sell. For the last quarter of a century, to my personal knowledge, that right has existed on Lord Lansdowne's Kerry estate, subject to certain restrictions, to my knowledge, for over a quarter of a century. But the effect of the Land League has been to obstruct and to prevent anything that would accomplish a satisfactory settlement between landlord and tenant wherever the landlord proceeds against the tenant. And, therefore, whenever a landlord proceeds against a tenant every obstacle is thrown in the way by the Land League of effecting a sale, and the man who would buy it would know that he would come in under the frown of the Land League.

15,774. The operation of the Act of 1881 has been very much retarded and made ineffectual by the Land League?—Yes, I think so. Well, then there are other causes besides that which have operated—

15,775. Do you think that the judicial rents were regarded as satisfactory by the tenants?—I just wanted to say, if I might—

15,776. I beg your pardon, I thought you had finished; kindly proceed with your statement?—I wanted to say, with regard to the reluctance to buy, that I think is due also to the fall in the prices of produce, which has diminished the actual value of the vendor's interest. There is no doubt, that in consequence of the fall in prices less can be made of the farm, and that therefore the interest in the farm is really worth less than it was some time ago.

15,777. Lord Lansdowne.—Is that so?—Yes.

15,778. And when did that occur?—A few years ago.

15,779. What do you call a few years ago?—Since 1882.

15,780. There is a great difference between one and six years; which do you mean?—I would say before the late depression.

15,781. You do not think that the fact of its being legalised prevented the sale, the powers given under the Act of 1881, but that it was the Land League which caused the prevention of purchase?—Quite so. The Land Act of 1881 gave them the right of sale, but it does not appear to have realised the expecta-

Mr. J. Townsend Trench, J.P.

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Mr. J. Trench-
and Trevel,
J.P.

tions that were then formed of it as a solution of the Irish problem.

15,782. *Sir James Caird*.—But that is due chiefly to the fall in prices?—Partly also it is due to the general disposition of the tenant to hold on to his land. He hopes to hold on to the land by hook or by crook, and therefore he is putting off what he calls the evil day of selling his interest as long as he can.

15,783. *The President*.—Is that all you have to say on that point?—Most of Lord Lansdowne's tenants in Iveragh hold on judicial leases now. On his estate, close to Kenmare, exceedingly few went into court to have fair rents fixed, and the few that did go into court got scarcely any reduction, establishing the fact that the rents in the vicinity of Kenmare were not materially above what the court considered to be fair. At Iveragh the rents were mostly fixed judicially. There a row of rents had taken place a few years ago, and the rents were higher at Iveragh than at Kenmare, and in Iveragh almost all the rents were reduced when judicially fixed, while on Lord Lansdowne's estate at Kenmare hardly any were.

15,784. *Sir James Caird*.—Are they fixed now, on the whole, by the landlord and tenant between them, instead of going into court, but there been some sort of arrangement made by which the tenants are now at a fixed rent?—No, the rents on Lord Lansdowne's Kenmare estate have been considered low. No alteration has been made in these rents from the bad times, but Lord Lansdowne, in consequence of the temporary depression, has given a temporary abatement.

15,785. But the rents have not been permanently reduced?—No, the existing rents stand.

15,786. The existing rents at the present moment have not been confirmed by judicial decision?—No.

15,787. Or by a decision that is given by the court when the landlord and the tenant agree with each other?—No; they have been supposed to be by the tenants.

15,788. Because they were afraid, I suppose, that if they went into court they would be raised in some cases?—Well, they think they would gain nothing by it, and going into court would be an expensive process.

15,789. However, there were sufficient judicial returns to enable you to judge that they were satisfactorily arranged; did they satisfy the tenants?—The judicial rents which are fixed?

15,790. Yes?—Well, the tenants have been carefully taught to regard the judicial rents as unsatisfactory by the Land League literature of the day, but I am not quite sure, whatever their opinion is, that it might fairly be called their own.

15,791. *Lord Millican*.—Then by whom is it formed?—By the speeches of agitators reported in the penny newspapers which they carefully read.

15,792. Do you mean by the Land League?—Land League speeches.

15,793. *The President*.—What is your opinion of the judicial rents; do you think that they were fairly fixed?—I think upon the whole they were.

15,794. Do the tenants receive as much credit as they used to do; do they find it as easy to borrow money as in former times?—No. That is one of the serious difficulties that they have to contend with. In the first place the failure of the Munster Bank put them into very great difficulty generally throughout the South of Ireland.

15,795. *Lord Millican*.—They had not money involved in the Munster Bank?—A good many of them had money involved in the Munster Bank, and this put the tenants into a considerable difficulty. Moreover they had gone security for one another and when the bank debts were called in they were hit all round. And then as to the credit which the farmers get from the shopkeepers, that has been very much curtailed, and I repeat that as one of the great causes of the present difficulty. The effect of educating the

tenants in the art of evading the debts due to the landlords, has been to teach them now to evade the debts due to the shopkeepers, and the shopkeepers have now found it practically impossible, and so have the banks, to recover their debts. Therefore, both the banks and the shopkeepers have simply stopped credit. Of course the banks and the shopkeepers can stop credit, but the landlord cannot. He is obliged to go on giving credit, whether he thinks it is desirable or not.

15,796. Does that have the effect of enlisting the shopkeepers on the side of the people, and the evictions on the side of order—this conduct?—They dare not say a word upon that for fear they would be boycotted, so that both the banks and the shopkeepers are absolutely silent.

15,797. *Mr. Nelson*.—Does the same terror of boycotting apply to the banks, Mr. Trench?—Yes. The manager of a bank told me a little while ago when I went to him on behalf of some tenants that I knew to be good marks, and whom I knew to be in temporary difficulties, and where I thought it would be a real advantage to the tenants if they could get some money. I said to him, "What see you so ahead of?" You are here as a bank to carry on ordinary banking business, and here are cases in which the security is good, and you ought to assist these people." He replied, "I have," indicating with his hand, "that high of bills on my hands, and I cannot recover on one of them, and I will not increase the weight of that pile any further." I said, "Why can't you recover?" and his answer was, "How can I recover them when things are as at present. I might very well say, if you can't recover your rent, how can I recover the money due on my bills?" and he expressed his determination to give no more credit.

15,798. And did he apprehend anything like the boycotting of the bank?—Well, he did not say that. What he said was that the recovery of debts of all sorts in Ireland is now so skillfully resisted that the fact was it would not be worth the expense, and that he therefore thought the stopping of credit was the simplest thing.

15,799. Is the power of the League as great as it was, or is it at all on the decline?—Well, on the estates I manage I must frankly say I have not suffered much from the League. But the power of the Land League is not declining.

15,800. You think that they have still got the power only they do not exercise it, or is their power on the decline?—I have no reason to think that their power is on the decline. I have heard it stated that their power is on the decline, but I have no reason for making that statement; it is a foolish idea.

15,801. *Lord Millican*.—Well, that is the evidence we have received. Do you think it is not, or do you express no opinion?—I believe they are as strong as ever they were.

15,802. *The President*.—Do you think the comparative tranquillity throughout a great part of the county is due to the fact that the League have given the word that the rents are to be paid with the abatements now being given, is that so, do you know at all?—I think that the increased tranquillity is due to two causes. First of all, to the more decided enforcement of the law, and secondly, to the fact that the landlords very generally in Ireland are making abatements.

15,803. *Mr. Nelson*.—You do not attribute it to the weakening of the power of the National League?—I do not.

15,804. But to the two courses you have indicated, to a more vigorous administration of the law, and to the granting of abatements?—Yes.

15,805. *The President*.—Can you give us some information as to whether fair rents are now responsible to pay. Is it difficult to pay judicial rents now. Is it difficult for a tenant nowadays to pay even a fair rent?—When we speak of fair rent I should not mean a rent shaped to meet the ability of an individual tenant to pay that rent at any particular

ment, especially if that moment happens to be one of exceptional depression. Some regard must be had for the capabilities of the soil and the system of agriculture, and to the breeding of stock, and to the manufacture of butter, and although we cannot expect in Kerry that there should be the same height of farming excellence that may be found in other places, yet there is unquestionably very great room for improvement. This is now more important when we find that there is a good market for a good article, although there is a poor market for a bad article. The cattle breeding has been hitherto conducted in some parts of Kerry, particularly the mountainous parts of it, with great carelessness. The tenants have not realised the necessity of producing a good animal. At the fairs now you can sell a good animal, but you cannot sell a bad one. The same is true of butter. You can sell good butter at a good remunerative price; and even now if the cattle were more carefully bred, and the butter more carefully manufactured, and the hay made into ensilage instead of being made into what is often little better than manure, the tenants would be able to pay the rents which with neglectful farming would be impossible.

15,806. Is not the price of produce very low even when it is good of its kind, and would not that of itself render it more difficult to pay rent?—It is lower than it was, but still a good article is very saleable. For instance, there is not a tenant on Lord Lansdowne's estate but might get 6d. a lb. for his butter, whereas a great many of them only get 5d.

15,807. And the reason then why it is difficult to pay rent is a bad system of farming?—To a considerable extent, and in judging of what would be a fair rent I think that element ought to be taken into consideration.

15,807a. Lord Milltown.—Has the rise in the butter now come too late for the tenants?—There has been no particular rise in the butter. What I speak of is an improvement in the manufacture of it.

15,808. You just now said that the tenants can get 6d. a lb. for the butter, and then you went on, as I understood you, to say that at one time some of them could only get 5d.?—Yes; but that arises from the introduction of creameries and butteries.

15,809. Then you would say that if they had made as good butter some time ago they would be able to get a good price for it?—Yes.

15,810. Mr. Nelson.—In other words the price is there if the right article is produced?—Exactly. Small cattle dairies cannot produce good butter. But that is no reason why the tenants should not unite in different places, and form butteries or creameries, and send their butter into a common factory whence the butter would be sent direct to London, so that the owner would get a good price, instead of its being sent to Cork, where both the butter and the farmer are liable to be treated in a way that I consider nothing short of infamous.

15,811. And besides that the farmer would save the intermediate profit?—Yes.

15,812. The President.—You are entirely then an advocate of the creamery system?—Yes, strongly. It has doubled the price of butter in many places. The very intelligent parish priest, Archdeacon O'Sullivan, who has the welfare of the people thoroughly at heart started it at Kenmare. He went off to do so. Liverpool, at least he organised a party, and I was one of the party. We went there, and we saw what Canon Ryan was doing, and we saw the admirable creamery that he established. He had been the means, in spite of great difficulties, of doubling the price of butter there. And when we came home to Kenmare, Archdeacon O'Sullivan called a meeting, and urged upon the people that they could do the same, and it was by his energy and a subscription of 500*l.* from Lord Lansdowne and generous contributions from the people that the thing was done, and it has been the greatest possible benefit to the district.

15,813. Mr. Nelson.—What radius will a creamery command?—Five miles.

15,814. So that a creamery is in place of fact of the greatest advantage, the greatest advantage that you could suggest, over a radius of five miles, in the better production of the country?—Yes. Well, I am inclined to think from experience that a buttery is better than a creamery.

15,815. Perhaps you would tell us the distinction between a buttery and a creamery?—A buttery is where a farmer, who churns his butter at his own home, brings it at the end of two or three days to be manufactured as butter, that is to be washed, salted, and packed. A creamery, as its name implies, is a place to which the farmer brings his cream, but when he brings his cream he has to wait and take back the butter-milk, and considering the labour involved in first bringing the cream, and the taking back the butter-milk, I am of opinion that a buttery is better than a creamery, and besides a buttery does not cost more than a third of what a creamery costs.

15,816. At your creamery do they bring the milk or the cream?—At the Kenmare creamery they bring the cream. At Derron there are two butteries established, and in those cases they bring the butter.

15,817. Sir James Caird.—Then you have had the advantage of the experience of both the creamery and the buttery, and your experience leads you to think that a buttery is the more advantageous of the two?—I think it is more suitable to Kerry farmers decidedly, and so far as generally throughout Ireland.

15,818. You churn the butter on the farm of the small farmer, and then it is taken to be converted as manufactured butter?—The farmer churns it and the buttery manufactures it, and markets it.

15,819. And it is mixed with all the other butter that is there?—Yes. What we find to be the great benefit is this. You cannot easily extract the water from the butter at the time it is made, or bring it to a proper texture, or mix in the salt properly unless you have a large and improved roller, which costs about £25, and, of course, every farmer could not afford to have one of these. But when he sends it to the central buttery they turn it into properly manufactured butter. There is another important point in reference to the small farmer's manufacture of butter that places him at a disadvantage, when he has to pack his butter he has to put in the butter of two or three weeks' churning—it may be two or three weeks before the butter is fit to be sold—and the consequence is that the butter has been formed like a lot of geological strata. It will consequently be of different textures; the butter will not be equal, and if the butter is not equal in texture all through it is not worth as much as what it would otherwise be.

15,820. So that no matter how good it is it loses its value?—Yes; whereas if they bring in all the butter to a central buttery it is all manufactured together, it is all packed together, and it is all sent to London together, each firm being of uniform quality.

15,821. It becomes of uniform quality?—Yes, the top being so good as the bottom.

15,822. Then, in your opinion, is a buttery as good as a creamery?—Yes, and a deal better, and it costs much less.

15,823. And is there no peaty flavour in the butter when turned out of those places?—There was at first, and that is one of the advantages of a buttery. If people bring in butter that has any peaty smell the dairymaid at the central buttery perceiving it, improves the farmer, and points out to him the way in which to avoid similar errors in future. In that way the small farmers are constantly learning at these places, and the consequence has been that the butter has been greatly improved in the churning within the last year.

15,824. And the cleanliness, as to handling and that sort of thing, has been more satisfactory?—Yes. I know of one case where a farmer brought in some butter to the buttery, and the dairymaid upon examining it said at once, "This smells of fish." "Oh, no," said the farmer, "that is impossible." "Well," rejoined the dairymaid, "it does, and I will give you

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only second "quality for it." "But," persisted the farmer, "there is no fish in my place." His wife, however, was stooping by, and said, "Well, You," "I put a herring into the dairy last night, and it was in the dairy for one night." "There now," said the triumphant dairymaid, and that single herring smelted all the better. So they learn some good lessons in that way. That literally happened.

15,825. The President.—Are you getting your rents this year?—We have only just begun to collect the winter gale. As to the rents during the early part of the year they have not been what I would call satisfactorily paid.

15,826. I believe Lord Lansdowne has given statements?—Yes, he has given statements, and if you will allow me I will put into evidence, his letter stating what the statements are to be.

Lord Lansdowne on the Judicial Rents.

"The following letter has been written by the Marquess of Lansdowne on the subject of payment of the rents on his Kerry estate:—

* Received, 21st October, 1886.

* My dear Trench.—I see that my conduct in giving upon the Kerry estates an abatement of 20 per cent. on judicial rents, customarily payable in November next, has been noticed as involving an undue concession.

* The landlord's position in regard to these rents, at a time like the present, is undoubtedly one of much difficulty. It might, I think, very fairly be argued that the State having imposed the terms of a contract on landlord and tenant, that contract should not be interfered with, except by the State. The punctual payment of the judicial rent was the one advantage to which the landlords were desired to look when in 1881 they were deprived of many of the most valuable attributes of ownership. It is not contended by me that the State 'guaranteed' the payment of those rents. Such a guarantee could not have been and was not given.

"On the other hand it was distinctly stipulated that the enormous privileges which were suddenly and unexpectedly conferred upon the tenants were to be enjoyed by them conditionally upon the fulfilment on their part of the statutory obligations specified in the Act. Of these by far the most important was the punctual payment of the rent fixed by the court for the judicial term. This obligation being unfulfilled the landlord might reasonably claim that he should be free to exercise his own discretion in determining whether any given tenancy should or should not be perpetuated. In many cases (such cases are probably not so numerous upon my estate as upon many others) the resumption of the holding and the consolidation of adjoining farms would be clearly advantageous to the whole community. In the congested districts the consolidation of farms is the only solution that I have seen suggested for meeting a chronic difficulty. I have no reason to believe that the judicial rents forced on my estate are such that upon an average of the yield and prices of agricultural produce, my tenants would find it difficult to pay them.

"Upon the other hand, there appear to be considerations which may be urged in favour of the conclusion that upon even the judicial rents properly payable next month some abatement should be made on my Kerry estate. The tenants have had to contend with exceptionally low prices. It is unfortunately the case that the class of stock reared by them does not find favour in the markets, and that when the supply generally becomes excessive, the demand for that class is virtually the first to cease and the last to revive. The failure of the Munster Bank has added to the difficulty of the Kerry farmers. I am besides informed that since the beginning of the present year the local merchants, influenced no doubt by the general feeling of insecurity which obtains throughout the country, have ceased to give credit to the farmers.

The cessation of credit may prove of ultimate advantage; its sudden withdrawal cannot fail to occasion serious embarrassment.

"Under these circumstances I agree with you that an abatement is called for. I cannot conceive that any system of State fixed rents should exclude altogether the idea that cases may arise where forbearance on the part of the landlord may be called for. If an individual tenant were to submit an exceptional misfortune, a reasonable landlord would I apprehend, not refuse that tenant some consideration, merely upon the ground that his rent was a judicial rent. The same argument is, I think, applicable where a body of tenants has, owing to a combination of unusual circumstances, encountered exceptional difficulties.

"The fact that her Majesty's Government has, by its action in appointing a Royal Commission, to some extent reopened the question of rents, makes it the more necessary that the tenant should receive the benefit of any doubt which may exist as to his ability to pay. The strong appeal which has been made to the landlords by the leaders of political opinion on both sides renders it incumbent upon us to spare no effort in order to diminish the difficulties of the coming winter. There are various modes by which those landlords who desire to respond to that appeal can meet the requirements of the case. It appears to me that the simplest is to forgive unconditionally a portion of the judicial as well as of other rents. In a time of depression like that through which we are passing I see no advantage in merely deferring the payment of that proportion.

"I shall be glad if you will explain to my Kerry tenants the reasons which have influenced me in coming to the conclusion which I recently authorised you to announce, namely, that they should have an abatement on the gale rent properly payable next month of 20 per cent. on judicial rents, as well as an abatement of from 25 to 35 per cent. on non-judicial agricultural rents.

"Yours sincerely,

"LANSDOWNE.

"To J. Townsend Trench, Esq.,

"Keshmure, Co. Kerry."

15,827. Yes?—20 per cent. on the judicial rents, and 25 per cent. on the Keshmure property or the non-judicial rents, and 35 per cent. in livestock.

15,828. The judicial rents are rather lower than the others?—Well, the judicial rents have been already lowered, and he does not give as much on them as the non-judicial rents which have not been lowered.

15,829. But Lord Lansdowne does recognise that the judicial rents are lower?—Well, there is a supposition that the judicial rents are lower.

15,830. You say they have not been satisfactorily paid; are there still arrears?—Yes, there are a good deal of arrears in the rent.

15,831. Do you think that that is owing to inability to pay or is it due to combination?—I think it is due to both.

15,832. In the cases of inability what steps did you take?—Well, we have accepted a portion of the debt.

15,833. In the cases of inability?—Yes.

15,834. In the case of combination where you suspect that there is no inability you insist upon the whole, I suppose?—Well, I have given them credit in most cases for inability.

15,835. Lord Milnes.—Whether they are unable or not?—Because there has been no formal combination, no outward formal declaration of war, on Lord Lansdowne's Kerry estates.

15,836. Mr. Nelson.—As a matter of prudence you have done it?—As a matter of prudence and cordiality and courtesy.

15,837. The President.—I think you are of opinion then that the payment of judicial rents should not be always very rigorously enforced, from your last answer?—I think there are occasions when judicial

might not be very rigorously enforced. There may be cases where the tenants may reasonably expect to get them, and there are cases where the tenant may reasonably expect to get a concession from his landlord by way of abatement.

15,838. I suppose that must be really left very much to the judgment of the agent as to whether it arose from inability or from ill-feeling?—That depends on circumstances.

15,839. An exceptional case?—It may be so.

15,840. There have not been many evictions on the property?—The number of evictions on Lord Lansdowne's estate has not been large.

15,841. And what has happened to them. Were any of them reinstated?—We did not reinstate any as evicted.

15,842. Mr. Neffson.—And practically they most of them redeemed?—Yes.

15,843. The President.—I think I understood you to say that you did not approve of re-admitting evicted tenants as caretakers, it would be interesting for you to say why?—Oh, that is a shilly shally policy.

15,844. There is no doubt that there is at present a good deal of depression in agricultural matters?—There is.

15,845. Can you suggest any means for meeting this, or doing anything which may tend to an improved condition of affairs. Can you suggest any measure in which this may be met?—Having regard to the fact that the Government has stepped in and fixed rental rates for 15 years, it appears to me that a temporary depression can only be met by a temporary concession on the part of the landlord, and I regard it as impossible to frame any legislation which would not should absolutely exclude the element of charitable consideration between man and man.

15,846. Lord Millicott.—Then in such a case as this, supposing landlords did not all take the view of Lord Lansdowne, but refused to give way, what would happen then?—Well, there may be occasionally such cases, but you cannot frame legislation upon a few exceptionally hard cases, and I believe that generally speaking the landlords have given abatements.

15,847. And there has been no exceptional part of the country where the tenants, having made themselves disreputable, and where the landlords have not met their tenants, their action involved a certain amount of injustice to them?—One thing that made Lord Lansdowne give such liberal reductions was that his tenants did not make themselves disreputable, but that, on the contrary, the most friendly relations were sustained. Lord Lansdowne gave much more liberal abatements in consequence of that consideration than if it had come to a question of a trial of strength.

15,848. The President.—Is that the general rule. Do you think that the landlords who have quiet properties, where they have had no trouble, have given as many abatements as in those places where they met with difficulty?—Well, I cannot say that. You asked me whether there were any means by which the depression might be met; well I say that no matter what legislation is passed, there must be room left for the possibility of a temporary concession to meet a temporary depression. If the rents were to be fixed so low that this should be excluded to the full, even under circumstances of the very utmost depression you would be fixing rents so low that it would bring absolute and immediate ruin to the landlord. We must have in mind the doctrine of averages, and we must always bear in mind this, that supposing the rents were to improve the landlord would not get a concession from his tenant.

15,849. It would be difficult for the rent to go up again?—Yes. You ask me, "Whether there are any remedies?" and I say, "Yes, there are several." For instance, I think that provision might be made against these depressions by wise legislation. For instance, only tenants who are valued at over £7 that can get loans from the Government for the improvement of their farms and buildings. I think the

figure should be lowered. I think it should be brought down to £5 valuation.

15,850. Mr. Neffson.—Would that affect a large class?—Well, it would include a great many.

15,851. The President.—As a matter of fact can the £7 man go in for loans?—Yes.

15,852. Sir James Caird.—What loans?—Loans for improving dwellings and dairies.

15,853. How much could a £7 man get?—I think £50. £50 along with his labour will build a very good house.

15,854. Mr. Neffson.—But there must be notices and Government officers must go down and inquire, and see whether it is a judicious thing to be done, and to see the work when it is done?—Oh, two or three guineas will pay for that.

15,855. I find as a rule it never pays?—I cannot say that.

15,856. Lord Millicott.—You do not mean two or three guineas for each case?—Yes.

15,857. Sir James Caird.—Two or three guineas?—Yes.

15,858. I find you would have a very heavy percentage on small amounts in that way?—I do not think it would be a very great hardship if a farmer got £30 towards building a £70 house, if £3 was spent on inspection. I do not think that that would deter any man.

15,859. Lord Millicott.—How does he pay it back?—He pays it back by instalments.

15,860. What instalments?—It extends over 22½ years, at 6 per cent. Another suggestion I would make is this: that the sanitary law should be made to apply to dairies. I think it would be of great value to a farmer if his dairy was subjected to sanitary inspection. At present the sanitary law in Ireland is exceedingly complicated and almost unworkable.

15,861. Sir James Caird.—Bad milk, and that is affecting the whole of them, it might come under that?—Only indirectly.

15,862. The President.—But unless you could prove that the neglect was a real cause of injury to health it would be difficult to bring it under the sanitary law?—I do not think any sanitary inspector would have any difficulty in swearing that every instance of dirt is by so much detrimental to those living in the vicinity of that dirt. Another suggestion I have to make is that I think a great deal more effort might be made by the Government than is made for the improvement of agriculture in different localities in Ireland. I think it would be of the greatest benefit if prizes were given by the Government so that boards of guardians might be formed into local agricultural societies, distributing say £100 a year in agricultural prizes under strict Government supervision to prevent jobbing and boycotting.

15,863. Sir James Caird.—But have you not a great society, the Royal Agricultural Society and the Royal Dublin Society, have you not those two great societies already for the improvement of agriculture?—Those societies are perfectly worthless for improving the agriculture of small farmers. Those who send to their shows send such superior animals that a Kerry farmer could not look at them.

15,864. But do not they remove about the country with their shows?—They do, but suppose a show was in Tralee, how could an unfortunate farmer near Keshmure send to that show and hope to carry off a prize.

15,865. It is quite true that he might not send to such a show, but might he not go and see what is to be learned there?—They would not do that. You must bring it to their door. The way to do that is to give a certain sum of money to be placed at the disposal of every board of guardians in Ireland for prizes for the best crops and the best stock, the best butter, and the best kept houses and farms.

15,866. But might not, without the intervention of the boards of guardians, the landlords and tenants themselves settle that instead, and then there could be no question as to inquiries?—True, but the Lord

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Nov 11, 1886. League would immediately step in and place every obstacle between landlord and tenant. I do not speak of the Keshmure Board in that case. There never has been at the Keshmure Board of Guardians, of which I have been elected chairman for over a quarter of a century, anything of the sort that I can remember, but I am speaking generally, and I know a great many boards of guardians where the Land Leaguers would not allow the landlords and tenant to work together in such a way, their object being to set one against the other in the most bitter manner.

15,877. *The President*.—Do you think that technical education in farming would meet that difficulty?—No. All the theory in the world would not teach them, but when there is a price given then a few of the most intelligent will come forward, will compete, will get prices, and the great thing is to give the price even if there is only one competitor, and then their neighbours immediately become jealous of the fact that the price winners are better than they, and then the neighbours will try and get the price next year; a spirit of emulation gets up and the greatest possible improvement will accrue. I have a practical knowledge of the work, because during 10 years Lord Lansdowne on his Keshmure estate had those agricultural shows and gave local prices, and it produced the greatest possible benefit amongst the farmers.

15,878. *Sir James Caird*.—But that seems to prove what I have said, that if the landlords and the boards of guardians, and the farmers, and other people interested in the country came forward and gave those prices, the tenants would be very glad to get the prices, whether they come from them or from the Government?—Landlords cannot afford it now.

15,879. Why, when the Land League opposed a thing of that kind for the development of agriculture when carried on between the landlords and tenants, would not they oppose it equally if the Government did it?—No, they are very friendly to any money they get from the Government.

15,880. *The President*.—Is there any further suggestion to guard against depression that you would wish to make?—No, I think that these are the only suggestions I wish to make in reference to depression, concession by the landlord when something exceptional occurs, and steps to improve agricultural education by the Government giving prizes to be competed for in each union in Ireland.

15,881. Do you think 15 years is too long a term for which to fix the rent?—No. I think if it were any shorter you would get into greater difficulty. Of course the fixing of 15 years is a hap-hazard matter in any case, but I think you would find yourself in a greater difficulty if it were any shorter. For instance, supposing you made the term five years, I have no doubt it would be a great stimulus to frisk agitation preparatory for the time when a revision would occur. And I have also no doubt whatever, from my intimate knowledge of the people, that it would be a very large extent led to their endeavouring to lower the agricultural condition of the farms, so that they would be in a miserable condition when the inspection came on, and in order that thus the tenants might get their rents reduced.

15,882. Did you ever give attention to what is called the sliding scale system?—I have, and theoretically I believe it to be the true system, but I see a good deal of difficulty in giving it practical effect.

15,883. Perhaps you can tell us some of the difficulties?—Well, the great difficulty in fixing rents on the sliding scale is to establish with real equity what the scale of the prices of produce is or was in any one year, and that would be particularly the case if local government were extended in Ireland; and I have no doubt whatever that there would be the strongest possible effort made to job the records of prices.

15,884. *Sir James Caird*.—To job the returns of prices, not the prices, but the returns of prices?—Yes, the returns of prices.

15,875. *The President*.—And the nature of the articles, and the rates fixed, would they be different in different parts of the country?—Yes, of course.

15,876. The prices would be different and the products different?—Yes, of course you would have to be guided by what is the principal product in each locality. There ought to be no difficulty in ascertaining what the prices really were and what the average produce or yield really was.

15,877. *Sir James Caird*.—Could you not assign certain prices representing the general products of the whole country such as oats and meat and butter, might not they be applicable to the whole country instead of having them limited to districts?—I think it might. It would be much more easy, but it would not satisfy the farmers.

15,878. If that plan was to be adopted?—Yes. 15,879. And you think that would be practicable?—I do. Railway communication has equalised prices, but it would not satisfy. You should go by counties and one county would be a check on another.

15,880. It is not necessary at all that you should equate prices, but it would show the fall or rise which would really affect the question of rent?—Yes.

15,881. Do you think that oats, butter, and meat would be a reasonable equality of values, or representing the saleable value of the products in Ireland?—And barley.

15,882. Yes, but barley would not have so large an influence as oats?—In some places it would have more.

15,883. In some places, but in others you have not nearly so many acres in barley as oats?—Still you could not leave that element out of consideration.

15,884. Would it give a reasonable equality of the saleable value of the products of Ireland then, if we took the four products, oats, barley, meat, and butter?—The rate that should be given for each article in each locality would be dependent on the evidence that would be produced as to the proportion of land that produced that article in that locality.

15,885. In fact it might be decided on each estate that they would take such and such articles, as it were, by each other to regulate the rent?—Quite so. For instance, take Lord Lansdowne's Kerry estate, supposing estates better held their own, and that there was a fall of 50 per cent. in barley, that should not lower the rents on Lord Lansdowne's Kerry estate, whereas on the Queen's county estate it ought to lower the rents.

15,886. You see nothing impracticable in so arranging it, that those different qualities would take their proper position in each district and so regulate the rents there?—No difficulty theoretically, but the greatest difficulty in protecting against jobbery of the returns in each locality, and particularly if local government was extended to this country.

15,887. Well, supposing you did not take the price in the locality at all, but that instead you took the price in a central place like Dublin: you do not want the price to be identical in different parts of the country, you only wish to know the variation in price?—I am quite sure that that would not satisfy the party of agitation. To take the prices only in Dublin, that would be too theoretic.

15,888. Could you not take, as they do in the case of the tithe surcharge in England, the prices returned for a certain number of towns where there are considerable markets, and let them be the gauge as to the rise and fall in prices for all Ireland?—Theoretically, I think, that could be done. But in Ireland everything is used for a different purpose from that for which it was originally ordained.

15,889. Would there be a difficulty in our price rise in getting the rent increased?—I deny that would. It would depend upon whether we have a firm administration of the law. Anything is easy when once you establish just laws and carry them out with firmness.

15,800. I suppose you always find that when there are good prices there is no difficulty in getting rents?—Yes.

15,801. And probably the farmers would be quite ready if they had the means to pay the increased prices caused by a system of produce rents?—Possibly, but we cannot shut our eyes to the existence of the agitators and their interests and objects.

15,802. Lord Milnes. — Before fixing the sliding scale you would want to have fixed a basis of rent, would you not; the rent that would rise and fall according to the fall in prices?—Yes, and I suppose you would take the existing judicial rents as the starting point.

15,803. The President. — The existing judicial rents?—Yes.

15,804. You would be able to convert the judicial rent into a sliding scale, starting with that as a price not fixed at the time; it would be the same as that actually paid?—Yes.

15,805. Lord Milnes. — Do you think, from your actual knowledge of the tenants, that such a mode of fixing rents would be popular among them, or do you think that they would prefer to have the rent fixed, taking their chance of the rise and fall?—I think they would rather have the rents fixed. I do not think they would like the sliding scale at all, because I think they would have more hopes of getting the rent reduced by Act of Parliament, and when things are at their lowest keeping them at their lowest, so matter how low.

15,806. Then you think the rents would never go up?—They never would go up, but they might go down. I do not think they would like any arrangement that would have the element of a possible rise. Moreover there would be perpetual litigation. If they expected a rise in price they would deny a yield in quality.

15,807. I do not know whether you are acquainted with some of the old church leases, the rents under which are fixed on a sliding scale?—Yes.

15,808. Are you aware of any instance where the principle has been acted upon?—No, that has not come before me.

15,809. Have any instances come before you where it has not been acted upon?—I do not know. It has never come before me in practice.

15,810. The President. — Do you think that the landlords would consider it fair if the judicial rents taking the average prices in three or four large towns, were converted into sliding scale rents?—I could not offer an opinion as what the landlords might think.

15,811. But you do not think the tenants would like it?—I think they would be apprehensive as to the result.

15,812. Then, altogether, you do not see your way to recommending a sliding scale, after carefully weighing the point?—It would be very difficult to give it practical effect.

15,813. We will go now into the question of purchase under Lord Ashburton's Act; have you had any dealings of that sort in any way; do you know of any offer that was made to place tenants under that Act?—Yes, I have had negotiations with tenants, but they have generally led to nothing. The tenants generally appeared to dislike the idea of purchase, except at an exceedingly low price.

15,814. Is that because they would be unwilling to give more, or that they merely wanted to strike as good a bargain as they could?—I think it arises from several causes. First of all, I think it arises from the fact that the agitators have taught them to believe that they would get it for nothing shortly, and that therefore they did not wish to pledge themselves to pay any considerable price for it. And then, I think, the uncertainty as to the future rise or fall in prices affects them.

15,815. As to the hope of getting it for nothing, nothing but time and steady government will dispel the idea that they will get it for nothing, I suppose?—Yes. But meanwhile, and we cannot tell how long

that will be, they expect to keep down the price of it by resistance of rent and general turbulence.

15,816. Would the landlords, as a rule, as far as you know, be willing to sell at a fair price?—They would be willing to sell at a price which would enable the tenant to find himself under a rentcharge lower than the present rent.

15,817. In most cases the landlords would be willing to do that?—They would be willing to do that.

15,818. That would be about 20 years' purchase?—Yes, anything from 17 to 20 years' purchase.

15,819. Have you ever thought of what would be the advantages or the disadvantages of making purchase compulsory?—I think that purchase ought to be made compulsory, that is to say, that the landlord ought to have the power of requiring the Government to lend, and the tenant to accept, at a price which would yield him interest equivalent to the present reduced net rent.

15,820. But there would be frightful opposition to that, both by the Land League and by the British taxpayers, and there would be a formidable combination throughout the country against an enactment of that sort, would there not?—Well, there might be some. At the same time, if rents are revised by the State, the tenants should be lent enough money to enable them to buy at a price which would make the rentcharge payable by the tenant bear a reasonable proportion to the revised rent. For instance, supposing a judicial rent is £10, and supposing that rent is cut down to £8, and the landlord probably got out of that net £6 10s. 0d., the tenant should be compelled to buy at £8 a year, and that multiplied by 20 is £160, which at 4 per cent. would yield to the landlord £4 8s. 0d., while the tenant would in future have to pay a rentcharge of £8 instead of a rent of £10 per annum.

15,821. At 4 per cent., and allowing for and supposing a difference between the net and the gross rent of from 15 to 20 per cent.?—Yes.

15,822. You think that the 20 years' purchase would meet your requirements?—I do.

15,823. Mr. Neeson.—In other words you would not compel any man to part with his property without giving him an equivalent?—I think so; and to allow a landlord to be strangled out of his property by a feeble administration of the law is just as bad, and is just as definite an act of confiscation as to take it from him directly.

15,824. And if it was made compulsory, and therefore that it was not in the power of the Land League to stop it and altogether prevent it, you think the tenants would be satisfied in many cases to give 20 years?—No, I do not think that they would, because I think the tenants have been given such wonderful expectations by the circular statements of the agitators of the present day, that if the tenant was placed under the Government, and had to pay to the Government the rentcharge, which was 20 per cent. less than the judicial rent, still the tenant would not be satisfied, in fact the tenant has been taught not to be satisfied with anything less than no rent at all, pretty nearly.

15,825. Lord Milnes.—How could you compel the tenant to buy. I could understand your compelling the landlord to sell, how could you compel the tenant to buy. Does your proposition amount to this, that the landlord should be enabled to call upon the Government to buy the estate from him, and that the Government should re-sell to the tenants. What is your proposition?—That the Government might say to the tenant, "In future you must pay us £16 per annum, instead of paying the landlord £20 per annum."

15,826. And if he did not pay, take the same steps as the landlord does now?—Quite so; there is no theoretical difficulty in that.

15,827. That was a good deal the principle of Mr. Gladstone's Bill?—Yes, except that it would not have been compulsory under Mr. Gladstone's Bill.

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15,918. *Sir James Caird*.—It would not have been, but as a matter of course they would have become gradually aware of property?—I do not know that.

15,919. Do you think that a hard and fast line of 20 years ought to apply to all land alike, good and bad?—No.

15,920. *The President*.—Would you leave a discretion with the Purchase Commissioners to vary the price?—Well, first of all it must be understood that we are speaking only of so many years' purchase of landless rents. Then the principle upon which I said I thought it ought to be fixed is this, that it should be so arranged that the net proceeds to the landlord would be about the same as his present net proceeds from the farm or estate. Where the landlord was exposed to considerable deductions, of course the number of years' purchase would be less apparently than where the landlord received almost the whole of the nominal rental.

15,921. The proposition you have laid down is this, that supposing his money could be invested at 4 per cent. he must receive the reduced net rent in full?—Yes.

15,922. *Sir James Caird*.—In fact that he should lose nothing by the transaction?—Yes.

15,923. *The President*.—Taking for granted that he could invest at 4 per cent. would be rather stretching the point against the landlord?—Yes. He might take his chance for that.

15,924. *Lord Millican*.—Do you propose that he should be compelled to sell at that price whether he liked it or not?—No, but that the landlord who has been the chief victim of the Land Act should be given that privilege.

15,925. Would you confine the compulsion to the tenant?—Yes. But observe that the compulsion would rather be on the Government to take the bargain they had forced on him of his lands.

15,926. You would give the landlord power to compel the Government to buy from the tenant, but you would not give the tenant the power of compelling the landlord to sell to him?—Yes.

15,927. *The President*.—Do not you think the power ought to be the same on both sides?—No, because the landlord has been victimised by the Land Act of 1881, and the tenant has not.

15,928. Do not you think that the tenants of the north would have reason to complain, and say that "We who are well behaved are placed on a worse footing than the tenants of the south who are also allowed to become purchasers of their own holdings, while we are continuing to pay high rents"?—I think that northern landlords would be as glad to sell as southern landlords on the terms I have named, and which are terms of bare justice. The reason I think that the purchase should be made compulsory is that the status of the landlord has been so altered by the Land Act that I think he is entitled to say this, "Well, you have altered my status, take the whole of my thing off my hands." The operation of the Land Act has not given any tenant any special claim of that sort, because everything that the Land Act has done for the tenant has improved his position.

15,929. Supposing the claim of the tenant is put in this way; supposing a tenant wished to possess his land, and so entered into this arrangement of 20 years purchase, and that there is all the rough bad districts where there is a difficulty in collecting rent the tenants were to become proprietors, while the other tenants got no reduction of rent by well behaving, the north and other parts of the country would be at a disadvantage for they would still remain paying a high rent without any prospect of becoming proprietors?—I think it would be a bad reciprocity of the Land Act were it to be in the power of the tenant to take the landlord's property compulsorily in Ireland, because land is not the only thing which property confers upon a landlord. There are many other advantages attached to property which I think the landlord has a right to retain if he wishes.

15,930. Then I take it as your opinion that it should be compulsory only on one side?—Yes. The other side would not require any compulsion, they would sell fast enough.

15,931. Have you any suggestion to make in reference to the working of Lord Ashbourne's Act. Do you know any way in which it could be improved? Yes, I think the court ought to be empowered to deal expeditiously with the different interests involved in each transaction.

15,932. With the incommensurateness and so on?—Yes, particularly where cases are complicated by the question of rentcharge, the owner of which should be compelled to sell at a reasonable price. Also where there are middleman tenancies, the court should be able to distribute the proceeds of the sale equitably between the head landlord and the subordinate landlord; also where there are other charges which require to be apportioned; and again that the rate at which purchase is permitted, that is sanctioned by the court, should be such as not to discourage the landlord from selling.

15,933. That the court should not have the power to veto the sale because the price is too high?—The courts now have as a matter of fact vetoed sales where the landlord and the tenant agreed, because the assessor of the court, having gone down and examined the premises, reported to the court that he thought it a doubtful investment for the British taxpayer.

15,934. By "the court" you mean the Purchase Commissioners?—Yes.

15,935. Would you give those gentlemen the power to apportion the purchase money, because that would involve delicate questions of law in reference to priorities and that kind of thing?—I think they might have a legal commissioner added for the purpose.

15,936. Do you think it would facilitate it if the whole matter was referred to the old Landed Estates Court?—I do not know how it should be done, but I think that something should be done.

15,937. *Sir James Caird*.—Would you then say that the inspectors of the court who go down to see whether there is really a sufficient security to the State should be done away with?—No, I do not say that, but I would say that the rate at which purchase is permitted should be such as not to discourage the landlord from selling. The court is intended to protect the taxpayer from a ruinous bargain, but it must be remembered that his security depends not only on the value of the landlord's interest in the land, but also on that of the tenant; also it must be remembered that every year that passes our and the instalments are paid by the tenant diminishes the risk; also it must be remembered that Parliament did not scruple to abrogate from the landlord's right of ownership, the money value of which was considerable, in order to give effect to its policy and has it to be admitted that the taxpayer is to be generous or stingy only as his generosity is to be paid for out of the pockets of the landlords, but that he is on no account to risk a farthing of his own money.

15,938. Why should he risk a farthing. Why should the State, which has really little interest in the matter, risk anything?—Why should the State try to solve the Irish problem exclusively at the expense of the landlords. It has an interest in solving the Irish problem.

15,939. But is it exclusively at the landlords' expense. I understand that one-fifth is reserved and the number of years has run out, and that then the fifth would be repaid; and during the time that the reservation takes place the landlord gets the usual rate of interest upon that one-fifth, the usual rate that is given upon Government money, so that there is no loss to the landlord really?—There could be nothing more unjust or illegal to my mind than to impose a sum of money belonging to the landlord as security for the tenant over whom the landlord has then lost all control.

15,940. *The President*.—You are against detailing this one-fifth to meet this matter of security as the

ground that there is nothing in it concerning the landlord?—Yes, certainly.

15,941. Sir James Caird.—At the same time you say that the Purchase Commissioners should not be in particular about their security as they are now?—Yes, decidedly, that I suppose they would not sell for more than half its nominal value.

15,942. Even though you would do away with the security?—Yes, because I cannot see at all the logic of imposing some of the landlord's money to secure the debt of a third party over whom he has lost all control.

15,943. The President.—You are against detaining the security?—Yes.

15,944. But that is the only money they can get?—That does not make it equitable or reasonable.

15,945. Sir James Caird.—The security is to the Government?—Yes.

15,946. The Government having invested great debt, surely they should be able to get some security. I do not see the hardship to the landlord when he gets his money down. You have the money got for the purchaser, and at the same same time the landlord gets interest on the deposit reserved and therefore loses nothing?—I do not believe that the five years' purchase deposit would be worth more than two-and-a-half years' sale in any case.

15,947. The President.—Will you kindly explain why?—Because of course the tenants will not pay their instalments, and of course the Government will have to secure the landlord's money to make up what the tenant ought to pay and the landlord will lose it.

15,948. And therefore you think it is better that the State should run the whole risk?—I do, decidedly. I think the State is bound to run the whole risk, because I do not think the State is justified in carrying out its policy at the risk and at the expense of the landlord.

15,949. To a certain degree it is for the landlord's benefit, is it not?—Not at all, exclusively.

15,950. Well, the landlord need not sell unless he likes?—Yes, but the object of the Government has been to promote the sale of property for the sake of placing the country in such a position that there would be less temptation to agitation, but that great policy, when carried out for the sake of the country, ought to be carried out at the expense of the country.

15,951. But you see there is no loss to the landlord, because he gets interest on the money reserved all the time?—He does not get interest when some of it is forfeited to pay the instalments which the tenant neglects to pay.

15,952. In such a case you would substitute the State in the matter of that risk in place of the landlord?—The State seizes and imposes some of the landlord's money if the tenant, over whom the landlord has lost all control, fails to pay the rentcharge, and the Government has recourse to the landlord's money, and pays the tenant's instalments out of the landlord's money; that I perceive should and ought.

15,953. Lord Millican.—You said just now, but I do not think you meant it, you said, "Of course the tenant will not pay the instalment?"—I am sorry to say I meant it. I meant, of course, that he will not pay it if he can avoid it.

15,954. And having that in view you think the State ought to run all the risk?—Yes, decidedly, the risk of its own policy of creating peasant proprietors. I do not see why further risk should be incurred by the landlord after you have got rid of him.

15,955. Mr. Nelson.—You said the tenant would not have the same inducement to pay when he found that there was a reserve fund to meet the contingency of his not paying?—It is putting an inducement before the tenant's eyes. "Do not pay, and the Government will make landlord pay it for you, as it has his money impounded as your security."

15,956. Lord Millican.—Pardon me, the very first point is to offer his holding for sale?—The Land League would take right good care that that was only a nominal offer, not worth a farthing, not worth a

shilling. Does anyone suppose for a single moment that a single tenant in Ireland would dare to buy a holding under such circumstances, or that he would not be murdered on the following day if he did. He would be murdered as sure as fate if he bought it.

15,957. The President.—If he bought when?—Under a sale by the Government.

15,958. Lord Millican.—Then you look on that provision as nugatory?—Absolutely. Read the daily newspapers about boycotted sales and murdered land grabbers.

15,959. Mr. Nelson.—And that man would be looked upon as a land grabber?—Yes, as a land grabber of the most heinous sort.

15,960. The President.—Do you think, in the way of security for the Government, that the intervention of the local authority would be of any advantage?—Well, before I answer that would your lordship allow me to add a few words as to what I was saying—

15,961. Certainly?—I was saying this: that it would be specially desirable to get rid of the small and needy landowners. Many of these could not afford to sell at 15 or 16 years' purchase. And I will give an example to you of how the sum works out. We will suppose "A. B." has bought an estate of £1,000 a year under the Encumbered Estates Court for £23,500. The Land Court reduces the rental to £750. This multiplied by 16 would be £12,000. His available income is at present, with deductions for taxation, agency, &c., something over £800 a year. The interest on £12,000 at 4 per cent., the income derived, would be £480 a year, and the loss of the difference, £120 a year, would probably swallow up the whole of his margin; and if he had borrowed that purchase money, consisting of £12,000, it would hardly suffice to pay off the mortgage. Another result would be that where there was a sale at 16 years' purchase the rentcharge which the tenants who bought at 16 years' purchase would have to pay would be very largely reduced, in fact a tenant paying a rent of £75 before would thereafter have to pay a rentcharge of only £45 per annum, and that for only 50 years. While his neighbouring tenants would have to go on paying their old rents, the disparity between those sums would create profound discontent among any tenants who were not allowed to purchase. Unless it is desired to drive all tenants to buy out their landlords such a result should be avoided. From this point of view it would seem as if a somewhat delicate adjustment of the price was desirable, so as to make the rentcharge payable by a purchasing tenant fall somewhat, but not too much below the fixed rent payable to the landlord by the non-purchasing tenant. The latter would, on a liberally managed estate, and it is desirable to perpetuate these, look to occasional assistance from his landlord which would compensate him for the somewhat higher annual payment which he would be called upon to make.

15,962. The President.—You mean that the tenants could not be allowed to purchase too low?—No, but that the landlord should not be driven to sell too low.

15,963. Lord Millican.—How is he to be driven?—In some cases the court has declined to confirm arrangements which have been come to between landlord and tenant, because the inspector of the Purchase Commissioners, having gone down and viewed the lands, reported to the Commissioners that he thought it a bad bargain for the State.

15,964. And the result was that no sale was effected?—Yes.

15,965. And the result would be that no sale at all would take place?—Possibly.

15,966. Unless he was a lunatic or a peeper?—Yes. Your lordship asked me whether the local authorities could advantageously intervene.

15,967. The President.—Yes?—My reply to that question would be that it would not be desirable certainly in the first instance to impose upon any newly constituted or reformed local bodies the duty of collecting or making good the rentcharge. Such bodies would be unacquainted with the proper methods of dealing with the management of land. Nor could

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any duty be imposed upon them more likely to interfere with their usefulness or to add to their difficulties than the duty of levying rent or rent-charges on their constituents. Such bodies would be elected by and from the agricultural class, and would find their position seriously complicated if they were to become rent collectors. After the new local bodies have been for some time in existence, if they have been able to borrow at the low rate of interest on the security of the rates, the debt owing to the State might perhaps be transferred to the local bodies. But, further, my opinion is that the local bodies would not give security that they would not involve themselves in such a business.

15,968. Would it be easy to compel them?—Oh, no. That would involve the most strenuous resistance, you would set the country on fire again.

15,969. And there is no reason why they should, they having no inducement to undertake it?—They have no inducement whatever to undertake it.

15,970. Sir James Caird.—You think they would object to it?—I am sure they would.

15,971. The President.—I would ask you now about the leaseholders. Have you any leaseholders on the property?—There are very few now.

15,972. Do you see any reason why the leaseholders should not be admitted to the benefits of the Act of 1851?—I have never been able to see why a contract for 91 years should be regarded as less brittle than a contract for one year, when only a ditch separates the two.

15,973. There is no more unfairness in breaking a landlord's lease than in depriving him of the right of free contract?—I do not see that there is any difference between the two cases. I do not suppose it would be necessary to break every condition of tenure.

15,974. You have already had broken the most important one, which was a covenant to surrender at the termination of a promise?—Exactly.

15,975. Sir James Caird.—You would finish that to agricultural leases?—Oh, of course.

15,976. The President.—Is there any other point upon which you wish to give an information?—I think there has been a great deal of misapprehension with regard to the relation which Griffith's valuation bears to the present rentals of Ireland.

15,977. We shall be glad to hear you on that point?—I would like to read a memorandum which I would put in as evidence.

15,978. Is this Griffith's valuation compared with Lord Lansdowne's present rentals?—I wish to point out that although Lord Lansdowne's rental in Kerry is apparently 38 per cent. over Griffith's valuation, it is really 8 per cent. under it.

15,979. Then are we to conclude that the manner in which Griffith's valuation was made shows that it is not the standard by which to fix rents in this part of the country?—The relationship of Griffith's valuation to rent is explained in the following memorandum. "Lord Lansdowne's Kerry rental, including Kenmare town, plantations, fisheries, and private demesnes, and deducting £97 per centum annual abatements amounts to £11,369. Griffith's apparent valuation of the same is £8,493, so that the rental is a fraction over 33 per cent. over the apparent Griffith's valuation. But although Lord Lansdowne's estate is let 33 per cent. over the apparent Government valuation, this excess is only apparent, and as a matter of fact, when the circumstances are examined honestly, it appears that Lord Lansdowne's estate is actually let at 8 per cent. less than Griffith's valuation. The explanation of this statement lies in the fact that Griffith's valuation was made during the years 1852 and 1853 under the Valuation Act passed in 1852, and that Act expressly provided that the valuation should not include any improvements made during the previous seven years that is made since 1845. The consequence is that Griffith's valuation is not his valuation of Lord Lansdowne's

estate in 1852, but of what Lord Lansdowne's estate was in 1845. And it must be remembered that while the valuation is periodically revised, as far as changes of occupancy are concerned, it is not revised periodically as regards changes in value arising out of agricultural improvements made." But since 1845 Lord Lansdowne and his predecessors have expended £26,000 upon drains, roads, and buildings for the benefit and advantage of his tenants, and therefore, to ascertain Griffith's valuation of Lord Lansdowne's estate in 1856, we must add 5 per cent. upon this outlay, that is £1,400 a year to Griffith's valuation of 1845, and this at once brings Griffith's valuation of 1856 up to £9,893. But this is not all. Griffith made his valuation upon the condition that the tenant was to pay all rates and taxes, and to this end he deducted from his valuation a percentage equal to the average poor rate at the time existing on the estate. Taking an average of three years, 1852, 1853, and 1854, I find that the average poor's rate upon Lord Lansdowne's Kerry estate was 5s. 6d. in the £, which amounts to £2,331, and this brings Griffith's valuation up to £12,224. But from this must be deducted the half poor rate which the tenants now pay, and which amounts to an average to 1s. 6d. in the £, which comes to £536. This brings Griffith's valuation for 1856 to £11,688. But besides this Griffith assumed that the tenant paid all the county cess, whereas Lord Lansdowne, as a matter of fact, has undertaken in many cases to pay half the county cess, and does allow £380 a year county cess, which must therefore be added to the apparent Griffith's valuation (together with the aforementioned matters) to arrive at Griffith's real valuation of 1856. This brings the figure up to £12,068. But this is not all. Griffith's valuation was made on the condition and understanding that the tenant kept all premises in repair. But as a matter of fact Lord Lansdowne has, during the past quarter of a century, spent £500 per annum upon the repairs of his tenants' houses and premises. This sum must, therefore, in common justice, be added to Griffith's valuation of 1845 in order to arrive at his *bona fide* and actual valuation of 1856, which this addition brings up to £12,572. Now then let us remember that Lord Lansdowne's rental in 1856 is only £11,369, being £1,203 less than the real valuation. That is to say, Lord Lansdowne's estate is actually let 8 per cent. under Griffith's valuation, taken at its real figure. In support of what I have urged I beg to quote a letter addressed by Sir Richard Griffith to my father."

"Copy of a letter from Sir R. Griffith to W. S. Tennant.

"Dublin, 11th February, 1858

"Dear Sir,—In reply to your letter of the 12th instant, I beg to state that under the provisions of the Tenement Valuation Act, the Commissioner of Valuation is required to deduct all rates and taxes and public charges from the full valuation in order to determine the net rateable valuation of each holding, and as a proportion of these rates is imposed by law upon the landlord, that proportion is always presumed to be payable by him, hence in order to arrive at the letting value of the land, based upon the scale of agricultural prices contained in the Valuation Act, the landlord's proportion of rates and taxes averaged in ordinary times should be added to the net rateable valuation.—I am, dear sir, yours faithfully, R. Griffith.

The following is an abstract from the Valuation Act of 1852 (15 & 16 Vict. cap. 63, sec. 15), which justifies what I have said about poor rates, county cess, and repairs:—Such valuation, in regard to the land, shall be made upon an estimate of the net rental value thereof, with reference to the average prices of the several articles of agricultural produce heretofore specified, and peculiar local circumstances in each case being

"taken into consideration, and all mow, taxes, and public charges, if any (except tithes rentcharge), being paid by the tenant (that is to say), wheat, 18s. 6d. per barrel, oats, 8s. 6d. per barrel, barley, 11s. per barrel, flax, 6s. 3d. per stone, butter, 55s. per cwt., beef, 45s. 6d. per cwt. (equal to 3½d. per pound), mutton, 41s. per cwt. (equal to 4½d. per pound). And such valuation in regard to houses and buildings shall be made upon an estimate of the nett annual value thereof; that is to say, the rent for which one year with another, the same might, in its actual state, be reasonably expected to let from year to year, the probable average annual cost of repairs, insurance, and other expenses (if any) necessary to maintain the tenement in its actual state, and all rates, taxes, and public charges, if any (except tithes rentcharge) being paid by the tenant." In reply to my inquiry as to what poor rate it was that Griffith deducted from his valuation, I received the following reply from the Valuation Office:—"The rates deducted from Griffith were the existing rates at the time of making the valuation.—R. F. Shaw. Valuation Office, Dublin, 30th October 1890."

15,980. But this has no reference to the whole of the country?—Excuse me, it has relation to the houses in different parts of the country, and to every estate in Ireland.

15,981. You must therefore, when you adopt these figures, conclude that on every estate in Ireland Griffith's valuation was an over-valuation?—No, I do not conclude that. But what I do conclude is that the real relationship between Griffith's valuation and such rentals generally is not what it might appear at first sight to be. When we talk about Griffith's valuation we ought to bear in mind what Griffith's valuation really was, and that it was made under conditions which do not now exist, in supposing that the tenant made certain payments which the landlord now discharges. These points should be borne in mind.

15,982. Does Griffith's valuation fix the present rent in any way, is Griffith's valuation taken as a basis in fixing the rent at the present time?—It is taken as a basis of taxation, and is spoken of as a basis of rent.

15,983. But not of the landlord's rents, or of anything connected with them?—Yes.

15,984. Mr. Nicholson.—Is it the charge for manure duty, does that fall on the land?—Yes.

15,985-6. The President.—Do you think there are many estates on which the owner incurs so great an expenditure as Lord Lansdowne. Is not that an exceptional estate?—Perhaps so, but at the same time I think that the considerations which I have adduced do affect all estates in Ireland in a great degree, and I think they have been very much lost sight of.

15,987. His Griffith's valuation been taken into account by the valuers when they were fixing fair rents?—Yes, I think so.

15,988. Is it an element for their consideration, whether or not the circumstances have not entirely changed since 1852?—I think it is so element in their consideration.

15,989. Sir Richard Griffith was not perfect, and the whole circumstances of the country have changed since 1852?—Things have entirely changed.

15,990. Lord Melbourne.—Your opinion seems to be, Mr. Trevelyan, that the valuation is a mockery, a delusion, and a snare?—I do not think it is when due regard is had to the circumstances connected with it. I think it was a wonderful work at the time.

15,991. That is to say, supposing everybody keeps in his head all that you have been just now telling us and interprets it in that way?—Yes.

15,992. Do you think it would be a desirable thing to have a revaluation of all Ireland?—I think it would be of no use, because you could not have anything less than the present Commission which examines as to how much of the value of each farm belongs to the landlord and how much belongs to the tenant. To

arrive at that you must produce evidence as to what the landlord spent and what the tenant spent. You must go through what the Land Commission is going through.

15,993. But if the Land Commission does make use of Griffith's valuation as a basis for fixing rents, it is somewhat dangerous to make use of a valuation whose grounds are clearly, as it is not?—Well, then let them not make use of it; at any rate it is only one element.

15,994. An important element?—I did not say an important element, I simply said an element.

15,995. It is what will be supposed to form a somewhat important element?—I do not think they regard it as an important element, but only as an element; but I think, as an argument made use of against the landlords, it is sometimes injudiciously used; that is the relationship that exists between Griffith's valuation and the rental.

15,996. You have spoken of the depression which now exists in the price of agricultural produce?—Yes.

15,997. Looking back for a period of say 25 years, should you describe that depression as an exceptional one?—I think it is exceptional, although prices 25 years ago may have been almost as low as they are now.

15,998. Lower, were they not?—Perhaps, lower, but other conditions have altered.

15,999. Do you think the depression is exceptional?—Oh, I do think it is an exceptional period of depression.

16,000. Do you think that, supposing the rents which were fixed in the first two or three years of the Land Commission were fair rents, that there is any reason, anything that has occurred since to make you consider them unfair rents. I do not mean unfair rents for this particular year but for the period for which they were fixed?—It would be impossible to answer that question unless I were able to foresee what would be the price from an average of the 15 years. Prices may rise, and if prices were to rise to such an extent as to compensate the tenant for the present depression, then on the average of the 15 years the adjusted rents would be really fair. But if there is a permanent fall, if the present fall proves not to be a temporary one, but takes an extended and permanent character, then, I think, certainly, that the judicial rents having been fixed on a scale of prices higher than those that now exist, they would be too high for 15 years if we are to assume them to have been fairly fixed some years ago prices continue as low as now. We can only see as far as we have got. But as far as we have got, and inasmuch as there seems to be a temporary depression, that temporary depression is not such as ought to call for interference on the part of the Government, but it ought to be met by a temporary abatement on the part of the landlord.

16,001. Saying that, you would not be of opinion that there is good reason to call the present rents unfair, the rents for the remainder of the period that they have to run?—Oh, no.

16,002. Because we have had two rather disastrous years?—Quite so.

16,003. Sir James Caird.—I think you stated to us that the landowners, I understood you to say generally, that they are desirous fairly to meet the tenants at present with regard to the fall in prices?—I said they are generally giving abatements.

16,004. Are the tenants of the small holdings less able to pay, with the loss in production on the rents fixed?—They are, because they produce an inferior article, and an inferior article is more affected by depression than a superior article both in stock and in butter and in corn.

16,005. In fact, I suppose it is very much a question of the difference between the good and the bad land?—It is more good and bad farming.

16,006. On the one together?—No, the badness of the land in Kerry or in Scotland does not at all preclude good farming, suitable to that land.

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16,049. Well would the general prosperity of the country be promoted by the absence or by the presence of the landlords and by the substitution of the present tenants in their place?—The present landlords would soon be replaced, shopkeepers who would advance goods on the security of the farms, and the tenants who would subdivide their holdings as there could be no power to prevent them.

16,050. Do you think that if the three "F's" which have been enounced were noted upon completely, that there is really any occasion for anything further than that to give contentment to the farmers and to lead to the promotion of their industry?—As long as the Irish farmer is encouraged as he has been by the way in which the law has been administered in this country, in the belief and hope that he will be able by agitation, violence, and outrage to resist the payment of his debts, so long will that agitation, violence, and outrage go on, and so long will discontent prevail. I do not care what law you pass so long as the violence, agitation, and outrage goes on, and is allowed to go on in the way it does in this country, you will have discontent, and the tenants will turn their minds to agitation instead of to industry.

16,051. To turn now to a different subject altogether, the creameries and the butteries. Is it supposed in this plan of histories should be more generally established in the country that there would be a material increase in the returns of the farmer?

"ANONYMOUS" continued.

16,052. The President.—I think you can give us some useful evidence about boycotting?—I can, my lord.

16,053. Well, I will address my principal questions to that point. I think your father purchased a farm lately, did he not?—He did, my lord.

16,054. Can you give me the particulars about it. How many years' purchase did he give?—His rent, which was a judicial rent, was £—, and he purchased it at £—.

16,055. Mr. Neligan.—He bought it under Lord Ashbourne's Act?—Yes.

16,056. The President.—He was the tenant, and he bought his own farm?—Yes.

16,057. It was his own farm before?—Yes, for — years.

16,058. And did he incur the opposition of the Land League in consequence?—Yes. There was partly a combination. We would never join the Land League, and there was partly a combination against purchasing at the time by the — branch of the National League.

16,059. They passed resolutions that no purchases were to take place?—Yes.

16,060. And he violated that determination, and, therefore, was the subject of annoyance?—Yes; he was boycotted.

16,061. Can you tell us what annoyance he was subjected to?—Well, in the first place he could not go to mass for the past four months on any day but that there would be shooting and hooting at him.

16,062. Was he in danger of personal violence?—Well, he would be told that he was, and I suppose they were afraid to interfere with him. But at the same time he was not accustomed to that. He was a very popular man in that place before that, and he would not like to be hooted. He was a friend of Mr. —, and they had that against him too, for allowing him into that house. He was his landlord, and was welcome every time he came to see us.

16,063. He allowed Mr. — into his house?—Yes.

16,064. And Mr. — was his landlord?—Yes.

16,065. The President.—And the landlord from whom he bought his farm?—Yes.

16,066. Did he undergo any further annoyance about the sale of his stock?—Yes; every place his cattle were sent to follow sent to prevent the sale

—Oh, it would double their returns as regards butter.

16,067. That is important?—Very important.

16,068. A most important element?—Yes.

16,069. That of itself would be really something that would be likely largely to benefit them?—Oh, yes, certainly.

16,070. And that is being now generally resorted to?—Not generally, it is spreading; but you have to go with the greatest possible care in the doing of it. If the landlord interferes in any way the whole thing will be opposed probably by the Land League.

16,071. But if he contributes the Land League will not object?—Money they might not object to, anything else they would.

16,072. Mr. Neligan.—Are you aware of any instance in which a creamery was started and was subsequently stopped?—I am not aware of such a case within my own experience.

16,073. Sir James Caird.—Suppose a landlord should evict a tenant can the landlord do anything with the land that is left by the tenant; can he make any use of it except to farm it himself; he cannot let it in any way?—Any tenant taking it would probably be beaten to death.

16,074. That must be a very great obstacle?—Yes, so doubt. Such a state of things is for the Government to consider, but the question is by whom is the country governed.

16,075. Sir James Caird.—You sent any cattle you had there, and you advertised it as a grazing farm?—My father advertised it as a grazing farm, but he would be allowed to get no grazing.

16,076. And in reference to his labourers, what occurred?—They were all boycotted; in fact any person in the country who spoke to my father or to any of his family at all were all boycotted; there are over 80 or 100 persons boycotted.

16,077. Because they spoke to you and your family?—Yes, and being friends of ours they did not see the reason why they should not speak to us, but the National League expelled them, and passed upon them this sentence of boycotting.

16,078. And did that cause the labourers to leave?—Yes, and they several times fined parties for selling cattle to me.

16,079. Mr. Neligan.—Fined them?—Yes, fined them. There are informations given by two of the parties that were fined to the stipendiary magistrate —, of —, and I think there are some proceedings being brought against them.

16,080. The President.—Those proceedings are still pending?—Yes.

16,081. And this is going on at the present moment, I suppose, without any relaxation?—Yes, in the same way as usual, my lord.

16,082. Sir James Caird.—And where is this?—At —.

16,083. The President.—And is he obliged to live under police protection?—No.

16,084. He has his sons to take care of him?—Yes.

16,085. What do they wish to force him to do, or is it only as punishment for what he has already done in another case, or do they wish to put pressure upon him to do anything now?—I never knew any reason for which they could boycott us. They never wished us to join the National League, for they knew we would not do it, because of the way in which they were getting on. The first reason we know of it was

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16,085. That is the farm you took?—Yes.

16,086. Sir James Coult.—And no other tenant was put out to let you in?—No.

16,087. And in your father's case it was his own farm, the farm that he was the tenant of, and from which no one was evicted?—No one was evicted from it, and he was 20 or 22 years there. The three tenants who were in it before him gave up possession and got compensation.

16,088. And this farm that you took had been 20 years on the landlord's hands?—Yes. They boycotted that.

16,089. Did they mean by that that the farm should still remain on the landlord's hands?—No, the witness gave an explanation with it not published.

16,090. The ———?—Yes.

16,091. And is he ———?—Yes.

16,092. The President.—The object then is to drive you out of the farm, and to induce you to give it up?—Yes. I got a lease on the ———, and ever since they are boycotting me. They would not allow any person to come to have any dealings with me; any parties that have any dealings with me they are boycotted.

16,093. And that does not get any better?—Not a bit, my lord.

16,094. And the object is to get you to give up your farm; and in regard to your father, do they wish to force him to sell again. What do they intend to get him to do?—I could not tell you.

16,095. At all events he disapproved the League in purchasing under the Act?—There was nothing about that. They never mentioned that they had any other reason to him.

16,096. Do you think there are other tenants who would be willing to buy if not for this pressure of the Land League?—They told me so, some of them.

16,097. Is Mr. ——— willing to sell to other tenants at 17 years?—And less now, my lord.

16,098. Because he wants to get away from the country?—I hope not.

16,099. Then why is he willing to take so little?—He says there are some farms on his own hands now that were evicted, and he thinks it better to sell to them than to be quarrelling.

16,100. Quarrelling with them, I suppose?—Yes.

16,101. Was it under a judicial rent—your father's farm?—Yes, it was a judicial rent.

16,102. Seventeen years at the judicial rent?—Yes.

16,103. Do you think that if the purchase was compulsory it would assist the tenants. The tenants would not object to it. It would accord with the wishes of some of the tenants to be compelled to buy at a certain number of years' purchase, because then that would get rid of being prevented by the Land League?—In my district, my lord, I think it would enable them to purchase because they would have an excuse then that they should do it.

16,104. One of the means of meeting the League would be by making the purchase compulsory?—Well, I think it would as regards purchasing under Lord Ashbourne's Act, I think it would. In a few cases they think the price too high. I think ——— was willing in my district to require 20 years' purchase. They thought that too high and the rents too low for that at the time, because they are getting half the county cost and half the poor's rate. The purchase money would be nearly as much as they are paying at present.

16,105. They would not pay 20 years?—Yes.

16,106. And the landlords, except Mr. ——— would not sell for less than that?—Yes. Notlandlord but Mr. ——— would sell for less than 20 years' purchase.

16,107. Do the landlords all pay half the county cost?—On all new takings.

16,108. What is the exception?—On all takings since the year 1870 the tenants are allowed half the county, but in other cases where there are old leases of old holdings they are not allowed half the county cost.

16,109. In the great majority of cases they are not allowed that?—Yes, in the majority of cases.

16,110. That would make a considerable difference to a man to give 20 years' purchase on the present rents?—On which they pay half the poor rates. They are allowed half the poor rates in all cases.

16,111. Are the poor rates high?—They are in my case. In my electoral division they are from — in — in the £ in the — union then they have to pay half that according to the valuation.

16,112. They would have to pay, in addition to the rent, half the poor rate?—Yes, where they are not allowed half the county cost.

16,113. By paying 20 years' purchase they get 20 per cent. on the rents at once?—If they purchase at 20 years' purchase at the present rents under — — they are getting 20 per cent. off that.

16,114. Mr. Neligan.—As a temporary statement?—Yes, as a temporary statement.

16,115. Lord Ashbourne.—But the Land League forbid you to buy at all, or did they say you must do so and so?—We never joined the Land League at all. We never subscribed.

16,116. But they forbid the tenants in general?—Yes, there was a combination amongst the tenants. They had meetings and they determined not to purchase unless they got it at 10 or 12 years' purchase, and in some cases 15, and they met the landlords and I think offered them to pay on an statement of 20 per cent.

16,117. Then any man who gave over that, was he boycotted?—Yes, or who did not abide by the rules of the League.

16,118. Are most of the people in your neighbourhood members of the League?—Well, they were, the whole of them were, but they are expelled now for having any communication with the parties who are not Leaguers even to speak to them.

16,119. Do they look upon being expelled as a great punishment?—Oh, yes, they are terrified.

16,120. What happens to them when they are expelled?—They are refused provisions at the village of ———. They would not get anything if they died of hunger. They must go to ———, 20 miles, or to ———, they might get it there.

16,121. Do you mean to say that unless a man is a member of the League he is refused any provisions?—He is, except drink.

16,122. So that it is a very serious thing for a man to be expelled from the League?—Oh, it is. They are in a terrible fright. There are a great many who never would join it, only they are being terrified.

16,123. Then they are forced into being members of the League at the point of starvation?—Yes, they are.

16,124. If the people living there know very well about that they have no difficulty in ordering the restrictions of the League?—In my district from half to one-fourth of the people would not join if they were left to themselves.

16,125. Would the respectable people in your district be glad to see an end put to the League?—They would. All the respectable people do not join the League, and they are boycotted. Only just from terror some of them paid subscriptions, but never went near them. It is the worst parties that joined them, and that are members of the committee there.

16,126. Who are the members of the committee there; what sort of men are they?—Well, there are two or three of them broken-down farmers and evicted from their land, and not inclined to pay anything to anybody; they are the worst characterised parties in the parish, all of them, 10 or 12 of them.

16,127 And they exercise tyranny over the people?
—Yes, and even inflict fines.

16,128. How do they impose the fines?—Supposing a man disobeys the orders of the League they bring him up. Every Sunday they hold meetings; they bring him up on one Sunday and expel him, but another member may propose to let him off if he pays a fine of double the amount of his subscription. If he pays 2s. to join he will have to pay a fine of 4s. in order to be re-admitted again.

16,129. And the object of being re-admitted is in order to get something to eat?—They are terrified at the sentence of being expelled and partly at the idea of people booting at them.

16,130. And being held up to universal derision?—Yes. They have spies outside during the week watching the shopkeepers, for fear they would give provisions to expelled parties.

16,131. Well, supposing a shopkeeper to give provisions to such a person?—He would be brought up on the next Sunday, and, if he did not wish to be expelled he would pay a fine.

16,132. Then the shopkeepers are members of the League too?—Yes, they are all members of the League too; they are all publicans, and all members of the League.

16,133. And, I suppose, if they were not members of the League no one would deal with them?—Yes, they would be boycotted, they would have no one to deal with them; they would be termed in our locality "———."

16,134. Mr. Nibham.—Who are the "———"?
—The parties boycotted who are not Land Leaguers.

The Rev. JOHN O'LEARY, P.P., of Ballymacshaght, near Tralee, examined.

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* Anybody knows."

16,142. The President.—Your part of the country seems to me, from what I hear, to be very much under the domination of the National League, is that the case?—I think it is under the domination of the League to a certain extent, but I do not think that in my parish exactly, except in one instance, but a crime was committed from the beginning to the present. There was an instance that occurred, and with that exception I do not think that the influence of the Land League had the effect of producing anything like general disorder.

16,143. How long ago was the murder?—That murder took place, I think, in the year 1881, or perhaps 1882. It was the murder of a man called Patrick O'Call.

16,144. And is there much boycotting in the district?—Well, I am aware of one farmer who is boycotted, a man named Daniel Healy. He is boycotted. The League pronounced the sentence of boycotting against him, but nevertheless the man has gone on working away, certainly under difficulties, the difficulty of finding labourers and of finding persons to cover his hay and so forth, but nevertheless he has gone on, never minding the thing, and he has not been attacked in any way.

16,145. Has the rent been paid in your parish?—Well, I think, my lord, I have never observed in my parish anything like what is called here officially a combination against rent. There have been discussions at the League meetings about the payment of rent. I am not a member of the Land League, I never joined it, and I do not know exactly what goes on there or what takes place there except from hearsay, but I know that in one of the properties, especially, which is the principal property in my parish the rents have been always very high there, and the people met together to see what rent they would be able to pay, and I think this time 12 months they agreed to pay if they got a reduction of 25 per cent.

16,146. And you think it was really that they were unable to pay more?—Yes, indeed, there are farms, a number of them, that cannot almost pay anything, because there is an immense number of holdings which do not average more than seven or eight acres in extent.

They are regarded as being equal to roasted, I should think.

16,147. Lord Midleton.—This National League, or this Land League, altogether interferes with the working of the Purchase Act in your neighbourhood?
—Yes.

16,148. And so long as it retains its power the Purchase Act will have no force or power to be applied there?—Yes.

16,149. And they have been boycotted, the people who have paid their rent?—Yes. Where they would be aware that they would go beyond the other tenants they would boycott them. I do not say there are any rents paid in my district, for they are too terrified, except they pay them where they will not be known.

16,150. They are stopping the payment of rent, the Land League, at this moment?—Yes.

16,151. Sir James Caird.—Are there many farmers and people there who are not members of the League?—They all joined at first, and there are about 70 or 80 now expelled, that is partly boycotted; they must go into —— for provisions.

16,152. Are there 70 or 80 who have been expelled, or who have voluntarily left it?—They are expelled, and there are many more who would have left it, only through fear.

16,153. It is through fear that they joined it?—Yes, it is. Even the houses in the district, they are actually falling down for the want of thatch. For it is in —— they got the wood bent that used to cover the houses for them, and now they are so frightened before the Land League they are not going for that, and the houses are all falling down.

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16,147. And they find it difficult to make a living and to pay the rent?—Yes.

16,148. Are they under judicial rents?—There are not many in my parish under judicial rents. At the last Land Commission held in the county, of which Mr. McDermott was the chairman, a number of persons went into court, indeed I advised them myself publicly and privately, I advised them to go into court, and the reductions of rent given were deemed by the people to be very unsatisfactory. And then the expense of going into court for the poor holders, for the men having five or six acres, and men with two or three cows, the expense was very great. The collectors in this county would not serve an originating notice without a fee of 6s. There was the expense of the value and the expense of the surveyor, and between all the sources of expense the unfortunate tenant was crippled before he got his rent fixed, and for that reason a good many did not care to go into court. In point of fact the number of judicial leases, in my parish, I have not much of an idea, but I am sure they do not amount to 60.

16,149. Sixty?—I should think not.

16,150. Lord Midleton.—Did the people know that they were not obliged to go to a solicitor at all?—Well, I do not think they did. In the meantime when they found that the reductions given were so small, they were suffering from the effects of what we may call the semi-famine of 1879–1880, when they had no potatoes at all, and when provisions were very scarce and they were extremely poor, when they found that the reductions given were so small they at once accepted any offer that was made by the landlord. The landlord did give abatements pretty generally of 30 per cent at the time, and a great many accepted those.

16,151. The President.—At that time, in 1881?—Yes, there was a pretty general reduction then.

16,152. But that was only in the way of a temporary abatement?—It was permanent.

16,153. Has there been any abatement on that or late years, this year for instance?—This time 12 months the prices of everything because so low that the people were really reduced to very great poverty.

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They met together. I was at the meeting. I went to the meeting for the purpose of keeping them quiet. I was at the meeting at all events, and the proposition was made as to what rent they thought would be a fair rent, and they came to the resolution to pay their rents if they got a reduction of 25 per cent., and if judicial leaseholders would be included in that reduction.

16,154. *Lord Milltown*.—And these rents fixed by agreement were registered as judicial rents?—Certainly.

16,155. *The President*.—The whole lot were reduced all round 20 per cent., and those rents were confirmed by the court. There are some exceptions, my lord. I do not think the reduction was, strictly speaking, an all round one, but four-fifths of the tenants were included in the reduction.

16,156. *Lord Milltown*.—So that they now hold under judicial leases?—Quite so. And those men, the landlord immediately made a distinction between the men who went into court and the men who did not. On the property to which I am alluding there was a great objection on the part of the landlord and his agents that men should go into the court, and they did all they could to prevent them from going, and those that did go, they served rather badly whenever the opportunity occurred.

16,157. *The President*.—And those who accepted the 20 per cent. from the landlord and got the agreement confirmed by the court, they did not consider them in the same light?—They did not. They met together and asked for a reduction.

16,158. Of 25 per cent. all round?—Yes, and I was asked by the landlord to meet him, and I did meet the landlord and his agent, and I represented the thing. I represented the great reduction in prices, and I represented the great poverty of the people and the smallness of their holdings, and I argued it as strongly as I could in favour of granting 25 per cent., and the result of that interview was that he granted a reduction of 15 per cent. on that point, but it was only to apply to the men who did not go into court.

16,159. And what was the result?—The result of that was that that time they nearly all paid, at least there are some who did not pay, they could not and they never will be able to pay.

16,160. But most of them did?—As a general rule they did.

16,161. *Mr. Nelson*.—What date was that?—I think it was this time 12 months: I think it was in the November of last year.

16,162. That would be for the previous September rent?—Yes, because there was nothing due on that property: they never allowed anything to remain due on that property, because if the September rent was not paid in February, and the March rent paid in August, they were immediately proceeded. There are some men on that property who have got a process every half year for a large number of years.

16,163. That was last year. What has happened this year. Have the rents been paid this year?—No, my lord. As regards the March rent, I think it was pretty generally paid this year.

16,164. And the other has not become due?—I mean that the last September rent was paid in March, and then the March rent has been called for, but it has not been paid yet.

16,165. But do they not mean to pay?—I do not think they can pay, my lord, unless they get something more than the 15 per cent. that they got last year.

16,166. And did the landlord threaten to take any steps in consequence?—No, he has not done anything as yet. I think there is a disposition to take them quietly. I am sure the landlord is himself probably a little hard up. He has a great many family claims, and mortgages on the property, and he cannot afford to give large reductions. But he certainly is taking the tenants at the present very easily. I did not hear of any ejectment processes being brought at the last session, or anything of that kind, although I know

there are a large number of cases in which the rents are unpaid.

16,167. Are they worse off than they were this time last year?—Decidedly. There can be no doubt about that. I speak now from personal knowledge. I know that this year they have not been able to dispose of a great deal of property by means of which they would be able to pay their rents. They have not been able to dispose of all of their produce. They would not sell at any price. For instance, calves, they would not be looked at. The poor people took them to fair after fair, and they would not be bought at any price.

16,168. Is it worse than last year in that respect?—Well, I am not much of a farmer. I do not farm myself, except in a very small way, but I am sure it is. I will give you a case of my own. I sold a calf last year, for which I got 18s. 6d.; this year I would not get more than 12s. for as good a one.

16,169. *The President*.—Have there been any negotiations for purchase in your parish under Lord Ashbourne's Act?—Well, I have myself urged as strongly as I could upon the people generally to purchase. There are some landlords who would not sell at all. Lord Ventry, for instance, would not sell. There are other landlords who would be anxious to sell, but they only have themselves a middle interest under Trinity College, and Trinity College would not consent to sell.

16,170. *Lord Milltown*.—They cannot prevent it?—I beg your pardon.

16,171. They cannot prevent it?—I really do not know. An agent, a gentleman who lives in Cork, Major Bradley, who is agent to one of the proprietors in my parish, wrote to me to know if I would get the tenants on this property, of which he is agent, to buy, and on what terms. Well, I called the tenants together, and we discussed the matter, and it was arranged that we would offer to buy on certain terms, and I wrote to the agent, explaining the terms on which they consented to buy, and he was perfectly satisfied with them, and thought they were fair; but in some three or four weeks afterwards he wrote to me stating that Trinity College had put a stop to the sale, and that it could not be carried out.

16,172. I suppose they can only buy, subject to the head rent of Trinity College?—I do not know.

16,173. *Mr. Nelson*.—That is practically a difficulty, and may be an insuperable one?—But there is a great deal of land in my parish which is the property of Trinity College, and which is at present in the hands of middlemen, and those tenants are badly off.

16,174. *Lord Milltown*.—The tenants could purchase the middleman's interest under Lord Ashbourne's Act, whether Trinity College liked it or not?—I do not know.

16,175. *The President*.—They would not care to do that if there was a head rent upon it?—The fact is, that the middlemen are not themselves paying their rent to Trinity College, and they have been all served with ejectments.

16,176. Is there very little margin between what the middlemen gets and what they have to give to Trinity College?—Well, I know one small property near my house, where the tenants are six in number, and Sir Rowland Blennerhassett is the middleman, and I heard that he has only an interest of £10 a year in it. The rental is £200 a year, and he has an interest of £50.

16,177. What did you and the tenants consider a fair price? how many years at the judicial rent?—I consider, after giving it a great deal of thought, that 18 years' purchase is the outside of what they could fairly pay.

16,178. That is speaking, of course, of your own district?—Speaking of my own parish.

16,179. *Mr. Nelson*.—Is that 18 years' purchase on the landlord's net rental?—On the judicial rent.

16,180. When you speak of 18 years' purchase, Father O'Leary, would that be 18 years' purchase on

the landlord's net rent, or 18 years' purchase on his gross rental?—I do not know exactly the distinction, I am only talking about the tenant's holding.

16,181. On what they pay the landlord?—On what they pay, that is what I mean.

16,182. The President.—And that would reduce fish rents very considerably?—It would reduce their rates very considerably, but as I said before the number of persons in any parish who went into the Land Court is exceedingly small.

16,183. But if they settled by agreement that would be considered in the light of judicial rents?—And so they are, my lord. But the men who settled by those mutual agreements, those men took almost anything, they were glad to get anything at the time rather than go through the ordeal of passing through the court, and then there is a great deal, an immense difference between the prices in the year 1882, and when those judicial rents were made, and the prices at present. Well, in reference to that matter I got a few better tickets from farmers in my parish.

16,184. Kindly explain what better tickets are?—Those are tickets issued by men to whom the butter is sold, and when they purchase they send down receipts on those tickets the number of firkins, and the price paid for the butter, one, two, three, four, or five firkins of butter, and then they give the prices underneath. Those are the receipts given to the maker of the butter by the buyer.

16,185. That shows how much it would sell for?—It shows how much he got for his butter, and in that year, on the 27th of May 1886, he sold five firkins of butter for which he got £10 11s., and that, of course, is exclusive of the cost of making the butter, the cost of the firkins, the cost of the salt, and so forth.

16,186. And of carriage?—And of carriage.

16,187. Lord Manners.—And of commission, I suppose?—Yes, I should say so. Then there is another ticket relating to the 15th of June. There are five firkins also, and those five firkins came to £10 4s. 7d., and so forth; and then if you go back to, for instance, 1876, there are one, two, three, four, five, six, seven, eight, eight firkins, and the price of the eight firkins is £21 11s. 9d.

16,188. But go back to 1881, have you got any for that year?—I do not know; I got only these at random.

16,189. You say the prices have fallen so much since 1881 and 1882?—In the year 1881 there was a farmer in my parish who kept in his butter until the month of October, and he sold 30 firkins of butter for £4 2s. 6d a firkin each. That was in 1881. This year they sold, many of them sold, firkins of butter for £1 11s. and £2. I sold butter myself.

16,190. Do you think it was as good butter as what they sold at the higher price?—I think I am speaking in the most consolatory manner when I say that there is a vast improvement in the manufacture of butter for the last two or three years.

16,191. Sir James Caird.—Then the butter at the lower price was the better in quality?—Yes, decidedly.

16,192. It was through no fault in the quality?—Not at all. It was on account of the looseness of the price. I know I sold myself a few firkins of butter, and I got "first quality" for it, and the highest prices given, I think, was £3 8s. 6d.

16,193. Lord Manners.—What was the time of year?—This time I sold a firkin last week, and I think the price it fetched was £3 8s. 6d.

16,194. Mr. Nevison.—Have you ever inquired whether the foreign butter coming into the English market falls proportionately with years?—I could see by the papers, and I could tell that other butters in England had fallen too.

16,195. Proportionately?—Yes, and I have no doubt that the people are exercising far more care in the manufacture of their butter than they used.

16,196. In your opinion the price was not in the market for the butter?—Yes.

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16,197. No matter how good it was?—Yes. With regard to the question of purchase generally you were asking me, there is no I say a disposition on the part of the people to buy, that is they would like to buy but they have their objections. Of course the principal objection is that the landlord is not disposed to sell to them upon their own terms, and that is the most natural thing in the world. In my parish where an attempt has been made to sell at all by the landlords it has been made to men who are absolutely broken down, men who owe a fair share of rent, and are not able to pay, and are not likely to get on very well, and those men were anxious to get rid of the onus of arrears that were hanging on their shoulders, and they would take the chance of purchasing merely for the sake of getting rid of the arrears. I know of a considerable number of such purchases being agreed upon between the landlords and the tenants, and those purchases have been rejected by the Purchase Commissioners, and very often the action of the Purchase Commissioners in rejecting such bargains arose from the fact that the tenant who made the bargain with his landlord went behind his back and wrote a private letter to the Commissioners saying he never could pay the rent he agreed to pay to get him out of his present difficulty, because once the landlord and the tenant open negotiations for the purchase and sale of the farm, the payment of rent ceased then and there, and that was a good thing for the tenant. Though that method of the payment of arrears was very questionable, he was prepared to keep him to the bargain provided he got rid of his arrears, and if he satisfied the Purchase Commissioners; but by and bye the thing was knocked on the head, and in that way the Purchase Commissioners rejected a large number of bargains so made. And then the rest of the tenants, finding that that was the case, were indisposed to go into the question of purchase on the terms offered by the landlord. There was another thing that deterred them, two other things. The first was that the future prospects for prices are very bad, they are so bad now that they can get no sale for their cattle, and the articles at which hay is sold at the present moment in the town of Tralee at £1 5s. a ton, and potatoes sold at the present moment at 2s. a peck of 10 stone, and oats selling in the town of Tralee at 6½d. a stone, while last year they got 10½d. Having before them the present condition of things they do not look forward to the future with any hope to much larger prices, and therefore they are deterred from assuming a responsibility which perhaps they would never be able to carry out, especially in our own county. There is another difficulty in the way of purchase, and that is the prospect, I am not ascertaining whether they are right or wrong in this, in having such views, but at all events these are the views that in this county of Kerry the prospect of future taxation is calculated to deter them from purchasing. We have the guarantee for the Castleland Railway, the guarantee for the Kibergin Railway, for the Peabury Railway and pier, for the Dingle Tramway, and for the Cahirciveen Tramway, and the prospect of such taxation has a most powerful effect in keeping them out of the purchase court.

16,198. Lord Manners.—Were they anxious for them, were they anxious for those guarantees to be undertaken at the time?—The farmers had nothing to do with it. They were kept in the hands of the good jury.

16,199. But the guarantees were extremely popular at the time?—I know they were, but I am only speaking of now, that the farmers look upon them as a curse.

16,200. Do you think there is a desire on the part of many people to purchase for the sake of becoming owners?—I think there is a desire. I think they are anxious to purchase. I have been asked by one of the landlords to induce my people to purchase, and I tried over and over again, and where I calculated for them what they would have to pay under

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the Purchase Act, I suppose 30 years, purchase, the inevitable conclusion they came to was that they could not pay that, and I found there was a disposition, in fact the people, a great many of them at all events, would be quite satisfied to enter into any arrangement that I recommended them, and if I did recommend it strongly they would enter into it pretty freely, but I did find that 18 years would be the outside of what they would anything like cheerfully accept.

16,201. Do you think that they would rather be owners than under a judicial rent provided they could obtain it on equitable terms?—They would rather be owners, and they would rather be owners now and pay a pretty good figure, and have paid a pretty good figure in the way of instalments, than have the prospect of a perpetual rent hanging over them and their children for seven generations.

16,202. And you think they do look forward to the termination of the 18 years, when there would be no more rent to pay?—They do look forward to that time.

16,203. Because we have been told that the peasantry are very much inclined merely to regard what is occurring at the present time, and that they do not look forward to what is likely to happen in 18 years' time?—I do not think that that is so.

16,204. Do you think that there would be a reasonable possibility of their paying the instalments when they fall due, supposing they did purchase?—Of course I can only speak for my own parish. I would not undertake to speak for the rest of the county, but I do say that in my parish the people are honestly disposed to meet their payments, but of course you will get dishonest men here and there, but as a general rule I think they are disposed to meet their payments fairly. And I know a man who has purchased, and who went into the purchase rather greatly against the prospect of his own success, a man who was an idle man and given to drink, spending a good deal of his time in town knocking about, and who did not do much to improve his farm. That man became a purchaser, and is working like a nigger ever since.

16,205. That is an important fact?—Yes.

16,206. And it is a rather stimulating fact?—I never saw a pick in his hand or any other agricultural implement, but when I see him now he is working like a slave.

16,207. The President.—You think if they were enabled to purchase to any large extent it would make them desirous to uphold law and order for their own sakes?—Ah, my lord, the people are anxious for law and order; the people are anxious for it. They are tired of agitation.

16,208. Do you think they would look forward with greater hope to prosperity if there was less disorder and outrage in the country?—What you call disorder, disturbance, and outrage, all that has been and is confined exclusively to a number of young men, young farmers' sons and labourers, young labourers. When an outrage occurred in my parish very recently there was scarcely one connected with it who was connected with land, and not one of those supposed to be there was connected at all with land.

16,209. The outrage was initiated, I presume, in consequence of some agrarian dispute?—Well, there was young fellow boycotted. He was boycotted; the case was brought before the League, and I was told that the League had not issued a sentence of boycotting against him for being in the employment of some landlord who evicted a tenant. This fellow that was boycotted bought a pig, I think, in the town of Trillick on a Saturday, and one of his neighbours brought home this pig for him in his cart. That was on the Saturday, and the next evening there was a party of young fellows came to the house of the man who owned the horse and cart, and they brought home this pig. There was some noise outside the door, and I believe a shot was fired. At all events there was a shot fired, and then there was some other kind of noise. He opened the door, and three shots were then fired at

the door, and one of the shots took effect in his thigh, and the man has been laid up ever since in the hospital at Castlebrand. I was at the house and saw it. He is nearly well now. But the only crime that he was guilty of was that this man brought home a little pig for the man that was supposed to be boycotted; and that man was not boycotted at all by the National League, as I know.

16,210. But at any rate you know that this happened?—Yes.

16,211. Mr. Neilson.—What is the feeling of the people at the commitment of a horrible cowardly outrage like that?—It is condemned universally.

16,212. Do you think they would hand the perpetrator of such an outrage over to the authorities?—That is quite another thing. They condemn those things and they disapprove of them, but they are afraid to give any sort of evidence, or any sort of indication whatsoever, that might lead to the detection of crime, because they are afraid that the criminals as depicted would retaliate upon themselves.

16,213. In fact they are living under a reign of terror?—I will give you an extraordinary example of how the thing permeates from one member of a family down to the very lowest. One of the national schools under my management was injured by stone throwing, and I believe it was broken open and some little things stolen. A few days after this occurred I went to the spot and I made inquiries of the teachers, and I asked if we could possibly find out the criminals. One of the teachers told me he feared it was so and so, naming two or three boys in the neighbourhood, and I asked "From whom did you get this information," and she said "I got it from such and such a boy." I went into the school and called out this boy. Of course I had no right to call the boy out in that fashion before the entire school, whatever I did I should have done in private. However, I said to him, "Do you know anything about?"—"I am reference to this school being broken into?" He burst into tears, and he said he would not tell me anything about the thing at all. He said he never would see his home in safety if he gave me any information.

16,214. Was the boy afraid of being the victim of some attack?—The danger was that if he gave me information on that subject the rest of the boys would beat him.

16,215. That looks as if there was sympathy with all the rest of the boys in the breaking open of that school?—It is not sympathy, it is a sense of terror, of dread of having any physical injury done to themselves; whether in the case of a father his boy would be burnt down, or his house burnt down while he and his family are asleep. Those are the causes which operate against the detection of crime.

16,216. You think it is more terrible than sympathy?—I do not believe there is a particle of sympathy amongst the older members of the family. I do not think there is a particle of sympathy amongst, and I know furthermore from being pretty well acquainted with the young men of the parish, I know there is a vast number of young men in my parish who have no sympathy, and never had with crime.

16,217. Lord Milnes.—That seems a fearful state of things; would you be prepared to suggest any remedy?—I have no suggestion to make.

16,218. You say there is a number of tenants who can pay nothing?—When I say nothing, I say there is a vast number of tenants who are in a state of chronic poverty.

16,219. And who always will be so?—And will be so for ever, if they got their farms for nothing.

16,220. You would have to pay them to live on them?—Yes, there is land for which they are paying some of them £1 an acre for land that I would not give half-a-crown an acre for.

16,221. What suggestion would you make in regard to those men; they would not be better off purchasing their holdings?—They would not. I do not know any suggestion, except to provide them with employment, or to put them into somewhat larger holdings. I never

could see any way to what they call migration. I never could see any way to the workability of migration, of transplanting a family from the county Kerry to the wet lands of Meath and Kildare. I do not know how that could be done; possibly it could be done, but I do not know. I do not know any remedy for the amelioration of the condition of these poor people except by providing for them constant employment, and giving them a little technical education, and enabling them to live by manual labour, and their sons and daughters giving them something to do.

16,222. But who is to provide the employment?—I do not know, but I suppose a wise and generous Government.

16,223. The President.—Did you say your parish was over populated?—Oh, my parish is decidedly over populated. One portion of it especially is, as Mr. Nelson knows. From Ballyneedy House until you come to the bounds between me and Castleknock, between me and that mountain range extending from west to east, the people are living there, and I think the average holding would be something like the grass of three or four cows.

16,224. Mr. Nelson.—I think these are the remnants of the old 40s. freeholders?—They are, sir. Yes, sir. They had their lands for a shilling a year up to the death of a certain gentleman in this county, Sir William Godfrey, in order to give their votes, and at the death of Sir William Godfrey there was £1 an acre put upon them; and those creatures, I know some of them whose families are, at this moment I have before my mind some of them who have perhaps five or six or seven children and not as much clothes upon them as would properly cover one.

16,225. Do not you think that migration in these districts would be a good thing?—I think it would be good for themselves and I think also that a large number of people would gladly, those especially who have friends abroad, would gladly accept migration if they got it to a country they would like to go to, because some of my people have gone to New Zealand.

16,226. And have they done well there?—They have done remarkably well there, and it is those New Zealanders who are paying the rent of the whole place.

16,227. Lord Malmesbury.—And you would encourage the poor people you have just referred to to go there also?—They would gladly go themselves.

16,228. Under a properly organized system?—Yes, under a properly organized system, where they have friends abroad already. I know a man in my parish named Rooney who has been trying to sell out the interest in his little bit of land and a few little cows, and he is prepared to go out immediately, at this moment with his wife and three other children, to two or three children who are out there already.

16,229. Sir James Caird.—Is there any population in this particular locality, is there any considerable number of people, of poor, small, tenants who are so destitute?—There is a large number of them, in fact they are all very badly off. I should say at this place that probably the population would number 100 houses.

16,230. Mr. Nelson.—I suppose you might average that at very nearly 500 souls?—Yes.

16,231. Fixing a fair rent for those poor people is a huge?—Yes, a mere farce. They accepted voluntary settlements with the landlord and I know myself that some of the reductions given to them were 15s. 6d. and 15s., but they might as well have left them as they were.

16,232. Lord Malmesbury.—Such land would offer no security to the Government for the purchase money?—No.

16,233. So there is nothing for it but to enable them to move elsewhere as they can only starve where they are?—How can a man who has nothing to support himself and his family but the produce of two cows and a little quarter acre of potatoes, on a hill

side, or on a barren mountain, how can that man pay rent to the Government.

16,234. Are there any resident gentry in your neighbourhood?—I might say "no." We have one, but he is rather a young gentleman, and I do not think he has any employment.

16,235. In fact there is no regular employment for the poor labouring men?—The more labourer is almost unknown in the district. We had one man who was a most excellent employee in the district. He loved to give employment and he gave large wages, but he has not been able to live at home since his house was blown up, and all those people are now out of employment.

16,236. And do the labourers look upon his departure with regret?—They do, decidedly. He had a lot of labourers whom he made very comfortable. He did a great deal to meet their needs in the year 1880, when people were so very badly off. In that year he made a fine road from the Portlarch Railway Station up to the top of the mountain towards Killarney. A very nice road he made there, and the whole thing was finished except to stone it, and he invited tenders for the stoning of it, and gave an immense amount of employment which they were very glad to get at the time. Well, he invited tenders for the stoning of the road, some disbelievers of the neighbourhood put up a notice that no one was to go in for the stoning of this road for Mr. Hussey, and there it has been ever since, and at this present moment no one would touch it. The stoning of the road would not have given much employment, but the making of the road gave an immensity of employment and gave good wages, but when it was made and laid out and ready for completely finishing except the mere stoning, and that he invited tenders for persons to come and stone the road, they would not be allowed to come. A large number of evictions have taken place in my neighbourhood. I have not counted them over exactly, but thinking them over to my mind. I think there are about 60 evicted families in my parish.

16,237. Who are really evicted?—Who are really out from 40 to 60.

16,238. Is their term of redemption expired?—Yes.

16,239. And they have no chance of getting back again?—Yes.

16,240. The President.—What are they living on now?—I will simplify the thing. I do not know what they are living on. They got some money from the National League.

16,241. Not very much I believe?—Well, I should think something about 2d. in the month.

16,242. Amongst the 60 families?—Oh, no; then friends take them in. Their friends take them in and give them grazing. They contrive to keep their cows. It is very easy to get grazing, and they can get grazing at a cheap rate for their cows, and they hold on with their cows.

16,243. And where do they live?—They live in some of their friends' houses, and they sometimes erect a shanty on the roadside.

16,244. They are in hopes of getting back, I suppose?—I know a man named Sugrue who was evicted in my parish, there were two brothers of them, and they were paying a good deal more rent than the place was worth, and they were evicted. They were not able to pay, and I strove to make a settlement with the landlord. I know that the rent was 16d., and I offered on the part of the tenants to pay 10s. in the shape of arrears, and to assure the future rent at 10s. a year. The landlord would not accept of my offer, and the man was put out, and ever since then he has been living alongside his farm, and that man actually has his five cows to-day and is grazing them on the fern from which he was evicted.

16,245. And are the evicted farms lying vacant?—He had an acre of potatoes. I think he had nearly an acre of potatoes at the time he was evicted, and the same quantity of oats, and I was going in discharge of one of my official duties in the morning about

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5 o'clock, and I saw them assembling all the people about, about 300 persons, and before many hours they had the carts out down and the potatoes carried away.

16,246. Are all the evicted farms lying vacant?—**Ans.** I know one farm belonging to a gentleman who lives in England, Mr. Browne; it is the best land in Kerry, without any exception. The tenant was paying 260 a year. He was evicted, and from that up to the present nothing has been done to settle that farm.

16,247. I suppose the people hang about the farm in the hope that they will get it back?—No, they are certain that the landlord will not be able to get a tenant, and that he will be driven to take them back.

16,248. Do you mean to say that they will graze their cattle upon the lands from which they have been evicted?—Do not take me as saying that that is done universally. I gave you that case where it was done to exemplify their failing on the subject. I do not believe that there is in my place a combination to resist the payment of rent. I do not believe that they will ever combine together to resist even the payment of what they call an unfair rent. I do not believe that I do not think they ever stick together in that kind of way; some persons will be always sure to trick the bulk, and, on the other hand, I do not believe that men allow themselves to be evicted to show their patriotism. I believe they allow themselves to be evicted because they cannot pay, and that no man who can help it will allow himself to be turned out; that is my experience.

16,249. It is said that men will go out with perfect equality, and that men will go out to stand up for the National League?—I have heard that said, but I have never seen any instance of it. I know that they consider it an awful hardship to be put out on the road, and that if they can at all avoid it they will avoid it when they can pay.

16,250. Lord Millican.—I suppose those evicted tenants receive out-door relief?—They do. They receive £1 a week for one month; that is the outside.

16,251. The President.—Is that what they receive as out-door relief?—They get £1 a week for a month.

16,252. Lord Millican.—And what happens after the month is over?—I do not know, my lord. They continue to live; they are hanging about the place. I know there is a great disposition on the part of the landlords to re-admit those people if they can come to terms, but when a man is put out, and when he is out for some time, he becomes demoralised and he does not care what happens to him, and he will not go back at all unless he goes back on very favourable terms.

16,253. Does the Land League interfere with the fixing of the terms with the landlords?—I do not think it does at all ever.

16,254. You do not?—I really think in cases of difficulties of that kind that they generally come to the parish priest, and get him to make the best terms he can for them. I have made myself a vast number of inquiries between the tenants and the landlords, reinstating, fixing rents, and that kind of thing. I have made a large number, and I found the landlords, as a rule, very reasonable, and I have met men who were not so. Of course we are not all alike.

16,255. The President.—There will be always that in every class. I understood you to say that you think the people are really sick of the agitation?—I think they are tired of all this disturbance and noise, and they have a very good right.

16,256. They would like to lead a quiet life?—For they have paid exorbitantly for it, and that tax that was imposed upon the people as compensation for physical injury inflicted during the time of the outrages, that tax has pressed upon them with great severity, and has accelerated in a large measure for their inability to pay any rent. The taxation for compensation for injury, bodily injuries I speak of, it was an enormous tax, and the payment of this tax reduced them, that was at the time of the outrages in 1880, 1883, and 1884; they had one policeman

coming to them one day for extra police tax, another policeman coming to-morrow for compensation for injury done to a certain person, the next day they had a poor's rate collector coming to them, and the next day a collector for county cess; and between all the taxation the people were reduced to an absolute paucity of money. I never saw, I must say, the same severity as long as I remember as exists at this present day.

16,257. Sir James Caird.—Have the people become gradually poorer?—The people are extremely poor. Wherever the money has gone to I do not see any of them having it.

16,258. Lord Millican.—They are not the richer for the agitation?—Oh, no, and they know that perfectly well, and I often told them so.

16,259. And I suppose the heaviest sufferers have been the poorest?—There is no distinction. The large farmers are nearly as badly off as the small farmers. The cost of production, the cost of labour, and the cost of servants, is as high now almost as it has been at any time while the prices realised are extremely low.

16,260. Sir James Caird.—Are the labourers in good condition?—We have no labourers in my parish, we have no professional labourers.

16,261. You talked of the cost of labour, and that made me ask you the question?—The labour market is held in the nearest towns, Castleisland and Teles. That market is held on a Sunday. The farmer goes into the town and hires as many labourers as he requires for the week. They will not go unless hired for the week. He keeps them, houses them, and feeds them. They are housed and fed, and he pays them their hire for the week.

16,262. Has the condition of that class of labour improved?—I do not think that it has improved. The labourer, now-a-days considers himself entitled to live as well as the farmer, and whatever wages he gets is just as little as would be required for the support of himself and his family he spends for the week.

16,263. Mr. Nelson.—You have stated that you never before saw so little money?—Yes.

16,264. My lord, I ask you, has the number of public-houses fallen off?—No, on the contrary, I think there is a tendency to increase them.

16,265. They appear to be pretty flourishing?—Some persons have been getting into the public-house business for the purpose of getting a sale for their other goods. They have become so in this way. They are moral men and have four children, and they think that by having a little drink at the other side of the counter they can dispose of their goods better.

16,266. So as to soften their customers on the one side and sell to them at the other?—I think that the number of public-houses about the town is enormous.

16,267. The President.—We gather from your evidence that this is not a favourable time for putting forward the operation of the Act of 1885, owing to the present state of the country, and the uncertainty with reference to prices?—I do not think the people are disposed to go into it much.

16,268. This is not a favourable time?—It is not. We should have a little experience as to how things will turn out. It is an account of the uncertainty of the future.

16,269. And that this therefore would not be a favourable time to form an opinion as to the efficacy of working of the statute?—I do not think it would. It has worked badly at all events up to the present.

16,270. From the causes you have mentioned?—Yes, from the causes I have mentioned, that the purchase money demanded is too high, that prices are so low and the extra taxation, all these operating.

16,271. You spoke of the body of country men you represent, that were asking now for a further statement after getting 25 per cent.?—It was 15 that they got.

16,272. They asked for 25 per cent. and got 15 per cent., do you think they are unreasonable in what they are asking now?—I do not.

16,273. You think not?—I think not, I am perfectly certain that they are not.

16,274. You are perfectly certain that they are making a fair offer of what they can pay?—I am sure they are; and I think that some of the agents of the properties themselves recognise that fact, because I

spoke to the agent, who lives in Cork. I wrote to him about the condition of the tenantry, and I said I thought they ought to get an abatement, but it would not be granted by the court unless recommended by him. He is warmly the adviser. He wrote back to say he had recognised the necessity of the abatement, and had recommended the granting of it to the court, and the result was that the tenants got 25 per cent.

16,275. Is that in Kerry?—Yes, close to my parish.

At this stage there was a short adjournment. On resuming—

Mr. MAURICE BRICK examined.

Mr. Maurice
Brick

16,276. The President.—I believe you are a tenant farmer?—I am, sir.

16,277. What is the nature of your holding?—The use of my holding is, I believe, 150 acres; and the greater part of it is barren, sir.

16,278. Do you hold under a judicial rent?—No, sir—I hold under lease.

16,279. Are you highly rented?—I think so, sir.

16,280. Mr. Neligan.—What is the date of the lease?—The date of the lease, for I looked at it this morning, is the year 1869.

16,281. What is the term?—21 years.

16,282. The President.—What is the rent?—£307, sir.

16,283. Have you any judicial losses near you, on the same sort of land?—No, sir. There are some judicial losses to the west of me, between my farm and the town.

16,284. But you are of opinion that your land is higher rented than it would be if you held under a judicial lease?—Certainly, sir.

16,285. And you would like to go into the court to have it fixed?—I would. I asked that two or three times of my landlords who are middlemen under Trinity College, and they would not allow it.

16,286. Do you know what they are paying to Trinity College?—I do not, sir.

16,287. You would like to come in and have it fixed?—Indeed, I would.

16,288. For, I suppose, at the present time you find it difficult to pay the rent?—Certainly, sir. I do not make the rent that I am called upon to pay.

16,289. And you see no reason why you should not have the same benefit as anybody else of coming under the Act?—That is so, sir.

16,290. I believe you wish to give us some evidence about the present price of butter?—I just happened to take some entries during the last 15 to 20 years, but I find that there are confusions in the accounts, that they have skipped some years, but I will read to you what I have. Now where I commence with, I may mention that my poor law valuation is but 298 10s. I think when first I took the notion of taking the farm, this is the only thing that I have to support myself and family on my farm: 21 cows, a bull, but I have no outlay on this for dairy cattle. I find, sir, that in 1866, that 43 firkins of butter made £155 7s. 1d.; that in 1867, 43 firkins realised £142 of better money; in 1868, 39 firkins in that year £165 18s. 9d.; in 1869, 44 firkins £164 9s. This I may mention is gross, as sold in the market. In 1871, 42 firkins £166 2s. 6d.; in 1872, 48 firkins; that was the greatest returns ever made on my farm, £188 15s. 9d., in 1873, £190, 44 firkins. In 1874, 48 firkins £180, and some shillings. 1875 is not noted, whatever the reason is. I gave this book to one of my children to make up. In 1877 it is £208 2s. 3d for 41 firkins; in 1878, 44 firkins realised £164. The next I have is 1881, 42 firkins, £186; 1882, 43 firkins £155; 1883 is omitted; 1884, 39 firkins £134; and last year my wife died and I got into the heads of servants and they did nothing for me, and with that and every other thing, I find that in that year there is a lot of 33 firkins in that year, making £92 15s. 3d., but I think there were four other firkins added to that year, but I am not computing them.

16,291. And now for this year?—We have now come to the present year, and I have at the present moment 45 firkins made, and there are six of these not sold. Last Saturday week I sold in the town of Tralee six firkins at £30.

16,292. And what is the account for the whole 45?—Up to the present moment I make it £115.

16,293. Sir James Caird.—For the 45?—Yes.

16,294. The President.—And have you got some still to sell?—Three; I have, my lord. Assuming there is a fall in butter since last Saturday week and I make in place of £30. I have added £18, that is £3 a cask, and making the tot I find it to be equal to £115.

16,295. For the 45? Have you made any average out of that. Do you know what the fall is?—There are six of them that are not sold, and I give £18 for those.

16,296. Mr. Neligan.—If you add £18 to £115 you bring it up to £133. You had £115 with six unsold, and assuming they fetch £18 you would have to add £18 to £115?—No, sir, that is not the way.

16,297. Then I misunderstood you?—Beside those sold of the 45, in that number I included the six that would be 39 without the six. The 39 sold made £97, six added to that is £18, making £115.

16,298. Sir James Caird.—That makes it £115 for the 45?—Yes.

16,299. The President asked you, have you made any average of the annual price per firkin?—I have not.

16,300. It would take a little time to work that out, and to see what the value per firkin would be, therefore you find it difficult now to pay your rent, and you wish to come under the Act?—I do.

16,301. Have you ever thought of purchase?—Sir?

16,302. Have you ever thought of purchasing your holding?—I could not, my lord, inasmuch as my lands are college lands which I rent under a middleman.

16,303. Yes, and if you bought it would be subject to the rent to Trinity College?—Yes, my lord.

16,304. And you would not care for that?—I cannot say, for I understand it is a corporation, and I hold the farm under a middleman.

16,305. You could buy the middleman's interest?—I think, my lord, the middle interest would go out in a couple of years more, according to their own statement. We bought at a very bad time. At the last time the lease was made, we had not the 1871 or the 1881 bill at that time, and they told us at the time that they would gladly let us get their land, so as to renew, for they had not gone in for perpetuity, and would not go in again, if we paid them a lease fine, and I have been to that effect as my pocket, if we paid them a large fine. At that time we had leases with renewals every three years, and 21 years standing in the renewals, and they said, "Will you have three years for the renewals we gave you, but if you give us £100 fine, and make your rent from £207 to £110, with the £100 fine, we will agree, and then your lease and ours will go out at the same time, and if you do not do that we will sell our interest, and the man who buys our interest will cost you on the world."

16,306. You were rather in a predicament?—Yes, and I had to accept.

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Mr. Maurice
Baker.

16,307. *Sir James Caird*.—And then when you entered upon the present lease, how do you hold?—That is difficult to answer.

16,308. When will the present lease terminate?—It will terminate in 1890, and I could say as well as if I was on my oath that they are pressing on us to get themselves possessed of the lands we hold. A poor farmer, however respectable, is broken entirely, Mr. Neigham, but I am striving to struggle on again against the system for the time being.

Mr. George F.
Trench.

Mr. GEORGE F. TRENCH of Abbeylands, Ardara, examined.

16,312. *The President*.—You are the agent of Mr. Talbot Crosbie and Mr. Colles Sanders?—Yes, and I have two receiverships under the Court besides.

16,313. Are most of the estates of those gentlemen under judicial rents?—In one case there is a large proportion of the tenants under judicial rents and in the other, on the large property of Mr. Colles Sanders, they are all under lease except one, I think.

16,314. I may as well now ask you with regard to the leases, are they higher rented than the judicial tenancies, as a whole, do you think?—The leases on the property I speak of are higher than the fair rents.

16,315. Do you think the leaseholders ought to have a right or power to come under the Act of 1881?

—I think, with certain alterations of the Act of 1881 as to which I propose to offer to the Royal Commission suggestions, that the Act could be extended to leaseholders safely, but I think the landlords are fairly entitled to a *quid pro quo*, when they are asked for a further surrender of their rights.

16,316. In the statement, you do not think there is more injustice to the landlord in breaking his lease than in changing the contract with his other tenants?—No more, my lord.

16,317. And you say that with certain alterations under the Act of 1881, you think that Act could apply to leaseholders, perhaps you would tell us what are the alterations you propose?—I think events have proved what was apparent to many from the beginning, that the fixing of rents by Acts of Parliament has not worked well under the present arrangement, and one of the first things which ought to be done is to direct a more frequent revision of the rent than every 15 years.

16,318. What period would you suggest?—I think a three years' revision would be a fair period to adopt. We have attempted to carry out a system of three years' revision of rents in the case of some of the houses on Mr. Talbot-Crosbie's property with results not altogether satisfactory, because I have been struck with one defect in our system, of which I have the results here (*Table A. headed in*); the rent of £600 fixed in September 1876 upon a tenant, who will appear before you as a witness, as I understand, Mr. Florence Sullivan, was revised under the arrangement in 1879 and reduced to £330 odd. There was a second revision under the same system under the lease in September 1883 (another three years), when the rent was raised £7 by a slight increase in prices to £337, and now in this year 1886 there is another revision which has been calculated and the rent now amounts to £298, precisely an abatement of 25 per cent. upon the original rent.

16,319. *Mr. Neigham*.—That is 25 per cent?—Yes.

16,320. *The President*.—That is because ever since it was stated things have been going steadily down?—There was a slight rise at one point. A fact that ought to be mentioned in connexion with it is, that we have not been able to collect from him the full rent so varying and so fluctuating, the rent of £337 has been further abated to £308, that is an average of £308 has been arrived at for the three years.

16,321. But is not the rent £298?—That £298 has not yet come into force, it has only been calculated for the coming year, but during the three years' period at which the rent should have stood at £337,

16,309. To get under the Act of 1881 is Mr. Bricke's real struggle?—Yes, that is my struggle, and I asked them three times would they do so, and they said they would not, and told me to go to Trinity College, and the college do not know me.

16,310. *Mr. Neigham*.—I think you wish to come under the Act of 1881?—In one word that is the object to get under the Act of 1881.

16,311. And if that was once fixed for you everything else would follow?—Yes.

only an average of £368 has been collected. We have had to abate his rent to that extent.

16,322. Was this because the basis was originally fixed too high?—That is what he will tell you; he paid his first three years' rent in full, the first revised rent, that is the one at £400 a year was paid in full, but when the period of time came that brought him to the second figure (£330), he applied then for an abatement. At that time the cessary was phoned into the midst of the agitation and successful intimidation was carried on, and feeling that pressure strongly backed, although as we believe a respectable man, he put in his claim strongly and he got a further abatement.

16,323. *Sir James Caird*.—But you have had in that period of three years the very bad year of 1879?

—Yes. We have in that three years the bad year of 1879. I should say that the basis upon which the rent has been calculated is the price of butter in the Cork market.

16,324. Slightly?—Yes, it has been calculated on a better rent.

16,325. Butter being the principal saleable product?—Yes.

16,326. And the farm was a dairy farm?—Yes.

16,327. *The President*.—And your experience of this experiment is not such as to induce you to recommend its being tried more frequently?—No without further modifications and other conditions which I would suggest. I propose to put in a document (*Table B. headed in*) showing the fluctuations of prices in the Cork market. In the year 1870 the rate being 55 12s. 6d. a cwt.

16,328. *Sir James Caird*.—Is that for the best butter?—Half first and half second. We take the mean of first and second qualities, we take eight months of the year as the season, and take the average of the prices, and the rent is then revised in every two beforehand for the ensuing three years' term.

16,329. Yes, have gone on the same principle in every case?—Yes. I have gone on the same principle, and we are bound by our leases to go on the same principle.

16,330. And you commenced before 1879?—Yes, from 1877 to 1879 the price was £5 4s. 6d., from 1880 to 1882 it was £5 12s. 6d., almost the same, from 1883 to 1885 it was £4 15s. 6d., then came the serious year of 1886, which has not come into operation yet, in which the figures are reduced to £3 18s. 8d., but that I merely mention, it does not really affect this case, but it accounts for the great demand for reductions. I want to express my impression that this man fell in with the demerit and intimidation that was going on, I do not think there was any collusion with the party of disorder in any sort of way. I believe he was alone that, but there was a demoralised tone amongst the whole tenantry as the result of the state of the country.

16,331. *Sir James Caird*.—Would not the very act and cold season of 1879 conduce very much to diminish the production of butter?—Yes, that is the element that we omitted to take into account but which ought to be taken into account, and in the three years' revision that I suggest, the prices and the quantities should both be estimated; for that there should apparently be a new public Department, a Department of Agriculture which would devise some machinery for

fixing out the prices and quantities, and publish for the benefit of the country at large, or for different districts the rate of variation which the judicial rent is to be raised or diminished, which would be very simple; it would not require the courts to go round to revise everything, but simply to publish the return, and I believe there is something like it done in Scotland.

16,332. That is done for fixing what is called the *Price* prices in Scotland, which regulate the payment of tithes to the clergy?—Yes, that is the system we have applied rather extensively over our farms. I need hardly go into figures, but I propose to put in a sheet [Table C. handed in] which shows the facts as to other farms.

16,333. The President.—On the same basis as the one already shown?—Yes, on the same basis, but with different dates, which just shows the same thing, that we have had to abate our abated rent, on the ground that there was a falling off in quantity.

16,334. I suppose a bad year presses so heavily on the farmers that it really has more effect upon the rent than the mere price of produce?—I believe these rents could have been paid, every one of them, with the most perfect ease.

16,335. You think so?—Yes, with the most perfect ease; these are all very substantial men; there is only one of these under £100 a year, one is £264, he began on that. Another began on £125, and perhaps the smallest of them, a man named William Fuller, may have failed, but the others were well able to pay.

16,336. Is there any other alteration besides taking the quantities into account as well as the prices that occurs to you?—I think we want a definition for the Commissioners of the principle on which to fix rent, we find our rents so extremely variable.

16,337. You mean the produce rent?—No, I mean the judicial rent, because the great difficulty felt in fixing the rent under the Act of 1881 was the want of any existing standard, and if we set about making the difficulty further, I believe it is so to be traced to the fact that the Commissioners have no standard to go on, that it is done by rule of thumb. If the principle was established that the rent is a dividend on the gross produce of the farm, a mere dividend to be fixed, if possible, for each several class of farms; it would be most desirable.

16,338. With regard to the future, have you anything to suggest?—With regard to the future, I do not see why the present judicial rent should not be taken as the basis for the future calculations, but if it is supposed as originally wrong let either party bring it into court again; assuming we are going to settle on a triennial revision, why should not the judicial rent be taken as the rent to start from, except one party or other calls for a revision.

16,339. It could be made at the request of one party or the other?—Yes.

16,340. Would it be possible to convert that judicial rent into a sliding scale rent?—Yes.

16,341. And to ascertain what the prices were in the year it was fixed?—By a comparison between the prices and quantities at the two periods the rent could be fixed for the next three years.

16,342. And by means of a sliding scale, whatever the prices would be, the rent would be equivalent to them, starting from the rent that was originally fixed?—Yes, let it go up and down, taking that for a starting point.

16,343. Mr. James Caird.—But if it were decided that the rents should go up and down with the average of prices, why could not that be every year instead of every three years?—I think it would create rather an unsettled feeling in the minds of the people, not knowing what rent they were to pay next year. I believe it is done in Scotland every year, but I think every three years would be sufficient, however, so that it is a mere matter of detail, if it can be worked every year, I do not see why it should not be done.

16,344. In England the rentcharge is fixed on an average of the prices of corn, &c. for seven years, and it has worked there, on the whole, I believe, very fairly?—Yes.

16,345. The President.—And if other party demanded a revision who would you entrust the revision to?—I think it might be entrusted to the Land Commission.

16,346. And what plan would you suggest should be followed?—My scheme should be taken as a whole, and I propose that the principle should be fixed, upon which the Commissioners should work, the radical defect in the Act was that every man was left to his own idiosyncrasies and proclivities. I had a case which may illustrate this: Mr. O'Connor Morris, who was the County Court Judge before Mr. Curran, was called on to fix a fair rent on one of Mr. Talbot Crosbie's farms, and the Judge appointed Mr. Knight Bruce, who was an Englishman, and one of course who approached the subject with English ideas, so he valued to ascertain the gross produce of the farm to start with. I went out as the value of the landlord to ascertain the gross produce, and when we came into court we found our valuations of the rent did not agree, and on comparing our notes afterwards, we found that our valuation of the gross produce was the very same, but that he had fixed one-fourth as the landlord's proportion, and I had fixed a third, and now I wish to know which is right.

16,347. Would not that depend on the system of agriculture which was pursued. On a grazing farm there would be a very much larger proportion for the landlord than on a tillage farm?—Yes, but I say the scale should be laid down.

16,348. But the one-third or the one-fourth would not be got for every farm?—No. I wanted to know in this class of farms, which was mixed husbandry farm, what proportion the landlord should get, and I think a scale should be laid down for our guidance.

16,349. That would depend on the quality of the land and its fitness for tillage. A very rich piece of ground would give a very much larger proportion to the landlord, although the expense would be very much the same?—I think some scale should be devised, similar to that prepared by Sir Richard Griffith for his valuation, by which those difficulties should be settled.

16,350. Have you ever thought of a single valuation of the whole country?—As a basis for taxation?

16,351. And the settlement of rent?—I think we ought to have but one valuation. I think these conflicting valuations are most embarrassing.

16,352. Lord Millican.—Then you are in favour of it?—Yes.

16,353. Mr. Nellie.—For fixing rent?—Yes, they should be all the same.

16,354. The President.—Are there any other points you wish to lay before the Commissioners?—The next suggestion, my lord, is that improving landlords are wholly sacrificed under the existing arrangements for the fixing of fair rents. One of the estates which I represent has had £20,000 expended by the landlord during his own lifetime, I mean that of Mr. Talbot Crosbie, and the greater part of that was spent on buildings. I have taken a table [Table D. handed in] of some eight farms in which we show the rent in the year 1863, of the landlord's expenditure subsequently, and the judicial rent. The prices in 1863 and 1865 were almost identical of oats, barley, butter, beef, mutton, and pork. I show the table of prices in 1885 and the prices in 1883. It is from that I argue that, the prices being the same, the rents ought not certainly to have been reduced. The rents in 1863 were £612, and they have come to £508 now.

16,355. In spite of all this expenditure?—They have gone down to £508, £2,062 having been spent on the farm in the meantime.

16,356. When the Commissioners' valuer fixed the rents he ought by right to have taken that into account?—They ought to have added so much per cent. for the landlord's expenditure.

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16,357. It was their fault and not the fault of the law?—I think the administration is defective, and I think it cannot be denied that it shows the want of a principle. The tenant may have been instructed that the landlord is to get credit for his expenditure. But the result of this decision I take to be that the more the landlord spends the less rent he is to get.

16,358. And the consequence is that they are not likely to spend any money in future?—Certainly not; the reduction in this case is 10 per cent., or omitting one of the cases the rent was reduced nearly 23 per cent.

16,359. Of course you have a knowledge of other estates besides the ones you yourself manage?—Yes.

16,360. Is it exceptional for a landlord to spend so much money on his estate?—I am sorry to say it is exceptional, and the effect of that has been that an improving landlord has been neglected in legislation, and the man who has been most fostered has been the man who did nothing. There are a few improving landlords, Mr. Mahony noteworthy, and Mr. Crook's name more largely, in fact Mr. Crook tried to reorganise his estate on the English system.

16,361. But not sufficiently so to come under that clause of the Act?—That was another of my suggestions; that suggestion is that the Housing clause should be so enlarged as to include the improving landlord, although he may not have made and maintained every improvement.

16,362. At present that clause has not been operated on to your satisfaction?—We were successful before the sub-commissioners in establishing our claim for exemption in one case, but on the appeal, the chief Commissioners upset the decision.

16,363. Lord Midleton.—Has Lord Leconfield's property been exempted from the Land Act, was not that showing that his rents were not all high?—I do not know. I should say that the rents of 1863 in this table were paid without arrears, showing that they were not too high. At that time the average on the average of years was three per cent., it was practically nothing. I have a table [Table E, headed *id.*] by which I take it, I can prove mathematically that it wrong has been done to the landlord.

16,364. And that table you had in?—Yes. It is another proof of the sacrifice of improving landlords. I will just briefly state it to you. I have taken eight cases of farms improved by the same landlord, and 10 farms not improved by him, I have taken them hap-hazard out of the rental and with a very extraordinary result. The judicial rents on the improved farms show a reduction of 30·6 per cent., and the reduction on the non-improved farms shows a reduction of only 18 per cent.

16,365. Had the rent already been reduced on these farms in consequence of that improvement?—The system was to add 5 per cent., upon the money advanced, to the existing rent. It is a further indication of the loss that an improving landlord has to sustain, and how much better you fare if you are not an improving landlord.

16,366. But the rents of the improved farms have been gradually raised?—Yes, at the rate of 5 per cent. upon the outlay.

16,367. Sir James Caird.—Was 5 per cent. the only increase put upon these tenants, where improvements were made on their holdings?—Yes, we have never raised the rent except upon the principle of 5 per cent. on the improvements.

16,368. Did these farms that were improved require only more than the others?—They were better subjects, or were held by more enterprising men who could be interested with improvements.

16,369. You could not say from your own knowledge that the ground upon which the money was expended was naturally inferior to that ground upon which there was no money expended?—I never went into that question, but when I say no money was expended, I meant recently, because there is not a farm on the estate that has not been largely improved. After the famine a great deal of work was done, and a very

large number of farms were improved and practically reclaimed. But in some cases there has not been recent expenditure on these farms, the landlord could not do everything, he was spending about 47,000 a year, and he had to select cases to work on. Now to further show that injustice, I have here a table [Table F, headed *id.*] to show the judicial rents in one case and Griffith's valuation in the other case, with this result that the judicial rent on the improved farms is 50 per cent. over Griffith's valuation, and on the unimproved farms it is 47 per cent. above Griffith's, in fact nearly the same. Now if it were true that Griffith's valuation was raised for each improvement, advancing these poor people, that would not be so startling, but the fact is that Griffith's valuation is not revised from year to year, except for buildings, consequently you will at once see the great disproportion between the "fair rents" of these improved farms and those of the unimproved farms by the test of Griffith's valuation, in which the expenditure on drainage is not taken into account. I think I can show that in these cases the proportion of the cost of building was a small proportion and that much more was done in the shape of drainage which Griffith has not taken into account, and therefore there is a great difference in these drained farms between Griffith's valuation and the actual value of the property.

16,370. This all shows that a great injustice has been committed with regard to those on whom rents have been already fixed, and it would be difficult to remedy that; what would you be inclined to say with regard to that?—I do not think it is possible to remedy the past.

16,371. And as to the future, as far as I can take it, no landlords will ever make any improvements again?—That is the melancholy result of recent legislation, and the tenant will not make them either.

16,372. Therefore there is nothing you can suggest that is worth while doing?—I believe that in connexion with this new Department, the Department of Agriculture, that is to fix the variations of rent from three years to three years, I believe in connexion with that body there should be a general supervision of the improvements. In short there should be a department of agriculture which Ministers should be bound to take the place of the disinclined landlords and exercise their duties. It is an extraordinary thing that the Board of Works will lend money to any extent for the improvement of land, and from the moment it is inspected by their engineer, that from that time forward it is left to the tender mercies of the tenant without supervision.

16,373. Surely a landlord and his agent could exercise that supervision?—The landlords and the agents are discouraged. They are practically castled from that, they have no power to enforce their decisions.

16,374. Practically what is it this Board of Works is advancing, is it not advancing money to the landlord to effect these improvements?—They advance money to tenants to improve their lands, and when the first inspection under which the money is granted there is no further notice taken of what is done with the improvement.

16,375. They do not advance money to the tenant without the landlords concurring?—No.

16,376. The loan is practically a loan to the landlord and tenant for the improvement of his estate, and surely it must be the duty of the landlord, or whom may be acting for him, to take care that these lands are maintained, the State merely lends the money?—I believe that is so, or rather was so. Formerly we had a regular inspection; on properties in my charge it was my own duty to see that the drains were kept open and the works maintained, now I think things are changed, that the tenant is practically the owner of the farm, and the landlord cannot even recover his rent very often, much less enforce proper maintenance of improvements.

16,377. He does not at all feel that he is able to control the tenant in any way, and therefore he

has no object in making the inspection?—The idea is that the Board, who advance the money, ought to look after the improvements and have a practical inspection, and that should be one of the duties of the new Department of the Government, a general inspection of works on which the money is expended.

16,378. That would be superceding the landlord and tenant in doing their own work?—The tenant should do the work and somebody should be his master. The landlord is partially dispossessed, and some power should be put in his place. The country will go to the dogs, if something is not done to prevent and to maintain improvements that are made; otherwise I look forward to the future with extreme alarm.

16,379. The President.—Do you think that if the tenants who are now part owners were made whole owners it would induce them to look after the improvements themselves?—My experience is that the Irish tenant does not do well without an eye over him. I believe that in so many situations in life, men are the better for having some eye over them, I believe that is necessarily true of the tenant.

16,380. Are you in favour as a rule of creating small proprietors?—I think the Act of 1881 was preferable to that of 1885, because it gave you some guarantee that your purchaser was a man of substance or of industry and of thrift.

16,381. Lord Midleton.—You mean that the purchase clauses of the Act of 1881 were superior and better?—Yes.

16,382. The President.—On account of the quarter which he was obliged to find?—Yes.

16,383. But might he not have to borrow that money at a high rate of interest?—If he was compelled to do so, but on the other hand, in making the tenant a possessor of the land by advancing the whole of the money, you have no guarantee for the thrift and industry of the new owner.

16,384. Then in any extension of the Act of 1881, you would encourage a certain payment to be made up?—Yes, by the purchaser.

16,385. And have you thought how that could be done?—I have; the result would be that the process of conversion would be gradual, the conversion of the old and idle class of tenants into a new class of owners would be more gradual and more desirable on that account. It would be of a less revolutionary character and less dangerous than any plan, it would avoid suddenly shifting the ship's cargo.

16,386. Requiring payment of some of the money down?—Yes, the strongest class would purchase at once and the weaker class would be encouraged to lay by money.

16,387. But there is always the danger of the money lender's interest hanging like a millstone round the neck of the tenant?—There is the danger of becoming indebted to a money lender instead of the Government.

16,388. Possibly at a much higher rate of interest?—Yes, possibly at a much higher rate of interest.

16,389. Sir James Caird.—He might sometimes be able to advance the money himself out of his own funds?—I am sure he would, the savings bank figures prove to us how many of the tenants have money saved.

16,390. Perhaps it would be sufficient to give him some inducement to pay down, instead of making it compulsory?—If that could be devised, I have no doubt as to its desirability.

16,391. The only thing that has been suggested to us was to extend the term of payment to those who pay part down?—That would be a very desirable modification in some cases. I think the element of compulsion, of compelling the tenant to buy at a fixed rate, such as was proposed in the recent Bill, was a mistake.

16,392. You think that would be a mistake?—Yes. The effect would be the further depression of property. If the landlord asks compulsion to force a man to buy

he must pay for it, he must take a small price, and the result will be that the properties now offering will be withdrawn because the landlords would be ruined.

16,393. The compulsion would be simply that the tenant would become the tenant of the State; the compulsion would be merely that the tenant would find himself by law the tenant of the State instead of the landlord, and by the operation of the Act his rent would at the same time be reduced?—That would be so; but the properties now offering would be withdrawn because the terms would be very low; almost all the properties would be withdrawn from the market, and the process of transfer would be retarded if you bring in the element of compulsion.

16,394-5. The objection to compulsion is that the price would be very low?—The price would be low, and the landlords would be ruined who offered their farms, because in many cases I am sorry to say the circumstances are tremendous.

16,396. You are against compulsion at a low price, and you are not sure that compulsion at a high price would ever be established?—Yes. If law and order are restored in this country and rents enforced, purchase will go on like wildfire.

16,397. You think it will?—Certainly. The reason that tenants are moving so slowly is the absolute breakdown of law, order, and honesty.

16,398. And also the League, and these prevent tenants from purchasing?—Yes, and from paying their rents too.

16,399. Is there any other suggestion with regard to Lord Ashbourne's Act which you would wish to make?—I look upon the effect of Lord Ashbourne's Act so far as disastrous, the cheap rates of purchase are already raising the resistance of the tenants to their fair rents, and if the two proposals are carried on much further there will be a tremendous strike against fair rents, because the purchaser will be sitting at an easier rate than the tenant.

16,400. And is there no cure for that discontent except compulsion, which, on other accounts, you object to?—There is; I say, let compulsion be exercised with regard to the existing duties, and not as regards prospective ones. Three months ago I was offered £1,400 for a farm, and two days ago the purchaser reduced that offer to £1,000.

16,401. And that was owing to pressure from the Lord League?—To an attempt to combine with the other tenants; also to the depreciation that is going on from the cheap rates of sales prevail in Kerry largely.

16,402. Does this combination exist to any very great extent?—I think it very largely exists against purchase, not against purchase in the abstract, but against purchase at anything like fair prices.

16,403. And also against rent?—And also against rent.

16,404. What form does it take?—In the case of one property which I manage there was a solid strike this time last year against the payment of rent.

16,405. Mr. Nelson.—Of any rent?—Of any rent, unless with no abatement, I think, of 40 per cent.; I think 40 per cent. was demanded.

16,406. And what was the result of that?—The result was that after making efforts to overcome the strike by moral means I was obliged to serve a large number of writs. The rents were lodged in bank in the names of trustees.

16,407. And then they gave way?—I was assisted by the priest of the parish very much; both the parish priest and the curate acted most honourably throughout the matter, and on the very day before the sheriff was to go out they surrendered, on my agreeing to pay costs.

16,408. And did they pay their full rents?—They paid the rent, less the abatement I had offered in the first instance, which was 30 per cent.

16,409. They struck for 40?—They struck for 40 per cent.

16,410. And this year the rents are not paid yet?—They are beginning to be paid; there was an

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attempt at combination this year on some properties, but in one case it has broken down after a slight commotion.

16,411. Do you think the combination and the pressure exercised by the League is at all less now than it was last year?—Several of the local leagues seem to be at times and severally except themselves, and their orders are not obeyed with the same punctuality.

16,412. The apparent quietness and willingness to pay rent with abatement, is that owing to the power of the League having decreased, or owing to the ward having been given to pay with abatement?—It is impossible to say, but I think there is more of a spirit of independence, of the League, a slight spirit of independence showing somewhat of a recovery on the part of the tenants, that is my idea. In the case I spoke of, two of the tenants paid me before the strike broke down, they were tracked to the railway station, and they came to me trembling all over with fear, because they saw that they had been tracked, but in spite of their alarm, they paid me the rent. One of these men had been served with an ejectment, and the other had not, and a sister of the other after a week came to me 25 miles to beseech me to serve her brother with a writ, so otherwise his life would be taken or would be in danger.

16,413. Mr. Neligan.—Was he one of the men who had paid?—Yes, he was one of the men who had paid.

16,414. The President.—This was last year, and though he had paid you, he still brought you to serve him with a writ as if he had not?—Yes, as if he had not.

16,415. Did any harm happen to either of these men?—No, they were not injured. Another substantial tenant paid me by cheque, and afterwards a brooding letter was posted in the village forbidding all dealings with him in consequence.

16,416. That is last year?—Last year, over the same district as I am speaking of. In the Ardara district almost every tenant has been "molested," many tenants have had their houses invaded by night.

16,417. Whether they had paid or not?—That did not this year refer to rent, they generally demanded arrears, the purpose of which is to keep up a spirit of fear.

16,418. What do they want all these arms for, do they contemplate having another rising?—It is to keep up a spirit of fear.

16,419. That is because when a man surrenders his arms he is in more danger?—No doubt, but these arms make them afraid to go against the unwritten law in anything.

16,420. Sir James Connel.—And do they all submit?—They all submit almost. There has been no case of resistance on the Ardara side but one, where a farmer was visited during church hours on Sunday by 8 or 10 men disguised. A little girl saw them, and she told her mother that some men were coming towards the house by the field. The mother at once ran forward shut the door; the intruder she had drawn the bolt she heard these men demanding admission outside; she stubbornly refused to give them arms, she went to one of the upper windows and called police, and called to a boy to run for the master, and after about 10 minutes, in which they tried to force the door, and broke the timber of the door with their weapons, they went away.

16,421. I think the rector of your parish was molested some time ago?—The rector's house was attacked, and a charge of shot put through the door exactly where he had been standing immediately before, which was evidently an attempt to murder him.

16,422. Was he the priest?—No, the Protestant rector.

16,423. Lord Millicom.—And he done anything in particular to excite hostility?—He had signed a petition against Home Rule, and was supposed to have earned it about his parish, which he had not.

16,424. Mr. Neligan.—It was about the time of the late Bill?—Yes, the rector of Ballybeg was boycotted for the same cause. My own house was staked in the belly, and was very nearly killed, but she recovered.

16,424a. Have you stated the judicial rent?—We have not exactly stated the judicial rent, but we allowed 10 per cent. of it in stout out unpaid on condition that it should be paid if the times improved. At the last collection the times had not improved, and we have forgiven them that 10 per cent. I believe the judicial rents could be paid in almost all cases without abatement.

16,424b. Are you speaking of your own estates or generally?—I am speaking of the estates I know. I have gone carefully into the question of the solvency of the tenants or estates that have undergone improvement, and, I believe, they can pay, but there is, certainly, a small porcentage who are embarrassed, and who should be treated exceptionally. The cause of the breakdown in these cases is not the judicial rent being too high, but primarily the expenses which are incurred during the good years, and the debts consequently accumulated under the credit system, the subsequent breakdown of that credit system which was general, and, I think, the continuance of living in comparatively expensive style. The tenants' dividend of the gross produce has been increased to the detriment of the two other parties, the landlord and the labourer. The poor rates and county cess have also become nearly double what they were, and a good many solvent men have broken down from the habit of going securely for their insolvent and drunken neighbours. In advocating the original revision of fair rents I go upon the principle that a State fixed rent ought to be as rigid as a law, and the principle of renting the State rent operates on the Irish mind like tramping on the law which is extremely injurious to him. You can not fix prices by Act of Parliament, therefore I would make the Act of Parliament adapt itself to the various prices.

16,425. Lord Millicom.—Do not you think that a revision every three years would tend to unsettle men's minds a good deal?—I think not, if it came because a system, and was carried out systematically.

16,426. I understood you to say that the landlords do not continue to make improvements; is that so?—The improvement has ceased upon the property that I speak of where so much was done, notwithstanding that the tenants had every evidence of the advantage of improvements, yet it has all come to a stop; once the Act was passed literally nothing was done on the property.

16,427. Once the Act of 1881 gave them absolute security for other improvements they have not done anything?—Quite so, though it also gave them power to dip their hands into the Treasury for the purpose.

16,428. They have not availed themselves of it?—No, they have not availed themselves of it.

16,429. You spoke of the savings' banks' interest; do you think that the large sums of money locked up in savings' banks and other banks are the property of the tenants to any great extent?—I believe they are. I have no means exactly of knowing. There is no greater industry in Ireland than land, and as it is her main source of wealth there must be a very large proportion of it frozen land.

16,430. Looking back for the last 25 years, do you think the present fall in prices is an exceptional one?—I think there are permanent causes which will lead to lower prices for some time to come than we have been accustomed to. I am not very well up in currency questions, but I think we cannot readily expect a full return to the prices of the decade following 1870.

16,431. You were saying that the prices in 1860 and those in 1885 were pretty much the same?—Yes, they were the average of the three years, of which 1863 was the centre, is about the same as the year 1885. 1863 was a low year.

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16,432. But the rise has been considerable?—The early part of the seventies was good.

16,433. Is there any reason that they should not be fairly expected to go up after the present fall?—Our principal industry is butter, I mean to say it is our staple product, and I think unless there are means taken to improve the making of butter in the south of Ireland we shall be cut out almost entirely. I was going to suggest to this Commission, although the other Commission would be a proper one to suggest it, that unless Government adopts means to improve the make of butter by schools or dairy factories, or other means, I am afraid the Irish dairy farmer will be driven in the race, as he cannot, with his small number of cows and small quantities, make the quality of butter to compete with the Danish and French dairies, which have large State aid to assist them in the manufacture.

16,434. Do you think the fall in prices, which has taken place since fair rents were fixed has caused these rents, supposing them to be fair then, has caused them to become unfair rents now?—I think not; except for the old debts, and the breakdown of the credit system, they would have practically been all paid. If they had started without debt at that time they would be solvent now, and would be able to pay the rent perfectly well, it is not the rent that is the fault.

16,435. Mr. Neligan.—I think, as I understood you, you would prefer a triennial revision on some definite principle?—Certainly.

16,436. Is that a sliding scale, or, in other words, a produce rent, is that what you mean?—Yes.

16,437. In fact what is popularly called the sliding scale?—Yes.

16,438. Then once you have established the principle the fair rent would remain on the basis of future calculation and once you have that machinery established you would need no recourse to court at all?—Yes, there would be published in each county what the rise or fall is to be for the next three years.

16,439. From your experience of the people whom you have been dealing with, in the event of there being a rise in prices, do you think that there is any doubt that the rise will be paid?—Apart from intimidation and combination without the smallest question the rise would be paid.

16,440. That is in the event of things being reduced to a normal state of order and law?—Yes. I have taken out some resolutions that have appeared in the papers passed at Land League meetings with a view to carrying on this system under which we are suffering. On the 4th of July the Abbeydorney branch of the National League, the president of which is the Rev. T. Brennan, P.P. passed these resolutions:—

- "(1.) That no farmers in this parish employ a
"labourer or tradesman who is not a mem-
"ber of this branch of the Irish National
"League and that no tradesman or labourer
"work for any farmer who is not also a
"member of it."
- "(2.) That we pledge ourselves to buy no
"unwashed or hay, &c., from any person
"who is not a member of the Irish National
"League that is cut out of the landlords'
"members."

16,441. Mr. Neligan.—And the result of that would be that no landlord could set meadow or grass?—Quite so, and that third resolution is "That after the 1st of August printed lists of the members and non-members of this parish be published."

16,442. The President.—Were they published?—I cannot answer that.

16,443. Mr. Neligan.—That was a tremendous terror to hold over men?—A tremendous terror, but I do not know that this has been acted upon.

16,444. In point of fact the people were forced to join the League whether they liked it or not?—It came to that.

16,445. Is it the result of your experience that respectable solvent farmers have the courage to dare that system of terrorism?—I believe nine-tenths of the farmers would heartily rejoice if it was stopped.

16,446. You say that any measures towards the restoration of law and order and upholding of public morality would be approved of by the well-to-do farming classes?—Yes, and even more by the men who could hardly be called well-to-do. The great majority of them are heartily sick of it, and they have said to me, "In the name of goodness do not you see that we would be glad to do so-and-so," only we are afraid to."

16,447. So that it not only interferes with freedom of action, but causes serious reaction?—It does.

16,448. As a rule the heads of this organization in the different branches, are they the best and most solvent men of the parish, or not?—They are generally the riff-raff and broken-down people. In the village of Breena, an active member of the League, was an evicted drunkard, who was convicted afterwards of putting a coffin at a caretaker's door by night and he was sent to gaol.

16,449. Is there anything more you would wish to add to your evidence?—The habit of putting up Land League cottages on the borders of evicted farms acts as a permanent intimidation against their being re-let. It acts as a sort of sentry-box, intimidating people from taking farms, and has acted that way in relation to a farm at Ardferret, and the labourers upon this farm are called "Crabbers," which is Irish for pigs' feet, the caretaker is under police protection, and the labourers cannot get employment elsewhere.

16,450. That is, whose labourers?—The labourers on that farm. There are other particulars I would wish to lay before the Commission, but perhaps I have taken up enough time. There is just this point, that in revising the Act of 1881, if it is to be subject to any alteration, it would be very important that the landlords should get the same facilities for borrowing money to purchase the tenants' interest, as the tenants get to purchase the landlords' interest, to make a fair on both sides. You would thus establish three classes, the landlord in occupation, the new yeoman purchaser, and the tenant under rent, mutually reserved, and the fabric would be more stable than under a single peasant proprietorship for the whole country. Thus I would terminate the dual ownership, not in one way, but in two ways. There also ought to be a provision by which the sub-commissioners can deal with farms in that state (*map handed to*), where each field is split up into stripes.

16,451. In the case of fixing rents?—In the case of fixing rents they have no power to alter boundaries or anything of that sort. I have another map showing the same.

16,452. Sir James Colind.—We have got one already somewhat in the nature of that?—Not the same as that, but of the same character.

16,453. Anything further?—I think as regards the burden of land it would be only equitable that the Board of Works' charge should be diminished in proportion to the reductions in rent, and if it could be done equitably I am strongly in favour of some such scheme as would distribute the new burdens over all the interests that are chargeable to land. I mean to say mortgages and annuities should bear their share of the general breakdown.

Major-General Sir EDWARD BULMER, V.C., K.C.B., &c., &c., examined.

Sir Edward
Bulmer, V.C.,
K.C.B.

16,454. The President.—One of the things we have to enquire into is how far the nonpayment of rent is owing to combination and agitation and

violence, and how far it is owing to depression. You would be able to tell us with regard to the former what you have found. Perhaps you would state what

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Sir Relyea
Baker, V.C.,
K.C.B.

amount of combination, as to the payment of rent and what resistance you have found?—I speak for two counties and part of a third. I do not know anything about any other part of Ireland. I speak only for Kerry, Clare, and part of Cork, and in respect to those counties I think there is in certain localities an organised stand against the payment of existing rents, but that rent generally is being fairly well paid.

16,455. Do you think that the improved state of the country as far as the payment of rent is concerned comes from the fact that the power of the League is decreasing, or is it because the League have given orders, that rents see to be paid if reductions are offered?—No, I do not think so. I think the League would if they could prevent the payment of rents and are now endeavouring to their utmost to prevent rents being paid; but the improvement in the payment of rent is because the tenants are getting reasonable allowances.

16,456. Therefore in spite of the opposition of the League they are willing to pay?—I believe that the great majority of tenants through these counties, that is the majority of those who have not paid, are anxious to pay.

16,457. Mr. Neligan.—Are anxious to pay?—Yes, are anxious to pay.

16,458. Sir James Caird.—Where they get reasonable allowances?—Yes, where they get reasonable allowances, they must have reasonable allowances.

16,459. That is a condition?—Not exactly. When I say that the great majority are anxious to pay, there are a great many men who do not require an allowance at all, and who would pay if they dared.

16,460. The President.—They are still in fear of the League?—They are scared, and in fear of the intimidation that is rampant in this country.

16,461. Do you think it is at all, in a small degree, lessened?—No, I do not. I think but little, the intimidation is but little lessened. My view of the country is this, that the majority of the tenants meant to pay rents, and where they could pay them, did pay them, but that the rents have been too high. I do think they are too high.

16,462. You think they are too high?—Yes, I do.

16,463. You think they are rents such as they could not pay?—Yes.

16,464. Mr. Neligan.—That is, as a rule?—I mean in localities.

16,465. The President.—I thought at first you said generally?—I began by stating that there was an organisation against rents in localities, but that generally otherwise rents were being fairly well paid.

16,466. And that where they are not paid the rents are too high?—Yes. That is to say I think it was the pressure of a high rent which produced the agitation and consequent intimidation against the payment of rent.

16,467. On the whole, have you found the landlords to be considerate?—I think on the whole they have been considerate, indeed I may say that most of them have made great sacrifices lately.

16,468. Have you any suggestions to make that you would wish to appear in our Report that you could offer for our consideration?—I think this, and I feel it very strongly, that in this part of the country you can never have peace unless you create some legal equipose or legal equivalent that will supply the want of freedom of contract that now exists between the landlord and the tenant.

16,469. Lord Millican.—I do not quite understand you?—I think there should be some legal machinery which would give the tenant an equivalent for the pressure that the landlord is able to put on him, owing to his love for his land.

16,470. The President.—That was what was intended by the Land Act of 1851?—Do you find it there?

16,471. The judicial rents, although they might be fair at the time, they cannot be paid now?—I cannot say. The judicial rents were fixed wholesale, and

they were fixed in a very summary general way mostly by percentages. I have been lately in Clare, in fact I have just come from Clare, where I have been endeavouring to prevent a deadlock and great dissatisfaction of the people by suggesting to a landlord that he should give some reductions. I have not succeeded, and I do not know if I shall; but in that case I am informed by his neighbours and relations that some of the judicial rents are too high. They were very early fixed, and the allowances that are being given now on the same sort of land appear to me to be much larger.

16,472. Do you mean to say that you would desire some machinery for still further reducing the rent?—Not to reduce the rent, but some machinery that will inquire into the tenant's situation before the evictions.

16,473. Mr. Neligan.—Would it meet your idea, General Buller, if, when an objection was brought into court, that the judge of that court should have a discretion as to the issuing his decree at once or with holding it for some limited period?—Yes, that is what I want. It seems to me that it should be his duty to exercise that discretion; but if he is to exercise it he must have means of obtaining information. He has now a certain degree of discretion, but he only exercises it when the tenants come into court. Unfortunately the tenants have been taught to think that the law is only on one side.

16,474. But, as a rule, the exercise of individual discretion in those matters is rather dangerous?—I see some very hard cases.

16,475. Hard cases of men being pressed for rents that they could not pay?—I think so. I wrote to a landlord the other day about a tenant. That man had paid a year's rent, and he owed three. He was evicted, and that man, I believe, really meant to pay his debt. Well, I satisfied myself that if he got time he was going to pay his rent when his children, who were in service in America, sent their wages to him. I do not know what action the landlord has taken.

16,476. Lord Millican.—Do you suggest that there should be a discretion in giving decrees and that there should be some means of modifying and redressing the grievances of rents being still higher than people can pay?—I think so. You have got a very ignorant poor people and the law should look after them, instead of which it has only looked after the rich, that at least appears to me to be the case.

16,477. And your experience of the district is really that the people if left to themselves are very well intentioned?—The majority of them are.

16,478. And that they are prevented from paying their rents partly by terrorism and partly by real inability and poverty?—Yes, and partly by bad advice, this "United Ireland" scheme and that sort of thing. The three worst districts that I have got and which I really thought were settling down Mr. Dillon and other M.P.s have just been preaching in and the excitement they have created will I fear again disturb them.

16,479. Mr. Neligan.—Then in your opinion those speeches that we are constantly seeing and reading, are producing a bad effect?—They have produced if not stopped purchases certainly, and they have demoralised the districts that I thought were settling down.

16,480. Sir James Caird.—Do you desire some court that should have the power of staying evictions, or that a discretion should be given to an ad hoc court, which, upon satisfactory proof to it, that court should be enabled to stay evictions?—Yes. I propose that there should be a court, a permanent court of assessors, fixed for each county or district of parts of one or more counties who should have the power when applied to by landlord or tenant to raise or lower rents, taking as their basis present prices, and the rents paid, and profits made in the last five years.

16,481. That would give you a produce rent?—You will have to come to something like that but, I think, but not exactly a produce rent.

16,482. That would be quite feasible?—Something of that sort.

16,483. The President.—That has been frequently asked of, and the difficulty that has arisen in the minds of the witnesses that we have examined upon it is, that the farmers would be very good at paying as long as prices went down, but that as soon as they were raised it would be another story?—Then this court could order eviction, that is my view.

16,484. You do not see any practical difficulty in such an arrangement as that. Would your court meet the difficulty you seem to find?—I think it would. It would be a court that would really have a certain amount of coercive power on a bad tenant, and a very strong coercive power on a bad landlord, and it seems to me you want both in this country.

16,485. Mr. Neligan.—Would you revise the rent every year?—Let it be left to the court. I would give the landlord or the tenant the right to come to the court, and if they did not go to the court the rent would remain unchanged.

16,486. Sir James Colvill.—If it was a produce rent according to the price every year?—We have that in England in relation to the tithe, and we cannot say it has worked well. With a produce rent you will have always to pay a higher rate on a falling market.

16,487. Except now that the great decrease in the value of agricultural produce of every kind has very much equalized the market, so that there would not be losses?—Well, the time has changed, but that is the objection I see to a produce rent, and I would say that when either party desires to have a fair rent fixed, let that be by an appeal to the court of competent valuers.

16,488. Are there many evictions impending in these counties?—There are a good many decrees out, but I do not know that they will come to evictions, because a great many of them are likely to be settled. I believe there are upon an estate in Clare some 60 decrees in about 90 tenants.

16,489. Lord Milnes.—I understand you to say that there is a complete system of intimidation prevailing in this country?—There is.

16,490. Do you see any sign of that diminishing?—I think in Kerry it is diminishing, that is to say, it is less violent.

16,491. To what do you attribute that?—Well, a good many of the tenants have paid their rents.

16,492. But what has caused the intimidation to diminish, that is the fact that leads you to the conclusion that it has diminished, but I want to know why do you think it has diminished?—I put it the other way. The intimidation is a good deal worked by the bad fellows in a district. A good many men have not joined in it, they having paid. If a large number in a district have paid they set their faces against the bad fellows, I think. Undoubtedly, with a lifting off of intimidation, I always find that the different police in the district tell me that they are on better terms with the people, and my theory is that in these cases the better intentioned have got the upper hand. Of course there are a good many districts here where a man could not be seen speaking to a policeman on the road, they dare not do so.

16,493. Is there any general sympathy with the action of the League on the part of the people, would you say?—Yes, I think so, they pay to it. I think there is sympathy, because they think that it has been their advantage.

16,494. It has been their salvation?—The bulk of the tenants in this west part of Ireland tell me of rents that have been reduced, and evictions that have been stayed which are directly due to the operations of the League. They believe that, whatever truth there may be in it. Nobody did anything for the tenants until the League was established, and when the landlords could not let their farms then they were forced to consider the question of rent. There are in this district of Killarney 1,680 acres of derelict farms on which the grass has grown up and rotted this year, and 500 acres of farms from which the tenants having

been evicted have been allowed to remain in as caretakers.

16,495. They have been kept derelict, but you do not think that is desirable?—No, most undesirable. It is an enormous loss to the country, but it is because it does not pay to turn a tenant out, the tenant is not earned out.

16,496. The result is that it is no longer possible to enforce legal obligations?—Yes.

16,497. Well, that hardly looks as if the law was all for the rich?—The law, there is not much law in this part of the country, but a short time ago what law there was was really on the side of the rich.

16,498. The President.—The attempt to remedy that in 1881 has not altogether succeeded?—I think not; personally I think the Act of 1881 has been a failure.

16,499. Owing to the fall in prices, and to the continued opposition of the League?—I am not quite prepared to say that. I think it was not suited to settle the country, and it did not settle it. The people here are not prepared for such a measure as they are in Ulster. The working of the tenant right custom in Ulster really gave a man a fixed sum to his credit, he had a certain amount of value always to look forward to, the value of his tenant right. The people here have no appreciation of the value of such an interest as yet, and there has not, I think, been such a case as that of a man who made application for leave to sell his tenant right to pay, say, a shop debt or a sister's fortune.

16,500. Lord Milnes.—I suppose they would not allow him to do that now?—In cases in which a free farm is sold, they go enormously high. One sold the other day for 30 years' purchase.

16,501. What is a free farm?—One in which there is no objection to its being sold, in such a case as that in which the tenant is going to America, or one in which the family, the relations, and the League assent to the sale.

16,502. But if a tenant is indebted to his landlord, would the League allow him to sell his farm to pay the landlord?—No, not under threat of eviction.

16,503. In fact, owing to the organization of the League, the enforcement of legal obligations in this district has become an impossibility?—Quite so; you cannot collect a shop debt hardly. There was a man murdered the other day, on account of a shop debt, on the other side of Tralee. The crops of a farmer were seized by a shopkeeper, who employed a labourer to cut some oats, and he was shot the same night.

16,504. Sir James Colvill.—Is that lately?—Two months ago, since I have been here.

16,505. The President.—Are those moonlighting outrages connected immediately with the question of rents, or anything of that kind, I suppose not?—They were, certainly. I do not think they are so much now.

16,506. What is the object now; of course the immediate object is to get possession of farms?—Well, there are a lot of idle fellows in the country, who have nothing to do, and with very little labour, they have not much chance of being employed. I think that they have got into the habit of taking part in these outrages. But they are decreasing in number of late. A good many of them are going to prison, and a good many of these are going to America. A good many of them have gone away within the last month.

16,507. Then it is no longer an agreement among them with regard to the question of preventing the payment of rent, or preventing purchase or anything connected with the subject of our inquiry?—It is less constantly so. There is still intimidation rampant in the country, but the bands who effect that intimidation also do a little robbery or outrage on their own account.

16,508. Lord Milnes.—But I suppose they help to support the authority of the League by those midnight raids?—Oh, yes, they do.

16,509. Mr. Neligan.—And by boycotting.

Nov. 11, 1886.

Sir Redvers
Dallrymple, V.C.,
R.C.B.

16,510. Lord Midleton.—And I suppose all the moonlighters are more or less connected with the Land League?—Well, it would be a very difficult thing to say that. All the moonlighters, as a rule, live in the immediate district of the person who is moonlighted.

16,511. You think that that is so, and that they do not come from a distance?—No, not in Kerry, and a great many moonlighting affairs arise from family disputes.

16,512. Mr. Neligan.—Has it occurred to you to observe that in a good many cases of moonlighting that have occurred the relation of landlord and tenant is not a very strained one?—I do not think it has got anything to do directly with the relations of landlord and tenant in the sense your question supposes. It has got more to do with the relation between the people moonlighted and evicted farms, and people boycotted.

The Committee then adjourned until next day.

TWENTY-THIRD DAY.

Friday, November 12th, 1886.

The Commissioners met at the Railway Hotel, Killarney at 11 o'clock.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MERTON.
SIR JAMES CAIRD, K.C.B.

MR. NELIGAN, Q.C., Recorder of Londonderry.
MR. F. G. HODDER, B.L., Secretary.

MR. GOLDING, Assistant Secretary.

Colonel JAMES CROSBIE CHIEF Clerk.

Nov. 12, 1886.

Col. James
Crosbie.

16,517. The President.—You are a landowner in this county?—Yes.

16,518. And you live at Ballyvaigoe Castle?—Yes.

16,519. Have you been getting your rents paid this year without difficulty?—At Ballyvaigoe fairly well, but not without difficulty. I have also another property on which there has nothing been paid; on which there has been little or no rent paid; none, I think.

16,520. Is that on account of poverty, you think, or intimidation?—On account of combination against the payment of rents. My agent will be able to tell you more about that, Mr. George Seades.

16,521. You would prefer only to answer about the property at Ballyvaigoe?—That I have managed up to last year altogether myself for 25 years, and with very great success.

16,522. And have you made statements?—Yes, I have made occasional statements.

16,523. Have you made statements this year?—Yes; but last year I refused to make statements.

16,524. And you have got your rent all the same?—Yes, in most cases, but with a great deal of trouble.

The tenants, some of them paid secretly, and the League took the matter up, and would not allow them to pay without a general statement of 25 per cent., which I refused to give, that was last year. That is the question I wish to bring before your notice, the combination against rent last year.

16,525. Very well, we will take that first. Perhaps you would give us some particulars about this combination?—At the usual time in September I called

16,513. There is a landlord boycotted in the Ardara direction, are there not some evicted farms there?—Yes, the agent was shot at the other day, and he had an eviction the next day.

16,514. I think the Keshmore estate is the principal estate in this county?—Yes, it extends 15 miles in two directions from here.

16,515. Has not a tenant right existed on that estate very largely?—I have understood something of the sort, but until it was disturbed. Dr. Griffin told me that, as a matter of fact a girl marrying a tenant of Lord Keshmore's would get a higher dower than any other girl, but that was in the days when Mr. Galloway was agent. I do not think the tenure has been looked upon with the same regard lately.

16,516. It has not been looked upon with the same regard?—I understood not.

for the rent, and a deputation, headed by the parish priest, waited upon me, and they asked or rather demanded an abatement of 25 per cent., which I declined to give for sundry reasons. I had gone over the whole estate myself in the year 1882, and where-over there was any necessity for it and that I considered the men in occupation of the farm deserved it we gave an abatement then, and I did not think that I was called upon to give an abatement now again.

16,526. Lord Midleton.—When you say you give an abatement, I suppose you mean to say you give a permanent reduction?—I fixed a judicial rent with most of the tenants in the year 1882.

16,527. And gave a permanent reduction?—Yes.

16,528. The President.—And was that done by agreement?—Yes.

16,529. And afterwards ratified by the Court?—Yes; we signed an agreement for the judicial rent. Some two-thirds of the tenants now hold under judicial agreements, and the other third I refused to give any. I said that their hands were nailed fairly enough, and as it turned out I was right, for they did not go into court.

16,530. And you refused to give an abatement last year?—Yes, I refused. Many of them came to me several times and tried to get this abatement, but I declined, and then some tenants began to pay secretly, and about the month of December a body of them came to me, some 15 or 16, and said they were quite satisfied to pay their rent, and that they would not go on with any underhand work with any other body, and paid me the rent openly. A meeting of

the League immediately took place, and they were expelled from the League and boycotted.

16,531. Fifteen or 16 out of how many tenants?—I have the names. This is a meeting of the Ballyheigue Branch of the National League. (The witness read an extract from the newspaper report of the meeting in question which gave the names to which he had referred.)

16,532. What proportion of the whole of the country were those, how many tenants were there altogether of that property?—I have some 170 or 180.

16,533. Then, that was 15 or 16 out of 180?—Yes. But they said that the great body of the tenants throughout the locality were not going to insist on demanding an abatement. They were at the time of this affair unwilling to pay their rents, and the only reason they demanded it was that other landlords were giving it, and that they thought they ought to get it also.

16,534. And they were expelled and boycotted?—Yes, and boycotted. The smith was threatened, and he did not work for them. Their horses were unhitched, and they could not sell their farm produce, cattle, pigs, &c., in the fairs and markets. Persons were appointed to attend in the fairs and markets in the neighbourhood to prevent them from selling, and they were reduced to such an object condition that they came to me, almost on their knees, to beg of me, for God's sake, to do something for them.

16,535. Were you able to do anything?—I was able to help them. I afterwards appointed an agent as I found it was really more than I could manage, this sort of work. I appointed an agent, and he immediately served some writs, some ejectment processes for the January and February Sessions, and then they paid me.

16,536. They all paid?—Most of them. And one man who had been a prominent member of the League, and they thought had paid his rent secretly, came to me, and showing me the writ that had been served on him, told me it was a most welcome document, and said he was served he would not be belied. Others who had paid secretly begged of me to have law proceedings taken against them.

16,537. And had this man been previously boycotted?—No, and the upshot of the thing was, that the League sent for all the tenants who they discovered had paid their rents without permission, and fined them 15 per cent. of their rents.

16,538. Was that done by the League?—Yes, to take off the ban of boycotting.

16,539. And they paid?—Yes. One of the men said to me, "Look at these notes I am taking to the League to pay this money," and I replied, "I think you are a great fool," whereupon he answered, "I would do ten times as much again to get out of the mess I have been in."

16,540. And that was an end of that transaction?—That was an end of that transaction. I can read one or two letters in reference to this subject. One of the tenants who paid me secretly on that occasion wrote to me a letter in which the following passage occurs.—"18th September, 1885. Dear Sir,—I write you these few lines to let you know that I will send you your amount due when I get disposed of some houses I have inside. I will lodge it in the bank, and send you the amount in an order. I am greatly in dread of those parties, and I beg of your kindness not to let it known to any one living. Yours truly, Your Tenant.—The Sir Colonel Crookin, Ballyheigue, Landlord." There has been a great deal of this intimidation going on from time to time ever since the year 1880, and I could read you a letter if you wish it that I received in the year 1880 when this sort of work was going on.

16,541. The President.—That is rather far back, and I think we had better keep any evidence you wish to give to the last year or two?—I have got other letters of a similar nature, and many were left for me with different people about, during this time.

16,542. Well this year you have given an abatement?—Yes, I gave an abatement and they are paying fully.

16,543. That is in 1886?—Yes.

16,544. Did they ask for an abatement?—I gave it of my own accord.

16,545. How much?—15 per cent.

16,546. And they have been paying?—They have been paying fairly. It is not what it used to be when they used to pay me in a few days, there is no combination against paying.

16,547. Do you think that this is because the power of the League is diminishing, or because the League themselves have passed the word that rents may be paid?—The League is diminishing in power at Ballyheigue and no meetings are now being held.

16,548. I suppose you struck a blow at it last year?

—Yes, I struck a blow at it last year. The power of the League is diminishing and no meetings are being held, but they have been doing all they can of late to try to get it up again, and in fact persons who refused to join again have had damage done to their carts, the cutting up of their wheels and shafts and things of that sort.

16,549. You gave an abatement of 15 per cent. because you thought that really in those hard times it was a fair thing to do?—I did to save the trouble and bother that we have had before. I do not think it was required by all. One of these very tenants told me the other day it was not required, but they are terrified over and intimidated and frightened.

16,550. You do not think the low prices which they get for their products, butter and other things, make it difficult for them to pay rent?—No, I think not. Any industrious sober man in my locality at any rate is able to pay, and able to keep his head above water well, and to get on well.

16,551. Have other landlords that you know been making abatements too?—They have, my lord.

16,552. On the same principle, I suppose?—No, I do not think quite so. Mr. Crookin, of Ardara, I do not think he did it on the same principle.

16,553. But for the same reason that you have mentioned, in order to prevent annoyance?—I think so in a great measure.

16,554. Have you any evidence you would like to give us about the Purchase Act of 1883, Lord Ashbourne's Act?—Well, if we were to have a little quiet in the country I am sure that that Act would work very well.

16,555. You think that the tenants would be willing under those circumstances to purchase?—The tenants would be willing to buy, and the landlords would be willing to sell. But we must first have some law and order in the country, and an end put to the anarchy that has prevailed.

16,556. I suppose the League stops the sales?—Yes, the League will not allow the Act to operate.

16,557. But you think that if law and order were established it would begin to work?—Yes.

16,558. Are the landlords willing to sell?—Yes, some are.

16,559. To sell any part of their properties?—Some are prepared to dispose of all.

16,560. And leave the country?—Yes, to leave the country. They are rather sick of it. I am one of the few persons who have stuck to the country. Almost everyone has left.

16,561. Lord Midleton.—Do you mean by that answer to say that if they sold their estates they would leave the country?—I cannot say but I think they would.

16,562. You think they would?—Yes. It is the very best thing I should like to do, to sell my estate. I have worked on it, and spent all my money improving it, and I have as good and industrious a set of tenants as any in the world. Mine are mostly small holdings, I never consolidated; when middlemen's leases fell in, I did not turn the tenants out, as a great many persons did, but I divided the land among

New 15, 1885.

Col. James Crookin.

Nov. 18, 1885.
Col. James
Crofton.

them. I never appropriated it, though I was abused in the papers as being an exterminating landlord, but I was able to write and say that I am managing my property for 21 years, and during all that time I had never received a writ or ejected a tenant.

16,563. The President.—Do you think that the good feeling that used to exist on the part of the tenant will return when this agitation is over?—I think so, in some measure. I have had no trouble myself in that way from my tenants, for they have done for me a great many things they have not done for other landlords in the country, such as bringing home turf, haying mowing I wish to sell.

16,564. I suppose that in a great many cases where the landlord has not yielded and has not been on the same good terms, purchase would be a very good thing for both parties, would it not, both for that landlord and that tenant?—I think so decidedly.

16,565. But you would not go so far as to suggest compulsory purchase?—No, my lord, I do not think I would.

16,566. I suppose many landlords down south do not object, but would be glad to get rid of their land if their tenants would be compelled to pay?—If they got fair prices I think many would.

16,567. What would you consider fair prices?—Twenty years' purchase at present rents. It is very hard to lay down any fixed rule on the subject.

16,568. It would vary with the quality of the land?—Yes, it would; in some places the land is much more valuable than in others, and it is hard to lay down any rule.

16,569. Have you any householders on your estate?—I have only one, my lord, among all my tenants.

16,570. Do you think that as a matter of principle there would be any objection to admitting householders to the benefits of the Act of 1881?—I think not. I think, generally speaking, they were the flower of the tenantry of the country.

16,571. Do you think there is no more injustice to a landlord in breaking his lease than in depriving him of the right of free contract?—I do not think so, but if the lease were broken the landlord ought to get some quid pro quo.

16,572. For the admission of householders to the Act?—Yes, for the admission of householders to the Act.

16,573. What would you suggest he should get?—That is a very difficult question, my lord, and one that I would rather not answer, having no lease myself.

16,574. Is there any other point on which you think you could give us useful information?—The only thing I would impress on you is, that the first thing to do is to establish law and order in the country. When documents of this sort (producing a printed document) are distributed at the chapel gates on Sundays, this is the Plan of Campaign, it upsets the whole mind of the people. There were bundles of these distributed last Sunday at the Roman Catholic church in my parish; that is the Plan of Campaign suggested by "United Ireland."

—A PLAN OF CAMPAIGN.

"Except in a few districts of Ireland, evictions have not been so numerous during the past two months as in the earlier portions of the year. This is simply the annual branching time of the crowbar brigade. The 'long vacation' in the superior courts is, however, fast drawing to a close, and already the county courts have resumed their quarterly sittings. Ejectment processes have been issued wholesale, writs of the superior courts will soon follow, and again the full work of destruction will proceed. Irish houses sanctified by many happy memories will be unroofed; Irish families will be scattered. One who has borne his part in the struggle of the past half dozen years, who has seen almost every phase of the agitation, thinks it his duty at the present critical moment to offer to the Irish tenantry and their friends the following suggestions as

the result of his experience. Present rents, speaking roughly, are impossible. That the landlords will press for them let the rejection of Mr. Russell's Bill testify. A fight during the coming winter is therefore inevitable, and it behooves the Irish tenantry to fight with a skill begotten of experience. The first question they have to consider is

—HOW TO MEET THE NOVEMBER DEMAND.

"In a few weeks at most the agents will send invitations from the rent-office. There should not be an estate in Ireland where the tenants would not by that time have their minds fully made up as to the course they intend to pursue. To delay action until the gale-day means to go into the struggle handicapped. Should combinations be formed on the lines of branches of the National League or merely by estates? I say by estates decidedly. Let branches of the National League, if they will, take the initiative in getting the tenantry on each estate to meet one another. But it should be distinctly understood that the action or resolution of one estate was not to lead any other, and the tenantry on every estate should be free to decide upon their own course. When they are assembled together, if the priest be not with them, let them appoint an intelligent and shrewd member of their body as chairman, and after consulting decide by resolution on the amount of abatement they will demand.

"A committee consisting, say, of six and the chairman should then be elected, to be called a managing committee, and to take charge of the half-year's rent of each tenant should the landlord refuse it.

"Everyone present should pledge himself (1) to abide by the decision of the majority; (2) to hold no communication with the landlord or any of his agents, except in presence of the body of the tenantry; (3) to accept no settlement for himself which is not given to every tenant on the estate.

"Should any tenants be exempted? Question is likely to be raised as to large holders. It should be remembered, however, that the large tenant plays for high stakes, and there is no reason why he should be thrown in his lot with the rest. Holders of town-paths who are shopkeepers have a stronger claim to exemption, for a judgment against them may mean ruin. But no case for exemption arises at this stage until it be known how the landlord will proceed. In any published report of the meeting the names of the committee should not be given.

"On the gale-day the tenantry should present to the rent office in a body. If the agent refuses to see them in a body they should on no account confer with him individually, but depute the chairman to act as their spokesman and acquaint him of the resolution which they require.

"No offer to accept the rent 'on account' should be agreed to. Should the agent refuse—then every tenant must lead to the managing committee the half-year's rent which he tendered to the agent. To prevent any attempt at a garnish this money should be deposited by the managing committee with some one reliable person whose name would not be known to any but the members of the committee. This may be called the Estate Fund, and it should be absolutely at the disposal of the managing committee for the purpose of the fight. Broken tenants who are unable to contribute the reduced half-year's rent should at least contribute the percentage demanded from the landlord, that is, the difference between the rent demanded and that which the tenantry offer to pay. A broken tenant is not likely to be among the first proceeded against, and no risk is incurred by the general body in taking him on on these terms. The practically a half-year's rent of the estate is put together to fight the landlord with. This is a fund which, if properly utilized, will reduce to reason any landlord in Ireland.

HOW SHOULD THE FUND BE EMPLOYED?

* The answer to this question must to some extent depend upon the course the landlord will pursue; but in general I should say it must be devoted to the support of the tenants who are dispossessed either by sale or eviction.

* It should be distributed by the committee to each evicted tenant in the proportion of his contribution to the fund.

* A half-year's rent is supposed to maintain a tenant for a half year, and based upon this calculation a tenant who funded say 40*l.* would be entitled when evicted to receive 2*l.* per week.

* But not one penny should go in law-costs. This should be made an absolute rule, for there is no principle in the whole agitation more grossly misunderstood. I have known combinations where the tenants agreed to pay the law-costs for any man prosecuted against, and all the while they never seemed to realise that it was the landlord's law costs they were paying, and that they were helping to defeat their cause rather than serving it. Incidents undesignedly may arise in the course of the struggle where the expenditure of some small sum in legal defence would be judicious, such as defending a tenant who takes possession of his house. But these are exceptional cases, and can be easily provided for. The 'law costs' which must be guarded against are the costs of attorneys' letters, writs, and judgments incurred by the landlord. To pay these means to arm your enemy for the quarrel and furnish him with provisions to boot. In a determined fight there are no 'law costs' on the side of the tenant, and they should remain out for ever rather than pay those which the landlord incurs in flooding them.

* Grants and expenses should all come out of common fund. Everyone settling before majority have agreed to accept settlement should forfeit his contribution. When the tenants decide upon settling, the balance in hands should be divided among them in proportion to the amount they funded.

THE ASSISTANCE OF THE NATIONAL LEAGUE.

* To inspire confidence among the tenants the National League should guarantee.

* 1st. That in the event of the trustee with whom the Estate Fund was lodged proving dishonest, the money would be made good to the tenants, and grants in proportion to their contributions given to them just as if their own fund had not disappeared.

* 2nd. That when the Estate Fund of the tenants has been expended, or so diminished as not to be able to meet the grants required, then the grants would be continued on the same scale by the National League.

* 3rd. That this grant would be continued as long as the struggle lasted and the majority of the tenants held out.

THE LANDLORD'S REMEDIES.

* Before referring in detail to the different remedies open to the landlord, it is first necessary to caution the tenant against some artifices to which it is not uncommon for the landlords to have recourse. Rumours are industriously sent round after the gale that a certain proportion of the tenants have secretly paid their rent. Instances have occurred where bullies, by trying to get into conversation with some of the tenants at public places, or making an ostentatious call at their houses try to spread the belief that certain men are breaking away from the combination; and to push the deceit still further only every alternate tenant in a township is sometimes served with the first attorney's letter. I need only mention that those artifices are practised to put tenants on their guard. So long as the main body, the majority, in fact, of the tenants hold out they need give little heed to rumours about backsliding. Those who do backslide in such a case invariably come off the worst of the whole body.

EJECTMENT

Nov. 12, 1886.

Col. James
Crosbie.

is the most common of the landlord's remedies. The procedure, unfortunately, is too common to need much explanation. When a landlord intends to seize cattle or sell the interest in the holding the writ or process states that the plaintiff's claim is for £ s. d. (setting forth the amount of money due); when on the other hand the claim is for the recovery of possession, &c., then he is proceeding by Ejectment. In Ejectment the tenant is allowed six months after eviction to redeem, the landlord being bound to account for the crops, &c., if not left to the tenant. Every legal and constitutional obstacle which could oppose or delay eviction should be had recourse to.

* Every hour by which the sheriff is delayed in one eviction gives another brother-tenant so much more grace. There are only 310 days in the sheriff's year, and he must do all the evictions in a whole county within the time.

* If, after eviction, a tenant is re-admitted as caretaker, he should go in, but never upon the understanding that he would care any other farm but his own.

* Should the tenant not be re-admitted shelter must be procured for him immediately by the managing committee, and then if necessary a day appointed when all would assemble to build him a hut on some spot convenient to the farm where the landlord could not disturb him. Wooden huts, such as those supplied by the Land League, waste too much of the funds, and become valueless when the tenant is re-admitted.

* Sometimes it happens that when a landlord evicts he burns or otherwise demolishes the home of the evicted family. Here the managing committee would do well to consider, if only little rest is due, whether it would not be wise to redeem and take an action against the landlord to compel him to repair the injury.

Any labourer evicted in consequence of the strike should be carefully seen to by the committee and provided with suitable shelter and employment.

SALE

* This is the resort of the landlord when he proceeds by writ or process as an ordinary creditor. From eight to twelve days are allowed after service of the writ before judgment can be made. The sheriff may seize cattle if he find them on the farm, or he may seize and sell the tenant's interest in the farm. A tenant who has his mind made up for the fight will have his cattle turned into money before the judgment comes on. Every tenant who expects to dispose of them is preparing himself to accept the landlord's terms, for he will not wish to see the emergency-men profit by taking his cattle at some nominal price, and if he buys he is in reality handing the landlord the amount of his demand. Sale of a farm is not of so much consequence. Every farm sold in this manner during the agitation either has come or is bound to come back to its owner under no better terms than he first held it.

* But if a man has a very valuable interest in his farm he can place it beyond the sheriff's power by mortgaging it to someone to whom he owes money. Mortgage effected thus for a broad *vide* debt or consideration bars the sheriff's power of conveyance.

* At a sale, if the landlord or emergency-men be represented, the cattle should not be allowed to go at a nominal sum. They should be run up to their price, and, if possible, left in the hands of emergency-men at full price. It must be borne in mind that if the full price be not realised the sheriff could seize again for balance.

* In bidding for a farm it should also be run to amount of debt, but by a man of straw, or some one who, if it were knocked down, would ask the sheriff for time to pay. By making the landlord's bidder run it up to the amount of debt and costs, and leaving

Nov. 10, 1886. it on his hands, the sheriff cannot follow the tenant further.

Col James
Creble.

- "No auction fees should be allowed.
- "A farm held on a lease for a life or lives, any one of which is extinct, cannot be sold by the sheriff.
- "After sale a tenant is still in possession of holding until a fresh writ is served and a judgment for title marked against him.
- "All this involves the landlord in fresh costs.
- "The eviction may then follow, and my observations in case of eviction as a judgment apply here.

"DISTRESS.

another of the landlord's remedies, cannot be resorted to for more than one year's rent. Few landlords can have resources to this without exposing themselves to actions. The chief points to attend to are: That distress must be made by landlord or known agent, or bailiff authorised by warrant signed by the landlord or known agent; that particulars of distress be served; seizure on Sunday is unlawful; seizure before sunrise or after sunset is unlawful; or for any rent due more than one year. Distress is illegal if growing crops be seized; or the implements of a man's trade; and if other property be on farm to answer landlord's demand, it is illegal to seize tenants of the plough, sheep, or implements of husbandry necessary for the cultivation of the land. These points should be carefully watched when landlord has recourse to distress.

"BANKRUPTCY PROCEEDINGS.

are too costly a machinery for general use, and no landlord is likely to have recourse to them except in dealing with a holder of a town-plot, or someone who has an industry in addition to the farm in dispute. As I hinted already, such a tenant might be exempted by the general body from any action which involved the marking of judgment against him. But he should at least remain in the strike to the extent of leaving his money in the common fund until the struggle be over.

"It is unnecessary to add that landlords and their parasites on the magisterial bench, and among the Crown officials, will do all in their power to twist the operation of the law so as to harass the tenants.

"A tenant taking possession of his home to shelter his family from the severity of the winter is not likely to escape. A summons for trespass must be preceded by a warning to the tenant if he be found in possession. I have known a case where the father complied with this warning, and on the bailiff's next visit the mother only was found, and she complied. Next time the eldest daughter only was in possession, and so on through the length of a long family such as an evicted tenant nearly always has. A greedy time had been served before the father's turn came again. He was fined, and went to jail. The prison then lost its terrors for him. When he came out he stuck bodily to his home, and he soon won the victory which rewards determination.

"PUBLIC SYMPATHY.

"The fullest publicity should be given to evictions, and every effort made to elicit public sympathy.

"That the farms thus unjustly evicted will be left severely alone and everyone who aids the evictors shunned is scarcely necessary to say.

"But the man who tries boycotting for a personal purpose is a worse enemy than the evicting landlord, and should be expelled from any branch of the League or combination of tenants.

"It has often surprised me that tenants waste their energy in petty efforts to boycott a few bailiffs or emergency-men.

"On estates where some tenants have been unjustly evicted the others are paying their rents with passivity, while they expect publicists and shopkeepers and others to boycott police or emergency-men.

"No landlord should get one penny rent anywhere or on any part of his estate, where or situated, so long as he has one tenant unjustly evicted.

"This policy strikes not only at the landlord, but the whole ungodly crew of agents, attorneys and bailiffs.

"Tenants should be the first to show their sympathy with one another, and prompt publicity should be given to every eviction, that the tenants of the evictor wherever he holds property may show their sympathy.

"Such a policy indicates a fight which has no half-heartedness about it, and it is the only fight which will win."

16,575. Mr. Nelson.—Have these been posted on the chapel gates?—They were handed to the people as they came out.

16,576. The President.—Fortunately we have not got to suggest a means of restoring law and order; it would be a very difficult matter, but I think with regard to the question we have to inquire into, the possible amendment of the two Acts of 1881 and 1885, I have asked you all the questions that occurred to me. Do you wish to add anything more?—I only wish to say that my tenants are small holders of land, they do not hold large farms; and I have just taken two townlands which are close to me, and I find that at or under 10*l.* a year I have 17 tenants, at or under 12*l.* I have two, and at or under 20*l.* eight.

16,577. Those are between 10*l.* and 20*l.*?—At or under 10*l.*, and one over 20*l.*; two between 10*l.* and 12*l.*

16,578. This is on one townland?—On the adjoining townland I have under 10*l.* 11 tenants, under 12*l.* three tenants, and at or under 25*l.* four tenants, four over 25*l.*, and their rents are from 30*l.* to 27*l.* These are good tenants, nothing could be better, industrious, solvent people. They are industrious, solvent people, on these two townlands. On one only did any chance of their purchasing a farm take place; in the year 1883, on one of these townlands, the tenant wished to dispose of his holding rented at 7*l.*, and he sold it for 150*l.*; it was purchased by one of the adjoining tenants.

16,579. He purchased the tenant-right?—Yes.

16,580. And the 7*l.* a year brought 150*l.*?—Yes, and for an adjoining farm in the same townland in 1882, held on a rent of 35*l.*, a tenant on an adjoining farm paid 200*l.* for it. The tenant was offered 600*l.*, and spoke to me about it, and I preferred the man who offered 200*l.*. He was a very solvent, good man, and I preferred him.

16,581. Did tenant-right exist on your property before the Act was passed?—No, my lord.

16,582. Did the middle interest then?—Yes, but these are the only two farms that ever came before the market on these two townlands.

16,583. And on the other townlands are the same sort of prices being given?—I have had none, there are the only purchasers on the estate. None were able to sell.

16,584. Lord Milltown.—Up to the time of the Land League agitation, was there, generally speaking, a good feeling between landlords and tenants in the part of Ireland?—Generally, a very good, remarkably good in Kerry.

16,585. Have you any reason to hope that if that malign influence was withdrawn those good feelings would again return?—It is very hard to say. I am afraid that the foundation is so broken down that in many cases it would not.

16,586. Were the rents fully well paid in former days?—Before the agitation?

16,587. Yes, before the agitation?—Very well paid.

16,588. And I suppose you have passed through years quite as bad for the tenant as this year or last year?—1879 was as bad, quite I think.

16,589. And the rents were paid in that year?—That was the commencement of the agitation. And the prices were very much the same as they were in

the beginning of the year, that is, as they were in the decade 1861, 1862, 1863, 1864.

16,590. The prices of 1865 were identical almost?—I think so. Almost identical, as near as possible, and now rents are very much less than rent well paid then.

16,591. Those rents have been reduced by the action of the League or otherwise?—They have most of them been reduced since that.

16,592. Do you think that taking that into consideration that there should be any difficulty in paying the rents reduced 25 or 30 per cent.?—I think not. I have said I do not see any respectable, sober, fairly industrious man not able to get on well, so meet his calls and to pay his rent. A tenant complained to me about his rent, and I said just prices out among your neighbours one single case in which a respectable, sober, steady man who minds his business is broken down, and he could not do it.

16,593. Is this year a worse year for the farmers than last year?—It is a worse year for better, but I do not think it is a worse year in other respects in my district.

16,594. It has been a worse year for better, but better now is a fair good price?—Yes, it is a fair good price, but the increase in price came late. We have got very good prices for the last couple of months, and there is also a better sale for cattle and pigs, and they are obtaining fair prices also.

16,595. Is there any reason in your judgment for supposing that the rents which were fixed by the Land Commissioners at the beginning of their sittings, supposing these rents to be then fair rents, is there any reason for supposing them since to have become unfair rents?—I think not, generally. There are some cases in which I think they were rather high, some few cases.

16,596. In which you think they were rather high when they were originally fixed?—Yes.

16,597. Quite so; but supposing that when they were originally fixed they were fair rents did anything come that rent originally fixed and which you say was a fair rent, has anything happened since which would make that rent an unfair rent?—I think not, so far as I can see.

16,598. Looking forward during the number of years which they have been fixed, and which taken all

round may be prosperous years?—I think not, generally speaking.

16,599. Mr. Jodigan.—I would infer from that that you look upon a revision of the judicial rents already fixed as being undesirable?—I think so. My opinion about persons fixing rents who do not know the locality is that it is almost impossible for them to do it so well as persons who do know all the circumstances of the locality, but I think they have done wonderfully well considering all things.

16,600. As a resident gentleman in the county observing the working of the Land Commission, do you think that, as a rule, these rents have been fairly fixed by the sub-commissioners?—I think so.

16,601. Sir James Caird.—You said that the landlords, including yourself, had given statements this year purely to save trouble?—I speak for myself.

16,602. Had it not also reference to the inability of the farmers to pay?—Not with regard to myself, certainly.

16,603. You think they were equally able to pay?—As I said before I think that any respectable sober man who was fairly industrious could pay his rent this year well.

16,604. Is it or is it not a fact that there have been a series of years since 1879 more or less unproductive?—No, I think some of the years following that there were very good prices for better.

16,605. Yes, but I do not ask you in reference to prices, but as to the crops being not up to the mark?—In my locality the crops have been fair, as a rule.

16,606. Will not that very likely, if continuous, have very much diminished the power of the tenant to pay?—Where it did occur it would, but the crops have been very good in some localities, almost throughout the whole.

16,607. Then I suppose that has been the case in your own locality when you find that this year with regard to the condition of the tenants?—The crops in my locality are very good.

16,608. Were potatoes good?—Yes, remarkably good.

16,609. Were they sound?—A remarkable crop, in fact we never had such a good crop.

16,610. Lord Muldoon.—As good as last year?—Better.

[The Commissioners then formed a second court.]

(Before the President and Sir James Caird.)

Mr. WM. TALBOT-CROSBIE, of Ardert Abbey, examined.

Mr. W. Talbot-Crobie.

16,611. The President.—I think Mr. Crobie we had you again before us the other day, Mr. Trench?—Yes.

16,612. We heard something about your property from him and about the great improvements, and the money that you have laid out upon it, and the little notice of that outlay that was taken in fixing the judicial rents. Is there any particular point upon which you would like to give evidence more than another?—I think I will not keep you long, my lord, I think there are just two points upon which I would like to say something, one of which is in reference to the purchase scheme, and the other with regard to the effect of the working of the Land Act on improving landlords.

16,613. Sir James Caird.—Is reference to the Land Act of 1881?—Yes, the Land Act of 1881.

16,614. The President.—Which shall we take first, the Purchase Act?—Yes, as to purchase first, dealing with getting rid of the evil of dual property. I need not urge upon you that if property does not belong to someone absolutely it is impossible to fulfil its duties or to recognize its responsibilities. At present the action of the Land League has divided the proprietary, and thereby all control on the part of the landlord has practically ceased, and the result has been

that land in Ireland is not saleable. I do not think it necessary to go into the causes of this, namely, the action of the Land League, the reduction of rents, and so forth. But you cannot get now a market for landed property in this country, and therefore I think that it is essential in whatever amendment is made in the Land Purchase Act as a matter of the first importance to get rid of dual property. It must belong to some one person. It must be either rendered to the landlord, or purchased by the tenant. It seems to me that if it was now enacted that by a bill sweep the whole of the present occupiers were to be made free owners, you would have a state of things which might be very good to enable the landlords to get out of the country, but which would be destructive for the country itself. You would have a class of people incompetent to fulfil the duties of owners. You would have a class of owners without enterprise, without money, or industry, and that would be a ruinous state of things. It seems to me it is very important that if a redistribution of property should take place the most enterprising, the most industrious, and the most independent of the tenants should have an opportunity of purchasing. I think that is an essential thing to the fulfilment of their duties as owners. With that object there should be a contribution on their part.

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Mr. W. Tolbet-
Comr.

On the part of the tenants?—Yes on the part of the tenants. I think if the whole of the money is to be granted to them in this sort of public legislation by which you are endeavoring to induce them to do a thing for their own interests which they do not accept, it is a great mistake. I think there should be an incentive to the entreprening men to get on, and that he should have an opportunity of doing so, but not that the whole of the occupiers should become proprietors. With that object I think the tenant should contribute something towards the thing.

16,615. That he should pay some money down?—Yes, that he should pay something down, which would be an evidence of his industry, an evidence of his desire, and an evidence of his competence to fulfil the duties of owner.

16,616. Would there not be a danger of his borrowing this money and crippling himself in that way?—He might borrow the money or he might have the money, but at any rate I think you should have some proof of the man's suitability to fulfil the position you are going to put him into.

16,617. What would you say? would you name any particular sum?—Well, I think the previous Act as to sale, and Sir George Trevelyan's Bill were preferable to the present one; but I think the fact of his having to pay down any part of it will give confidence to the Government, who, of course, look to their security.

16,618. As landlords they must get security?—Well, that must be taken out of somebody. But under the Act of 1885, the landlords have no sufficient security, and you have a bad owner upon the land because you have a man without enterprise and who has not contributed anything, and then it is a damaging thing to the landlord because he has in fact to provide security by selling his land at a low rate. It is essential that the Government should be secured, and the only way in which they can be secured is by a low rate of purchase, and they will not naturally lend unless they have security, and that security is taken out of the landlord's property, so that two out of the three parties concerned seem to me to be damaged by terms which are unnecessarily favorable to one class.

16,619. But subject to the assignment of portion being paid down by the tenant, you are in favour of the principle of the Purchase Act?—Yes, a change of ownership to some extent there must be. You have eleven millions of property in the Encumbered Estates Court, which, of course, must be dealt with. You have large public companies who desire to sell their property, and you have a good many alienated proprietors who would be very glad to do that also, and a great many resident proprietors who would be very glad. There are plenty of people who want to sell, but I think it would be a very unfortunate thing if the whole landlord class were suddenly exterminated and had no place in the country, but it is very important at the same time that there should be such a redistribution, as would create a conservative element among the people.

16,620. And this will take place if the terms are at all advantageous to the tenant for purchasing?—I think it will, provided that law and order are established. Of course, as long as you have anarchy in the country and the tenants look forward to obtaining by such means better terms than are now offered, they will not buy; but if they were obliged to fulfil their present contracts, and law and order were established I think they would be very glad to purchase. Certainly to my own knowledge before this present agitation if any such terms as any one of the Bills proposed, had been offered, they would have accepted them without delay, but now they are in a different position, yet I think we should endeavour not to deal with them in panic, but to look forward to the time when order may be restored, and then you would have a very great willingness on the part of a great many of the occupiers to purchase.

16,621. You think they would be willing to purchase at the price that the landlords would be willing to give?—I think so, and to pay a certain portion.

16,622. To pay a certain portion?—Yes.

16,623. Sir James Caird.—I think I understood you to say that it is for the security of the lender, that is for the State, that the price should not be too high?—Of course, because the less the loan upon the property the better would be the security.

16,624. There can be no doubt of that. Have you considered at all what would be a reasonable price? what number of years' purchase would be fair? of course it must vary with the quality and character of the land?—I think it really is impossible to settle what the price ought to be. It is rather a state of things in which we have not emerged into civilisation yet. Nothing has taken its proper place, and true market values cannot possibly be ascertained. If order were restored and freedom of action permitted it would be different. Of course everything would depend on the price of produce, though at present everything is down below zero. I would not like to form an estimate of things when prices are so low.

16,625. But is it not a fact that Ireland is not exceptional, for very little land is saleable in England at present?—I am quite aware of that, but that is owing to temporary causes.

16,626. But if matters were restored in this country perhaps the demand for land would increase?—I do not think you would ever have a free market as long as you have a dual property.

16,627. If it is a dual property throughout; but I think your suggestion is that a dual property should be maintained in the case of the poorer class of tenants?—No. I would not have dual property at all. I would have all tenants able to buy, to purchase. They would become owners entirely so that there would be no dual property. Then comes another branch of the subject. I would have the landlord given the same benefit and lease on the same terms as have been given to the tenant for purchasing the landlord's property to be applied to the purpose of pre-emption by which he would get back into his property again in all cases where he could buy up the tenant's interest.

16,628. To make him like other people in fact?—So to deal with it so as to restore single ownership where there is a power of pre-emption. I do not mean to say that many landlords in Ireland would think of it now, but the time may come when they will; but the same power that is given to the tenants to purchase should be given to the landlord to pre-empt, and both parties would then come into a single ownership.

16,629. Sir James Caird.—I understand you to say that if at one sweep the whole of the tenants of the country were suddenly made landlords it would be a sacrifice and an injury to the welfare of the country?—Yes.

16,630. And then you add that where the most industrious and intelligent tenants were, and where they could show the results of that industry and intelligence by having some money deposited as security for the purchase, that they would be the most desirable purchasers. Now, where would you draw the line between those tenants who are capable of becoming eligible landlords and those who are not?—The line would be drawn by requiring them to pay a certain portion, and if they were not able to pay that certain portion they would not get the property.

16,631. The President.—And would you make it in that way a self-governing sort of thing?—Yes.

16,632. You would admit the smallest man to buy?—I would prevent no man, but I would ensure that the man who did buy should have something to buy with, and that he should contribute to the purchase.

16,633. Sir James Caird.—Of course you cannot offer an opinion as to what proportion would remain in the possession of the tenants, or what proportion would be required so that he would become gradually a solvent proprietor?—I could not say that.

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Mr. W. TILLOTSON-
COWIE

16,584. You could offer no opinion on that point?—I think I have said that a great deal of the property of Ireland would change hands. All the public companies would sell, and all those who had purchased in the Encumbered Estates Court would sell also, and that would be a very large amount of the property that would go into the market.

16,585. But it would be a very small amount compared with the whole property of Ireland?—I think there are a great many landlords that are sufficiently paid to strike to go away.

16,586. You desire, if it could be found, a very large change from tenancy to ownership, provided their responsibilities would be capable of being fulfilled?—I would desire to keep up all the classes. I do not think any community is safe that is reduced to one class. (1.) I would make a large class of tenants in the way I have stated owners in fee. (2.) I would restore to the landlord what has been taken away by means of pre-emption, and for which he would have power to borrow under the same terms as the tenant, and so to get back his property; and then (3.) I think you should have a middle class of tenants that have not purchased holding under landlords that have not pre-empted, and the rents of that class must be regulated by fluctuating prices. I do not think it is possible to fix prices by Act of Parliament; and in the case of this middle class you should have a Minister of Agriculture appointed for Ireland, and an Agriculture Department under his direction, and you should have the rents of the existing tenancies, as regulated by prices, fixed and dealt with every three years.

16,587. On the sliding scale?—Yes, on the sliding scale. You have it in the farm of Scotland, and it is adopted. I have adopted it on my own estate with regard to the prices of butter.

16,588. Do you regulate your rent by the price of butter?—In some cases.

16,589. On the dairy farms?—Yes.

16,590. But you have given a large reduction in addition?—Yes, I have; but now we are talking of a state of things quite exceptional, and I had to make large concessions to meet the necessities of the case.

16,591. On the dairy farms upon which you had been adopting a produce rent according to the price of butter, I suppose the rents move up and down according to the variation in prices?—Yes, every three years.

16,592. And are the tenants contented?—I think they would have been contented if a state of things had not arisen which threw everything into confusion.

16,593. Have you noticed what sort of variation takes place under that system?—I could not say. I thought you got that from Mr. Trevellick.

16,594. I wanted to know how much it varied from three years to three years?—I really could not tell you; but the details are in my office, and it is very considerable, and the rent has been fixed accordingly. I will put in this paper (produced) by-and-by, in which I think it will be found that the differences are shown. I would not make that compulsory, the three years' system; but that the landlord or tenant should have the option every three years to call for a revision based upon the state of prices. It might go on for a long time, but it does not necessarily follow that there need be a change every three years.

16,595. Every three years there would be the power on either side to call for a revision based upon the prices?—Yes.

16,596. Ought it not to be self-acting?—If it could be formed self-acting it would be much better, but I am very strong upon having agriculture represented in the Government of Ireland. I think it is an essential thing to have a Minister of Agriculture who would order and regulate these things; because, of course, it would have to depend upon prices, and these prices should all be very carefully ascertained.

16,597. Of course it is impossible for any government or any individual to say what shall be the price of articles for years to come—15 years as it is now

under the Act of 1881; there is no mode you could suggest except some reference to the price of produce?—You have done away with the elasticity of free contracts. As long as free contracts lasted they could be changed according to circumstances. You have now got an Act of Parliament fixing the rents without reference to contracts, and the moment there is a rise in the rents and reductions, and that system has broken down.

16,598. But it has broken down solely on the question of prices?—Certainly.

16,599. So that if the basis on which rent was fixed, if it was fixed that the judicial rent should be defined after the prices for that year are taken, you could at any other year, taking the average valuation of the same produce, you could raise or diminish the rent when once you have the basis to start on?—Yes. But we have not any basis at present, because we do not know upon what principle rents have been fixed.

16,600. Well, we will take it that the judicial rent fixed in 1882 was in some degree in reference to the prices then current?—I really do not know.

16,601. We may assume that, as sensible men?—We have never had any evidence that there has been anything like a scientific valuation. It has been a valuation, but it has been with the endeavor to satisfy the tenants and equalize rents generally; but as to anything in the way of a fixed principle, we have never heard of it.

16,602. Well, I think the suggestion you have made is very well worth careful consideration, that is with regard to endeavoring to secure for your future peasant owners a stability, a fitness, and an industry indicated by the fact of having some money to pay for their land to begin with, by contributing towards this payment. In that way you would divide the two classes; the one into those who had exhibited that industry and capacity by endeavoring to make them landowners, and the other into those who were not able to do so, and who were not able to exhibit that capacity, and who would remain much as they are?—I think the test of that is that those would have to pay who hope to become landowners.

16,603. And those that did not pay would remain in their present condition?—Yes, on the ground of their not contributing.

16,604. But supposing them to remain in their present position, if they were able hereafter by industry they could work for it too?—Yes.

16,605. And you think a gradual process would be infinitely better than a sudden sweep of the whole thing?—I think so.

16,606. The President.—Are not some of the purchasers of church property at the present time in great distress owing to having to borrow their fourth at a much higher rate of interest than ordinarily?—Yes, but they were peculiarly circumstanced, because they purchased at very high prices when produce was high, and prices fell very much afterwards, and then the subsequent legislation offered purchasers better terms which made them discontented; but I do not know that they are actually so very badly off, at least those who started upon anything like a fair basis.

16,607. That is just it, but I am afraid that a great number did not start on a fair basis, but had to borrow a fourth at a very high rate of interest, and that might be the case now?—They had to borrow on worse terms than has been proposed since, and I think the amount they had to borrow was larger than the amount mentioned in the several Bills or Acts put forward.

16,608. What I mean is that would not the result of your requiring a fifth to be paid down very often be that a man would start with a heavy weight tied round his neck on account of the fact that he would have to pay very high interest to the money lenders?—That may be so in some cases, but I do not see how you can avoid some such test.

Nov. 12, 1866.

Mr W Talbot-
Crookes

16,659. *Sir James Caird*.—Have you yourself had any knowledge or experience of the results of globe land sales?—Well, there are some just around me.

16,660. Perhaps you could tell us something of the results in those cases?—I really do not know their condition. They are not well farmed at all.

16,661. They do not manage their land well?—Up to this they have not done very well, but I do not know as to their tendency.

16,662. It is quite obvious from what you yourself have stated that the circumstances which have occurred within recent years must have made them feel rather dissatisfied and dissatisfied with their position?—Yes, and there is a great cry about it, but I do not know whether beyond the dissatisfaction of being put into a worse condition than others there is any sufficient ground for it.

16,663. *The President*.—One other question on this point. Do you think that the tenants object as much to the system of dual ownership as the landlords do, and having got their fixity of tenure and their rent lowered and the power for sale, do they wish very much more?—Well, I think they would much prefer having the farms to themselves; but, of course, as long as they believe the landlord would be more amenable, or that better terms can be got from the landlord by waiting, they hesitate to purchase, but I think, as a rule, they would be better satisfied if they had the ownership absolutely.

16,664. You do not think they would require the improvement of an immediate reduction of rent?—At present I think they would, my lord, require it, things are in that state that there is nothing stable or certain, because prices are so low; but if there was anything like a reaction in prices they would be very glad to purchase rather than be as they are.

16,665. I think you stated that you would give us further information as to the second point about the effect of the Act on improving landlords.

16,666. *Sir James Caird*.—The Act of 1861?—Well, I think before going into that I should like to make some further explanation in reference to the subject we have in discussion. If you understand me I would have three classes, by which you would get rid of the dual ownership, the landlord restored, the tenant purchase, and the occupying tenants remaining at fluctuating rents.

16,667. Remaining at judicial rents?—At fluctuating rents.

16,668. At producer rents?—Yes.

16,669. And then that the landlord should have opportunities of buying up?—Yes, and buying up whenever there was an opportunity for pre-emption, and letting it to another tenant by free contract, he becoming a proprietor again by buying the tenant-right all out.

16,670. *The President*.—I think now we quite understand that, and we will proceed to deal with the next point.

16,671. *Sir James Caird*.—Have you any suggestion to make on the Land Act of 1861? I think you stated you had some remarks to make about it?—Yes, if you please, I would put in this letter with regard to the dual proprietary, a letter of mine to Mr. Gladstone in the year 1862.

16,672. Well, you might, we think, if it is not very long, with pleasure.

"*Ardfert Abbey,*
July 8th, 1862.

"*Sir,*
"Allow me to suggest that in any contemplated amendment of the Land Law (Ireland) Act, the following provision be included, viz.:

"That with a view to enabling landlords to exercise the right of pre-emption conferred by section 1, sub-

section (3), the Land Commissioners be empowered to advance sums to landlords on the same terms as to tenants under Part V., or on any more favourable terms that may be proposed for loans to tenants.

"I venture to make this suggestion as one which, in common with the scheme of a peasant proprietary, gets rid of the evil of a dual interest, while it would have the merit of retaining in the country those resident landlords who chose to adopt it.

"I am, &c.

"(Signed) Wm. T. TALBOT-CROOKES.

"Right Hon. W. E. Gladstone."

16,673. I think that closes the first part?—Before you go into the other question I would like to bring under your notice a statement of the improvements that have been made on my property. I do not think Mr. Trench left it with you.

SUMMARY of EXPENDITURE on the ARDFERT ESTATE from 1839 to 1862.

	£	s.	d.
Amount expended on buildings	20,818	12	8
6,435 perches of rivers	3,029	3	3
178,507 perches of drains (or 1,488 acres drained)	10,996	4	3
30,893 perches of fences	2,903	2	6
97½ perches of roads	974	10	0
30,383 barns of straw	759	11	0
Total amount	39,935	3	8
Amount expended since 1862	120	0	0
	40,115	3	8

16,674. Are those on the two large estates?—No, it is on one property.

16,675. *The President*.—I believe you have made a very great expenditure, you have spent a great deal of money on your estate?—One went upon the system of endeavouring to provide the fixed capital required for the equipment of the farm, leaving the tenant to provide for the agricultural operations.

16,676. There was a clause put into the Land Act of 1861 in reference to that?—Yes, the Henage clause, but that was a perfect nullity. In one instance in which the sub-commissioners gave us the advantage of the Henage clause, we had laid out a great deal of money on the farm, nearly 1,000l., and then the tenant appeared, and the Head Commissioner reversed the decision of the Lower Court, there was no fixed principle discoverable.

16,677. I think they seem to have reversed it in every case?—Almost in all cases the Henage clause has been a perfect delusion, and has not saved improving landlords at all.

16,678. If the tenant had done anything at all, even put up a gate or a fence, it had the effect of breaking it?—Yes, the thatching of a house, or the thatching of a cabin. Of course there is no farm upon which the tenant would not do something or other which would neutralise the benefits of the landlord, and as a matter of fact nobody has got exemption.

16,679. In fact of the 40,000l. expended you were completely out of pocket?—Yes, completely, the whole of the savings of my life have gone into the estate.

16,680. Absolutely?—Yes, and they are absolutely confiscated. I was going into that, but before I do that I will give you a return of the statements we have made since the year 1879 that I have had prepared. It consists of voluntary statements generally, and losses on acres, and so forth. That return is as follows:—

ARMENT ESTATE, 1st May 1886.

Nov. 12, 1886.
Mr. W. Talbot-
Cresser.

	Abatement allowed on Rents.	Allowances for Improvements.	Amounts furnished under Arment Act	Total for Seven Years.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Half year ending 1st November 1879 -	—	408 5 9	—	408 5 9
" " 1st May 1880 -	93 8 9	283 4 3	—	376 13 0
" " 1st November 1880 -	224 7 7	140 11 8	—	374 19 3
" " 1st May 1881 -	450 6 9	78 12 5	—	529 19 2
" " 1st November 1881 -	341 14 3	—	—	341 14 3
" " 1st May 1882 -	248 10 5	—	—	248 10 5
" " 1st November 1882 -	554 19 2	—	121 2 1	675 1 3
" " 1st May 1883 -	418 18 1	—	336 9 6	755 7 7
" " 1st November 1883 -	336 17 4	—	232 8 4	519 5 8
" " 1st May 1884 -	245 8 0	—	—	245 8 0
" " 1st November 1884 -	410 8 10	30 12 7	—	451 1 5
" " 1st May 1885 -	519 15 9	25 0 9	—	544 16 5
" " 1st November 1885 -	366 17 11	—	—	366 17 11
" " 1st May 1886 -	369 3 1	—	—	368 3 1
Loss sustained in Ballydoonan Farm exclusive of abatements.	—	—	—	541 15 0
Loss sustained in poor rates for seven years, as compared with previous seven years.	—	—	—	1,212 9 1
Loss of interest on Board of Works Relief Lands not charged to tenants.	—	—	—	278 8 2
	4,365 15 11	951 7 5	689 19 11	5,239 10 0
Average loss per annum £1,177 1s. 6d. Amount of arrears outstanding on the 1st May 1886.	—	—	—	5,007 4 9
				<u>£13,246 14 9</u>
Average deficiency per annum £1,802 1s. 6d., 25½ per cent on rental of £8,000 a year.				

And this is a return of the losses upon a particular farm which includes the reductions of rent based on the fluctuations of butter and special abatements.—

BALLYDOONAN FARM.

De.		Cr.	
1877. Sept. 29th. To one year's rent -	£ s. d. 400 0 0	1877. Oct. By cash and rates -	£ s. d. 400 0 0
1878. Sept. 29th. To one year's rent -	400 0 0	1878. Feb. By cash and rates -	400 0 0
" Interest on buildings -	7 8 0		
	<u>£407 8 0</u>		<u>£407 8 0</u>
1879. Sept. 29th. To one year's rent -	400 0 0	1879. Feb. By cash and rates -	400 8 11
" Interest on buildings -	9 18 0	" Allowed for railway -	5 14 1
	<u>£409 18 0</u>		<u>£406 18 0</u>
1880. Sept. 29th. To one year's rent -	400 0 0	1880. Feb. By cash and rates -	393 7 8
" Interest on buildings -	43 12 11	" Allowed for railway -	10 10 8
" Interest as drainage -	2 1 9	" Balance -	189 16 4
	<u>£445 14 8</u>		<u>£443 14 8</u>
1881. Sept. 29th. To one year's rent -	443 14 8	1881. Feb. By cash and rates -	570 15 2
	<u>£443 14 8</u>	" Allowed for railway -	38 10 8
		" Balance -	162 4 4
			<u>£443 14 8</u>
1882. Sept. 29th. To one year's rent -	443 14 8	1882. Feb. By cash and rates -	570 15 2
	<u>£443 14 8</u>	" Allowed for railway -	38 10 8
		" Balance -	162 4 4
			<u>£443 14 8</u>
1883. Sept. 29th. To one year's rent -	443 14 8	1883. Feb. By cash and rates -	564 12 0
	<u>£443 14 8</u>	" Allowed for railway -	38 10 8
		" Balance -	168 12 0
			<u>£443 14 8</u>

Nov. 15, 1885

Mr. W. Talbot-
Creswic.

BALLYTHOSKAN FARM—contd.

Dr.			Cr.		
1883.		£ s. d.	1884.		£ s. d.
Sept. To one year's rent - - -	442	14 8	Feb. By cash and rates - - -	291	2 8
			" Allowed for railway - - -	33	10 8
			" Balance - - -	142	1 9
		£442 14 8			£443 14 8
1884.			1885.		
Sept. To one year's rent - - -	443	14 8	Feb. By cash and rates - - -	274	11 5
			" Allowance for railway - - -	10	10 6
			" Balance - - -	158	17 7
		£443 14 8			£443 14 8
1885.			1886.		
Sept. To one year's rent - - -	445	14 8	April By cash and rates - - -	339	8 6
			" Allowance for railway - - -	16	16 8
			" Balance - - -	195	15 7
		£445 14 8			£443 14 8
			Total less - - -		£855 2 7

16,681. In order to make this question more intelligible, what is the total rental about?—I think it is now or used to be between £8,000 and £9,000 a year, besides the lands held in my own hands, and this is the return which describes the reduction on the ground of better rents on one particular farm.

16,682. That is when you tried the experiment of the produce scale?—Yes.

16,683. But according to the account given by Mr. Treach you had always to make statements whether the rent went up or down?—I had, under these special circumstances it was not sufficient.

16,684. On the rent of 1883 in which the deficiency really actually rose to the extent of £7 you had to make a large statement?—Yes, very likely very low.

16,685. What has been suggested to us about this sliding scale is that though they are very likely to slide down they will never slide up again.

16,686. What do you think about that?—Of course if the Land League was master of the situation it would be so, but if we have a good Government established it would not be so.

16,687. They would be willing to pay the increase?—I think so.

16,688. Sir James Carol.—Now looking at the account of the rent in connection with Ballythoskan farm it would appear that in 1877-8 and 9 the rents were all paid?—Yes they were all paid.

16,689. Then following the year 1879, which was the first year of the scarcity as it were, immediately the rent begins to fall, the failure in the payment occurred, and that seems to increase at times, in 1880 with £129 short; while in 1881 there was £162 short; in 1882 there was £168 short; in 1883 £142 short; 1884 it was £158 short; and in 1885, which was the worst of all, £193 short. Would not these figures in some degree indicate a failure in the production of the land?—Yes, a failure in prices generally.

16,690. And in the production of the land?—The land is almost all grass.

16,691. I quite see that dry or wet seasons may affect the grass?—I am a farmer myself and faced that.

16,692. With regard to the question of improving landfills, that is the second division of the subject. I want to bring before your Lordship, if you would allow me to go back so far as the speech of Sir Robert Peel in 1846 or 1847 on the Bill brought forward by Lord George Bessborough for remedying the distress caused during the famine by the construction of railways in Ireland, and I do not know whether you will let me read this, it is a very short extract, but it brings forward the case of Blaneau, a foreigner who came to Ireland and made an enormous

fortune through his enterprise in establishing canals throughout the country, and Sir R. Peel brings forward that instance as an example for the landlords of Ireland to set to work and improve their properties.

16,693. That was in 1847?—It was in 1846 or 1847. It was on the Bill of Lord George Bessborough in relation to railways in Ireland.

16,694. The President. You might read the extract?—The extract is as follows:—

"Let me entreat of you Irish proprietors to take this example, and believe me, if you feel convinced that landlords will add to the value of your property 23,000,000£, according to the sanguine estimate of the noble lord, and therefore determine to deal liberally with the companies, and to simplify the cumbersome processes of the law, if, disregarding party prejudices and religious animosities, and the feeling that political considerations overpower private enterprise you meet with a deep interest in the welfare of your common country; if you promote that welfare, and at the same time engage in those useful occupations which add to the enjoyment of your own lives and the benefit of your own property; if you will trust to the influence of individual enterprise, and practice that integrity and skill in those public undertakings which you are sure to exhibit in every profession and calling to which you are called; if you will initiate these examples set you by a foreigner unacquainted with the language of the country; if, forgetful of the malignant influence of party and religious differences, you meet together under a sense of the overpowering calamity from which your country is suffering, and determine to direct all your energies to the mitigation of that calamity, and to the improvement of the social condition of the millions dependent on your exertions for their future well-being, then, I say, you will do more to promote the interests of your native land than if, resigning yourselves to sloth and idleness, and despair, you place your whole confidence in Government grants and Government patronage."

I have endeavoured to follow that advice, and the result has been what Lord Derby states in his article in the October 1881 number of the 15th Census; at page 477 he says: "The road sufferer will be the small needy proprietor who, pressed himself, is driven to press his tenants to land; and the landowner who valued his estate chiefly as a trust put into his hands to improve and develop. The former class will be ruined, the latter will find their money thrown away and their competitors gone." That has been my case, and the facts have been proved by Mr. Treach's evidence, to which I beg again to refer you.

16,695. With regard to this confiscation, and the money you spent on improvements, is that entirely the fault of the law or the fault of the bad judgment of the Commissioners?—Well, I think they endeavored to reduce when everything was down, and reducing permanently it amounted to confiscation. If it was reducing as it has been in England, that is for a temporary bowing to a storm, a temporary arrangement which you see is what we have done in all cases where we have had the option, and where we were sure there was a need of it, in the same way as we reduced it in the time of the famine. We would not object to that, but the thing is settled by law now, and the property is taken away, and confiscated.

16,696. When the Commissioners were fixing the rent did they not take account of the money you spent?—They gave us no principle, they are men of merely local experience, and in many cases they have never been across the Channel nor seen English or Scotch managed estates, and they look upon the better class of buildings, which are a very large part of my expenditure, and without which the English and Scotch tenant would not take a farm at all, they look upon that as rather an unnecessary luxury, and though they were nominally included in the valuation, they do not attach much value to them.

16,697. And they reduced your rents just as much in places where you spent a great deal of money as they did where you spent very little money?—A greater reduction took place where I had a greater expenditure, and I complain, outside and beyond all that, that the property itself is made unworkable.

16,698. Sir James Cobden.—You mean the freehold?—The whole property if I was to sell it. I used to look upon my property as worth 250,000*l.* I could not get anything like it now. It is not saleable.

16,699. In that respect is not such the fact with regard to property in England?—Just for the moment, my Lord, but wait until things react in England, and you will be all right, but we are permanently damaged.

16,700. You say that your expenditure upon buildings was what would have been on other estates the basis of the tenant's interest. You as the landlord did that which would have been, under the circumstances, portion of the tenant's outlay and which would become the tenant's interest?—Quite so.

16,701. As I understand, the tenant's interest is saleable?—It is not at all so. I could give you evidence of it in Clare and in some southern counties, where the tenant-right has been sold.

16,702. The tenant cannot sell his buildings?—He can sell everything.

16,703. And could he sell actually the buildings you had put up if he sold his farm to another man?—I think so when once it is judicially settled; you are supposed to get payment of your rent, but the buildings we are the tenants, at least as the law has been administered in this country.

16,704. And he would get just as much in proportion as his predecessor in title?—Yes, and it is a saleable interest. I have not got the statistics here, because I did not know that I would be asked the question, but I could send you the information.

16,705. Well, it is an important thing?—Yes, and I can show you that, where the tenants sold for a considerable amount in Clare and in other places in the south of Ireland.

16,706. But I would wish you to keep the information within the county of Kerry?—I dare say I could find it in relation to Kerry too.

16,707. Of late years?—I think so. With regard to the remedies for the state of things I complain of, I had guarded myself against it, because I submitted the statement (presented) to Mr. Foster at the time the Bill was passed through Parliament.

16,708. In 1881?—Yes, in 1881, for exemptions on the part of improving landlords.

16,709. That was what I suppose they meant to do by the Easing clause?—Yes, but before I do that I should quote part of Mr. Gladstone's speech at Hull, showing that since the famine considerable improve-

ment has taken place in Ireland; that is up to the present, or rather the old state of things, a very great improvement had taken place.

16,710. What is the date of the speech at Hull?—The 7th October 1881. He says (passage read):—

"Amongst the scenes that are now unhappily being enacted there by certain persons we may lose sight of the great and unquestionable progress that has been achieved by that country. It has achieved material progress in a degree most remarkable for a country with little variety of pursuit. I do not believe that there is a laboring population in all Europe, although the condition of the Irish labourer still leaves much to desire, which, in the course of the last 20 years, has made a progress equal to that of the laboring population of Ireland."

"Forty years ago the deposits in the Irish banks, which are the indications of the amount of their freedom, were about five millions. Some 15 years later than that I think they had risen to some 11 or 12 millions."

"There are now of deposits in the Irish banks, which represent almost wholly the honest earnings and savings of Irish farmers, a sum of nearly 30 millions of money."

The state of things was not so desperate as to require a desperate remedy, because there have been great improvements made and great progress in the state of the country since the famine.

16,711. You think that, speaking impartially and looking at what other landlords have done, and what you yourself have done, that you are not such a very exceptional case?—I think it may be in this particular county; on the contrary, you need not go further than this very neighbourhood of Killybeg to see other instances similar to my own. The late Mr. Herbert, of Moyross, had out large sums of money on his property; he took the greatest interest in it, and worked the thing personally himself, and effected wonderful improvements on the property. We come of age just at the same time, and took to the same occupation. I have been all over the estate and know the facts. There are a great many other landlords who have done a great deal, but perhaps not so much in Kerry; but there has been as immense deal done all over Ireland, but the improvements have been all artificial.

16,712. Your complaint is that the landlords' expenditure on improvements in Ireland has by the Act of 1881 been confiscated?—Yes, it has been confiscated practically. Yes, but the following is the remedy I suggested to Mr. Foster at an interview which I had with him:—

"MEMORANDUM.—RE EXEMPTION FROM LAND BILL, 1881."

"It is complained that the Bill, while securing in a most ample manner by 'free sale' the interests created by the improving tenant in his farm, fails to secure for the improving landlord the value of his outlay upon the tenant's holding."

"That on many estates the improvements of a substantial and permanent nature are done entirely or chiefly by the landlord is admitted."

"The Bill even provides that out of the sale of the tenant's interest the landlord's improvements shall be paid for, and that the Court may refuse to revise the rent of such holdings."

"But these provisions are not sufficient—"

"1. Because between the passing of the Act and the first sale, 20 or 30 years or more may elapse, during which time the landlord's improvements are in the tenant's keeping, and may be, and too surely would be wasted and dissipated, so that by the time the sale came on very little value would remain; for the proposed safeguards against waste are not sufficient, because a landlord liable to the increased scale of compensation for disturbance would never venture to disturb a wasteful tenant."

Now 12, 1886.
Mr. W. Taitot.
Crosby.

Nov. 12, 1886.

Mr. W. Talbot-
Cochie.

"2. But assuming that the landlord could recover the cost or outlay made by him in improvement, this would still be insufficient, because the increased value given to the farm by it is not included in the terms of the Bill. This may exceed the original expense very largely. To put upon any Court to estimate accurately these increments of value according and assessed, through, in some cases, half a century past, would be to impose an impossible task. It may be illustrated by the difference between the cost of a factory and the value of the business conducted in it. To repay the cost of the buildings and machinery would not compensate the manufacturer for the portion of the concern.

"3. The Court is left free to readjust the rent in spite of the landlord's outlay. The power to interfere ought to be taken away.

"4. The tenant is still free to sell his interest, and that in open market or by secret compact, thus endangering the landlord's interests and enabling the outgoer to receive payment, if not for the landlord's outlay, at least for what is really the interest created by the landlord's outlay. To avoid this it is necessary to forbid 'free sale' upon estates improved by the landlord, and instead only to allow the sale by the tenant of interest outlay made by him as valued by the Court. On these grounds it is submitted a fair claim is established for exempting such estates from the operation of the first part of the Bill.

"And this exemption to be effectual should include, not as clause 7, sub-section 8, the holding in question only, but the estate in globe—the management being, as a rule, uniform and systematic over a whole estate.

"The Bill proposes remedies for the existing evils of (1) insecurity; (2) exorbitant rents; and (3) confirmation of tenant's improvements.

"On estates where it is shown to the satisfaction of the Court that these evils do not exist, it should be empowered to refuse applications; with power left to any tenant to show that he has been exceptionally treated in one of three respects, viz., that he has been expressly disturbed, that his rent has been unduly increased, or that he has been refused compensation for his improvements. Where exceptional treatment is proved, the Court might have power to entertain the application.

"This proposal for the exemption of estates is supported by the reports of the Royal Commissions that the English system proceeds upon many properties, by the admission in the speeches of Mr. Gladstone on the first reading, and Mr. Forster on the second, that there are many landlords in Ireland who are doing their utmost for their tenants; and by the opinion of the country as expressed in the *Times* leading article and some provincial journals.

"If it be not succeeded two results may certainly be expected:—(1) Improving owners will cease their operations altogether, being exposed to removal from control over their work, reduction of annual returns, and sale of their improvements; and (2) such owners will themselves withdraw from a country in which they have no further interest, and degenerate to the too common level of mere rent receivers."

"AMENDMENTS TO THE BILL TO CARRY OUT OBJECTS OF MEMORANDUM.

"Part I., section 1. Provided always that in the case of estates improved by the landlords, immediately upon the passing of the Act, the improvements effected by the landlord shall be valued by the Court, and the amount shall be forthwith advanced by Government to the tenants of the lands so improved, to enable them to purchase the said improvements from the landlords, and the right of free sale shall not appertain to said holding till such purchase has been effected.

"Section 1., sub-section 7. To be struck out.

"In estimating the value of the landlord's improvements the Court shall have regard not only to the

actual cost or present value of the same, but also to the increased value by them conferred upon the holdings.

"Part II., section 7, sub-section 2. Add the words, 'or by the landlord only.'

"Part VII., section 45. After the words 'tenancies in,' (line 31) add the words, 'any estate which is proved to the satisfaction of the Court to have been, or to be in course of being systematically and generally improved by the landlord, or any estate where exorbitant disturbances, exorbitant rents, or confirmation of tenant's improvements, are proved to the satisfaction of the Court not to have taken place within the last 30 years, nor to,' &c.

"Section 46. After sub-section 8, add the words, 'And the provisions of this Act, in respect of the sale of the tenant's interest, shall not apply to any estate on which arrears have been systematically struck off at charges of tenancy, to guard against the creation of a tenant-right, or to any estate subject formerly to the 'Ulster Custom' or corresponding usage, of which the tenant-right has been bought up by the landlord.'

"EXEMPTION OF CERTAIN ESTATES.

"A vast sum of money, estimated in regard to one-sixth of all Ireland at 8½ millions, has been expended by landlords in permanent improvements on various estates, and those improvements represent the owner's fixed capital.

"2. For this outlay no interest has in many cases been charged. On many estates a very low rate is charged, and never more than the current interest of the country.

"On such properties no fines have been taken or allowed, care has been taken that the tenant should not create a lien upon the farm, and that no tenant-right should be introduced.

"4. The three principal evils which the Land Bill aims at correcting, viz., insecurity, exorbitant rents, and confirmation of tenant's improvements, have not existed on these estates.

"On these grounds, where substantiated to the Court, it is proposed (A) that such estates should be exempted from this Act, the burden of proving exceptional treatment in any of these respects being laid upon the tenant. Exemption is a principle absolutely recognized by the reports of the commissions, by clause 7, (8) of the Bill, and by the Act of 1870, clause 5, (3), (6).

"But if exemption be refused by Parliament, and landlords may fairly claim (B) the right to sell to the State their property as a whole, or at least that, upon any tenant bringing his remedy under the operation of the Act, by sale of the interest or otherwise, the landlord shall have power to require the State to purchase that holding.

"Otherwise (C) these landlords demand that they shall be compensated by the State for the loss of the tenant-right or reversion, and for the increased value conferred upon their estates by their own outlay.

"If all these alternatives be refused, the improving landlords may naturally ask (D) that at least the increased value in their estates resulting from their expenditure shall be paid for by the State at the passing of the Act, so be re-sold to the tenants, in order that the landlords' improvements may not be in danger of deterioration and waste by being left in what would practically be the uncontrolled keeping of the tenant."

16,718. So far as that expenditure on the part of the landlords since the time of the famine up to 1861 is concerned, so far as it has been beneficial to the property, it has been an addition to the country's property since that time?—Yes, because it has been transferred to the tenant.

16,718. So that the tenant was greatly benefited by the Act in that way?—There is no doubt about that, you have lost all control. There has not been a single bit of expenditure on my property since 1880.

16,715. No expenditure?—No expenditure on the part of the landlord, and no improvement on the part of the tenant since 1880, since that Act came in. When it was going ahead wonderfully.

16,716. And the tenant did not take it up and go on?—No; because his object was to depreciate the value with the object of purchasing the land on his own terms; thus the agitation contributed to.

16,717. The term of 15 years, which is given to the tenant, does not really confer a fixity of tenure, one of the three *P's*, and has it not this essential feature in it that towards the conclusion of the term the land is likely to be run down?—No doubt it will be so on my property, not only has no improvement taken place, except in one solitary instance, where money was borrowed by the tenant, but the improvements that I made are daily becoming dilapidated.

16,718. It would be no loss to the landlord really if his fixity of tenure were made permanent instead of being subject to period at the end of 15 years?—Practically it would be no use; it is a delusion, all that.

16,719. The President.—You have three or four alternative remedies?—I have.

16,720. Do you think they would apply?—They would have applied at that time, and they would have been the means by which some compensation could be given.

16,721. I am afraid you look upon your past expenditure as irretrievably gone, but could you suggest anything for the future. I suppose such a thing will not happen again. No landlord would be in the least likely to expend any money upon his estate?—No; I think not.

16,722. Therefore your suggestion has reference entirely to compensation for past injustice?—I think it has, my lord. You are going probably to deal with leases. I quite agree that the leaseholders were the best class of tenants, and I myself always wanted to get arduous men to whom I could entrust a lease, and therefore they are the best tenants probably in Ireland. Well, I think in dealing with the question of opening the leases there should be great care taken in all cases, where expenditure has taken place, to see that the landlord's outlay is secured.

16,723. In the case of leases then, in many parts have the landlords made improvements?—Where they

have made improvements, then I think those improvements should be paid for before the lease is broken, because if the lease is broken he comes in under the Land Act at once, and the landlord is deprived of the improvements and deprived of any guardianship over that improvement. I think that is one way of protecting landlords in the future, and there is another way in cases where leases have been taken from the Government, and the beneficial value of those leases has been inspired and discredited by the operation of the Land Act, there should be a reduction upon the lease in proportion to the loss sustained by the landlord.

16,724. Sir James Cowd.—If the instalments are still standing out?—I think it should be calculated upon the whole term of the reduced rent. Supposing I have borrowed £5,000 and there is £2,500 of it that is impaired by the Land Act, and which I consequently lose the benefit of, I extend I should not be required to pay the instalments on that.

16,725. Do you think that the tenant who has a lease which was put on end to in this way—do you think that the remainder of the instalments should be thrown upon him?—Well, I think that the instalments should be put upon the person who received the benefit.

16,726. And that would be the leaseholder?—That would be the leaseholder. At any rate, I think that to the proprietor who borrowed and expended the money, and did not get any return, there should be a reduction made in the amount for which he is liable. Now I have borrowed a good deal of money in that way, and in several cases have expended that money on lands in my own hands, but that which has been given to tenants has been subject to a good deal of reduction, by which I have lost much.

16,727. You are paying interest on money laid out on improvements which are now in the possession of the tenant?—Yes, and which I have no control over whatever in the maintenance and preservation of. It is true that you may go to law, but all moral control has ceased, and going to law for such an object in the present state of things is a thing you never would do. I would propose to have the supervision of all those improvements entrusted to the Minister of Agriculture, already recommended, who would see that they are maintained, on the application of the landlord, and deal with waste or injury in a summary way.

The Rev. Canon GRIFFIN, P.P., examined.

Rev. Canon Griffin, P.P.

16,728. The President.—Are you a land owner, Canon Griffin?—No sir, I am a parish priest. I am a Catholic clergyman, the parish priest of Mill Street, in the county of Cork, but I belong to this diocese.

16,729. Are things in your part of the country pretty quiet now?—Yes, my lord.

16,730. And rents are being paid?—Well, I must say that during the entire agitation the rents were fairly paid, and any disturbances that took place in that district were not caused so much by disputes between landlords and tenants as trade jealousies, which caused a great deal of boycotting.

16,731. But not agrarian in any way?—Not so any appreciable extent.

16,732. And they have not effected the payment of rents?—Not to a considerable extent.

16,733. Have statements been given by the landlords?—Yes, considerable statements have been given by the landlords, ranging from 10 to 25 per cent.

16,734. And the tenants have fairly paid you tell us?—The tenants have fairly paid but there were exceptions during the past two years.

16,735. And there is no combination against paying rent I gather from what you say?—There has been, on two or three properties, for the last two or three years.

16,736. Is it demanding further reductions or refusing to pay at all?—No demanding further reduc-

tions, some having leases and others being judicial rent holders.

16,737. But is that difficulty still going on, or has it been compromised?—Well, to a great extent, through my interference, the tenants have settled with the landlords, and have got very fair reductions; considerable reductions, from 15 to 25 per cent, and in some cases 30 per cent.

16,738. Was that from the judicial rents?—Well 15 per cent. was generally the per-centage. That was allowed on the judicial rent, but from 20 to 30 per cent, was allowed to leaseholders or those who had not gone into court.

16,739. Did this reduce them pretty much to an equality or were the leaseholders still paying more than the judicial tenants?—The 30 per cent. reduced the leaseholders to very nearly an equality, at least I should say so in many cases. The only bit of lawlessness that I saw that would appear to be attached to that combination was, in some cases (especially on one property), they wanted all round abatements, that is where judicial rentholders were concerned; and I reasoned with the parties when they came to me. They got a reduction some time ago in the court, and I said to them, you cannot expect the same reduction as your neighbours who got to reduction in consequence of having leases; and still there was a combination that no man ought not to pay unless all were

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treated alike. However, they did, after reasoning with them they did settle.

16,740. Were those land league people that you had to negotiate with?—They were all land leaguers.

16,741. And all members of the local branch?—Belonging to the local branch.

16,742. You had to negotiate with the branch?—Not with the branch but with them as parishioners of mine, and as coming to me (I did not go to them), but I received them when they came to see as individuals and a number of people coming from different estates. My parish is not in the hands of one, two, or five landowners; it is in the hands of perhaps 20 or 30. The properties are not very large.

16,743. And they all seem, after your suggestions, to have made fair statements, and to have behaved fairly well?—Yes, they have all settled at the beginning of this year. In the early part of this year, or up to May they settled on both sides.

16,744. Is there any wish to purchase in your district on the part of tenants?—One estate has been already sold, one of the principal estates.

16,745. And have the tenants purchased?—The greater portion of it has been sold by Mr. Wallis of Dublin Castle to his tenants.

16,746. What were the terms?—The terms were nominally 17½ years purchase, but there was a running gale to be taken off that, and there was a current gale, now pending settlement, which in reality brings the purchase down to 16½ years. Though it is nominally 17½ it brings it down a year by the remission of a hanging gale, which is on a great number of properties down south here.

16,747. This was a great loss of income to the landlord, was it not?—It was, after coming of age. He went to India, and got married while he was away, but he returned to settle down. Very likely after a couple of years experience in New Zealand he saw that the value of land must come down.

16,748. But coming back and finding the state of things that was then prevailing, he was desirous of saving himself of Lord Ashbourne's Act and to get away from the country?—Oh no sir, he does not wish to leave the country. He has a very large residence, and does not like to go away. He is very fond of agricultural pursuits, and he tells me he will settle down, and that he will become a permanent resident, and I am sure he will.

16,749. And I don't see a good many other landlords would do the same thing, keep their residences and sell their properties?—Well, I fancy in a short place like Killybegs that might be done, but I think very few in out-of-the-way places would, if they dispose of their properties, of their shooting, et cetera, and I do not think they would have very much occupation, and from what I hear them saying I do not think many would remain.

16,750. Do you think that those who would go would be of much loss to the country?—I think the presence of educated men, and men holding the position of gentlemen in districts, and sitting in grand juries and magistracies and so on is of vast importance, and I think the loss would be felt, and especially when they are men that have always lived well with the people.

16,751. Are you personally in favour of increasing the number of peasant proprietors?—Well I think that is the only solution of the subject at present, the only way in which the question can be settled.

16,752. Are you an advocate of compulsory purchase?—I am an advocate of complete compulsory sale and complete compulsory purchase on both sides, I think if the question is left in its present state that it will never be settled; at least it will take a very long time. There are properties besides the one here referred to in my parish, and through me the landlords offered the tenants the right of purchase, but there was such a wide gap between the demands made by the landlords and the offers made by the tenants that it was utterly impossible to get them to meet half-way or anything like it.

16,753. How would you settle the price? In the case of compulsory purchase?—Yes. If they did not agree between themselves I would then say that the Government should send down valuers.

16,754. You would leave it to the Purchase Commissioners?—Yes.

16,755. Taking care that they were good men?—Yes.

16,756. Would not this have the effect of driving out all these educated men that you say it is a desirable should remain?—They are out of the country as it is; they are driven out of it by the present state of things, by the agitation and by the action of the agitators.

16,757. Well, we will hope that that will be only temporary?—Well, I hope so, but I don't know.

16,758. You mentioned leaseholders; I suppose you see no reason why they should not be allowed to the benefit of the Act of 1861?—I think they should be admitted, though I am sure some of them would suffer by it; still I think that the leaseholder is to be broken.

16,759. Is there much sale of tenant right in your parish; has there lately been?—There have been some, perhaps half a dozen cases in the district.

16,760. And have they got good prices?—Well, one would expect that, in the present state of things, with the depreciation in the price of cattle, butter, and everything else, farms would not bring anything near what they have brought, considering the rents.

16,761. What did they fetch, on an average, how many years' purchase?—There was one one within a mile and a half of the little town of Millstreet where there was the grass of eight or 10 cows. It was sold some short time ago for 400*l*.

16,762. What was the rental?—The rental was about 30*l* a year.

16,763. And it was sold for 400*l*?—Yes. I just met a case the other day that was not in my own parish, but is in the next parish to it, Mallow, and it is rather a curious case. I do not know that I should give any information on it, but I happened to be travelling with the gentleman on a railway carriage who was after selling a farm on Lord Bunsy's estate close to the town of Mallow. There were 62 acres, and the rent was 36*l* a year. The tenant owed three years' rent. He allowed the time for redemption to pass, and, notwithstanding that, Lord Bunsy, through his agent, told him he would take 70*l* out of the arrears, three years' rent, and that he would allow him to sell his tenant right, though he had in reality no tenant right at the time, and had lost all claim. Well, the man came to Lord Bunsy, and he said that he had 60*l*. but that he had not the other 10*l*. Lord Bunsy wrote a cheque himself providing for the other 10*l* and handed it to the man, and said to him, "Go and give that with the other 60*l*. to my agent." That was done, and the place was put up for sale, and it brought, the auctioneer told me, 850*l*.

16,764. That is nearly 11 years' purchase?—Yes. There were two or three other similar cases in my own parish, where they brought, I thought, exorbitant sums, considering the holdings and the price of agricultural produce at present; and I then spoke to one man that came to me on the subject, and I told him that such action as his was quite calculated to destroy the position of the priest with the landlord, for when the landlords heard that they were giving such huge sums as that, of course they could scarcely give statements. This man held under two landlords, and he purchased a third holding for 12*l* or 13*l* a year, a small holding, the grass of five or six cows.

16,765. That looks as if the condition of the farmer was good, or are those great prices exceptional?—There are a great number of solvent men, and there are great numbers of them quite insolvent.

16,766. And even the solvent ones have not been making money during the last three or four years?—I do not think they have. A great many of

than have been asking nothing for the last two or three years.

16,767. And it is old savings—that they are thus spending?—Yes, old savings; and I must say that some people giving those large prices for land in Ireland are men who have returned from America, or men who have returned from Australia.

16,768. Sir James Caird.—But I suppose they are men who have been in the district before?—Yes, and who made money abroad, and who wished to settle again in Ireland.

16,769. How long is it since these sales you have quoted were made?—Within the last two or three months. The schoolmaster in my own district, close to his school, bought a farm, the lease of which was impounded for some other charges, and he got back the deposit again.

16,770. The President.—Have you anything further to suggest that would be useful to us, or that you would like to state?—I have nothing further to state, except that I think—

16,771. Sir James Caird.—You said, in those two cases you have mentioned, where the tenant right was bought at 200*l.*, and 300*l.*, you said that it was not by people living in Ireland that they were bought, but by people who had returned from the colonies?—When I stated was that in some of these cases there were people from the colonies who bid when it was put up for auction.

16,772. And they raised the price?—Yes, they doubled the bidding price, but they did not buy. In one case that occurred in my own parish a returned Australian did buy, but he backed out of the purchase, which was taken up by the next bidder, who was a home man.

16,773. The President.—And did they bid up these farms?—Yes.

16,774. But if they attended to buy they must have had money and inclination to buy?—Certainly. With regard to some of these places offered for sale by the landlord where they did not come to an agreement, I advised the tenants to try and do so, in order that they would get possession of their farms; but at that time Mr. Gladstone's measures were being debated in the House of Commons, and they seemed rather reluctant to have anything to say to purchase and I asked them why, and they said they did not know what taxes would be put on the land in case Home Rule was established; and they put to me a lot of questions with regard to possible taxation that might be put upon them, and I told them they would have to bear burdens that they did not feel at present, or that nominally they did not know anything about, such as the Civil Service, the constabulary, education, and other things. They even asked me about the title purchase, whether they would have to pay it, and I told them the seller should settle that tax with the Government. They said, under the circumstances, that they were afraid to buy, lest they might be overthrown if Home Rule was passed. Then some other farmers said that they thought that in depressed times they were more likely to get advancements, and so on, from the present landlords than from the Government, they thought that the Government would be more strict.

16,775. Sir James Caird.—You mentioned that many people in your parish were doing well, and that many were very poor?—Many of the farmers are broken, I think, in a state of insolvency.

16,776. Has your observation led you to come to the conclusion as to whether that results from the quality of the land or from want of industry and good management on the part of the tenant?—Before the agitation commenced I thought my parish and the country generally was over-let and over-rented, and that the value of land should go down in Ireland in consequence of foreign competition increasing every day. The value of land was and is kept up to a great extent by that thirst which has been shown by the people to get possession of the land and to give out farms for farms which are not boycotted.

16,777. But without reference to the sums given, you said that some farmers were well off and that others were very poor, and my question was whether that difference in their circumstances arose either from want of industry or from want of getting good land on the part of those who were poor?—Even both. I was intending to come to that point. The first thing I said to you was that the land has been over-rented.

16,778. But do you speak of the whole land being over-rented?—The greater portion. There are cases of holdings which are cheaply let enough, but there are farms of land let in my parish for 5*l.* an acre, which are not worth more than 10*l.* or 12*l.*, and that has been continuing for years, and the farmer has been working upon it and looking forward to the hope that he might yet be able to live.

16,779. And does he pay what you consider an over-rent?—I say he could live in a kind of way, but have nothing more; he could not have any of the comforts of life, nor could he expect to educate his children properly, beyond what they get in the national school, to forward them in the world. There are a great number of farms there that were never improved until lately. The last attempt at improvement was a cheap loan, which was given by the Government, for drainage, fencing, making roads and so on. That did a good deal to improve the position of a great number of the farmers, but there is a large section of them that have been well off in consequence of hard work, and denying themselves anything like a high rate of living.

16,780. You have not observed whether it is also considerably owing to the land being of good quality where success has been attained?—It was not better than their neighbours. It would be simply because one man was a great deal more hardworking than another.

16,781. Then that would make the more industrious man the more successful?—Doubtless.

16,782. But if he was on good land would he not be likely to be more successful than on bad land?—Quite so; he could live better and make more out of good land than out of bad.

16,783. And in case of purchase being made under the Act, I suppose you would consider the industrious and thrifty man the man most likely to thrive by taking that step?—I have no doubt that that man would be sure to improve his condition more and more.

16,784. And what do you think would be the case with regard to the other man?—I think that there is a class of men who, no matter what is done for them, will never be worth anything.

16,785. And you consider that they would not be eligible purchasers?—I would be very much afraid, unless they change their habits of living and condition, and cultivate industrious habits, that they would not succeed in any position. That is one of the great difficulties in the question, that I see. I see a great number of men who will inevitably break down if they purchase, and eventually perhaps a great number of thrifty people will purchase up from these men and become a new race of landlords in the country. Whether that will be a better state of things than the present of course remains to be seen.

16,786. You stated that you considered the presence of men of education, such as landlords generally are, was of great importance to the country?—I think it is of vast importance.

16,787. And therefore, I suppose, that you would not desire that they should be entirely eliminated?—I would be very sorry to see that they were.

16,788. And whilst the industrious and thrifty men should become peasant proprietors, the landlords would also remain, because it would appear that not all the people are capable of being made peasant proprietors from want of thrift and industry?—If there were a wholesale sale of land it would be very hard to draw the line to take from one man and give to another; that would be one of the difficulties.

16,789. Is not that one of the difficulties of a compulsory measure?—Yes, but if you want to en-

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establish a peasant proprietary, and to establish peace, which, I think, is a permanent question, and to establish an observance of law and order, I think that there must be a wholesale sale and transfer of land, and it would be eventually for the benefit of the country. Idlers and disorganised will go down, and their holdings would be picked up by a lot of shifty men who would become large farmers themselves or peasant proprietors after some time.

16,790. Are people, to your knowledge, within the last six years getting richer or poorer?—In consequence of the agitation and neglecting their work, I think they are getting poorer for the last six years, and especially for the last two years in consequence of depression in prices.

16,791. In consequence of depression in prices?—And not only depression in prices but the impossibility of sale; that is one of the difficulties that the tenants have experienced. I have often written to landlords on the part of farmers saying that they would be able to pay at a certain time after a fair, that they would pay the money they would make on cattle at the fair, but they would bring them back as they could not sell them even at low prices.

16,792. Which has very much hampered them in fulfilling their engagements?—I had to write again and say that these men were not able to dispose of their cattle at low prices, and had to beg more time for them.

16,793. Perhaps you have not sufficient practical knowledge to answer this question. If these people took their cattle home because they could not sell them, have they the means to keep them?—A great number of them had to purchase hay as they had not a sufficient quantity of hay in their holdings. Of course this is a serious drawback to them. One of the difficulties that exist, but perhaps you are only inquiring about the land question, and not about the state of the county with regard to boycotting.

16,794. Can you give any information on that point?—That has been very extensively practised in my parish, and, in fact, it has been the case there for the last five or six years.

16,795. Boycotting?—Yes.

16,796. Does it continue in the same force?—Yes, it does.

16,797. Is it aimed at persons who transgress the edicts of the league, or on what account is it effected?—It commenced, I think, through trade jealousy in the towns against one shopkeeper who was a very large trader there, and a very large farmer, but not a land grabber in any way.

16,798. Not a land grabber?—No.

16,799. Then it was not an agrarian matter?—It had nothing to do with his land transactions, but had simply to do with his business, and some of his enemies took it into their heads to boycott him, and they posted a number of men opposite his house and shop, who took down the names of everyone that entered, and threatened those people that had entered or purchased there that they would meet summary vengeance, and notices were posted on their doors, cottages and all that kind of thing, and this went on increasing until the man's trade was nearly ruined as far as his shop business was concerned. Two of the men were prosecuted before the justices in Cork, and convicted of boycotting, and sent to gaol for one year each. One of the witnesses in the case was the schoolmaster in the town, in the school under my management, and the school was immediately boycotted simply because he told the truth.

16,800. Then on account of his school being boycotted did nobody go to the school?—Well, the attendance dwindled down so much that I do not think out of 80 scholars more than the five or six children of the shopkeeper himself and a few of the children of his employes attended. I had to interfere, and after laying the whole case before the board I got his salary, but he lost his retainer fees year after year.

16,801. And the children lost their education?—Yes, but they got up a land league school in the town, in the land league room, and they appointed as teacher a very objectionable man whom I had dismissed as a monitor before, and refused to give him employment.

16,802. Sir James Caird.—And this all arose from the boycotting of this tradesman?—Yes, it all arose from that.

16,803. And why was the tradesman boycotted?—It was a trade jealousy. He was doing an excellent trade in the place. He was turning £20,000 a year in the little town, and he was making a profit on it of £1,000 or £1,200.

16,804. And I suppose it was thought that he was monopolising trade?—Yes; it was thought, in fact, that he was taking too much, and he had disputes with two or three men about the working of the roads or cuttings, and these were not the best characters, they had this thing against him.

16,805. Was the man himself otherwise a respectable man?—Very respectable. Very likely he will be before you in Cork. He has got a summons to appear before you in Cork.

16,806. Did the boycotting limit itself to the particular man without going to the county in any way?—It has extended through the entire place, and anyone that had anything to do with him was boycotted, or if anyone offended the laws of the league they were immediately boycotted.

16,807. The President.—I suppose the people who boycotted him took advantage of the league to gratify their private animosities?—They took advantage of the league for the purpose of ruining him, and the men employed in it were members of the league.

16,808. And he had no appeal to a higher branch of the league?—He did appeal. He wrote to Davitt and several of them, and he wrote to the executive of the league, and they took no notice at all of what he stated. They did not take the slightest notice of his letters. I think he appealed also to Mr. Healy and Mr. Parnell, but I know he wrote to Mr. Davitt and some others telling them how he was treated, and they did not take the slightest notice of his letters.

16,809. They did not even answer his letters?—No, sir.

16,810. Sir James Caird.—It was not a question of Protestant or Catholic in any way?—It had no more to do with that than this county has to do with Jewish or any other place; no connexion whatsoever. The Catholics, when they offended, were just as severely boycotted as any other people.

16,811. Was this gentleman a Catholic?—Yes, a member of my own congregation, and when I did not join them they did all they could to prevent the people paying their dues and money for the support of the clergy of the parish.

16,812. In fact they tried to boycott you?—Yes, they did all they could, and of course it went on to crime; it went on to different crimes. There were different crimes committed, and in the end two of the gang that were engaged in all these things were murdered by their own companions.

16,813. What year was this?—These murders took place in 1884, I think, as well as I remember.

16,814. And the boycotting of the shopkeeper, who did this occur?—It commenced in 1880.

16,815. Then it is some time ago?—Yes; and it was believed and supposed, and I believe it myself, that the first of these men that was murdered was murdered because he knew the parties that fired at Healy, at one time passing the road.

16,816. And it was not found out who murdered him?—It was never found out to conviction, but it was very well known who the parties were. It was on a Sunday this man was murdered, in a wood close to the town, about between 3 and 4 o'clock in the evening, and this man that was murdered was seen leaving the town with a companion. The policeman who saw them leaving knew the man that was murdered, but did not know who the companion was, the

police man being a stranger, but he said he would know the man again. I desired him to keep a strict eye out for this man from the time of the murder. At that time there was no district inspector, because Millicott was connected with the Macclesfield district. After two or three days passed the companion of the murdered man appeared in town, and the policeman identified him. The policeman then reported to his officer, and the officer took counsel with his superiors as to whether this man should be arrested, and the officer was told it would be better to wait for some days to see if any further information should be collected. In the meantime they found in the wood where the man was murdered a picture which fell out of the Prayer Book of another man, and consisted of the man that left town with him. There were some other parties that were known to be at the head of this mischief were going towards this wood on the Sunday after service was over, and there were six or eight men thus seen. The police were desired to watch the six or eight men, including this man that was in company with the murdered man. There was a police hut close to his residence, and the sergeant in charge, there was desired on no account to lose sight of this man by day and by night, when he was in his house to have the house carefully watched so that he could not escape; that went on during the week, from Sunday to Sunday. I descended the murder in the strongest language I could find, in the church, and I believe that some of the murderers were listening to me at the time. Immediately after the service was over the police saw that some of these men were making away, some towards the railway station in Macclesfield, within a mile from the town, and others towards Knutsford Station, and they stopped there. The district inspector was that evening dining with me, and just as we were at dinner, about 6 o'clock, a message came from the hut to say that evidence had reached the police that the man who was the companion of the murdered man had escaped. He at once, thinking that the man might have gone to Cork, sent the sergeant of the hut off by car to Cork, across the mountains, he telegraphed to Cork to arrest him if he made his appearance there. After searching the country for three weeks and searching every place they could not find him. At the end of the three weeks his remains were found in a lake. In a mountain lake, on the hill above the lake, is a cliff which slopes from the water's edge to a considerable height, and at the top of this over the lake, this man, whose name was Devenish, was murdered. The doctor that made the post-mortem examination told me he was quite satisfied that the man that murdered the first man in the wood were the same that murdered the second man at the lake.

16,817. To prevent his giving information?—It was abroad during the three weeks that it was very likely the Crown might get him to give information about the murder, and also that if he did not give himself up that he would be taken, that he could be caught by the police, and then that he could not be trusted, and they gave that as a reason for his being murdered. A half dozen men were arrested during the time that he was on the run.

16,818. And were of them were convicted?—None of them could be convicted for want of evidence, though there was very strong circumstantial evidence against them.

16,819. Sir James Caird.—May I ask you are there any labourers who are under farmers in your parish?—A great many, sir.

16,820. Are they very well employed?—About the town they get a fair amount of employment; but in the country they are dependent altogether on the small amount of employment they get from the farmers, and they only sell on them as they want them.

16,821. They have no land at all?—They have a little spin, and a little plot which they call a haggard for vegetables.

16,822. Has their condition improved or otherwise in your opinion?—The labourers? No, 12, 1880.

16,823. The labourers?—Oh, they are miserably off. Rev. Canon Griffin, P.P.

16,824. The President.—Do you say that they are very badly off?—Yes, especially those dependent on work from farmers in the country.

16,825. They are irregularly employed?—Yes, and they make them pay rent, and do work for this cabin and the plot of ground, and up to this the gardeners have done nothing with regard to the carrying out of the building of the labourers cottages.

16,826. What do these people live upon?—They generally speaking get some land and plant a little potatoes outside the place. They perhaps get a bit of rough land from the farmer, and they break it up and manure it, and they get a crop or two off it, and then the farmer takes it away, and gives them another bit of rough land, and they have to subsist altogether on what they gain at those places, and their great difficulty is to get a drop of milk for their children.

16,827. Do they get it?—It is very difficult to get it; they tell me the farmers will not give it unless when their wives milk the cows. They live on the potatoes, but if they can get a bit of bread they are very fond of it, if they can afford to buy a stone of four the wife makes bread, and if they can afford it they get a little tea, and they also try to get a little sobering for this tea in the way of milk.

16,828. Have they any means of clothing themselves decently?—No, they have not, they are very badly clad, especially the children.

16,829. There seems little hope of their doing better owing to the circumstances in which they are?—I do not think they can do better until they are to a certain extent made independent of the farmers under whom they are living.

16,830. How is that to be done?—They should get a house or a cottage, and at least an acre of ground, and allow them to have their labour free.

16,831. Under the Cottage Act?—Yes, under the Cottage Act.

16,832. Is there any emigration in your parish?—There is a considerable amount of emigration, but they are chiefly young people going to join other members of the families who have gone out to the Colonies, chiefly to the States.

16,833. They mostly go to the States?—Yes, they mostly go to the States.

16,834. Do you think that any scheme of assisted emigration would be of advantage to them?—Well, I suppose a good number would avail themselves of it. No doubt there are not so many going to New Zealand or Australia though they are improving places. As regards the United States, there is a great desire among the people to join their friends in the States.

16,835. But they might be misused without fixing the place to which they are to go?—Yes, a good number would go to Canada and to Australia, and New Zealand, if advantage was held out to them.

16,836. It is quite clear from your description of the present condition, that it might be with regard to condition made better?—I think so, it would be a great advantage to the growing generation, and I think that would apply to the children of small farmers quite as much as to the children of the labouring classes. I do not know what is to be done with the children of the farming classes in general that are growing up, because the lands cannot be sub-divided, and then they are discontented when they are not marrying as they used.

16,837. On that account?—On that account, and hence they are discontented.

16,838. Sub-division has been stopped?—Yes, entirely stopped.

16,839. And sub-division, was it resorted to very much?—Yes, in different parts of the country where it was permitted.

16,840. Then they must go out, the young men?—I do not see anything else they have to do, unless they have some occupation to turn to in the country,

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some industrious opening. At present I do not see what else they have to do, as it is they are quite discontented, I can see that.

16,841. The younger portion of the population?—Yes, the younger portion of the families, the eldest is not as dissatisfied as the others, because he thinks he is to get the land by and by, but there are three or four others the younger members of the family who are by no means satisfied, and one thing with another they do not see why they should work when there is no final benefit in prospect for them.

16,842. Are those persons who become boycotters chiefly of that class without any occupation?—They are to a great extent idlers.

16,843. And young people?—Yes, and those who have no stake in the country, and a few of them small artisans, such as shoemakers and servant boys, and people like that; in fact there are at present about a half-dozen of that class who rule the whole place, and everyone is afraid to do an independent act in consequence of the terrorism.

16,844. Terrorism exercised by this small number of insignificant people?—A small gang of fellows not worth trespasing halfpenny, at this present moment there are shopkeepers in the town who are afraid to do anything in consequence of the terrorism that is exercised. The butcher the other day was threatened for serving meat to Mr. Wallis of Debrinane Castle, because he continued to employ Haggerty, and it goes on to a fearful extent in that way. It is carried into the very schools, as I told you, and at this present moment it is carried on in the school where the children of the steward of Haggerty are attending. They are threatened. They the difficulty that people have of doing at present what has been done to them is intensified very much by the treatment that the Curran family have received, and also the family of the name of Doyle. They gave evidence and convicted parties at the Cork Winter Assizes. There have been ride made and houses attacked in my district and nothing has been told to the police by the owner, they have kept it quiet to themselves because they feared that if they handed anyone

over to justice they would meet the same fate. There was a farmer's house attacked last Friday evening. The family were coming from church, from prayers, and three fellows jumped into the yard with their faces blackened, and demanded a gun that was inside. The farmer's son said, "Come in, and I will give it to you," and when he came to the door he politely allowed the stranger to pass in first. He then caught him by the back of the neck, and wrestled from his hand a revolver and said, "Now I know you very well, you are so and so," he whistled and cried, and begged for money, and asked to be let go, and he would never come to the place again if he was allowed to go, after a regular family consultation they came to the conclusion that it was much better to let him go than to hand him over to the police, and get themselves into the same trouble as the Curran family and the Doyleys.

16,845. Sir James Caird.—And they let him go?—Yes. The only person in the whole place that was told anything about it was myself. That is only one case. Now there is another thing I wish to mention with regard to the better business in the country.

16,846. The President.—Yes. Would you kindly tell us what you have to say on that subject?—I need not tell you that the price of butter has fallen immensely within the last 18 months especially, and I think there is a great deal of that owing to the treatment which Irish butter receives in the Cork market. I was speaking about a fortnight ago to one of the most respectable merchants in the Cork market on the subject, and he told me that butter was stored by the exporters, perhaps for a fortnight or three weeks in their stores in Cork, and kept there in nasty badly ventilated stores, and when it is sent across to England, of course, it is depreciated in value to a great extent. That finally affects the farmer and the purchaser of the butter. Some means, I think, should be established to have the butter branded with the date on which it is put into the Cork market, and the exporter should be compelled to send the butter into the English market as soon as possible.

Mr. Patrick
O'Donnell.

Mr. PATRICK O'DONNELL examined.

16,847. The President.—I believe you are a tenant farmer?—Yes, your honour.

16,848. What part of the country do you come from?—I come from Tinsloe.

16,849. What is the nature of your holding?—I hold 90 Irish acres of land under lease made in the year 1871.

16,850. Is it at a high rent?—The rental was £180 under a middleman.

16,851. For 90 Irish acres?—£180 of rent I was paying under the middleman.

16,852. And is he paying a high rent?—The middleman dropped off then, and my lease was made in 1871.

16,853. Who was the head landlord?—Seleverias Crump. I never saw the gentleman at all. He lives in England at the Isle of Wight.

16,854. I suppose your wish would be to come under the Land Act if possible?—I was often enquiring for a reduction through my solicitor. I never got a shilling until last March. I then got 20 per cent., I paying 12 months' rent. I did the same now by paying 12 months' rent with a raising sale.

16,855. Is it very good land?—Half of it is rough drained land.

16,856. 80 Irish acres would be 60 or 70 English?—I think it would be about 80 English.

16,857. Sir James Caird.—Is most be good land?—Half of it is drained land by the middleman.

16,858. What is the other half?—Pasture land and tillage land.

16,859. Are you near a town?—Two miles from the town of Tinsloe, it is nearer.

16,860. The President.—It is not a town path?—No, it is an agricultural farm.

16,861. Sir James Caird.—Have you long paid so great a rent as £180 for this 80 acres?—In the year 1869 my father got off the property. My father held another farm previously but the headland was sold out, and the gentleman who bought it wanted this farm himself, and would not continue my father as tenant at any rent, and there was then the middleman, Mr. Stokes, a former county surveyor of this county, got this farm to my father at £180 a year, and my father had to fall in; he had no other alternative in order to keep his cattle and meadow together.

16,862. Has he been able to meet that since, to pay that £180 every year since?—He was, and because he had my amount of help because his family worked.

16,863. He had not to hire labour?—No, sir, I had myself and some other brothers working together at the time.

16,864. And in that way you were able to pay this high rent?—But I consider this time is more depressed than then in price.

16,865. Sir James Caird.—Is this land better than the neighbour's land round about you?—Something of the same class.

16,866. And do they pay as much rent proportionately?—They do, but the principal part of them got in under the Land Act, and got 20 per cent. and 24 per cent. of a reduction, but I got none until March last.

16,867. You have got no reduction?—Only what I got last March.

16,868. And your wish is to go into the Land Court?—Yes, I claimed that several times, and

furthermore that I had agreed for the middleman's rent with the agent, who was fully satisfied. In 1871 things reached very high, and we thought the head landlord would give a reduction, having regard to present prices. Corn in 1868 was a big price.

16,839. You do not know what the middleman has to pay?—Well I was informed it was £100 a year, but still I would not say that was the case; I do not know.

16,870. And who was the head landlord?—Sir Verius Crumpe.

16,871. And who was the middleman?—He is gone out altogether. He has been out for the last two or five years.

16,872. And you are under the head landlord now?—Yes, since 1871. The middleman has disappeared.

16,873. The President.—And you held straight from Mr. Sirverius Crumpe?—Yes, sir, the head landlord.

16,874. It comes to this; what you desire is that your should be admitted into the Land Court?—Yes, sir, or to settle outside so that I would get fair play, so that I would get a substantial reduction according to the times, for at present I am overreaching my tenants.

16,875. Sir James Caird.—Because you are bound by this lease?—Yes, because I would not be admitted into the court.

16,876. The President.—What you want is a reduction of the rent, and you would get that by going into the court?—Yes, sir. I was going to explain that in making the lease at £180 on the middleman's lease, and when we had settled the matter, and when the lease was perfected and it went to the landlord to sign it, he declined to do so without getting £30 a year of a rise beyond the middleman.

16,877. What was the rent before?—£180.

16,878. And has it been put up to £200?—It was raised, but then after, through the kindness of the agent and some other gentlemen who interfered, he divided it and he put it at £190 as the rent. For 11½ years I was paying £190.

16,879. And then it was reduced to £180?—It was, sir, through the agent.

16,880. Your present rent is £180, and your landlord has given you a reduction for the last year?—Yes.

MR. GARRETT FITZGERALD examined.

16,881. The President.—You are a tenant farmer?—Yes, my lord.

16,882. How many acres do you hold?—About 50 Irish acres.

16,883. What is your rent?—£46 a year, together with 24 10s. 6d. a year for a loan borrowed.

16,884. And part of it is on lease?—Part of it, but he had that I occupy on lease I have only since 1881.

16,885. And the other part of it is from year to year?—The other part of it is not on lease.

16,886. Are they either under a judicial rent?—No, your honour.

16,887. You have never been induced to go into court?—I would, your honour, but some of my neighbours went into court and they have not got a reduction commensurate with the cost to which they were put. There was one man in my boundary who was put to £4 costs. He entered the Land Court and he got a reduction of £3 a year, and even that would not cover me from entering the court. There is another case, I found that the tenants who had entered the court were subject any time that there was a demand for the rent, and if they were not up to time with the rent, they were more subject to be served with process and write than the tenants who had not gone into the Land Court. The landlord was harder on them and would not give them the same treatment.

16,888. And as a matter of fact you have been paying £100?—It is £172 with 20 per cent. of a reduction?

16,889. Is it £10 or 20 per cent.?—20 per cent. he gave me.

16,890. The President.—What you really would wish would be to have your rent reduced by going into the court. Is there anything else you wish to add?—Then, sir, I was entitled to half the county cess under the Act of 1870, I was bound in that lease which is compulsory on me.

16,891. You did not try to break it?—I did, sir. I went before the court and I was debarred.

16,892. Why was that?—Through being leased.

16,893. Why were you debarred from the court?—Having been leased.

16,894. Could you not break any lease if it was made since 1871. When was your lease made?—March 1871.

16,895. That was before the Act of 1882. Did you try to break it since the Act of 1881?—I tried in 1881.

16,896. And you could not do it?—I could not do it. I have Mr. D. B. Sullivan's "opinion" on it. (Document handed to the President.)

16,897. Sir James Caird.—Were you threatened in any way, either by the possibility of eviction under influence of any kind. Were you thus induced to enter into this lease?—I was, sir. If I did not comply I would be turned out on the road.

16,898. The President.—You were not a tenant from year to year at the time the lease was forced upon you. That seems to be the way in which your case looks down?—If I did not comply with the lease I would be turned out on the road. Griffiths' valuation is £95 10s. 6d. There should be a very substantial reduction given owing to the depressed state of the country. The reductions given under the Act of 1881 were very poor. They would never have compared with the present price of produce, the great depression of butter and the other reduction in prices.

16,899. Will your landlord not meet you as he did last year?—Yes he has met me and he would give me 20 per cent. this year, but I could not at all pay it. It is not a sufficient reduction. Oh, no. Even with that 20 per cent. I would be over Griffiths' valuation and a half.

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Mr. Patrick O'Donnell

Mr. Garrett Fitzgerald

16,900. Not the same statement?—The only statement we ever got on the estate was in 1875, when we got an additional 10 per cent., and on the last sale we got 20 per cent., and I am told he is giving 30 per cent. now, but I have not paid yet myself.

16,901. Do you mean to pay?—Oh, yes, your honour.

16,902. And I suppose you find it difficult lately?—I find it difficult to make the rent, your honour. I would have paid it a month back if I could make it up.

16,903. Do you wish to buy?—I would, your honour, if I thought that I could buy at a sale that I would be able to hold.

16,904. What would you consider would be a fair sale?—Well, I do not speak exactly for myself, I hold a responsible position on the Tripartite Board of Guardians, and I speak as much for the men around me as I do for myself, and I speak their feelings after consultation with them, and they fear that we are not at the bottom of this depression yet. If we considered that we were, and that there would be any prospect of times holding as they are, we would be very anxious to purchase.

16,905. What would you consider a fair price?—That would depend on the rent, your honour.

16,906. On a fair rent; on a judicial rent for instance?—I would not consider that a judicial rent is now a fair rent, your honour.

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Mr. Gurney
Waggoner.

16,907. Owing to the fall in prices?—Owing to the falling in the prices of produce.

16,908. Then in these things you cannot name any number of years?—I did not bring anything in the shape of figures. I considered of course that that was a thing well known to the several gentlemen, the average fall in prices.

16,909. Yes, we know all about that. We have plenty of evidence as to that, but you cannot name any number of years purchase of the interest?—Not until I could see a fair rent.

16,910. Sir James Caird.—But supposing that you had it as a fair rent?—If I got it as a fair rent I would not care what would be the number of years purchase, provided I could see that the instalments actually amounted to what I could pay. That is what I would have to look to. It would not trouble me what the landlord would get provided I could have the instalments in such a way as that I could pay them from time to time.

16,911. Would you expect that the instalments should be less than the fair rent?—Yes, I would. With regard to the probable increase in taxation, taxation is increasing day after day, and the tenant is supposed to pay all these taxes, after purchase. At present, under the lease I hold, (they got it after the passage of the Land Act of 1881,) there is a covenant in the lease compelling me to pay the whole of the county cess, which I would not have signed if I thought that the tenant signing the lease after the passing of the Land Act of 1881, could not contract himself out of the benefits of the Act except his valuation exceeded £140. What I meant to convey to the Commissioners is that I would not have signed this lease, but that I thought on reading the Act that a tenant was not able to contract himself out of the benefits of the Act except his valuation, or the aggregate of his valuation, was £150. My valuation being only £181 I thought my signing this lease would not compel me to pay all the county cess. I thought from reading the Act that I was not in a position to contract myself out of it. That is what I thought.

16,912. That you were not in a position to contract yourself out of paying the cess?—I thought I was not. On the signing of the lease I remarked to the solicitor "I think I am entitled to get half the county cess," and I said I will not sign that lease unless that stipulation is clearly made, as I think I am entitled to get half the county cess allowed. The solicitor read the case and said that so far as that clause is concerned it is null and void, and then I consented to sign the lease. As a matter of law I never raised the question.

16,913. What is the nature of your lease. How much did you pay on the lease?—The tenant before me in possession had a lease which was void by reason of being longer than the Court of Chancery allowed.

16,914. How much did you pay?—I paid £300.

16,915. You bought it for £300?—I purchased the tenant's interest for £300 in 1881.

16,916. How many acres was it?—84½.

16,917. Irish acres?—Yes, Irish acres. It was not worth half that to me by reason of its being crossing near the boundary of the farm I held, and more than that, the reason I gave that for it, although it was not worth half of it, that in this farm I and all my brothers and sisters were reared, and I hope to die keeping it by reason of its being the cradle of all our families, the place where we were nurtured, where we were reared. I expected this money to come from my brothers who are in Australia.

16,918. Well, do you wish to come under the Act with your lease?—I would not care about that your honour, because at present my lease together with two other securities is pledged. I do not much seek that. What I would wish to do in coming here is to give general evidence, not exactly on my own account, as to the depression of the price of produce being solely and the chief cause of nonpayment of rents.

16,919. You think people would pay the rents if they had the money?—I do; I have not the slightest hesitation in saying that people would pay their rents. I have repeatedly advised those who could pay, to pay, so that those who could not pay would be able to get more time.

16,920. Have they been paying?—There are some paying and the others not. A good deal more that have not and cannot.

16,921. And you think that nonpayment is because they cannot pay and not because there is a combination against paying?—In the estate on which I am a tenant there is not one single word of combination.

16,922. And there have been 20 per cent. of reductions offered?—The 20 per cent. was the last amount allowed, and I am told that there is to be 25 per cent. given now again.

16,923. But even with that they are not paying?—They are not paying, and they cannot pay. There are some tenants who if they got 50 per cent. of a reduction could not pay to my own knowledge.

16,924. Has there been any joint representation to the landlord amongst them?—No, your honour.

16,925. Sir James Caird.—You attribute it to the depression in prices that they cannot pay?—Yes, your honour, that is only one part of the reason.

16,926. What is the other?—The falling altogether in the produce that the land is yielding.

16,927. When did that begin?—For the last few years since our climate has changed altogether to wet seasons.

16,928. Since 1879?—Yes, there may be one or two good years since, but generally speaking of late years the climate is changed in such a way that it has shrouded and altogether diminished the produce of the land in quality, both in the better trade and in corn.

16,929. The cold and wet seasons?—Yes; my impression is that the falling off in the produce, affects everything except butter.

16,930. Are you yourself a dairy farmer?—Yes, your honour.

16,931. You make butter?—Yes, your honour.

16,932. Do you make it at home in your own place?—Yes, we make it at home in our own place.

16,933. You do not send it into a buttery or a creamery?—No, there is no creamery in the district.

16,934. Do you think any advantage would arise from a uniform system being adopted in the manufacture of butter?—My impression is that if the tenant farmers were able to afford the capital to establish a creamery, my impression is that some benefit would accrue from that.

16,935. Do you know any instance in which it has been done?—I could hardly give you figures of it, but I remember reading in other places where this has been established and where they have gone on with it most successfully.

16,936. We have had evidence that it has been done with great advantage and great improvement in the quality of the butter?—I do not doubt that; that is why I say that any tenant farmer with capital should make an effort to establish a thing of this kind.

16,937. Do you sell in Cork?—Yes, in Cork and Tralee. I live in the neighbourhood of Tralee.

16,938. And you have a local market for your butter?—Yes, we have local markets. We have one in Tralee and another in Lismore, and in some other important towns through the county.

16,939. Do you sell your butter from week to week just as it is made?—I do, I may keep it three or four days, but I do not hold it until it gets stale.

16,940. Do you think the quality is as good as it used to be?—I should think it is. I think the butter we make is as good as it ever was. There are some times when it is not of the same character; when the season would affect the butter. You could not expect butter in very wet, soft, or warm, hazy weather, which notoriously affects butter. It will affect the milk. If they have pasture which is dry and wholesome, it

is asked to suppose that the cream will give better butter than it would from wet grass.

16,941. Are all the farmers in your neighbourhood better dairymen?—Yes, that is their staple produce.

16,942. Then within a certain number of miles around you there would be ample room for a better factory?—Yes, there is no doubt about that, I live convenient enough to Tralee and could have a creamery there.

16,943. There is nothing of the kind there?—No, there was an attempt made a couple of years ago to establish a creamery there. I attended one of the meetings myself there, at which Mr. George Hewson of Ennismore explained the benefits that were likely to accrue from it, and Mr. Redmond Roche who was there on the same day came to give an explanation of it, and I think the farmers generally agreed with him, but the capital was not forthcoming. A certain number of shares were announced to be taken, but the rest of the capital of the shares was not forthcoming. In the fall in the price of butter within the last two years in any way in consequence of inferiority of quality? I think not, because if you take any of the years I think there are as many first qualities come this year from Cork as during any year.

16,944. With regard to the number of years purchase, I think that they would vary; I think there should not be a uniform rule.

16,945. It would depend on the value of the land whether it was good land or not?—I think it would.

16,946. Would you think that if they got 20 years it would be going too far?—If there was a fair rent I think 20 years purchase would not be a big rate of purchase, but at even judicial rents fixed before the last 12 months or the neo-judicial rents, I think that 20 years would make the farmer no better than he is at present.

16,947. You think 20 years would be fair?—I think it would or anything arrived at by a fair rent being fixed at the present day.

Mr. PATRICK SHEEHAN examined.

16,948. The President.—What is the extent of your holding?—40a. 2r. 27p.

16,949. Irish or English?—I suppose they are Irish, as.

16,950. At a rent of what. What is your rent?—28l.

16,951. Are you under a judicial rent?—Yes, sir.

16,952. When was your rent fixed?—In 1884, sir.

16,953. And do you think that a fair rent?—I do not, sir.

16,954. Was it a fair rent when it was fixed, do you think?—According to the times they fixed it I do not think it fair, I thought I would get a better valuation. I offered a valuation to Mr. Herbert of Cahersiveen, the agent of Mr. Herbert of Muckross. At the time I offered to leave it to their valuation they went out and described it to Mr. Hussey, who became the new agent.

16,955. Who is your landlord?—Mr. Herbert of Muckross was my landlord, but I do not know who is my landlord now; I think it is mortgaged to a company. Mr. Hussey is our present agent whoever our landlord is.

16,956. Although the rent was fixed in 1884 it is difficult to pay now?—It is difficult. I could never pay it.

16,957. Have you paid it this year?—I have paid part of it in order to keep me in the house.

16,958. Have they given you any statement?—Not a penny. I asked Mr. Hussey to meet me on fair, honest terms, and I would meet him in the same way, but he said that I would not get a penny of valuation this year until next March.

16,959. So you paid it?—I paid him 10l. out of a gale of 14l. as much as I could pay him, and if I paid my debts altogether I would not be able to pay him, but I did not like to go farther without doing that.

16,960. Would you not give 20 years even at a fair rent?—If a fair rent was fixed to-day I would.

16,961. Sir James Caird.—Have any of the rents been fixed lately in this part of the country?—Not in my district or near. There was a commission in Tralee, but I do not know much about it, I read the statements, and I could not form an opinion as I do not know the land.

16,962. Because the evidence we have received is that the rents now being fixed are put at a lower rate than some years ago. Would not that circumstance bring them probably within your view?—Yes, or near it, but I would be very reluctant in entering into the purchase of my holding for the one reason alone, that I would be very much afraid that even the fall in prices would go lower.

16,963. You do not think you have got at the bottom of it, though it may not be so?—It may not, it is true.

16,964. Have you had in your experience any such long succession of wet and cold seasons as we have had lately?—No, or none. I remember since I was a boy with my father at all round farming. I remember places where he used to keep eight or nine cows, where he used often to keep eight cows on a particular spot of land up to 1875 till I got married and handed it over to me, at the present day that same spot of land, that same extent, would not rear five cows.

16,965. Just from the depreciation in the quality of the land itself?—Yes, from the deterioration in the quality of the land.

16,966. Chiefly from inclement seasons?—Yes.

16,967. And you have no previous experience of an equal long continued series of bad seasons?—Oh, no, or none; there may be one year but that would not affect us altogether in the same way.

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Mr. Garrett Fitzgerald.

Mr. Patrick Sheehan.

16,968. I suppose it is on account of the bad times that you cannot pay?—I considered that he would give me 20 per cent. on account of the fall in prices of produce, for we have nothing but what we make on the butter from eight cows and sucking calves. I sell two or three calves, according to circumstances.

16,969. You do not rear all your calves?—I have had generally three on an average.

16,970. Is it good land?—It is boggy land, reclaimed land, about 10 acres; it is arable land in the centre, but in the most part of it, it is boggy land, five or six or eight rods high.

16,971. You have 89 acres for which you pay 28l.?—Yes.

16,972. And you can keep eight cows on them?—Yes.

16,973. And two or three calves?—Yes, for over 22 years I have been working at the farm.

16,974. How long have you been in the farm?—Well, I think it is 24 years now.

16,975. And have you paid this rent all the time?—Yes, was the old rent always.

16,976. And when was it raised to 28l.?—About six years ago. Mr. Herbert, my master, at that time, he came to my house. I had only one house, it was there my father was; it was there my dairy was, and the bit of a kitchen; it was there I had the horse, and then I had my servant boy in the kitchen.

16,977. Was that the late Mr. Herbert?—Yes, sir, of Muckross.

16,978. Was he the father of the present Mr. Herbert?—Yes, the present Mr. Herbert; he said he would build plenty of houses for me, and he told the agent; he told me to go to him and see about it, and the answer I got was that he had very little money if I had not as much as was necessary myself; and though I got the consent of the landlord, he withdrew from the compromise then, and I got

Nov. 12, 1866.

Mr Patrick
theobald

nothing. I only told him to build it somewhere. I agreed to build a house, if he would give limestone and pay 100*l.* towards cost of building. I agreed to build the house, if he would give the stone and send a horse and cart to draw it. The contract was 118*l.*, and I borrowed the balance sooner than increase the per-centage.

16,979. He had to pay the 100*l.*?—Yes, but he put 4*l.* a year on the house, allowing me 1*l.* for the 18*l.* as interest, and that brought it from 3*l.* to 4*l.*

16,980. Then before this money was expended on the house you were paying 25*l.* a year?—Yes, before the house was built.

16,981. And since then what have you been paying?—25*l.* Yes, it was raised to 30*l.* and I only got 2*l.* of a reduction made by the Commissioners.

16,982. Then the rise of rent was just the interest upon the 100*l.*?—Yes, sir.

16,983. And that was reduced to 28*l.*?—Yes, sir.

16,984. And now you think that this rent is still too high?—Yes, sir.

16,985. And is it in consequence of low prices and

bad crops?—It is, sir. I have had crops; I may say practically I have no crops. I always buy a great deal of seed oats and seed potatoes, and I must send to Cork for them, and not only that but there is a peat quarry underneath where my potatoe crop is set, and they would be blackened if I did not trench them every year.

16,986. How are the potatoes this year?—I think about half of them are of no value, and about an acre of them pretty fair. I had half the crop very bad, very black; they look very black.

16,987. Will your land keep more than eight cows?—No.

16,988. Is that as much as it will feed?—Yes, I could not keep calves last year or the year before; the place was too bad.

16,989. From what I hear of your evidence, your grievance is that your rent is so high that you have a difficulty in paying it on account of the bad times?—Yes, sir, the butter comes down so low; that is the only produce we have to support us with what over we make by the calves.

Mr Florence
O'Sullivan.

Mr FLORENCE O'SULLIVAN examined.

16,990. The President.—You farm 300 Irish acres?—Yes, sir, or thereabouts.

16,991. And you hold 140 acres under a judicial lease?—Yes, sir.

16,992. And the rest under two leases?—Yes, sir, under two ordinary leases.

16,993. Are these leases higher rented than the judicial rent?—Yes, sir, one of them is, sir.

16,994. One is?—Yes, sir.

16,995. And the other?—The other is not so much, but it is considerably over the judicial rent.

16,996. Both are over the judicial rent?—One so much over the judicial rent as the other.

16,997. I suppose your wish is to come under the Land Act of 1861?—Oh, yes, sir. I think it would be very desirable.

16,998. And there is no reason, in your opinion, why the leaseholders should not have the benefit of it?—I do not know any reason why leaseholders should not be put on the same footing as the other tenants in the country, and I would strongly recommend it. I believe that if legislation is capable of causing agitation to cease, causing the country to settle down, the most industrial, and most intelligent, and most conservative portion of the tenantry of Ireland should and be left with a standing grievance.

16,999. And what is the date of your lease?—One of my leases is dated in 1870, and the other is a few years before that.

17,000. Have you ever turned your attention to the idea of purchasing?—Yes, sir, I have thought over it.

17,001. Have you made offers, or did you seriously think about it?—No, sir, no offer has been made to me, and I have not made any offer, but tenants on the estate with which I am connected made an offer.

17,002. They did?—Yes, sir.

17,003. In a body?—Yes, sir, in a body.

17,004. And what was their offer?—Their offer was 15 years' purchase on the Government valuation.

17,005. And the landlord did not think that enough?—The landlord did not think that enough, sir, and if you permit me to give you my opinion on the question as to the present Purchase Act, I may say that I fear that as long as it is left a free and open question between the landlord and the tenant to make the bargain as to the price that what the landlord will think fair, the tenant will think this unfair, and vice versa, and hence the Act will work very slowly; but not only that, my lord, but in some instances where it will work, that it will work mischievously.

17,006. Why will it work mischievously?—I know cases of tenants who are in such dread by writs, and by being actually evicted, that they accepted con-

ditions of purchase which on their own admission they believed they were unable to comply with.

17,007. And they do that with a view of getting off the immediate rent?—No, my lord, but it seems easy to get back into possession again, and with the hope, as they informed me, of the Government Commissioners not sanctioning the sale, and then, as they stated to me, if they were in possession again we do not know what God may do for us.

17,008. After being evicted?—Yes, after being evicted; after being evicted, my lord, for 18 months. In my opinion my Purchase Act to be of service to the country, some means must be adopted as to the mode of fixing the price that the tenants would have to pay, and not leave the amount to a bargain between landlord and tenant.

17,009. Do you mean compulsory purchase?—Indirectly compulsory, my lord, in this way, that where a landlord proposed to sell a portion of his estate that the State would not take up anything less than the whole, and that also the State would adopt some measure by which the price to be paid to the landlord and the price to be paid by the tenant would be ascertained.

17,010. By the Purchase Commissioners or some body of that sort?—Yes, sir, some machinery or some commissioners.

17,011. To settle the price?—Yes, my lord.

17,012. That is when they are compelled to buy, both parties?—Yes, my lord, and I would add to that that in any such transaction the tenantry should not be called upon to pay for what at present they own.

17,013. But we they called upon to pay for what at present they own?—Yes, my lord, they own at present the occupancy of their farms, and the law says so at a fair rent.

17,014. But they did not have to buy that?—No, my lord, but what is just as good title they have it by law now.

17,015. What you mean is that they gain nothing by buying, or what do you mean?—No, my lord, but I say that they are at present in the occupancy of their farms at a fair rent, that is their legal title.

17,016. Sir James Colville.—Then the purchase would be at that fair rent?—But allow me to put it in the point of view I wished to impress upon you. I put it in this way, that if the landlord proposed to sell a farm which he has at present on his hands, and supposing that that farm would fetch a number of years' purchase at a fair rent, if the same landlord would propose to sell my farm to me, and if the farms were equally valuable, I think that I would have the right to demand that from the price that he would

get for the farm should be deducted that which was ascertained to be the value of that which I had by law, that is permissory or security of tenure, that is my opinion, a valuable element.

17,037. When a fair rent is fixed under a judicial agreement, a fair rent is fixed that excludes the tenant's interest; it only looks to the value of the land for rent?—That is not what the farmers of Ireland think, but that they have two things, fixity of tenure at a fair rent and the right to sell their fees. My right is to sell my farm or my right to live in my farm on fair terms is a valuable right for which I get valuable consideration besides the fee simple estate alone.

17,038. The rent you make up is not all rent due to the landlord?—Quite so.

17,039. Then I understand you to say that there is in addition to that rent which is given to him another value which you say belongs to you, and that on that rent due to the landlord exclusively that the landlord of your purchase would be placed your right would be intact. Would that some number of years' purchase now be placed on a farm which is unencumbered in the landlord's hands?—What I mean to convey is this. So far as I can ascertain the tenantry of Ireland do not grudge to the landlords of Ireland any sum that they can get for their estates, but the tenantry of Ireland believe that if there is a fair price, a fair commercial price, put on a farm, such as an English farm at present which belongs exclusively to the landlord, that from the price that that would fetch in the open market should be deducted the value of that which is the tenant's legal right at present, that is the right of occupancy.

17,040. Did you as a tenant look at it in that light. You as a tenant agree with your landlord or you get the court to decide that you shall pay 50*l.* a year for the landlord's interest in the land, and then when you wish to become the proprietor of it you buy his interest of it, not your own?—Exactly so, the landlord's interest I am willing to buy.

17,041. You buy at a fair rent and the question is, how many years' purchase at a fair rent is equitable. What is due to the landlord for his interest?—Quite so, sir.

17,042. The President.—You pay 50 years of this fair rent or you borrow the money to pay it, and you buy out his interest in it?—That is all I ought to be expected to pay if the Land Act of 1881 had never passed. That is my objection. If that were it adopted the Land Act of 1881 would never confer the value of one farthing on the tenantry of Ireland.

17,043. Sir James Collier.—Suppose when purchasing the fee simple out and out or selling it, suppose you wish to own a farm the tenant's interest of which was to be sold, would you pay him so much for that interest, would you not?—Yes, sir.

17,044. Well, that would be years when you bought it?—Yes, sir. But I have an interest in occupying that farm at that fair rent more than an outsider. For instance, now, or, if the landlord had a farm on his own hands, and buildings and all on it, and if he proposed to sell that farm out he had not only the landlord's interest in that to sell but also the tenant's interest in it to sell.

17,045. And he would get more for it?—Certainly. Very well then, my lord, what I say is that whatever he would get for that or whatever could be ascertained to be a fair commercial value of that farm let it also be ascertained, and I do not think there is any great difficulty in ascertaining each of the two, from that would be deducted the interest which is legally the tenant's, or how much the tenant would get for the farm occupied as compared with the farm unoccupied.

17,046. Your previous suggestion is that the Commission should have the power to settle the price that both parties ought to ask?—Yes, my lord.

17,047. Have you anything more that you wish to say?—I have suggested that it would be desirable to submit the benefits to the benefits of the Land Act of 1881.

17,028. Yes, that is very important?—But I would except from that some large farms held exclusively for grazing purposes.

17,029. That are on lease?—That are on lease.

17,030. On what grounds would you except those?—On public grounds. I think it would not be for the interest of the country at large that any facilities should be afforded by the law to the occupiers of these large tracts of grazing land principally in the midland counties to become owners of these tracts.

17,031. It would not be becoming owners, it would be having judicial rents fixed?—But that would be, in my opinion, giving them facilities to become owners.

17,032. Yes, you would except them on the ground that it would facilitate them to become owners if they got judicial rents fixed, and you do not think that is desirable?—I do not think it is desirable for the interests of the country at large.

17,033. Is there anything else you wish to suggest?—With regard to the interest, or desire, or willingness of tenants to purchase, my lord, I think it well to mention to your lordship that I never came across a tenant, that I never knew a tenant that was not anxious to purchase his holding, the only impediment was as to the value of their interest, and an apprehension on the minds of the tenants that the terms demanded were too high.

17,034. You know, of course, that 16 years' purchase would diminish the income of the landlord very considerably, would nearly cut it down to half?—Well, my lord, I may tell you that I, and such as I converse with, never sincerely give much thought to what the landlord is to be. We do not consider that, my lord, our concern. We know the landlords are well able to defend their rights; in that case, what we consider is what we will have to pay.

17,035. As tenants?—Exactly.

17,036. And you do not care what happens to the landlord?—I do, my lord, I would be very sorry indeed that anything bad should happen to him.

17,036a. But you would not mind him losing half his income?—I would sooner he would not.

17,036b. But if you cannot get the land cheaper without it that cannot be helped?—Well, my lord, it would be one of two things; if he does not lose his income by half, and I am bound to pay what I am not able to pay, then the tenant will go to the wall. If there can be no means devised, my lord, of giving the landlord a fair price, and giving the tenant a fair, reasonable maintenance to live, I am afraid all legislation would be a failure.

17,037. It is very difficult to devise that?—But one should be inclined to think that there could be a means, that it is not impossible to devise a means by which the landlord should get what every honest, intelligent body of men would say is his fair price, and at the same time, give the tenantry of Ireland a fair, reasonable maintenance to live and thrive, and if there happened to be any gap between the two things, well.

17,038. Yes, what would you suggest?—Well, I should say, my lord, that the landlord has the stronger claim upon the Government which I may say caused the gap, because it was the Government of England that took from the landlord what I mentioned a while ago was ours, and if the landlord has to complain because we have to buy all our farms, that which is our own, that we are not required to buy for it is our own, the landlord is reasonable, I think, because he could say if it was the Government which took that from us a while ago and gave it to you, and therefore, my lord, I think, as a tenant farmer, if the landlord had complained they might have a reasonable claim on the Government for their consideration, that is if it would be ascertained by a competent body or tribunal that if a gap would exist between the two things I have mentioned, a fair reasonable chance for the tenantry of Ireland to live and thrive, and a fair commercial value to the landlord for his estate. I do not see why statesmen should not devise some means by which that gap may be filled up, and I believe, my lord, that

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all purchases under the Acts would be better if such a provision could be made to meet the case. Any sacrifice that will be made to create peace, unity, and contentment in the country will be a loss to no person for every member of community will gain thereby. May I make one suggestion more. I have been requested by a number of tenants with whom I conversed and ascertained their views before coming here, I have been asked to request that if any change should

take place in the law with regard to the land that that change would be made clear and unmistakably plain for the tenants of Ireland, so that they would not have to be going into the courts after all the hassle of quibbling and legislating to ascertain what were their rights, sure it is possible to make whatever change may be made to make it unmistakably clear. It was a great misfortune of the Land Act of 1881 that nothing would be got without law and fighting.

[Before the Earl of MILDOTOWN and Mr. NELIGAN.]

Mr. Raymond
Boche.

Mr. RAYMOND BOCHE, examined.

17,039. Lord MILDOTOWN.—I believe you are a valuer. What is your position?—I acted as a Sub-Commissioner during 1883 and 1884, and I have been acting for the last year as a land inspector in the administration of the Purchase Act.

17,040. What are the duties of land inspector under the Act?—He is asked to inspect and to report upon the sufficiency of the holdings as security for the advance that is required.

17,041. Have you in course of your proceedings been obliged to recommend that some purchases should not be concluded on the ground of the insufficiency of the security?—Yes.

17,042. How that has been frequent?—It has occurred in a good many cases.

17,043. Have you in any of these cases received intimations from the tenants that they could not pay the instalments if the purchase was effected?—The tenants have sometimes made statements to that effect.

17,044. As the tenants are supposed to be consenting parties to these transactions, how do you account for that?—Well, the tenants have sometimes stated also that they have acted under pressure in consenting to the sales. But I may say that a statement of that kind does not in any way affect my judgment as to the sufficiency of the security, but I consider it my duty to report to the Commissioners that such statements have been made.

17,045. But you act independently of that?—Entirely.

17,046. On the valuation made, its intrinsic worth?—Yes.

17,047. Have the number of years' purchase that have been offered in these cases where the tenants have made these communications been excessive?—Well, that would depend upon what was the basis of the purchase. A purchase based on a judicial rent of course would be looked upon from a different point of view as to the number of years, from a purchase based on a rent in excess of what would be a fair rent.

17,048. Of course. But I mean to say with reference to the number of years' purchase, has the price been, in your judgment, too large?—In any case where I considered the security insufficient I considered the price excessive.

17,049. But I mean in the case where the tenant objected?—In some cases I considered the security sufficient, where the tenants said they could not pay; in many others I did not consider it sufficient.

17,050. What do you suppose was their object?—I could not say.

17,051. Pressure?—They made statements about pressure.

17,052. What pressure did they allude to?—The pressure of proceedings for recovery of rent, or proceedings in ejectment for the non-payment of rent.

17,053. Then were the tenants who made these statements in arrears?—They were, otherwise the proceedings could not have been taken.

17,054. And the landlord consented to stay the proceedings if they consented to purchase?—I dare say that is it.

17,055. And that is what they meant by pressure?—Probably it was.

17,056. Since the Land Act, the landlord could not put any other pressure on them?—Not that I am aware of.

17,057. Is there any information you would like to volunteer with regard to your functions?—(No answer).

17,058. Mr. NELIGAN.—You have been valuing for some time; with reference to present prices in relation to the rents that you fixed three or four years ago when you were Sub-Commissioner, have you anything to say to us?—I, of course, can only speak for myself as to the standard of prices on which the rents were fixed. I made my standard on the average of years for the five years from 1878 to 1882. That included one bad year in 1879, and four moderately good years.

17,059. Lord MILDOTOWN.—1879 was a worse year than any we have passed through since?—In some respects it was. For farmers generally, I think, 1880 is a worse year than 1879.

17,060. This year?—Yes, as regards prices. 1879 was a very bad year with respect to crops. There was a very large failure of crops.

17,061. This year there has been no such failure of crops?—No general failure of crops. But, owing to the great rainfall, harvesting was late and expensive, and crops were damaged.

17,062. The crops have been good?—Potatoes have been fair, and the grain crop bad.

17,063. Has not the turnip crop been exceptionally good?—Yes.

17,064. Has not the grass been good?—Singularly good, and cattle have thriven well; but prices are worse than in any year I remember.

17,065. Are the prices worse than they were in 1879?—They are.

17,066. Prices of what do you mean, in particular?—Prices of butter, of store cattle, of meat, and of corn.

17,067. What was the price of butter in 1878?—1878?

17,068. I have got here, that in Dublin market it was from 11d. to 1s. 0d. 3/4.—In 1878?

17,069. Yes. 1879 I spoke of.

17,070. You began at 1878. The average of 1878 in the "Farmer's Gazette" for butter was 96s. 3/4.—Certainly; the average for 1880 will not show anything like that.

17,071. Beef is lower now than it was then?—Yes.

17,072. But is the price of two year old cattle much lower than it was then?—Certainly; the price of two year old cattle in the south of Kerry and Cork, too, is a good deal lower.

17,073. That, of course, to the breeder is a serious matter; but to the grazier who buys his store in spring and sells them in the autumn?—I am not sure but the grazier has as good a margin now as he had then.

17,074. Perhaps more so, as he gets his store cheaper?—I have no experience as to the farming of cattle, and I referred to the breeder; and, in the country, that is what affects the farmers.

17,075. Your remarks refer to this district, not to all Ireland?—I don't speak for all Ireland. I refer principally to the counties of Kerry and Cork, with which I am best acquainted.

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Mr. Edmund
Hatch.

17,076. Suppose you were fixing rents now for a series of years—you took five years for your average?—Yes.

17,077. Would you fix them lower than you fixed them when you took the average from 1878 to 1883?—I would.

17,078. Do you think it fair to take so few years as an average in fixing rents for 15 years to come?—I think it is.

17,079. So it altogether depends on whether one or two good or bad years fall within the five that you select whether the tenant is to have his rent fixed high or low?—The judicial rent should be fixed on the basis of the past prices, I think.

17,080. But don't you anticipate what the future prices may be, judging from the past?—I have never attempted to fix rents in anticipation of future prices.

17,081. You do not—you neither anticipate that they will be good or bad?—Well, being the valuation on past prices implies anticipation that prices will rule very much in the same way.

17,082. And that depends altogether on what you call the basis—if you only take two or three years, or 15 to 20 years?—The five years I did take included four average years and one bad year.

17,083. How should you describe the average you would take now?—I would say two years were bad and three were average years. I should say 1882, 1883, and 1884 were rather above the average.

17,084. Then it would be a misfortune to the tenant who had his rent fixed after two good years, and the reverse to the tenant who had his rent fixed after two bad years?—That would depend on whether prices would fall.

17,085. But, looking at the series of 20 years during which prices have been much lower than they are now and have been enormously higher than now, don't you think the same thing may happen again?—I don't think prices have been ever lower.

17,086. Never been lower?—Within the 20 years.

17,087. Take the last 25 years, they must have been lower—that is from 1861—don't you think that in 1863 they were just as low as they are now?—I don't think so. I am speaking of the counties of Cork and Kerry.

17,088. We have been told that in Kerry and Cork the prices of 1863 have been practically identical with the present prices?—I don't agree with that.

17,089. If you go back to the time of Griffith's valuation, the prices were 50 per cent. lower than they are now?—The prices in the schedule are considerably lower than they are now.

17,090. Quite so. Then you estimate your judgment on the five years immediately before you made your valuation?—Yes.

17,091. And on that basis you fix the rents for 15 years to come?—Yes.

17,092. I don't know whether you can tell us whether there is a desire among the people to purchase their holdings under the Act?—I think there is a pretty general desire.

17,093. In spite of the desire to have their rent lowered?—I dare say the two motives operate.

17,094. Which do you think is the prevailing motive?—I am disposed to think that that of getting an immediate abatement of rent is the predominant influence, but I have no doubt that a very general desire prevails to become owners of their holdings.

17,095. Do you anticipate that, in case of their becoming owners under that Act, they would pay their instalments with regularity?—I think so, as a rule—they would be exceptions—unless there is a considerable further depression in prices, which I don't myself anticipate.

17,096. How it comes under your action that any abatement in the Act is desirable, with the object of making it work more smoothly,—the Purchase Act?—Well, it has been often suggested that an extension of the time for repayment, and a consequent lowering of the annual instalments, would have that effect.

17,097. What do you think of that?—I don't approve of that myself.

17,098. You don't?—No; I think that most farmers, if they don't expect to see the end of the period when it will be repaid, would like at all events that their children would, and I have even asked them whether they would rather pay 4 per cent. for 49 years, or $\frac{3}{4}$ for 60 or 65 years, or $\frac{3}{4}$ per cent. for ever, and I have never met a man who would not rather pay 4 per cent. and have done with it.

17,099. Really, I am glad to hear that. It has been stated that farmers don't care what happens in 49 years, but have merely agreed to the immediate future?—That is not my experience.

17,100. Do you think it advantageous to grant any special conditions to those tenants who are prepared to pay down one-fifth of the purchase money in cash?—I have not considered that, but my experience is that those who would be prepared to pay down one-fifth are a very small proportion.

17,101. Do you mean by that those who are able?—No. I think there are many who are able to pay down the one-fifth who would rather not pay it, for this reason:—Many farmers who have some means accumulated, if they have daughters to provide for, would prefer to keep it for that purpose, or for other members of their family, rather than invest it in the purchase of their holdings, when they can borrow the whole of the purchase money.

17,102. But with the view of inducing them to invest some of their money in the purchase of the land instead of keeping it shut up in savings banks, do you think it would be a good thing to give them special advantages in case they pay down in cash?—I have not considered it.

17,103. But you are aware there is a very large amount of money locked up in banks in Ireland, a considerable portion of which presumably belongs to the agricultural classes?—I am aware that the deposits in banks amount to a large sum.

17,104. Are you aware whether the Land League has interfered with the working of the Purchase Act?—I am not able to speak with any personal knowledge of it.

17,105. So far as you know the tenants are allowed to set on their own judgment in the matter?—I have seen in the newspaper statements—

17,106. But I mean so far as your own personal knowledge is concerned?—Well, there were one or two cases in which statements were made, that pressure was put on the tenants.

17,107. Statements made by the tenants?—No. I think the statements came either from the landlords or those representing them.

17,108. What was the pressure?—That the hunch of the National League had put pressure on the tenants either to prevent them from entering into bargains or from carrying them out.

17,109. Have you any reason to disbelieve those statements?—I have formed no belief about them.

17,110. You have formed no opinion one way or other?—No.

17,111. Is there any statement that you would like to make with regard to the Act?—With regard to the Act of 1881, I should shortly like to say that I have a very strong opinion that leaseholders ought to be admitted.

17,112. We have had evidence altogether in that way, and none on the other side?—I attribute the difficulties of a district that I am very well acquainted with, the Castlebliss district, which has unhappily had a very early notoriety, to the fact that the Land Act operated to a very limited extent there, owing to a large proportion of the tenants there being leaseholders.

17,113. Is that so, they are leaseholders?—A large proportion of them.

17,114. Are their rents high?—Their rents are high, but abatements have been made in some instances.

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Mr Edmund
Becke.

17,116. Should you be of opinion that a landlord who has leasehold tenants should have a right to come into Court?—Certainly.

17,116. And I suppose you would include perpetuity rents?—I would not.

17,117. Should you exclude a fee farm grant?—I would; and all for very long terms, 999 years, or leases renewable for ever; for I think very few agricultural leases, except by middlemen, are held under these terms.

Lord *Milltown*.—We had evidence in Belfast where a proprietor, who had purchased in the Landed Estates Court, had forced his tenants to accept perpetuity leases under a heavy fine.

Mr. *Nelson*.—After 1870.

17,118. Lord *Milltown*.—After 1870. The result was that these leases could not be broken, being fee farm grants, and, under your proposition, they would not be able to get fair rents fixed; don't you think that a hard case?—I think it is an exceptional case.

17,119. We were told it was not an exceptional case there. Would you be inclined to modify your opinion so as to admit such a case?—I would admit all leaseholdings to the benefits of the Act who had a substantial grievance to complain of.

17,120. Mr. *Nelson*.—I suppose you would come to the conclusion that the granting of the fee farm grant was to get behind the statute law?—Certainly.

17,121. Lord *Milltown*.—Have you formed any opinion with regard to the fixing of rents on a sliding scale?—I am of opinion that it would be extremely difficult, if not impracticable, and that, unless regard were had to other considerations than variation of prices, it would be inequitable.

17,122. And you think it would be hardly practicable?—I think so.

17,123. Do you think the period of 15 years is too long or too short, or do you think it is the right period to fix judicial rents?—I am of opinion that too frequent fixing of rents is undesirable.

17,124. But if you take so short a time as five years as the basis for fixing the rent?—Whether it is right or wrong to take the basis of five years, I am not in favour of too frequent fixing of rents.

17,125. Do you think it would be a good thing to fix rents once for all—would the tenants like such an arrangement?—I dare say if it tended to their own benefit they would be quite ready to enter into it, but if the course of events caused the rent to be excessive they would try to throw the arrangement overboard.

17,126. Has it come within your knowledge whether or not the landlords are anxious or willing to sell under the Purchase Act?—I think a large proportion of the landlords are willing to sell.

17,127. Do you think there would be any necessity, or that it would be desirable if there was presumably a necessity, to introduce compulsory powers at present?—I don't think so at present. I don't think either tenants or landlords would be anxious to be compelled to buy or sell at a price they would have no voice in fixing.

17,128. It would have to be either by the Legislature or by a tribunal—it would have to be either of these two?—Yes. I think a good many of the farmers are holding back, at present through a dread that prices may go so much lower that they would be unable to pay the instalments for the 49 years. If prices recovered in a year or two I think they would have more confidence, and would be prepared to pay better prices.

17,129. Mr. *Nelson*.—Do you think this would be rather a disastrous period to force a sale?—I don't approve of compulsory sales at present.

17,130. Lord *Milltown*.—You wanted to say something about the Act of 1881?—There is a class of holdings that were excluded—town parks. I would be in favour of admitting them to the benefit of the Act, the Court, in fixing the rent, to have regard to the fact that it is accommodation land. And I would give the landlord the right to resume possession within the statutory term for building purposes.

17,131. On paying compensation?—Yes.

17,132. How would the compensation be paid?—The Court has power to do that for a home farm or demesne.

17,133. Taking all the circumstances into consideration, would it be paid on its value as building land?—No, certainly not, but on the loss the tenant has sustained by that being taken away from him, as accommodation agricultural land.

17,134. You would take in all town parks?—I would leave that to the Court.

17,135. About pasture land which is at present excluded from the Act, do you think it is desirable that that exclusion should continue?—I would extend the £50 limit. One of the sections limits it to holdings under £50.

17,136. Will you refer me to that section?—It is Section 58, Sub-section 2.

17,137. What is your proposal?—I would extend that £50 limit. I think it is too low. And I think the terms of that section ought to be amended, for it has been held under it that farms such as the Craig farms in county Clare were excluded. I think the terms of that section ought to be amended so as not to exclude these farms in Clare, as was decided in the case of *O'Brien v. White*.

17,138. What limit would you fix—how would you extend the limit?—I think the intention was to exclude the great grazing farms, and I think it might be very largely extended without including them. I think the limit might be extended to £200.

17,139. That would be four times the amount which is the present limit?—Yes, I think it ought to be extended so as to exclude only the big grazing farms if any exclusions are necessary.

17,140. Mr. *Nelson*.—These cases in which I understand is the case in Meath and Kildare, the estate only is let, and not the land itself?—I am not conversant with the usage in Meath and Kildare.

17,141. Lord *Milltown*.—Are these Craig lands ever-leased?—I am not aware.

17,142. Mr. *Nelson*.—Did you ever turn your attention to the question of local guarantees by local authorities?—I would not be at all in favour of it. I think it would be a very hazardous experiment. It appears to me to be making the solvent people of the district give security for or be liable for the default of their insolvent or dishonest neighbours.

17,143. Do you regard that one-fifth guarantee deposit as being necessary—do you think that it tends to check the operation of the Act?—I don't think so. At the most the landlord only loses, say, six per cent. upon 20 per cent. of his purchase money. It would only come to £40 a year on an estate of £1,000 a year.

17,144. Lord *Milltown*.—But there is a risk of the State losing if that is not done; provision should be made for that in some way?—It could only be made either by the guarantee deposit as at present, or by the State advancing the whole sum, a lower sum, and thereby reducing the price in fact.

17,145. Have no instances come under your notice where the lands themselves, taking into consideration the interest of both landlord and tenant, would effect ample guarantee to the Government for the payment of the purchase money?—There are numerous cases.

17,146. And would it not be desirable in such cases to grant a dispensing power to the Commissioners?—I think it would. And in any case I don't think it necessary to withhold the guarantee deposit until the entire sum is repaid by the tenant. I think that at the end of five years the landlord might get back such proportion of the guarantee deposit as had then been paid, and so on at intervals.

17,147. Mr. *Nelson*.—And that goes on the principle that as the tenant goes on paying the instalments the security given by the tenant increases?—Yes.

17,148. At present it is all returned in 17 years?—Yes.

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Reade.

17,148. Your arrangement would pay it in three quinquennial periods?—Yes. I think also that the provision requiring the sanction of the Treasury to an advance of over £3,000 is unnecessary, and might be either modified or repealed. Either the limit should be extended to £3,000 absolutely, or else the discretion of making advances over £3,000 should be left to the Commissioners without having recourse to the Treasury.

17,149. Why do you say that? I suppose the object was to give facilities to the smaller tenants?—The reason was, there was only five millions of money.

17,151. But, until we go more, don't you think it is better to keep up that?—There has not been a great flow on it yet.

17,152. In the north it is spreading?—Another matter of great importance is the simplifying and cheapening the transfer of land.

17,153. Lord Milnes. Have difficulties of title come under your notice?—Yes. I have heard a good deal of difficulties that have arisen in various ways. There is another matter that in this county and in the county of Cork, I know, has interfered very much with the disposal of estates, that is, estates on which there are bond debts.

17,154. What do you propose to do with the bond debts?—With regard to the bond debts, I would be disposed to adopt the compulsory principle, or else to empower the Commissioners to apportion the rents. If a head landlord refused absolutely to sell his bond rent, and so stopped entirely the sale of the estate to the occupier, or refused to sell unless at a price which, in the opinion of the Commissioners, was excessive, I would give the Commissioners power to apportion the bond rent among the holdings.

17,155. Would not the result of that be to render it practically useless?—I would not say that.

17,156. Instead of getting it from one man, he would have to get it from a number of men?—The Commissioners ought to give the full value of the bond rent.

17,157. How much would that be?—(No answer.)

17,158. Lord Milnes. Would you say that a well-secured head rent is worth 25 years' purchase?—I would say 25 years' purchase as a maximum.

17,159. Do you know that the Lord Commission did fix that as the minimum?—I am not aware of that.

17,160. A few years ago they were worth 30 years' purchase?—All rents have diminished in value.

17,161. But the security of bond rents has not in the slightest way diminished?—There is one way in which it may be diminished—by taxation.

17,162. The poor rate is the only taxation that can touch them?—(No answer.)

17,163. Mr. Nelson. Have you considered the system adopted in the Landed Estates Court of selling all the lands subject to the head rent, but subletted by a certain portion?—I understood that it has recently been held by the Lord Commission that settled land cannot be taken in indemnity.

17,164. But we are speaking of powers to be given, because that is what the Landed Estates Court have been doing?—Yes.

17,165. Lord Milnes. Perhaps the Commissioners have the same power?—I think they have the same power. The difficulty to my knowledge has arisen in the case of selling a settled estate, for the Commissioners have been advised that they cannot take a portion of a settled estate in indemnity.

17,166. At any rate the simplest way to get out of the difficulty would be for some public body to purchase the head rent at an equitable price?—I think so. The small holdings, in what are called the congested districts, I mean those that are very general in Mayo and Galway and Donegal, I look upon as accommodation holdings, very much the same as the plots of ground and houses for the labourers we are providing all over the country.

17,167. What do you say about these holdings?—Well, owing to the disinclination of employment in

England and Scotland, their employment has been stopped there, and they have been thrown entirely for support on their own land, their condition is a bad one, and I think an effort ought to be made to enable them to migrate. If anything can be done by a migration scheme to remedy that evil in the congested districts, I think it should be done by some public board with large powers, and no doubt by large funds provided by the State.

17,168. Mr. Nelson. What is migration?—It may not be exactly migration. I mean the enlargement of all holdings to a sufficient extent to enable the holder to support his family, or, if that cannot be done where he is, to transfer him to some other locality.

17,169. To what character of land—would you transfer him to some unenclosed district?—I should not like to do that. You should transfer him to land that at all events the produce of which would enable him to support himself and his family.

17,170. Do you know of any district where that could be got?—I am not sufficiently acquainted with those districts. But I think the experiment ought to be tried.

17,171. Lord Milnes. Whose land would you take for the purpose?—Anybody willing to sell.

17,172. Mr. Nelson. Would you propose to buy an estate for the purpose?—Yes, an estate that is untenanted.

17,173. Lord Milnes. I suppose the price of an untenanted estate, unless it happened to be a buy-out one, would be extremely high?—I think that owners of land would be disposed to sell now, getting the fair value.

17,174. And if men of capital and fortune and information are able to make a profit out of land, do you think that these poor people of the west of Ireland would be able to work it most advantageously?—My object is to improve their condition.

17,175. Would it do so?—I think it would, if you transferred them from £8 worth of land to £10 worth.

17,176. Mr. Nelson. Would it be necessary to find capital for them?—They are in a state of poverty at present?—It would be, as you say, necessary to assist them with some capital, and to provide houses for them.

17,177. Lord Milnes. And who is to do all that?—Oh, the State.

17,178. Don't you think they are likely to get a better chance in some of our colonies, where good land is to be had easily, and where men are wanted?—I would try to find them employment at home, and to improve their condition at home, before I would try emigration.

17,179. So would I, but employment is one thing, and migration to other land is another?—I would try both, employment and migration.

17,180. Employment, that is the true remedy?—Yes.

17,181. And before that can be done you must have law and order?—Yes.

17,182. Otherwise the expenditure of capital on land and employment is hopeless. Do you think that those small holdings would afford adequate security to the Government if the Government were to lend money on them for the purpose of purchase?—I think they would be very risky property.

17,183. Do you think it would improve the tenants' condition?—I think it would better their condition somewhat, but I think their condition will be always precarious one unless there is employment for them.

17,184. Their position is very much the same as a large number of the more or less employed artisans in our great cities?—Yes, in principle it is. The only difference is that these people cannot find employment at their doors as artisans can. Elsewhere they have been obliged to go abroad to find employment, and that source has been shut up now.

17,185. Mr. Nelson. Should it be a perpetual finding of employment, or should something be done to enable them to raise themselves in the world?—In those districts there is a vast extent of profitable re-

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claimable had. I think the able-bodied people might be employed for a long time to come in employment of that character. Then there are the young boys and girls who are growing up in idleness, and who might be taught handicrafts. One of our greatest difficulties is the want of technical instruction, not only with regard to those handicrafts, but with regard to agriculture.

17,186. Has your attention ever been turned to the proposal to fine down tenants' rents by five farm grants to one-fourth of their present rent, enabling them to hold as tenants in fee farm for the balance. It is said that would still give the proprietors some interest in the land, and induce the resident gentry not to leave?—I don't know that it would give him a greater interest than a head landlord feels in a tenant at

present. It is a fixed interest. It would enable the money to go a good deal farther.

17,187. Lord Milnesam.—You said that, from your experience, the tenant would prefer to pay it off in large instalments, and have done with it rather than pay a small rent for ever?—That is my opinion.

17,188. Mr. Neffigan.—It is a fact that the deposits in savings banks have been increasing of late years—did you form any idea as to what source these deposits came from?—I have not turned my attention to it.

17,189. You would not be able to suggest an idea?—No.

17,190. As to whether they came from the agricultural or from other classes?—No.

Mr. James
Sullivan.

Mr. JAMES SULLIVAN, examined.

17,191. Lord Milnesam.—You are, I understand, a tenant farmer?—Yes, sir.

17,192. How long have you been a tenant farmer?—30 years.

17,193. Do you hold under lease, or buy?—I hold under lease.

17,194. What is the date of the lease?—1858.

17,195. How many years has it to run?—31 years from that date. The time is nearly expired, but we have the life of the Prince of Wales.

17,196. 31 years and a life?—Yes.

17,197. How many acres have you got?—100 acres.

17,198. And the rent?—£84.

17,199. And the poor law valuation?—£82 10s. 6d.

17,200. Do you consider that a fair rent, Mr. Sullivan?—Well, I consider it an exorbitant rent now. It was a fair rent up to recently.

17,201. Up to when was it a fair rent?—Well, it was a fair rent up to 1881 or 1882.

17,202. But in consequence of the bad years since then?—Yes, in consequence of the prospect of the times and the bad prices.

17,203. If the prices went up it would be still a fair rent?—It would.

17,204. And if they keep low?—There is, every probability, I think, of their keeping low.

17,205. And then it would be an unfair rent?—It would.

17,206. Do you wish to be allowed to come in under the Land Act?—Yes.

17,207. Are there many of the tenants in your neighbourhood in the same position?—All the Edenburn tenants, Mr. Hasey's tenants, are in the same position.

17,208. Are they anxious to come in under the Act?—Some would be very anxious.

17,209. Why don't they all wish it?—The estate is not all let alike. The whole of it is leased.

17,210. When you took these leases were the rents the same as they are now?—Before the lease the lands paid more. The Rev. Fitzgerald Day purchased this in 1849 or 1850.

17,211. Originally they were higher rents?—A good deal higher.

17,212. When did Mr. Hasey purchase?—This summer 30 years.

17,213. Did he give you the leases then?—No. Fitzgerald Day gave the leases.

17,214. When you got these leases did you pay an increased rent?—The same rent.

17,215. He did not make you pay any higher rent?—Mr. Hasey did not.

17,216. But I mean Mr. Fitzgerald Day—did he, on giving you your leases, make a rise in the rent?—No. He reduced it.

17,217. I suppose you entered into these leases with your own free will?—Free will.

17,218. And glad to get them?—Glad to get them.

17,219. Because they gave you security and a fair rent?—It was very fairly let till a few years ago.

17,220. And if the times had gone on as before you would not have had any cause of complaint?—There would not.

17,221. Should you like to purchase your holding if you could?—I would; but under the Land Act of 1883, if I give 20 years' purchase of the valuation and pay all the taxes and all the poor rates, the cure is as bad as the disease.

17,222. Mr. Neffigan.—Do you know how much per cent. you would take off your rent?—Yes. But look at the rents.

17,223. Never mind that at present. What is your present rent?—£84.

17,224. Then at 20 years' purchase your rent would be £67 4s. 7d.—Yes.

17,225. And you would be buying yourself out?—Yes, in 40 years.

17,226. What taxation would be added to you, half the poor rate?—Yes.

17,227. How much do you calculate that would be?—£5 7s. 6d.—That varies.

17,228. How much, take all?—£10.

17,229. That would be £5 7s. 6d.—£5.

17,230. Do you pay the whole of the county one?—Yes.

17,231. That is all?—That is all the taxation.

17,232. There is no other taxation, so that you would reduce it from £84 to £78 4s. 7d.—I consider it is too dear at that.

17,233. Has your rent been paid?—Yes.

17,234. Up to what date?—To September.

17,235. Last?—Yes.

17,236. Lord Milnesam.—So that even if you got 20 years' purchase you would be paying £10 a year less than the poor law valuation, including everything?—Yes.

17,237. Mr. Neffigan.—£12 less than your rent?—The poor law valuation is no guide.

17,238. How much per cent. this year are the prices lower than in 1884?—I could not tell you that. I should suppose about 40 per cent. The year was exceptionally bad year. Take the potato crop, it is 30 per cent. less.

17,239. Lord Milnesam.—Is not it a very fine crop?—It is not.

17,240. What is your part of the county?—Ballinacorney.

17,241. Because we had evidence that it was a fine crop here?—Had you Mr. Roche here?

17,242. We had, and he said it was a good crop?—I think it is nearly 40 per cent. less than last year.

17,243. What about your oats crop—have you got any oats?—Yes.

17,244. What about that?—I should say 40 per cent. less, too.

17,245. A bad crop?—Yes. Look at the bad harvest. The grain did not ripen at all in many places.

17,246. If you had a good year that would happen too?—Oh, yes. The grain would ripen all right. And the prices too, 7½d. a stone.

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17,247. Did you consider the rent a fair rent in 1863?—I did.

17,248. Do you know that the prices in 1863 are just the same as last year?—Last year?

17,249. Yes?—Exactly the same?

17,250. Exactly the same?—Was not better higher? We had two Commissions in Kerry. That is the McDevitt Commission, and the MacCarthy Commission.

17,251. Lord Milltown.—The evidence we had is, is that in 1862 the price of butter, according to the Belfast market note, was from 9d. to 10½d.?—A pound.

17,252. Now it is about 1s.?—A shilling.

17,253. What is it a pound now?—It is by the cwt. The first is 10s. and seconds 9s.

17,254. Mr. Neligan.—According to the returns laid before us the highest price was 10s. in 1863?—10s. in 1863?

Mr. Neligan.—Yes.

17,255. Lord Milltown.—And in 1862 it was 8s. to 9s. 9s. was the highest. And in that year your rent was a fair rent?—But look at the price of stock.

17,256. Now the price of beef in 1862 was from 5s. to 6s., and in 1863 from 6s. to 6s. Now it is 9s. to 10s. in the Dublin market?—This year?

17,257. Yes?—I have been talking to cattle dealers and butchers, and they told me they bought beef at 4s. in the county Limerick, at Rathfriland fair.

17,258. Do you believe everything you hear?—I sold at cattle last fair, and I got 8s. It was young beef.

17,259. That is the evidence that we have, that the prices of 1863 almost exactly correspond?—That is with the prices of 1888.

17,260. Yes?—(No answer.)

17,261. Mr. Neligan.—That is if the returns be accurate?—They must be accurate.

17,262. You would desire to come in under the Act of 1861?—Yes.

17,263. Lord Milltown.—And under the Purchase Act of 1863?—Yes.

17,264. Is there any combination in your neighbourhood to prevent the tenants paying their rents, or coming in under the Purchase Act?—Any combination?

17,265. We had better say Lead League influence?—No.

17,266. Any man is free to pay as he likes?—Yes.

17,267. It is stated that there is a general opinion among the farming classes that 18 years' purchase is the proper price. Has it taken the form of telling you that you must not give more?—Mr. Hovey has sold all his property except the Keshvara estate. And there are others.

17,268. You think that the tenants would like to become owners of their own land?—I know they would.

17,269. Provided they got it at a fair price?—At a fair price.

17,270. Do you think they would be willing to pay their instalments as well as they were able?—To the Government?

17,271. To the Government?—Yes, if they got it at a fair rent.

17,272. You don't think they would allow any bad influence to come in and prevent them paying their instalments?—There would be no influence in that way.

17,273. I am quite sure if they were left to themselves they would pay their debts like honest men, but do you think there would be any fear of terrorism being brought in, as there has been in parts of the country, at all events as to the payment of rent?—I think there would be no such thing.

17,274. The land would be their own?—Yes. The great question would be to know how the land would be used.

17,275. That depends entirely on the farmers. It depends on the guardians they would elect?—I re-

collect that from March 1863 to August 1886 I paid 261 10s. in taxes.

17,276. Mr. Neligan.—That was on account of the blood tax.

17,277. Lord Milltown. Don't you think the remedy for that tax lies in the people's own hands?—Undoubtedly.

17,278. By setting their faces against it?—Putting down outrages.

17,279. And not trusting to the police?—The police are no use at all. I have seen shots fired within hearing of the police, and they did nothing.

17,280. But suppose the police knew the men that committed these outrages, do you think they would get any evidence from the people?—The people would be very reluctant.

17,281. So there is no use in arresting a man?—The people don't like to give any information.

17,282. Mr. Neligan.—Would not the respectable classes in the country be glad to see the country returning to law and order?—They would.

17,283. Lord Milltown.—I don't see how that is to be done unless the people assist in putting down outrages?—It is the young fellows who do it. No sensible man takes any part in it.

17,284. But in other countries sensible men would put down that themselves. They would not allow these young blackguards to carry on these games. Do you see any chance of the people looking on the law as their friend instead of their oppressor, and putting a stop to this kind of work?—Within the last month or two there were not many outrages in the country. Things are a great deal better.

17,285. What do you attribute that to?—The country people, the tenant farmers in the country, have some faith in General Buller, and you have not many evictions there last two months.

17,286. But the evictions had nothing to do with moonlighting?—I think the evictions are the source of all this moonlighting.

17,287. You do?—I do. We know that evictions are sentences of death.

17,288. Mr. Neligan.—But suppose there is a man who can pay his rent, and won't, what is the landlord to do with him?—The man that won't pay his rent?

17,289. Yes.—Who won't pay his rent?

17,290. Yes.—There is none in my locality.

17,291. What would you have done in that case?—The landlord has no alternative but to evict him.

17,292. Provided the remedy by evictions was honestly exercised, there would be nothing wrong in it?—I should say not.

17,293. Provided the remedy was not abused?—I should say not.

17,294. Have there been any statements of rents given in your district?—Yes, there have.

17,295. To meet the times?—There have, still they are very low.

17,296. On judicial rents what are they?—15 to 20 per cent.

17,297. Lord Milltown.—Just to come back to that point about the evictions being the cause of outrages. The chief outrages that have occurred in your country of late have not been connected with evictions?—I should say they have.

17,298. We heard of a man who was shot in the leg because one of his servants brought home a pig for a boycotted man?—Yes.

17,299. That man had committed no offence?—The man worked for an evicting landlord, and he became obnoxious then.

17,300. But many of the outrages have been committed simply on boycotted men, who have been boycotted for disregarding the orders of the League?—I would not say that.

17,301. Have you heard of no cases where men have been boycotted for paying their rent?—No.

17,302. You have not?—I have heard of them, but not in my district.

17,303. These moonlighting affairs that we hear of, they were not connected with evictions. It was not

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in consequence of evictions that they shot Mr. Curtin?

—It was not.

17,304. That had nothing to do with an eviction?—

It had not.

17,305. Then it would not be true to say that evictions are the cause of all these outrages?—Not of all.

17,306.—You and I would be glad to see no evictions take place?—Yes.

17,307. Mr. Neligan.—I don't think Mr. Hussey has had many evictions?—Not a single one.

17,308. The particular thing you want to remedy is to come in under the Act of 1881, to get a fair rent fixed?—Yes.

17,309. Lord Milltown.—Is there anything else you want to say?—If you want any information with regard to the Land Acts of 1881 and 1886?

17,310. What have you to say?—The Land Act of 1881 did not meet the wishes of the tenant farmers. In some cases good reductions were given, but not in others. The first Commission we had in Kerry, Mr. McDevitt's, gave very poor reductions.

17,311. Mr. Neligan.—That was rather the fault of the Commission than of the law?—John George McCarthy made large reductions.

17,312. Lord Milltown.—Were they made fairly?—He made some fair reductions.

17,313. Did he make sweeping reductions?—He did not make sweeping reductions, but he made fair reductions.

17,314. I suppose the larger the reductions the fairer they were?—I would not wish the tenants to get land for half the value.

17,315. And how much less than the value?—I mean the real value.

17,316. That is a very difficult thing to do?—Very difficult.

17,317. Mr. Neligan.—What would you think of a sliding scale of rents—would it meet with your approval that rents should go up in a good year, and that in a bad year they should fall?—It would not be a bad system. The good year I can pay rent.

17,318. Lord Milltown.—I can quite understand your liking the rent when it would be made smaller, but would you have the same opinion of it when it would be raised?—Sir James O'Connell used always to fix a good rent, but when the times came down he reduced it considerably.

17,319. Were the tenants pleased with that arrangement?—They were. They paid their rents in the good times, and for the last three years they are not paying more than half the original rent.

17,320. Do you think they would rather have that arrangement, or take the chance of making a good deal of money in a good year and not making so much in a bad year?—I think the judicial rents should be reduced. I should say the tenant farmers would pay their rents if they got 25 per cent. under the judicial rent.

17,321. That is for this particular year?—For this particular year.

17,322. You think that the season this year has been so bad and prices so low that the judicial rents should be abated 25 per cent.?—Yes.

17,323. Mr. Neligan.—You think that the prices would warrant that, and call for it?—Yes. There is a class of farmers who cannot pay rent—the small farmer.

17,324. Lord Milltown.—What would you do for that poor man?—Employment.

17,325. But who is to give it?—That is the question.

17,326. Do you think that if the landed gentry were to leave the country, it would increase his

chances of employment?—I would not say that. There was more employment at one time than there is now.

17,327. And I suppose you would be sorry to see them leave the country?—I would rather see them in the country. Lord Kenmare used to spend £400 a week in labour—now it is not 400s.

17,328. That must be a great loss to the labourer?—Yes.

17,329. And, of course, the lower the rents the less employment the landlord can give?—Yes.

17,330. How would you suggest that these poor people should get employment?—There is a great deal of land in the country to be reclaimed—thousands of acres in this country that would produce good grass and crops.

17,331. But it is all in somebody's possession?—In the landlords'.

17,332. But in the tenants' as well?—Some in the possession of the tenants and some in the possession of the landlords.

17,333. The tenants have the chief portion of it?—A good deal of it.

17,334. How would you reclaim that?—Draining and ditches.

17,335. Who is to pay for it?—That is the question. It would pay for itself in the long run.

17,336. But who is to take the land and pay for all this?—If the money was advanced to the landlord.

17,337. But the landlord would have no interest in it?—Through his influence the tenant might get it. Mr. Hussey got £50 for a tenant for reclaiming land, and it is now growing crops of potatoes.

17,338. You see that the Act of 1881, which gave the practical ownership of the land to the tenant, subject to the payment of a fair rent, has done away with any interest in the landlord to improve his estate, unless in lands in his own hands. In other cases he would be simply a landlord if he invested money where he could get no profit?—Yes.

17,339. You would be in favour of the Government assisting the tenants by loans to improve the land?—Yes.

17,340. And so afford some employment to these people?—Yes.

17,341. Mr. Neligan.—I think that is what Mr. Sullivan alludes to?—Yes.

17,342. The tenant farmer would have to employ labourers?—Yes.

17,343. Lord Milltown.—There is a good deal of land in this country which is quite unfit for human habitation?—Yes, quite unfit.

17,344. And hardly fit to nourish a goat?—No.

17,345. Mr. Neligan.—Have you known of any tenant getting loans for such a purpose?—No. From the depression of the times they have no savings to do so at present.

17,346. Lord Milltown.—Which do you think it would be better, for these small tenants to have assistance given to them to endeavour to turn extremely bad into moderately fair land, or to send them where there is plenty of good land?—The more money that would be laid out here, the better for the country and for the people.

17,347. I am supposing the case of people living on hopelessly irreclaimable land, while there is good land in some of our colonies where there would be a chance of making happy homes for themselves?—No doubt of it. Better be in Australia or New Zealand or some such place.

17,348. Where the good land is waiting for people to work it, instead of here, where we are all fighting for scraps of bad land?—Bad land.

Mr. GEORGE SANDER, examined.

17,349. Lord Milltown.—I believe you are an extensive land agent?—Yes.

17,350. And who a land proprietor?—Yes; and a tenant farmer to some extent, for I hold land under Lord Listowel.

17,351. On what points especially do you wish to give information?—The chief thing is with regard to intimidation, and the strong combination that exists in my district against the payment of rent.

17,352. What is your district?—North Kerry.

Mr. George
Sander.

That is the north of this county. In fact I almost confine my duties as an agent to North Kerry.

17,353. Have you found there that there is a considerable amount of intimidation?—There is the strongest possible intimidation and combination, and has been since last January, continued up to the present.

17,354. Did it only begin last January?—Yes. I think that was the first time. Previously, so that I used to receive the rents with the greatest satisfaction; the best feeling existed between the tenantry and myself.

17,355. To what do you attribute the change that came over there?—Other landlords were not receiving rents with the same regularity, and they saw I was getting rents, and others were not. In the spring—I generally collected the September rents about the end of February or the beginning of March—and only in January my attention was called to green placards in the shop windows calling on the tenantry I was agent over, to meet and consider what rents they would pay for the future. That was the first intimation I received that anything of the kind arose.

17,356. Mr. Neligan.—Was that in January?—In January. They held a meeting on the 11th of January, when I received a letter from the chairman, Canon Davis, with a copy of the resolution, that the tenants should not pay me unless they got 30 per cent all round on the several estates on which I received rents.

17,447. Have you a copy of the letter?—Yes. (Reads letter as follows):—

"Listowel,

"11th January 1886.

"My dear sir,—I have been requested by the tenants as the cause over which you promise to send you the enclosed resolution.

"I am, dear sir,

"Your obedient servant,

"F. CANON DAVIS.

"G. Sandes, Esq. J.P., Listowel."

Copy Resolution.

"At a meeting of the tenantry of the various estates over which Mr. George Sandes acts as agent, held on the 11th January 1886, it was unanimously resolved,—That, in consequence of the great depression in the times, an abatement of 30 per cent. on the rents due should be requested, and that the Very Rev. Canon Davis be appointed to receive, on behalf of the tenantry, the reply of Mr. Sandes."

To that I replied as follows:—

"Listowel,

"11th January 1886.

"My dear sir,—I am favoured with your letter of the 11th, which was left here last evening, enclosing copy of a resolution passed at a meeting held yesterday, relative to abatements of rent.

"The resolution you referred to is so general, I must ask you to kindly forward a copy direct to any of the owners of property to whom it refers, and, in case they communicate with me, I shall at once let you know the result.

"If any individual tenant wishes to bring his or her particular case specially under the notice of the landlord, and sends me a statement in writing, I will, with pleasure, forward it for consideration, but I cannot undertake to do more.

"In order to enable you to send copies of the resolution adopted yesterday to those I presume it was intended, I give you the names and addresses of the several owners of property for whom I act as agent, to guide you.

"Yours faithfully,

"GEORGE SANDES.

"Very Rev. Canon Davis, J.P."

17,358. What are the names of the landlords that you are agent for?—Lord Oranmore, Mr. George Mahony, Mr. David Mahony, Mr. Stephen Edwards

Colles, Colonel Cronin, Mr. Fotherby, and Miss Fitzmaurice. I hold here a newspaper of the 21st January, published in the county, "The Kerry Weekly Reporter," in which a report is given of the proceedings, on that letter being read. The Rev. Canon Davis presided, and my letter was read; upon that the chairman said:—

"You need not hope from the agent any way, or abstracte landlords. Now, what is to be done?"

"A voice.—Let those who are able to pay their rents keep it, as well as those who are not."

"The Chairman.—Will they do that? My experience and my firm conviction is, that any man who is able to pay his rent will pay it. (They did it before, sir.) I think the only thing you can do is to create a 'defence fund,' and to have a special commissioner sent down from the ' Freeman,' let him give publicity to all their tyranny and extortion. (Hear, hear.)"

Then another clergyman, who is not even a parish priest, but the head of a college (Father Harrington), said:—

"I have great pleasure in seconding Canon Davis's proposition, and I say the letter that was read now to you is in reality a declaration of war on the part of George Sandes, and if he wants war let him have it. (Great cheers.) Canon Davis has proposed a very wise and timely course. He asks you to create a 'defence fund,' and invite down here a commissioner from the ' Freeman's Journal,'—that journal which represents our opinions not merely in the country, but in England and America, who will inquire into your real grievances."

The report goes on to say:—

"It was then agreed to raise a 'defence fund' at a levy on each tenant of one penny in the £; and tenants from the several properties were appointed to collect the money."

That was the next step they took, and subsequent to that, on the 20th March, I held another newspaper in which they are again desired to combine and not to pay.

17,359. Mr. Neligan.—What paper is it?—The "Kerry Weekly Reporter," of the 20th March:—

"The Very Rev. chairman said he thought that should be the first meeting of the tenantry, as it was not meetings they required to fight Mr. George Sandes, but determined action on the part of the tenantry, for there was no use in speaking except there was some action taken. They wanted a reduction all round of 30 per cent., and they had resolved to stand out for that. (Yes.) Well, in order to obtain that reduction there should be some cohesion amongst them, and he was afraid there was an absence of that cohesion, and unless they acted in union with one another, they would never be able to gain their object. . . . They need not expect anything from George Sandes, except it was forced out of him."

That was on the 20th March. Then on the 3rd of April there is another meeting held, and the chairman says:—

"I dare say you came here to-day to renew the pledge you made heretofore of sticking together. Are you determined to stick together? You are not a bit afraid of these writs and processes that have been served. I am sure these have been intended as snafus by Mr. Sandes, who intends to break the ring. Are you determined not to let him? I would advise you to be unanimous. Be of one mind and one soul, because if you are not unanimous you will not conquer. We have repeated that again and again to you. And this advice we now give you, to pull together."

On the 17th April, there is the same repeated:—

"The Rev. Canon Davis, who was moved to the chair, advised the tenants to be united to a man, irrespective of any losses that may accrue to them from the action Mr. Sandes was now taking. Let them only be united and they will bring this man (Mr. Sandes) to his knees. The Rev. gentleman

Nov. 22, 1886, thought these people who have been served with writs and processes of ejectment ought to show away their cattle. (Hear, hear.) It would, of course, be very inconvenient for them to do this, but there they were engaged in a terrible conflict, and they must suffer inconvenience."

On the 24th April, placards were circulated through the town and posted, with a coffin and "cesso-burns" at the top directing the people to boycott me, and to prevent anybody giving me provisions—giving me food or a single thing. A reference was made to it that Sunday at a meeting of the National League, when the following resolution was passed:—

"That we condemn the new system of scientific land agency to which George Sandes is resorting in his attempt to break the ring."

A man present is reported to have said, "I want to ask, will shopkeepers be justified in supplying * George Sandes?"

And another man said, "Let him go to London for * them."

17,360. Lord Millicom.—What was the place?—Lisdown.

Mr. Nelson.—Who was in the chair?—James Fitzpatrick, he is the named in authority at the college that Mr. Harrington is at the head.

What college?—I don't know how it is supported.

Lord Millicom.—Is it for the laity?—It is.

Is the Rev. Mr. Harrington any relative of the member?—I believe he is a relative, but what relation I do not know. I could not tell you. On the 8th May, there was a meeting in Daugh. Miss Fitzpatrick is the lady there. They passed a resolution at that meeting. It was a public meeting, and they passed the following resolution:—

"Resolved, to pay loan no rent until the landlords' demand of 30 per cent. be granted to every tenant on each estate under Sandes; and for the purpose of continuing the battle, that we follow the bright example of other parishes, and open a subscription list, leaving Sandes in his deserted office, as Benes Jones' tenants once left that gentleman, with no one to keep him company, except Owen Dowd and Mick Corcoran. (Laughter.)"

Men were paid to watch my house for months, so that a tenant dare not come near me.

17,361. I believe the spy system enters largely into the Land League organization?—I believe it does. But I should not like to say anything that has not come under my own knowledge. A meeting was held in Lisdown on the Wednesday previous, at which the Rev. Canon Davis presided, and said, "Men of North Kerry, or I might say tenants at the estates over * which George Sandes presides"—I have noticed people attended who were not tenants at all—all these meetings were held in the National League rooms. Father Davis continued to say:—

"I am glad to see you here to-day in such numbers. (Hear, hear.) It is a sufficient guarantee that you are about to fight to the end. (Hear, hear.) Your protest is against an exorbitant rent (hear, hear), an excessive rent, a rack-rent (cheers), which allows a tenant no interest in his holding. (Hear, hear.) You asked an abatement of 30 per cent., when it should have been 50 per cent. Now is the critical time, now is the opportune time for bringing George Sandes to his knees (cheers), and you will do it, for how often have we seen the people overturn dynasties, kings, and thrones (cheers), and why not be able to overturn this man and pitch him down flat to the ground?" (Loud cheers.)

Then I came to the 12th June. There is what was called a representative meeting held, and, "in * the unavoidable absence of Canon Davis," a tenant farmer presided, and he said:—

"There is no doubt in the world but George Sandes would have taken more prompt and decisive action had you not combined against him. There was one property from which the people thought his ideas could never be driven out of—that was the

Mahony estate—the tenants thought it was one of those properties which could never be wanted or taken out of his crooks. But time has shown you how powerless he was to keep out against the combined action of the tenants."

With regard to boycotting, Mr. Maurice Murphy said:—

"But I don't agree with that, for if he were the very devil himself with rank, his name enhanced (laughter and cheers), for there is not a man in the town will give him a shilling's worth (hear, hear), and at the last meeting of the League I called the people's attention to a certain victualler, Mr. William Kenny, Church Street, who refused giving him any meat for the future. (Cheers.)"

And on the 31st July there was another meeting—the paper is dated 31st July. Canon Davis presided. He was loudly cheered. He said:—

"You unfurled the banner some time ago. You raised the banner in which these words were inscribed, 'We shall not surrender.' (Never.) Are these your sentiments still? (Cautiously.) Am you determined to carry out this resolution determined upon six months ago? (Yes, yes.) You will never surrender. (Never, never.) You have been the most persecuted people on the face of the earth. (No doubt.) I say there is no landlord, no agent up to the present, who has not given some abatement but George Sandes. Some people—some tenants—proposed to me, 'Ought not we to go and wait on him * again?' (Never.) No, that would be surrendering, and we shall never wait on him. (Loud cheers.) And if it were in his power to grant concessions to George Sandes, would he the man to oppose it. (Hear, hear.) Now, you must work with me determined purpose; are you determined to not together? (Yes, yes.) Then no power can meet this combined strength. (No, no.) You have the power in your hands; you are the landlords' prey at their stay; withdraw the prop, withdraw the people from the landlords, and they fall to the ground like a tree felled by an axe. (Cheers.) Stand then, be bold, be united, stand together, and this demand of yours, which is founded on justice, cannot—won't—be refused." (Cheers.)

The sole head and front of my offence was my saying that I would not admit or support to my proprietor an all-round abatement of 30 per cent. Up to that time there was the best possible feeling between the tenantry and myself.

17,362. Did you get paid the rent?—Very little I have received rents now and again privately, but almost nothing. A month ago there appeared to be a slight reaction, but for the last ten days or so they have certainly more or less withdrawn their payments. Persons who sent me word that they would pay me have not done so; I believe there is some change in their feeling about paying.

17,363. Did anything take place about that time to account for it in any way?—There was. One day they got it into their heads that General Buller would not facilitate the sheriff in executing decrees, and Mr. Dillon, who had been down in the country, and some violent speeches urging on the tenants not to pay.

17,364. And it was subsequent to that that you found the cessation of payment?—Yes.

17,365. Mr. Nelson.—There are two circumstances, the fact that the people believed that General Buller would not facilitate the sheriff, and the visit of Mr. Dillon?—Yes, to a place called Newtownards.

17,366. Lord Millicom.—Do you suppose if the people were let alone they would pay their rents?—My impression is that in nine cases out of ten they would not for five or six people in my locality they would. I forget to say that I received letters from some tenants saying they were afraid to come to pay me. There were two tenants which I visited about eight months ago. One of them men came to me before the eviction and said he was anxious to pay, and would not

be permitted. On the day of eviction he locked the door and sent me the key, and then said, "Now that I have gone so far, I hope I will be allowed next Sunday by the League to pay Mr. Sandes." He would not be permitted. There was another man, I heard, came in, but, through the boycotting, did not pay me. They have not paid since.

17,367. Do you think the tenants are able to pay their rents?—Taking most of the estates I am agent for myself, I believe they are. There are some broken down tenants. There was a man named Edward O'Connor, on the estate of Lord Ormonde. I gave him a farm in 1862 or 1863 at £350, which had been paying £270. His mother was a widow, holding under Lord Ormonde. I suggested to Sir John Walsh—he was not then a peer—that this young man would be an industrious tenant; he had then little or no capital. His mother became severely ill, and he took the farm. He married, got a fortune, and purchased from two other tenants that broke down. He subsequently purchased £1,500 to £2,000 worth of house property in Liswell. I offered 30 per cent. reduction in his rent before he went into the Lord Court, which would have been a reduction of £21. The Sub-Commissioners reduced the rent by £18, instead of £21. He appealed, and the Court confirmed what the Sub-Commissioners had done. Last spring I asked him to give me £100 out of the £118. He turned on his heel and went away. I served him with a writ; he did not take defence, and his houses were put up and sold by auction in Liswell. The Rev. Canon Davis, Rev. Mr. Harrington, Rev. Mr. O'Connor, P.P., Ballyhennessy, Rev. M. Scannell, and the Rev. Mr. Burton were present. The houses were put up, and purchased annually for the Rev. Mr. O'Connor, and the man paid every shilling, and costs.

17,368. Why did he sell the houses?—I had a P. R. against him, and I selected the houses. They thought I would sell the land and being an ejectment, and when I took the alternative of selling the house property they were rather taken aback. I laid out for improvements on this farm £382 10s. 2d., for which was a shifting interest was over charged the tenant. There was a portion of that expended before he took it. Then I had given in evidence before the Sub-Commissioners. Then, in another case, the man wrote to me saying he was very sorry he could not pay me. I knew that a week before that he had taken £900 out of one of the banks of Liswell.

17,369. Mr. Neffgan.—Had it been on deposit except?—I am almost certain it was. The combination to a great extent exists still. Some were locked to pay me within the last month, but whatever be the reason there is a danger again. Upon this estate of Lord Ormonde some persons against the judicial rents are excessive. Almost every tenant on the estate went into Court; the cases were gone into fully. I proved the different terms of money which were allowed to the tenants without any charge. One of these tenants had a farm at £36 a year, and be settled with me out of Court for £30. The holding contains 51a. 3r. 25p., the poor law valuation is £38 15s. He died, and the children were anxious to go away and sell their interest in the farm. First the National League refused to allow them to do so; after some time there was something connected with the Provincial Bank, and the League, I understand, gave permission, while I was in England in August it was sold, and the adjoining tenant purchased the interest of those children on the reduced rent for £287.

17,370. The tenant right of it?—Yes.

17,371. Lord Midleton.—What was the date of that?—August last.

17,372. How many years' purchase?—About 9½ years' purchase. That was done because the tenant got permission to sell. If he had not got permission he would be obliged to attempt it.

17,373. Mr. Neffgan.—Are we to understand that in order to buy that tenant right the leave of the local League had to be first obtained?—For a long

time I understood it was refused, and after some time, and some influence being used, they consented. There is also a report here in the paper of the 3rd April, to show the combination that was going on in regard to this by moonlight made on the estate:—

"On Sunday night, between 11 and 12 o'clock:—"

What date is that?—The last Sunday in March:—

"A large party of moonlighters visited a number of houses on the property of Lord Ormonde (of which Mr. George Sandes, J.P., Liswell, is agent). They were all armed with rifles to which bayonets were fixed, and several of the gang, some 70 in number, were also armed with pistols and revolvers. On the most reliable authority—one who had been an inmate of one of the houses visited—we give the following account:—'About a quarter past eleven o'clock I retired to rest, and had been almost ten minutes in bed when there was a noise at the front door. Some seven or eight dressed persons entered. Their faces were uncovered, and each of them had a siff with a bayonet attached. Their captain' inquired if the September rent had been paid to George Sandes, the agent, and the answer was in the negative. He asked if there were any fire-arms in the house, and a similar reply was given. The 'captain' then administered a flem of cork, pledging the tenant not to pay the last September rent unless he got a reduction of 30 per cent. To this the tenant had to comply, and the moonlighters quickly departed.'"

17,374. That is an instance of moonlighters making their excursions with the express purpose of carrying out the decrees of the Local League?—Certainly.

17,375. No doubt midnight raids formed a most valuable instrument in carrying out these decrees?—Certainly. Tenants were afraid to send me their rent books. To show you how some tenants can pay rents if they like, some months ago the wife of one tenant came to me and asked for three weeks' time, which I gave her. The rent was £37 10s. the gale.

17,376. Mr. Neffgan.—How long ago was that?—Four or five months ago. She returned about the time specified, and said it was utterly impossible for her to make out more than £40 of the rent. I said, "I would much sooner wait till she could pay me the whole rent." She left, and was not long away when she returned with her brother, who said, "Sooner than give any trouble he would lend her the balance." I said my clerk, who was standing near me, would take the money. The man said to his sister, "Give me all the money you have." My clerk saw her take out a bundle of notes, take the whole £47 out, fold up the rest, and put them in her pocket.

17,377. Lord Midleton.—I understand you to say that had it not been for this combination the tenants would have paid their rents as usual?—I have not the slightest doubt. Of course some tenants would have asked for time, not being able to pay at once.

17,378. But as a rule?—I have no doubt; I believe the object is to deteriorate the value of land so much that if the landlords are obliged to sell they might be able to say, "You yourself gave an abatement," and that is an admission that the rents are too high, and we will give only 12 or 14 years' purchase on judicial rents."

17,379. You don't think anything in the circumstances of the country called for a large all-round reduction of rents?—I am perfectly satisfied that it did not.

17,380. Do you think that the rents which were fair rents in 1862 and in 1863 have become unfair rents now?—I don't think they have.

17,381. Is this a worse year than last year?—Certainly with regard to the prices of some things, but not of others. Better is, no doubt, very much lower than last year. I got these returns of 1883, 1884, 1885, and the portion of 1886 up to the 31st of October—on which I may rely.

17,382. Mr. Neffgan.—Where are these returns from?—From a farmer who gave them to me. The

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Mr. George Sandes.

heavy and old. My fancy struck this place. I knew it was too dear, but it struck me there was some turn coming that might reduce it. I knew it was too dear. The rent is about two valuations and a half. Furthermore, it has only the grass of 15 cows, and is very bad land.

17,410. Is it chiefly grass?—It is poor grass.

17,411. Have you any of it in tillage?—I have.

17,412. How much?—About six acres, in grain and potatoes.

17,413. Only six acres in grain and potatoes, and all the rest grass?—And all the rest grass. And very bad grass it is; for it is sandy poor land.

17,414. What sort of land had you before?—I had a farm from Lord Lansdowne.

17,415. And what became of it?—I left it to a son of mine.

17,416. Were you satisfied with that land?—I was.

17,417. I suppose you went to come under the Land Act to get a fair rent fixed?—I would. I cannot complain of the landlord. I must say he is a good gentleman. He is not squeezing his tenants. His estate is all too dear.

17,418. Do you think his lettings are too high?—He is not getting his rent, and still he is doing no harm.

17,419. He is serving no processes?—No.

17,420. And how is he living now?—I don't know.

17,421. Have you paid him the rent?—I did.

17,422. How many gales have come due since you became tenant?—Three gales of rent.

17,423. And how much have you paid him?—I only paid him one gale.

17,424. Lord Milnes. — You cannot make the rent?—I cannot. You must understand the grass of 15 Kerry cows. How could I make the rent?

17,425. Mr. Neligan. — Did you offer to pay him any more money?—A little.

17,426. When was it that you paid him last?—It was in this year that I paid him £30; it was about 15 months before that.

17,427. Then you did pay him £30 in addition to the one gale you mentioned?—Yes.

17,428. Was he satisfied with that?—I understand he was.

17,429. I suppose you paid him all you could pay?—I did.

17,430. You would pay more if you had the means?—Indeed I would.

17,431. Lord Milnes. — Is that the general feeling of the people about you?—I must say it is. They would pay if they could afford it, but they cannot.

17,432. In former days did they pay well?—They did, indeed, honestly.

17,433. How comes it that they cannot pay, now?—The fall in produce, a lot of bad years in succession, and the people being falling year after year. When there are a few bad years in succession there is no doubt but the people will go down.

17,434. The man you bought this place, had he paid his rent regularly?—He had not.

17,435. Mr. Neligan. — What has become of him?—He is in Keshmure, and he had two horses in Keshmure out of which he was getting £30 a year, and I did not know that. He sold one of those so as to keep the farm as long as he could, and keep the other; and thought he could go on, but he could not, and he is living now in the town of Keshmure. I believe there was three years' rent due by him at the time he sold to me. He got two years' rent forgiven. I gave £60 to him, and £50 to Colonel Gough.

17,436. Did Colonel Gough buy the property?—He did.

17,437. Whom did it belong to before that?—John Mahony.

17,438. It was Colonel Gough's father bought it.

17,439. It was Mr. Mahony made the lease?—It was.

17,440. It was made in better times?—It was, I was told that the man who was in it before was turned out of his former place and he did not care only he had a place to go into. When he found this

man to take it he made him take a house and made him stick to it.

17,441. Lord Milnes. — Would you like to buy this holding of yours at a fair price?—Well, I would have no objection.

17,442. But have you no wish?—I don't care in the world who would be my master so that I could get justice.

17,443. But would you not like to be your own master?—I would if the Government would give justice—and perhaps the landlord would be as good as the Government to get justice from. I don't care if it were a black from the East Indies.

17,444. You mean by that, give you your land at a fair rent?—Certainly.

17,445. And that would satisfy you?—And I think it would satisfy every man in Ireland.

17,446. And if they got a fair rent they would not care much about the person they paid it to?—I am sure they would not.

17,447. Would you like the gentlemen to stay in the country, or like them to go?—I don't think there is a man in Ireland that would care if he got a fair living. For my own part, I would have no objection to the landlord if I got a fair living, and I think every man is the same way.

17,448. All you want, as I understand, is that you should be allowed to go into Court and get a fair rent fixed?—That is it, or, if I got it from the landlord, I would not ask to go into any Court.

17,449. And you think it is the general feeling in your neighbourhood?—It is, indeed.

17,450. Is there any terrorism against paying rents, or any a man pay of he likes?—Every man may pay his rent.

17,451. Mr. Neligan. — What is the name of your parish?—My parish belongs to Keshmure.

17,452. Are you in the parish of Keshmure?—Yes.

17,453. Under Father O'Sullivan?—Yes.

17,454. He is at the head of the Land League there?—And it is better to have him at the head of it.

17,455. He is a steady sensible good man?—He is all that, Mr. Neligan. I quite agree with you.

17,456. Lord Milnes. — Have you no hesitating there?—No. Not a word of him is spoken to anyone. There is not a word against a man paying his rent.

17,457. I suppose a great many of them have very wretched little holdings?—They have.

17,458. That they cannot live on whether they pay rent or not?—Some of them. But the land is not very dear with them, and along with that the land is very bad.

17,459. Some of it only fit for snipe or grouse?—Yes, and very dear.

17,460. Would not it be a good thing to have poor people removed to where they could get good land?—I don't know. When a man gets too much of this land it is nothing but a mountain to him, for he cannot work it.

17,461. Mr. Neligan. — It requires too much handling?—Yes. There is too much rain in that country, and it washes away all the manure. It goes back to the first state it was in if it is not filled often and often, and in some cases it is worse when it is a certain number of years without tillage than it was in the former state, for it grows loose rushes, and they are not eatable by any beast. It is poor, light, damp, wet soil, and it is rushes that grow on that.

17,462. Lord Milnes. — Would these poor people, if they got a chance, like to emigrate to a country where they would have a farm provided for them?—I could not say.

17,463. I don't make got into an emigrant ship and shovelled out when they got into port, but to have places prepared for them, would they go there?—I am sure they would.

17,464. With their own clergymen to look after them in their new homes?—Yes. But I know a lot of them who went to Canada, who came back to Ireland after being there three or four years.

17,465. Where did they go to?—To Canada.

Nov. 13, 1884. 17,465. What part?—I believe it was to Manitoba and then districts.

Mr. John 17,466. They came back?—They did, indeed.

17,467. Were they men that were likely to have done well anywhere?—They were good labouring men. Themselves and their families went out. I hear that there is want in the streets of New York.

17,468. They would not have done much good there. But thought such men would have done well in Manitoba?—That is what they did. They came home.

17,469. How many of them came home?—Indeed, I seen letters from them after landing in Manitoba and sending home very good accounts. But, to my surprise, in a month or two after that I saw their letters come from New York; and they gave a different story when their letters come from New York than when in Manitoba.

17,470. Is there anything you could think of to make these poor people happier than they do?—The only thing would be to give them the land for the value.

17,471. I understand you to say they could not live on it?—Oh, they could. Small little holdings they could not live on, but there are not many of them of that kind.

17,472. So that the best thing to do is to give them the land at home at a fair value?—At a fair value, and you must understand that if I have land at a fair value, and if I can go to work at my satisfaction, I can employ labourers. But I cannot employ labourers now. I could give employment to a number of labourers if I had the land at a fair price.

17,473. I dare say you know a good many of your friends who have got their rents reduced by the Land Court?—Yes.

Mr. ROBERT McCLURE, examined.

Mr. Robert McClure.

17,484. Lord Milltown.—I believe you see a land agent. Is that so?—Yes.

17,485. In this county?—Yes.

17,486. On what properties?—Over Mr. Mahony's of Deerness, and several other properties.

17,487. You are desirous of giving evidence with regard to the Land Purchase Act?—Yes.

17,488. Kindly tell us what you have to say?—My idea is that a large land purchase measure might be brought in to deal with the land scheme. I would not recommend an all-round compulsory sale. A system might be adopted, partly voluntary and partly compulsory, for transferring the land from the landlord to the tenant. The country is divided into poor law unions, which are subdivided into electoral divisions, the Government valuation of which varies from £1,000 to 24,000.

17,489. You are speaking now of the electoral divisions?—Yes. But instead of buying isolated farms or properties, my idea is that the best plan to work a purchase scheme is by electoral divisions.

17,490. Mr. Nelson.—That would be a purchase by the State?—A purchase by the State.

17,491. What would you gain by doing that?—I will endeavour to explain. I would fix the price at from 17 to 22 years.

17,492. That presupposes that you leave the exact price to some tribunal?—Yes.

17,493. Mr. Nelson.—Do you mean 22 years of the valuation?—22 of the fair rent. Then my idea as to the way of managing it is this. Where in any electoral division the owner or owners of one-half the property in the division agreed to sell I would make it compulsory on the other owners in the electoral division to sell, also. I would make the purchase money of the electoral division a charge on the electoral division in this way, that while each man paid the price of his own farm in the shape of interest, he should also be liable for his share of any instalments that might be due by defaulters.

17,474. Do you find that these men can give more employment than they used to do?—Indeed they do.

17,475. Mr. Nelson.—How is the potato crop?—It is fair, worth removing.

17,476. The general crop, is it very fair?—It is reasonable. But it is not half as good as it was last year. About this time of my own I had the worst crop of oats this year—last year—that ever I had out of land. I had not as much as would pay for the seed and labour.

17,477. Lord Milltown.—You had a good crop of grass?—No, for as I told you before it is sandy, dry land, building sand, and when there is too much of that heaped on top of the other, you must know that it is very poor grass that comes out of that.

17,478. Mr. Nelson.—Is your landlord giving any abatement?—He gave 2s. to some of his tenants, and he offered me 4s., but he was no use to me. It was my own fault to take the land, and if he spares me I must give it up, but he is not doing so.

17,479. What is it worth now?—I would say a fair good times £40 would be a fair rent for it, but indeed the valuation is sufficient these times—£29 15s. But you must know it is the grass of it over.

17,480. Lord Milltown.—Is there any building on it—any good house?—There is a good house on it, but it is an old house built about 50 years ago.

17,481. Mr. Nelson.—A detached house?—No, a slated house. This was a gentleman's house, Mr. Timothy O'Sullivan's. It was from him Mr. Mahony bought it.

17,482. What is the name of that place?—Coldwells.

17,483. That ought to be a good house?—It was built about 50 years ago. The timber is rotting in some parts.

17,494. Do you think that would be a popular arrangement?—I am not sure of that.

17,495. That would be a sale by the individuals to the guardians or to the Government?—It would be in the first place an arrangement with the landlord.

17,496. The State would have bought the electoral division?—Yes.

17,497. Then this electoral division would belong to the State?—The electoral division would belong to the State.

17,498. Then if the owners representing one-half the value wished to sell, you would compel the others?—I would compel the other half.

17,499. What would the landlords have to say to sell if the State was already the owner,—as I understand you, the first part of your operation is that the State would have bought the whole interest in the electoral division?—No. But if the landlords of one half agreed to sell the State should compel the other half to sell to the State.

17,500. Then there would be no purchase by the State. There would be a purchase from the landlord, but there would not be an actual sale to the tenant. For instance, the rental of an electoral division—on will suppose it to be £1,000 a year: the owners of one-half of the rental, say £500 a year, agree to sell at a price at which the tenants agree to buy, the Government should compel the owners of the remaining half to sell at the same rate. The Government can buy out the landlords, and charge the interest to the tenant.

17,501. Lord Milltown.—Suppose that one-half or a considerable portion of an electoral division belonged to one owner whose land was in his own hands, would you call upon him to guarantee other people's?—You would not call upon him to sell?—I would not.

17,502. You are only supposing a case in which the land is occupied by the tenants?—Yes.

17,503. Supposing one-half of the division was not in use by the occupier, how would you deal with that?

—I don't think you have any such cases except in the case of derelict land.

17,504. Well, it is a very important case. You would not sell on him to sell?—I would not oblige him, of course, to sell the land he occupies.

17,505. Would you make him give security for other people?—I don't think there is any risk.

17,506. That is another question. If there is no risk there is no necessity for a guarantee?—The Government may require a guarantee.

17,507. I think, very likely. Have you formed any opinion as to whether such a proposal was likely to be received with approbation by the people most affected?—No, I have not communicated with the farmers. It is a scheme which would have to be well considered. There might be some difficulties connected with it.

17,508. Mr. Neffgen.—Suppose there happened to be a town in the electoral division?—That would be a difficulty.

17,509. Lord Millicre.—You will have to go through a good deal of compulsion. You would have to compel the landlord to sell, then you would have to compel the tenant to buy, and then you would have to compel the people to give security for their neighbours?—There would be a good deal of compulsion.

17,510. What would be the necessity for compulsion?—I don't think the Purchase Act is working very well at present.

17,511. We have had evidence that it seems to be working at a more rapid rate than the staff can keep up with?—The Purchase Act?

17,512. Yes?—I was not aware of that.

17,513. Mr. Neffgen.—These are exceptional times, surely, fair times in which to force sales?—Yes.

17,514. Lord Millicre.—Your suggestion would only come within the range of practical proposals in case the Purchase Act failed to work. If it works as it is doing there is no necessity for compulsion?—Certainly not.

17,515. You think great advantages would arise from the tenants becoming owners of their holdings?—In some cases I think great advantages would arise.

17,516. But I suppose it is only on the supposition that great advantages would arise that you propose compulsion?—I don't propose compulsion of all landlords.

17,517. In all the electoral divisions where one-half the tenants wish to purchase?—And one-half the landlords wish to sell.

17,518. Mr. Neffgen.—Then you would compel the other half?—Yes.

17,519. Lord Millicre.—Will you go on with your suggestion?—The purchase money of the division would be a charge on the entire division, and each purchaser should pay interest at the rate already fixed under the Act, 31. The electoral division should be responsible for the whole interest, and in case of defaulters the interest should be levied with the rates and paid to the Government. The occupiers of each division should be empowered to deal with the defaulters as they should think best, by selling his farm to a solvent man, and providing for him by emigration or otherwise.

17,520. You would make that necessary as well as with the other?—Yes.

17,521. Would you give them power to sell his farm, but make it incumbent on them to provide for him as well?—Yes.

17,522. That would be another tax?—I look on it in this light. The electoral division has now to feed its own poor, and when a man becomes a pauper he

goes into the workhouse, and the ratepayers have to maintain him. So that the cheapest way of providing for him would be either to emigrate him, or to provide for him in some other way.

17,523. Is there anything further?—No.

17,524. Have you any other suggestion to make with regard to the Purchase Act?—No.

17,525. Is there any desire among the tenants with which you are acquainted to become purchasers of their holdings?—I don't think there is at present.

17,526. Are the landlords willing to sell, as far as you know?—No. The landlords are not anxious to sell, except in the case of middlemen and absentee owners, or estates heavily encumbered.

17,527. Only those who have the most worthless properties, I suppose?—Those which are so situated.

17,528. Are the rents being fully paid in your district?—They are not regularly paid.

17,529. But are they paying?—They are paying their rents.

17,530. Is there any combination to prevent payment of rent?—I cannot speak from personal experience—not in my neighbourhood. There might be some unwillingness, but no actual combination in my neighbourhood.

17,531. Is there anything to deter men through terrorism from fulfilling their legal obligations?—I should say there is, but it is not very general in my district.

17,532. To what extent does it exist?—I can only speak from hearsay of isolated cases.

17,533. You cannot speak of any case that has come within your personal observation?—No, my lord.

17,534. Is there a good feeling between landlord and tenant?—There is on the Drumore estate.

17,535. And no desire among the tenants to purchase as far as you know?—Not on that estate.

17,536. Is there any other point on which you wish to say anything?—Not unless you wish to ask on any point.

17,537. Have you made any reductions on your rents this year?—I am now collecting the May 1886, and I have instructions to deal with each case according to the circumstances.

17,538. Is it harder for tenants to pay this year than last year?—It is not.

17,539. Have you any reason to think that the rents which were due in 1882 or 1883 have become unfair rents now?—Judging from the prices?

17,540. Yes?—Well, the state of the times is more unfavourable.

17,541. I don't mean *order* at the present moment, but looking forward to the period they have to run?—It would be very difficult to foresee what may occur. You cannot say what may occur next year. Prices may be largely increased. They are very much better than they were.

17,542. Mr. Neffgen.—Then this time 12 months?—Even then at the commencement of the year.

17,543. Lord Millicre.—Do you consider that the prices which are low at present have made rents which were fair four or five years ago unfair rents in the future?—It is very difficult to give an opinion. I should say it is more difficult to pay them this year than it was then.

17,544. But not more difficult than it was last year?—No.

17,545. Do you think it is a better year than last?—I think this is a better year.

17,546. And you think that things appear as if they were inclined to improve?—Yes.

Mr. ———, examined

Mr. ———,

17,547. Lord Millicre.—You are a tenant farmer before?—I am.

17,548. Where is your farm?—In Castlestead.

17,549. How do you hold?—From Mr. ———,

17,550. But by lease or low?—I have no lease.

17,551. Have you a judicial rent?—No, I have no judicial rent fixed. I did not go through the Land Court.

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Mr. ———

17,552. Why did you not go into the Land Court? Were you satisfied with your rent?—I am not satisfied.

17,553. Why did not you go into the Land Court?—I thought the reductions too light entirely, and I thought I would wait to see if they would give better. They reduced my rent from £80 to £75, and then to £64.

17,554. How many acres have you?—80 acres.

17,555. When was it first reduced?—In 1883.

17,556. To what?—To £75.

17,557. And I think you said something about another reduction?—Last year I got it reduced to £64.

17,558. Are these permanent reductions?—No. It is optional to put it up again.

17,559. It is a reduction for the year?—For the year.

17,560. In fact, they are only what are called abatements?—The first reduction was a permanent one, but it was not stamped.

17,561. Why did not you take it to the Land Court and get it stamped?—My landlord owed me some money, and he is allowing it to me in my rent.

17,562. Mr. Nelson.—As against his debt?—Yes.

17,563. Lord Milnes.—Did you lend money to the landlord?—I did. I did some work for him, and when I asked him for the money he had not it to give to me.

17,564. What is it that you would recommend should be done in your case, you can go into the Land Court and have a fair rent fixed?—I would like to buy my land.

17,565. What would you be prepared to give for it?—If I were allowed my money I might give more for it than if I was not allowed my money.

17,566. How do you mean "allowed my money"?—The money that is due to me.

17,567. You would not like to have it deducted?—I would like to have it in some way or other; to have it to my credit.

17,568. But you would be allowed to retain it as against the purchase?—Then I would pay at the present rent of £64, and then I would be in for the whole of the rent.

17,569. Mr. Nelson.—You would only get half the poor rate?

17,570. Lord Milnes.—Would you give 20 years' purchase?—No.

17,571. What would you give?—I would give 15 years, and I think it is a kind of a risk at that.

17,572. Mr. Nelson.—Do you know what you would be paying then?—£50.

17,573. No. £58 8s. and add the poor rate to that it would be somewhere about £60?—The rate is about £40.

17,574. What is your poor rate?—I paid 5s. 6d. in the last year. I suppose the rates are about 10s. in the £.

17,575. But how much is the poor rate?—I think 3s. 6d. this year.

17,576. How much did you pay in the year for poor rate?—£17 last year.

17,577. The half of that would £8. That would bring your rent down to £68 8s.?—I am allowed one-half of the county rate.

17,578. Lord Milnes.—That is a very uncommon thing?—(No answer.)

17,579. Mr. Nelson.—Then out of the £64 you are allowed one-half the county rate?—Yes, and one-half the poor rate.

17,580. Lord Milnes.—Do you consider £64 too high for 80 Irish acres?—The costs and charges are high.

17,581. Mr. Nelson.—The costs and charges are high there, because they have been houghing cattle and maliciously injuring property, and you have to pay for them.

17,582. Lord Milnes.—Don't you think if the people set their faces against that they could put a stop to it?—Yes.

17,583. But are they inclined to do anything to put a stop to it?—I would not be surprised if we were at the beginning of the latter end of it.

17,584. It comes with them. The police cannot do it?—You are quite right; if the people don't help them they cannot do it.

17,585. Suppose the people did set themselves against all these horrors, this blood tax would come to an end?—Yes.

17,586. And you would only be taxed like the rest of the country?—The poor-house is full, and the taxes are tremendous.

17,587. Is that from the want of employment?—There is no employment.

17,588. Mr. Nelson.—I believe the rents are not being well paid there?—The man that is able to pay is paying; the man that cannot is not.

17,589. The landlords cannot give labour. Before the place became disturbed there was good labour?—There was. If a man can, he would try to keep his credit in a way. We have no money and no spare capital, and as for credit, it is gone. It has gone the other way altogether. We have a bank in Castle Island; it takes a very sharp man to get a £1 note out of them.

17,590. Lord Milnes.—They did lend money there very freely?—Yes.

17,591. And that was not to the advantage of the people?—It ruined the people.

17,592. And then when they had sucked them dry they threw them off?—Yes.

17,593. I suppose you are inclined to think that those great facilities for borrowing money that they gave to the farmers of Ireland at first were something but a blessing?—Anything but a blessing. It was a curse to them. No second question about it.

17,594. Is there a general desire amongst the farmers in your neighbourhood to buy their holdings at a fair price?—There is.

17,595. Does that arise from a wish to become the owner?—It does. They would improve their land.

17,596. They would rather have it settled permanently what they are to pay than have it shifting up and down?—Decidedly.

17,597. Let them know the worst at once?—Yes.

17,598. Would they rather have the instalments made over a long time and smaller, or would they rather get it over as quick as they could?—It is the long time that would suit them.

17,599. Mr. Nelson.—By giving smaller annual instalments?—Is a man has five or six of a family, they would rather have it smaller.

17,600. Lord Milnes.—Would you go to say the longer the better?—I would.

17,601. We have heard that the farmers would rather have it shorter?—If it was spread over 60 or 70 years what I would have to pay annually would be a great deal less than repaying in 48 years.

17,602. Mr. Nelson.—Would you give a man the choice to take it a long or a short period?—It is his two or three in family I would make it short; if he has a large family give him a long time.

17,603. Lord Milnes.—Do you know whether your landlord would sell to you?—I fear his land is in settlement.

17,604. Are people allowed to do just as they like in your district, or must they obey the orders of the Land League?—So far as taking another man's farm, it will be very troublesome to go outside of it.

17,605. But everything else?—Yes, anything they like.

17,606. Except take an evicted farm?—Yes.

17,607. But would they be at all pleased if you made a friend of a boycotted man?—They would not like to let you have anything to do with a boycotted man.

17,608. Was it in your neighbourhood that a man was shot, because he brought home a pig for a boycotted man?—There must have been something else in it.

17,609. The parish priest told us there was nothing due in 17—I live a good way from that.

17,610. Are there many moonlight bands in your neighbourhood?—My opinion is they are broken up. A few of the unpleasant characters have gone off within the last 12 months. The hard loggers are totally opposed to these things.

17,611. Mr. Neligan.—A good many of them were arrested some time ago?—Yes. They are reckless, careless fellows, who have nothing to lose, who murmur from place to place. They have nothing else to do. The police know these people well.

17,612. Lord Milnes.—You believe they do?—They do.

17,613. What can they do?—What can they do? If a man were to give information to the police, his life would be in danger. There are a couple of districts, and if a few were taken out, the districts would be quiet.

17,614. The police cannot do anything if the people won't help?—I think so.

17,615. It is entirely in the hands of the people themselves?—I think so.

17,616. You don't think there is much sympathy among the people with these fellows?—No. We know them well, and think very little of a fellow who leaves their company.

17,617. Is it pretty much the same class as are called "cancer boys" in big towns?—Something like that; they sympathise with each other.

17,618. I suppose you would like to see the time come when every man can do what was right without asking another man's leave?—Decidedly.

17,619. I dare say the people are got very tired of this kind of business?—They are.

17,620. It must interfere greatly with business?—Very much so.

17,621. And accounts to a certain extent for the people being badly off?—It does.

17,622. It has put a tremendous tax on your district?—I think so.

17,623. Could you suggest any remedy for that state of things?—I could not easily say what I would suggest. If we put our forces rightly against these things, we would be very apt to put it down. One man will, and another man will not, and so it goes on at present. Evidence is the thing that raises the indignation around the whole country for months after.

17,624. And yet if a man won't pay his rent and on pay his rent, the landlord cannot be expected to stand with his hands in his pockets?—There is no sympathy for them.

17,625. Do you think he would not be able to get up a movement in his favour?—I don't think so. He would get no support.

17,626. We have heard of cases of men who were able to pay, and there have been bands and banners, and sympathy with them?—My idea is that, the man who is able to pay and won't pay there is no sympathy with him. There might be these bands and banners—he might pay for them himself—but there is no

sympathy with him. If a man has a heavy rent, and is put out because he cannot pay his rent, there is sympathy for him.

17,627. In the other case there is not?—There is not.

17,628. Can you suggest any other way than eviction if a man can pay his rent and won't pay it?—I cannot.

17,629. I agree with you that it is a very unpleasant way?—It would be a very rare case that a man can pay his rent and won't pay it. If there is a judgment against him his credit is gone, and nobody will give him a penny the day after. A man who would not pay his rent if he could is a fool.

17,630. Mr. Neligan.—Were abatements in the district general?—They were, on the Harbert property.

17,631. On other properties as well?—Yes. On Lord Ventry's property and Mr. Chute's.

17,632. Lord Milnes.—Was there a general good feeling among the landlords and tenants in former days?—Nothing better.

17,633. Is there now?—Pretty fair. Except those who are put to extremes.

17,634. But the agitation has not put them in a better position to pay rent?—I don't think that it has.

17,635. Men engaged in agitation usually don't attend to their business?—It is a very easy thing to get a man who has fallen down,—to get him to agitate.

17,636. Do you think it would be to the advantage of the country, and tend to make it more peaceful and orderly in every way, if the farmers were to become the owners of their holdings?—I think it would.

17,637. Do you think there would be any fear of their not paying their instalments to the Government regularly?—I don't think so.

17,638. Do you think there would be any agitation against the payment of the instalments?—All the agitation in the world I would take no notice of. I don't think there would be any such agitation. I think nothing else will save the country except a general sale. If I have the land worth the money I will pay it, and I will pay my engagements. But things are so generally depressed that it is not so easy to know what the value is. We have American beef sold in Castlebliss at 5d. a lb. That is a very low figure. And with that Dutch butter in front of us, and that butter in the rear of us, it is very difficult.

17,639. But you ought to be able to hold your own against any bidder in the world if you would improve your mode of making it?—We are improving it.

17,640. It once held its own against all the butter in the world?—I cannot tell you how it got down.

17,641. Don't you think it "got down" by carelessness and neglect?—I think it got down by the Cork butter merchants keeping it in their cellars. This butter called kid is a good deal in front of us in price.

Mr. PATRICK LENE, examined.

Mr. Patrick Lene

17,642. Lord Milnes.—In what district do you live?—In Killybeggy; and a little property in North Kerry.

17,643. How do you hold your land?—I took it under a proposal for a lease in October 1878.

17,644. Mr. Neligan.—For what term?—For a term of 31 years.

17,645. Lord Milnes.—Did you ever take out the lease?—No.

17,646. Did you sign a proposal?—Yes.

17,647. It is equally binding?—Quite so, my lord. The agent gave me permission to go into the Land Court two and a half years ago, which I declined.

17,648. Why did not you go into the Land Court?—I preferred to leave it to arbitration. One was ap-

pointed by the landlord and one by me. They reduced my rent considerably.

17,649. They agreed?—Yes, my lord.

17,650. Are you satisfied with your rent now?—I am more satisfied than I was.

17,651. Mr. Neligan.—What was the rent?—£79 18s. 10d.

17,652. What was the size of the holding?—91 Irish acres.

17,653. What was the old rent?—£135. There was £30 reduction two or three years ago. A general reduction.

17,654. You got the benefit of that?—Yes.

17,655. Lord Milnes.—On what points do you wish to give evidence?—As regards my five shares

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property. It was in my family for generations. Mr. Stephen Haggard bought three-fourths of it about 20 years ago, for which he paid £400 for each portion. And in June 1880 he offered to pay me £500 for it, which I declined. That was 22½ years' purchase.

17,666. What else was it?—It was worth £24 rent.

17,667. What is the acreage?—90 acres, but I am entitled to only one-fourth of that. One of the tenants went into the Land Court and got the rent reduced from £40 to £22 10s. Mr. Haggard opposed, and the tenant arranged for £26. We then put the other two tenants on the same footing, one £26 and the other £28. That reduced the rent, from the old rent of £120 to £80. I sold the property last February to the tenants, and one of them wrote to Mr. McCarthy and said Mr. Haggard made too hard a bargain, and repudiated the sale. He showed them their papers again. I had a conversation with him the other day in Tralee, and told him I would give it to him for £250. I would be very glad to get £200 for it.

17,668. You would sell for £200 what you were offered £500 for in 1881?—In 1880.

17,669. That is the consequence of the Land Act?—Yes, and the tenants are not able to pay; they got into debt to the bank.

17,670. Mr. Neffgen.—They got into debt beyond their resources?—Yes.

17,671. Lord Milltown.—That is another instance of the immense injury that has been done by the banks giving them credit?—Another.

17,672. Have you any suggestion to make?—No. Only I would be very glad to get £300. That would be about 14 years' purchase at the present rent.

17,673. Mr. Neffgen.—Was it ever valued or inspected by the Commissioners?—It was.

17,674. By Mr. Roche?—No; by the Sub-Commissioners.

17,675. But the Land Commissioners would not sanction it unless it was inspected by one of their in-

spectors?—He has not been there. I told Mr. Haggard he was drifting too hard a bargain.

17,676. Lord Milltown.—Have you got any suggestion to make to us—any attention that you think desirable?—No. I would be very anxious to purchase if I could get it on reasonable terms. If the times were to mend there would be more chance of purchasing.

17,677. If the times were to mend very much the landlords would not be so willing to sell?—Perhaps so.

17,678. There are a great many who think that land in Ireland is very much below its value at present?—Yes. But it is very hard to say that in the face of American competition.

17,679. But prices were lower at one time. In 1852 prices were lower than they are now?—Glean was producing a better price then.

17,680. Yes, wheat. But in everything else prices were 50 per cent. less?—Was butter 50 per cent. less?

17,681. Yes, 7d. a lb. It was 7d. a lb. this year a Corl market.

17,682. Oats 6s. 10d., wheat 7s. 6d., flax 6s. 1d., pork 30s., better 5d.?—And oats is only 7d. a stone this year.

17,683. But it will put higher than that?—But 6s. a barrel for oats now would mean 8s. a barrel in three months' time. I sold it at 9d. in the winter, and in spring at 11d.

17,684. That would be an unusual thing?—No, I don't think it was. The labour is worse than the rent. I paid more for labour than for rent. The potatoes are very bad.

17,685. It seems to be a very uneven crop?—The crop was not all in time, and then the month of August was very wet.

17,686. In parts of Kerry we were told they were better than last year?—They must have been put down early.

17,687. I don't know about that?—They must have been put down in March.

Mr. Henry
Breen.

Mr. HENRY BREEN, examined.

17,678. Lord Milltown.—Are you a tenant farmer?—Yes.

17,679. Where?—Midway between Tralee and Liscarrow. It is between Castleland, Liscarrow, and Tralee.

17,680. How many acres have you there?—I hold it jointly with my brother—291 statute acres.

17,681. At what rent?—£248.

17,682. Is that a judicial rent?—No.

17,683. What is it?—We hold under lease.

17,684. And what is your poor law valuation?—£35 5s.

17,685. What is the date of the lease?—March 1868—a lease of 31 years.

17,686. Do you consider that rent too high?—I do.

17,687. And I suppose you want, like the other leaseholders, to be allowed to go into Court and have a rent fixed?—I would, my lord.

17,688. Are there many leaseholders in the neighbourhood?—There are.

17,689. Mr. Neffgen.—Who is your landlord?—Major Francis Chute.

17,690. Lord Milltown.—And I suppose you represent their views in that matter?—I do. We went to him to get a little reduction, and he said if he would give us the benefit of the Land Court we would not ask for a reduction.

17,691. Did you pay any fine for that lease?—It was my father who got the lease. It was renewed.

17,692. Was it the custom in those days to ask a fine for a lease or to raise the rent?—It was; and to ask a fine for a renewal of the lease. It was renewed four years before the expiration of the lease.

17,693. Mr. Neffgen.—Have you the lease with you?—I have not.

17,694. Lord Milltown.—If that is the case, it stands to reason that these tenants must have held it at a higher rent than the other tenants held?—These tenants that paid a fine?

17,695. Yes. Taking the value of the fine into consideration they must have been paying more than the other tenants?—They are trying to go into Court, and they say that the payment of the fine does them.

17,696. But there has been a suggestion to allow all the leaseholders to go into Court and get a rent fixed, and that is what you would wish to say?—That is what I would wish to say.

17,697. If you got a fair rent fixed would you be desirous of buying your holding?—I would. Nothing would give me greater pleasure.

17,698. And is that the case with your neighbours?—Yes.

17,699. And would they take greater interest in the cultivation of their farms if they had bought them?—I know they would take the greatest interest in it if they had security.

17,700. But they have that under the Land Act?—There are a great many men who are leaseholders under wider middlemen, under Trinity College, and they are being evicted still.

17,701. But I am taking it that the least we do to be done away with, and that you are to come under the Land Act, then you would have security?—Yes, if it would be a fair rent.

17,702. Mr. Neffgen.—The first step would be to get you into court, to get your rent revised?—It would be very good.

17,703. Lord Milltown.—But I understand you that notwithstanding that, and notwithstanding you might

get the right to go into court and have a rent fixed, you would rather buy your land out?—I would.

17,704. And that is the general feeling of your neighbours?—It is.

17,705. Would they give a fair price for it?—Yes.

17,706. How many years' purchase of the fair rent would they give?—There is not such a thing as a fair rent there.

17,707. But suppose a fair rent was fixed?—15 years' purchase.

17,708. Is that all you would give?—That is all.

17,709. If you were a landlord, would you take that for it?—I would not say that; but, under the Land Act, the tenant has a right to get compensation for disturbance and for improvements, and there should be a deduction for that.

17,710. Mr. Nelson.—How much would you be willing to pay the Government to buy the land; how much interest would you be willing to pay; your net is £48; how much would you be willing to pay the Government?—About £59.

17,711. Lord Milltown.—£59?—Yes.

17,712. That is all you would be content to give?—I could not promise any more, with all the poor rates and county cess.

17,713. Do you think it likely that landlords will

consent to take such a small sum as that for their property, and lose half their income?—They must.

17,714. Why must they?—When the land is not value for it, and when we cannot make it out of it. The landlord could not make it out of it more than us.

17,715. But I was putting to you the case of the land being a fair rent, and all you tell us you would give is 15 years' purchase. Is that case the landlord would lose half his income? (No answer.)

17,716. Mr. Nelson.—Would you be willing to pay £52 to the Government for it?—I would not.

17,717. Lord Milltown.—Would you wish to come in under the Land Act and have a fair rent fixed?—Yes.

17,718. Are you all free to do as you like in your neighbourhood in these matters; or is there anybody that would make you do as they like?—There is not.

17,719. Any man may pay as he likes?—Any man may pay as he likes if he is able to do it.

17,720. You have no boycotting in your neighbourhood?—No. The only combination we had was to go in under these leases to ask for 20 per cent, and the answer we got was a refusal.

17,721. I don't mean that, but I mean a combination to punish a man if he did pay?—There is not.

The Court adjourned to the following morning.

TWENTY-FOURTH DAY.

Saturday, November 18th, 1886.

The Commissioners met at the Railway Hotel, Kilmurray at 11 o'clock.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILLTOWN.
SIR JAMES CAIRN, K.C.B.

MR. NEILSON, Q.C., Recorder of Londonderry.

MR. F. G. HENDER, B.L., Secretary, and MR. GOLDEN, Assistant Secretary, were in attendance.

MR. SAMUEL MURRAY HOSSEY, J.P., examined.

17,722. The President.—Mr. Hossey, would you kindly state to us what are your principal agencies?—I have received at one time a quarter of the whole of the county Kerry.

17,723. But at this moment would you kindly state what are your principal agencies?—I receive about £60,000 this moment in Kerry.

17,724. You have property of your own besides?—I have property of my own, about £10,000, and I am partner in a firm of land agents in Cork, whose total received is £130,000 a year. My own revenue £24,000 a year, so that altogether my experience extends to a quarter of a million of Irish rents.

17,725. Lord Milltown.—A quarter of a million a year now?—Yes. If I was in receipt of all the rents I have been receiving from time to time. I assigned a good many of my agencies.

17,726. The President.—Have the rents been fairly well paid this year?—Very badly in Kerry.

17,727. Is it worse within the last fortnight than before?—Yes.

17,728. There has been a change for the bad?—Yes, a change for the bad.

17,729. What do you attribute that to?—It should have been for the good, for more produce is coming in.

17,730. But you really have for the last fortnight observed a change for the bad?—Certainly.

17,731. Well, what do you attribute that to?—To the idea that Sir Redvers Buller is not going to carry out the law.

17,732. How has this idea gone abroad?—He has been making a good many inquiries among the tenants, and then it was reported in the newspapers that he would not give assistance to the police without investigation. That has been denied, but the tenants, generally speaking, only read one side of the question.

17,733. Then you think that the non-payment of rent has come chiefly from combination rather than inability to pay?—Well, prices are certainly worse than they have been, but there is no inability to pay judicial rents, the reduction in Kerry having been very large.

17,734. Lord Milltown.—There is no inability generally in Kerry?—Generally in Kerry.

17,735. The President.—I suppose there have been cases of inability?—Oh, of course, especially people that did not come under the operation of the Land Act, and in some cases householders who are, in my opinion, very unfairly left out of the Land Act.

17,736. I am glad to have that from you distinctly. We now return to the point. You are of opinion that leaseholders ought to be admitted to the benefits of the Land Act?—Yes, sir. They, generally in Kerry, are the pick of the tenants.

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Mr. Henry
Rees.

Nov. 13, 1886

Mr. Samuel
Murray Hossey,
J.P.

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17,737. And you see no reason why they should not be admitted without greater injustice to the landlord than there was in depriving him of the right of free contracts in other cases?—Less so, I should say.

17,738. To return to the question of inability to pay rent, there are cases of course in which the tenant really can't pay. I suppose it is a difficult thing for an agent to distinguish these cases from those in which there is an unwillingness, it is not?—Very difficult. All that the agent has to do is to see that the rent is a fair rent; and, in the event of there being no special casualties, to see that the rent is paid.

17,739. And, if not, to take strong measures?—Yes, the agent, as I said before, is to see that the rent is a fair rent; and, in the event of there being no casualties, to see that the rent is paid.

17,740. And, therefore, it is almost impossible for the agent not to be guilty of what would appear to be hard action?—Yes. If the estate is equally let, and there are no special circumstances, such as loss of crop, why should not one tenant pay as well as another?

17,741. However unable he is to do it, if he did not pay, for the sake of the whole system not breaking down, you are obliged to enforce it?—Of course. If not, it would then be the same as a second Arrears Act, if the transaction—the Act that the drunken man got the benefit of, but the industrious man none.

17,742. When you say that you are obliged to enforce the rent, I suppose you mean you are obliged to try to enforce it?—Yes, as far as I can. Now the landlords in Kerry have made very large reductions. I have produced a ledger here on Lord Headley's property, and if you take any page of it—

17,743. Mr. Nelgon.—You are the agent of Lord Headley?—I am agent to Lord Headley, and the reductions have been very large. There is one case in which the rent was £33, and I reduced it to £24.

17,744. The President.—Permanently?—Permanently.

17,745. Was that a judicial rent?—No. All these people held by lease, they are leaseholders, and they nearly all went under the Arrears Act, and they all got close receipts in 1882. They got permanent reductions of 35 per cent., and they got special reductions of 10 per cent. for cash, and they are hardly a bit better for it. There is the book produced.

17,746. Then it would appear that the abatements made on this estate have been done in a wholesale manner, taking a percentage all round?—No, not in that sense, because I deal with every case individually.

17,747. Mr. Nelgon.—On its own merits?—Yes, but that would count for the average.

17,748. The President.—But in many cases in this county abatements have been done very roughly—so much off judicial, and so much more off non-judicial rents?—That is very untrue, excepting such cases as where the tenants combine and say they will pay nothing unless they get a certain reduction all round.

17,749. Then it is not made because of individual inability, and it does not define those cases between the people who really can't pay, owing to the bad times, and those who are unwilling to pay, but they are all treated equally and receive the same reduction?—Yes, they receive the same reduction.

17,750. I suppose it is very difficult to manage a large property and to discriminate really between the cases of inability and unwillingness?—Yes.

17,751. So difficult that it is not often attempted?—Well, it is in some cases. Of course, there are certain classes of tenantry; first, there are the people who got judicial rents; secondly, there are the people who did not get judicial rents; and there is a third class, the leaseholders, and you could not treat all these cases alike.

17,752. As a rule, the people who received judicial rents got a less reduction than those who did not?—In some cases.

17,753. That is because they are paying generally a lower rent?—Yes.

17,754. In case there is any grudge on the part of the landlord against those who have gone into court, or who have shown less willingness to treat with him outside court, I suppose the tenant feels he has to submit to a hard bargain?—That has entirely exploded. At the beginning of the Act there was some little objection, but lately I have pressed the tenant to go into court.

17,755. To return to the question of combination, perhaps you could give us some particulars about the system of combination that exists?—I am sorry to say I cannot give you very much information. It has been less tried with me than with other people.

17,756. Have you been comparatively free from it?—Yes. I have got the matter rightly or wrongly in being firm.

17,757. And you think that where farmers are shown they do not try it or quite so much?—No.

17,758. Therefore, your knowledge of combination against the payment of rent, such as it is, would be drawn from what took place on other properties than on those which yourself managed?—Exactly, several times they said they would not pay rent without a certain reduction, but I cannot say they persisted in it.

17,759. When you stood firm they gave way?—They gave way, and they have reduced it now to a combination not to pay without an unreasonable reduction. Taking each case in itself, I will tell you of some reductions.

17,760. Do you consider the power of the League is less than it was in this part of the county?—I have heard so, but not to my knowledge.

17,761. Is that you have always found that where it has been resisted, resistance has been successful.

17,762. Lord Millican.—That has been said.—That is my experience.

17,763. That whenever it has been resisted it gave way?—Wherever the landlord was firm the League gave way; but the danger is not to the landlord, but to the unfortunate tenants themselves, who disobeyed the rules of the League.

17,764. And judgment is visited upon them?—Yes.

17,765. Have you known cases lately?—I will confine my remarks to what has happened within the last year in which tenants on the properties you have managed have been subjected to outrage for the payment of the rates?—Well, I have heard so, but I cannot give authentic instances for this year. I will give you an instance of a man abandoning his farm through fear, and it is very instructive. I had a piece of waste ground six years ago, and let it to a man at £8 a year; during this six years he never saw over it, he never put a haem on it, and then I asked him for non-payment of rent, and I let it to a man who the first year spent a £150 in labouring and improving it, and he was boycotted by the Diagle Land League, and he abandoned his farm and his crops. The Diagle Land League broke up amongst themselves, and he went back, saved his crops, and re-understand the Diagle Land League has now retired, and that he is going to abandon it again.

17,766. He was boycotted?—Yes, because he took the farm of a man which had been evicted—a man who had never lived on it, and who never put a haem on it.

17,767. The President.—Have you much land lying idle in consequence of people being unwilling to take it?—Yes, in consequence of their being afraid to take it.

17,768. Land from which other people have been evicted?—Yes; and they are all afraid to take it.

17,769. Do you say that is so?—Yes, and land from which tenants have been evicted for non-payment of judicial rents.

17,770. Lord Millican.—In any of these cases have the tenants who have been evicted been able to pay if they wished?—Oh, certainly, if they wished.

17,771. But that makes no difference in the attitude of boycotting?—None.

17,772. Whether the tenant was or was not able to pay is not considered?—It makes not the faintest difference.

17,773. Because it has been asserted before us that the League had perfect satisfaction at the criterion of a tenant who is able to pay and won't pay. Is that your experience?—Exactly the reverse.

17,774. In fact they judge the thing in a wholesale manner, and do not take up the details?—Generally a man who is well to do, and spends more money in the League, if he has a difference with his landlord it is a supposition that he gets more encouragement than the man who is broken down from adverse circumstances.

17,775. The President.—You can give us some details to show a comparison of the past rents and the present?—Well, I will give you one estate, the estate of Mr. Herbert of Mankross. It is a typical case, because it is considerably the most improved in Kerry.

17,776. Mr. Neligan.—You are the agent of it?—Yes; the rent in 1845 was then £2 of £11,000 a year. There were middlemen's leases, which fell in, and which would increase the rental £450, that is to make £11,450. There was £30,000 spent by Mr. Herbert on improvements; the rental is now £10,000, and it is the worst and the most demoralized estate in Kerry.

17,777. Lord Midleton.—Would you say that in 1845 it was one of the best?—In 1845 it was considered the most improved estate in Kerry, and I think Sir James Caird knows something about that.

17,778. The President.—What is the figure of the rental now?—About £10,000.

17,779. Lord Midleton.—And up to a recent period it was considered one of the best estates?—It was considered a model estate.

17,780. Up to the commencement of the Land League agitation?—Up to the commencement of the Land League agitation.

17,781. Why is it thoroughly demoralized? Is it by the action of the Land League?—Yes, owing to the Land League, which is in the Castlefield districts.

17,782. You have not been agent of this estate very long?—No.

17,783. And you would say that up to that time there had been a want of judgment and frugality?—Possibly, but I have no reason to find fault with my predecessors.

17,784. Do you think so?—I think he had defunctors that I have not.

17,785-6. The President.—They were too kind hearted?—[No answer].

17,787-6-B. Lord Midleton.—Would you consider that the firm discharge of the duty of land agent is incompatible with kind-heartedness?—Certainly not.

17,790. However, Mr. Haasey without saying whether you have been kind-hearted or not, how much rent did you get on the first year of your agency?—I produce the rental of the estate, and you will see that small tenants have paid much better than the large ones.

17,791. Sir James Caird.—On the same estate, the case of Lord Headley's?—Due of Lord Headley's and the other of Mr. Herbert's.

17,792. I think you said you could give us a contrast in another estate with that of Mr. Herbert's with regard to the rental, that is the rental now?—No. I could give you a good many particulars now as to the value of land in Kerry.

17,793. Mr. Neligan.—Perhaps this is a very good time to do it?—Here is a lease which was made by my father in the year 1828 at a rent of £304 19s. 8d. I produce the rental of 1840 to show that in that year the amount of the arrears on the £304 19s. 8d. was 3s. 6d., the rental reduced by the Commissioners was reduced down to £214 2s., although the outlay by my father and by my brother was very large in the case of that property.

17,794. Sir James Caird.—Then that rental was reduced in 1842?—Yes, that rental was reduced under the Land Act of 1842.

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17,795. The President.—Did they take your improvements into account, and credit them to you?—They did not give very many reasons why, I could not say.

17,796. Sir James Caird.—What was the rental in 1832?—£214 2s.

17,797. Are there any arrears?—There are no arrears now, but as a contrast to that will you allow me to say that I heard farming in Scotland, and that where I commenced to farm where I heard had a rental in 1834 of £360, whereas the rental in 1855 was £560 under an 19 years' lease. The rental in 1875 was £619, and in addition to that the tenant paid 8 per cent on £1,000 paid by the landlord for drainage. Now it is in a state of transition, and I should say—

17,798. What is it now?—It is now down to £360.

17,799. Lord Midleton.—Was it let on a 21 years' lease?—On a 19 years' lease.

17,800. Mr. Neligan.—To come back to that farm of your own—what has become of that?—It was sold to the tenants under Lord Ashbourne's Act, and their instalments to the Government would be £146 1s. 6d.

17,801. The President.—That is what they will have to pay to the Government?—Yes.

17,802. What number of years was it sold at?—18 years' purchase.

17,803. So that the sum they have to pay has gone down from £204 to £146?—Will you allow me to give you another case. My father leased in the year 1828 the townland of Fernadoon for £229 12s. 4d., and the grandsons of those four tenants are at this present moment, and they have provided for their families, and after educating their daughters two of them educated their sons for the priesthood, and the judicial rent is now reduced to £169 2s. 6d. I mentioned that to show that if the family have lived there for three generations, it is manifest that they could live there and pay their way and prosper.

17,804. The President.—They had no other means?—They had no other means. I produce another lease, made in 1819, made to three tenants, at £70 a year.

17,805. Lord Midleton.—Were they joint tenants?—Joint tenants, the grandsons of those three tenants are there at this moment, and their rent is £50 a year.

17,806. Mr. Neligan.—Is that a judicial rent?—Yes. They took me into the Land Court for a reduction, but they did not get it, but I may mention that as regards my dealings with the Land Court, that my rents have been the least reduced of any person in the county of Kerry.

17,807. Then you yourself reduced the rent?—It was reduced when I bought the property.

17,808. And that is a fair test case?—Yes, a perfectly fair test case, but I will give you a great deal larger reduction if you like. The reason I gave you this is that I could produce letters, so that there could be no mistake about it.

17,809. You think the reductions were very unreasonably large by the Commissioners?—Well, considering the previous reductions, I think they were.

17,810. You think the reductions were so large as to cover the fall in prices that has taken place since, and that the rents fixed two or three years ago judicially would perfectly well be paid?—Perfectly.

17,811. Lord Midleton.—You say they could perfectly well be paid now?—Perfectly well be paid now; the judicial rents could perfectly be paid just now.

17,812. That is not universal?—Of course there are special circumstances in some cases. You ask me if these are typical cases. I will give you much larger cases. Here is a case where the rent of the holding in 1840 was £192, it is now £331; in another rental it was £128 in 1832, it is now £284.

17,813. And in these cases the rent used to be paid?—It used to be paid punctually.

17,814. How was it reduced?—It was reduced voluntarily by the landlord from time to time. With-

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Mr. Samuel Murray Haasey, J.P.

Nov. 18, 1886.

Mr. Samuel
Morley Esq.,
J.P.

out going through the books *arriars* I can state that.

17,815. Reduced before the Land Act of 1881, and subsequently reduced by the Land Act.

17,816. Do you think that the expense of living, and that wages and other expenses necessary in farming, are greater now?—Wages do not come much into account, because they do all the work themselves in Kerry, and feed as cheap as it ever was.

17,817. Even on those large farms upon which they pay £200, do they do the work themselves?—Very rarely; it is nearly expended.

17,818. Is not food cheaper?—Yes, food is cheaper, but there is an enormous increase, the cost of dress. Farmers dress in broadcloth, and their daughters wear silks and other fineries, so much so that a farm cannot stand any rent with these expenses. In former days they lived on potatoes and milk, and they had their own fairs made by their own looms, and these things helped them to live much better than the same class live in a factory town in England.

17,819. Sir James Caird.—What do they live on now?—Bread, tea, meat, and (worst of all) an enormous amount of whiskey.

17,820. The President.—Is that increasing?—Fearfully. Allow me to give you one case. The rental of property going into the town of Castleblennard is about £12,000 a year. There are 51 public houses in the town, and they must sell on an average £400 a year worth of liquor each.

17,821. Lord Millican.—What is the population of the place?—About 1,900.

17,822. And there are 51 public houses?—Yes.

17,823. Is not that a strong comment on the neglect of the magistrates in granting such a number of licenses?—Most certainly.

17,824. They have no one but themselves to blame?—Certainly. I have the honour to be a magistrate for 35 years, and I never voted for a whiskey license.

17,825. The President.—Take the ordinary small tenant farms. We have had different accounts of their habits of life—some people represent them as being very sober, and that they never consume much drink except at fairs and markets. What is your opinion, are they sober?—They are getting worse and worse every day, and more and more drunken every day.

17,826. Do they habitually drink not only on fair days but at other times?—They have a market day in Tralee once a week, and nobody ever thinks of doing a day's work about Tralee on Saturday.

17,827. They drink persistently?—Persistently. The consumption of whiskey is something appalling, although they allege the times are so very bad; and yet, although the duty on whiskey is 10s. a gallon, they drink more than when the duty was 2s. 6d. a gallon.

17,828. Is there much illicit making of whiskey?—Not in Kerry.

17,829. Is there anything more that you would wish to say now connected with the fall in prices?—There is a letter, you will see the postmark on the back, and there are the prices of stock in 1850. Year and a half old cattle 30s. apiece, about half the present price.

17,830. Lord Millican.—Does that answer apply to cattle only?—To cattle only. That is a letter from my lord to me.

17,831. The President.—Cattle bought at Milltown fair?—There is a better docket of the same year, in which first quality was 55s. a hundredweight.

17,832. What is it now?—First quality now is 105s., and second 95s.

17,833. What year was this docket?—In 1849. I think you will see the date on the top of the document.

17,834. And in those days the population had nothing else to help them to pay the rent, and nothing more than they have now?—Nothing.

17,835. They were as absolutely dependent on agriculture for their existence then as they are now?—Fully.

17,836. You have prepared an outline of your evidence?—Yes.

17,837. What point would you like to take next?—Yes, I wish to submit a few documents showing the demoralisation of the peasantry caused by the Arrears Act and the Land Act.

17,838. Sir James Caird.—Could you shortly explain the Arrears Act?—Well, Sir James, the Arrears Act was brought in by Mr. Gladstone, and that provided that any man paying a year's rent due in 1881 should get from the Government half the previous arrears, not to exceed a year's rent, and that the balance should be wiped out.

17,839. Lord Millican.—When you say "from the Government," I suppose he got it from our Church Fund?—Yes, from your Church Fund, at the expense of the landlords, of course (because they have to pay higher tithes than ever they had), and the amount got a clear receipt for the balance.

17,840. The President.—That was complicity on the landlord?—Yes, so, as much as it is complicity on the landlord to pay tithes now on the old price of corn.

17,841. Sir James Caird.—So all the arrears were cleared off by that?—Yes.

17,842. The President.—This of course, was almost universally taken advantage of?—Well, it was.

17,843. And the arrears were wiped out?—Yes, here is the ledger showing that every tenant took advantage of it. In compliance with the Act a tenant named Dennis Sweeney makes that (document produced). Here is an affidavit made under the Act—that the selling value of his farm is nil. You will see paragraph 7. The agent calls the attention of the Government to it, because he makes an affidavit that he believes the rest of the story to be true, except paragraph 7. The tenant then furnishes a further schedule of his assets in swearing that the selling value of his farm is nil. You will see that he puts the value of the stock down at £104—that the selling value of his farm is nil. Now, having got his money from the Government and the landlord, he serves you with that notice to say that he has sold his farm for £230—a farm which he had previously sworn was worth nothing.

17,844. But could not he be prosecuted for perjury by the landlord?—All the jails in Ireland would not hold them if they did.

17,845. And that is a very frequent occurrence?—Yes.

17,846. Lord Millican.—Was there any instance of prosecution for perjury under the Act?—Not to my own knowledge.

17,847. The President.—The Act mainly regarded the affidavit of the tenant, and not corroborative evidence?—It required the corroborative evidence of the agent or landlord. I took particular care to keep myself out of it, because I said I did not believe paragraph 7.

17,848. That seems to have been the most demoralising part of the Act, as it seems to have had an utter break down of the machinery when that people came to swear right and left what was not true—was not that the case?—Certainly.

17,849. Lord Millican.—The chief demoralisation appears to have been the inducement to commit perjury—is that what you mean?—Yes, it was very great.

17,850. The President.—The demoralisation caused by the Act seems chiefly to have come from the deficiency of the machinery by which it was worked from the fact that the tenants swore falsely on so many different occasions?—Yes, it was simply impossible almost for the Government to check them.

17,851. Lord Millican.—Do you think the Act had other demoralising effects besides the above connected with perjury?—Of course it had. They got ideas in reference to relief from their proper ob-

gates that were most demoralising. No doubt, in the opinion of the tenants, it was a very nice Act, and, in their opinion, it would require to be renewed every five years.

17,852. It was rather hard on the men who had struggled to be honourable and who had paid their rents?—It was the most frightful thing in the world. Fear soon came into my office on one occasion. One of them showed me a packet of Bills in Bank, and I could not give him any relief, the other three drunken tenants got their rent wiped out. It was the most demoralising thing in the world.

17,853. It was almost a direct incentive to dishonesty?—And to perjury. Allow me to call your attention to the demoralisation caused by the Land Act.

17,854. The President.—It was unusual no doubt because on so many estates it was the systematic custom to let a good money arrearer, sometimes two or three years, remain hanging over the tenant in order to keep him under control?—I have heard so, I have heard that stated, but in all my experience I never knew an instance of it, and as I have said before, I am one of the most extensive land agents in Ireland.

17,855. Suppose we take the next case?—I will give you now some cases under the Land Act. I have the books here. Here is a tenant who wants to come under the Land Act. His rent is £15 14s, and he is asked for the value of his improvements, and he furnishes a bill in detail of £480 10s. 6d, and he swears that the value, the letting value, of his land after all his outlay is only £8 12s, and now you will see it is deliberate perjury, because it is not worked out in a lump sum. (Book produced.)

17,856. Is that the money he said he laid out in improving the farm?—Yes.

17,857. Might it not mean that, putting aside those improvements, the land was worth only £8 12s.?—Not at all, but including the improvements.

17,858. Yes, but those improvements were effected by himself?—Yes, at his own expense.

17,859. He had a right to get a return for that without paying rent?—Yes, but according to what he should have got the land for less than nothing.

17,860. Sir James Croke.—The rent, I understand, before he made the improvements, was £15 14s.?—Yes.

17,861. Then he laid out, out of his own pocket, £480?—So he swears.

17,862. And then he says the land, so far as the landlord's side is concerned, is only worth £8 12s.?—No, because the value is only £8 12s, because I will show you now the distinction between the longer rent and the shorter rent. The value of his land, deducting the interest on the money of his own improvements.

17,863. Mr. Nelson.—What rent did the Commissioners fix in that case?—They fixed it at the old rent of £15 14s.

17,864. Sir James Croke.—Then is that case it was fixed exactly as it was before. It was fixed probably on the understanding that the £480 belonged to the tenant, and the expenditure on the estate was not returned on fixing the rent?—No, of course not.

17,865. But the £15 14s. fixed by the Commissioners would be the absolute value of the land after the improvements were made?—No, giving the tenant the benefit of any improvements, they believed, of course, they went out on the land, and I need not say they could not find a fourth of these improvements when they went there, nor a tenth of them.

17,866. Lord Milnes.—Then your opinion is that the improvements were almost as mythical as the rent he swore to?—Quite so.

17,867. Have instances come under your notice where tenants have sworn to improvements which have not been effected?—In every one of these cases. I was the agent during the Land Act of 1870, and I never had one case under it. There was, under the Land Act of 1870, of course a provision to give compensation for improvements, but nobody ever took me into court.

17,868. The President.—You mean to say they had made no improvements?—I say no tenant ever took me into court on improvements. There was one woman, and she lodged her claim for £3,000, but it turned out on investigation that all these were done by her under tenants who were left in occupation, and it included compensation for such improvements as a quay wall to protect a river, and that turned out to be done by the county, by procurement by the grand jury, and we heard nothing more of that claim.

17,869. Mr. Nelson.—I observe from this book that £192 is put down under the head of "permanent improvements," such as draining. That should have come under the head of "unexhausted measures" to make up that bill. I see there is £192 for that?—I did not look at that.

17,870. Then, in this case, as in the Arrears Act, the chief demoralisation was the perjury?—Yes, the perjury.

17,871. You mean there was a direct inducement to the tenants to commit perjury?—Yes, a direct inducement to the tenants to commit perjury. In fact, as the parish priest said, they were compelled to perjure themselves, to use his own words, "at every hand's turn."

17,872. Without very much chance of punishment?—There was over a prosecution yet. I had one case where a man's rent was £10. He admitted he had six dairy cows, and that the full letting value of his land was £4 10s. Upon examination, he admitted that he had sold one of these cows for £6.

17,873. Lord Milnes.—Sublet the cow?—The guess of a cow. My solicitor applied to have the man committed for perjury, and the answer that Mr. McDermott, the chairman, made was that if we noticed these kind of things the juries would have to be considerably enlarged.

17,874. The President.—Did the Commissioners, as a rule, believe everything that was told them?—I think, latterly, they believe nothing.

17,875. But at first they did?—Yes.

17,876. Have the Commissioners power to commit for perjury?—I understood they had.

17,877. Have they power?—I understood they had. I don't know whether they had or not.

17,878. Have you any more cases that you wish to give, because if not I will ask you a question or two about the Commissioners? Do you think that they had any fixed plan in giving their judgments, or do you think it was chiefly haphazard?—It must have been haphazard, no man can give an accurate valuation of the land in this county if he has not farmed himself, or is acquainted with it.

17,879. And you think they always erred on the side of fixing the rent too low?—I cannot say that.

17,880. Lord Milnes.—Do you say that?—No; I think in Kerry they do it. There were a great many differences between the members of the Commission. There were some of them that chose judges in reference to the lands, and there were some of them as totally ignorant as it was possible to select men for such a duty. I knew one of the Commissioners, and I would as soon have had one of the waiters here in the hotel to value land as him.

17,881. But the tenants considered their valuations were too high?—Of course they did, but the tenants were taught to expect land for nothing; but all this was anticipated. In Mr. Gladstone's speech in 1870 he said all this would come about, that total demoralisation would result from fixity of tenure and compulsory valuation, and he was a true prophet.

17,882. Sir James Croke.—Was not the Act passed under the auspices of his Government?—Yes; but that was no reason why he should not say that.

17,883. That was ten years previously?—Yes. He said, if anything was more calculated than another to cause total demoralisation it would be compulsory valuation.

17,884. The President.—You think the Commissioners, in fixing the rents in this county too low, were influenced by those false statements of the

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17,885.—As to the improvements they had made?—Very possibly that was so.

17,886. But not always?—Well, latterly I think they took more to judge for themselves.

17,887. Then to pass to the next head—I think about outrages?—Yes. I wish to mention that it is alleged that outrages are caused by poverty.

17,887. By evictions, we have been told?—Well, by evictions and by poverty. Kercy is comprised in six poor law unions. There are three of them very poor, and three of them comparatively rich. There has not been a serious outrage in the three poor unions. The richest of the three rich unions is Thrope, and the richest district in it is Cuthfield, and that is, practically speaking, a monopoly of the outrages.

17,888. Do you connect the riches with the outrages then?—No; I say it does not arise from poverty. For 56 years prior to Mr. Gladstone's remedial measures there was not an agrarian outrage of any sort, size, or description in this county.

17,889. Lord Millicome.—Previous to 1870?—Yes, previous to 1870 it was as peaceful as any part of England.

17,890. How soon did it begin, after remedial legislation, to take effect?—I think it is about the year 1877; I think it is about seven years afterwards.

17,891. The President.—That was just before the beginning of the Land League?—Yes. Of course, outrages are entirely at the instigation—

17,892. Would you connect the Land League with the legislation of 1871?—No, I do not.

17,893. As it was explained that it happened to be after 1871, it might be thought that there might be some connection between the two, but you say there was no connection?—I do not connect them.

17,894. You state it had no connection with the legislation of 1871?—I do not think it had, except encouraging tenants to think they would get the land for nothing in the end.

17,895. Sir James Caird.—When did the Land League begin?—I think in 1877 or 1878.

17,896. And about that same time outrages began?—Yes. I will connect them in this way, that when the Land Act of 1871 was passed, it gave the tenant a sum equal to from three to five years' compensation for disturbance. In other words, if the landlord wished to change for an improving tenant he had to pay five years' compensation, and that I think encouraged the tenants into the idea that the land was practically their own.

17,897. And this, indirectly, was the cause of the outrages?—Well, it tended to it.

17,898. Then they began in 1877?—Yes, sir, and they had very good years from 1870 to 1877, and then they kept quiet.

17,899. And when the bad years came the outrages began?—Yes.

17,900. And that from 1877 until now it has existed?—Yes, outrages existed with very little chance of their ceasing.

17,901. You have already told us that the Land League is not decreasing?—The Land League is not decreasing in power now, not in my opinion.

17,902. The outrages have not been so great in this part of the country. Have they been so great?—It is really very hard to say, because the people that are outraged are afraid to say a word about it. If there is a small outrage perpetrated, such as the firing into a house, or a beating, or things of that kind, when the moonlighters go away, they say, "If you tell this to the police, we will go back and shoot you the next night."

17,903. I gather from that large numbers of outrages are perpetrated of which no publication is made?—I think there are not one-fifth of the outrages in this county disclosed.

17,904. Of course there cannot be very severe outrages?—Of course not, because if a man is murdered it is certain to be discovered, or if a man is seriously wounded he has to go to hospital, or if his house is burned, or that sort of thing, it obtains publicity.

17,905. But the simple fact of firing into a house, or beating a man with sticks, or that kind of thing, would not obtain publicity. Do you think the police discover the men who are at the bottom of those crimes?—No, they do not give sufficient rewards.

17,906. Mr. Neligan.—When you say "they," who do you mean?—The police.

17,907. And your opinion is that until outrages are put a stop to rent will not be paid?—No, nor any debt.

17,908. Sir James Caird.—Are they not paying their debts as well as rent?—No.

17,909. Shopkeepers' debts?—And paying the bills quite as badly.

17,910. Mr. Neligan.—From the newspaper reports I gather that the last man shot in the county was about a shop debt?—Yes, he was murdered.

17,911. The President.—We will now pass at once to the consideration of the Purchase Act. What are the three points that you wish to bring before us?—I will come to the Purchase Act.

17,912. Do you think it would be an advantage to the country that a class of peasant proprietary should be created?—Strongly.

17,913. You do?—We can have no public bodies nor juries without it.

17,914. You look to this—to purchase on a considerable scale—as a real remedy for the present unsatisfactory state of things?—The only remedy, coupled with a firm administration of the law.

17,915. Have you considered Lord Ashbourne's Act?—Yes.

17,916. And do you approve of the principle of it?—Certainly.

17,917. Are there any suggestions with regard to it you can make to us to facilitate its working?—Yes.

17,918. We shall be glad to hear them.—At present it is practically impossible to sell encumbered property, because every encumbrancer must join in the conveyance,—that is, if you sell a farm at £20 a year rent, you have to get all the mortgagees to join in the conveyance, and the costs will swell up the whole thing. It should be worked in this way:—When the landlord and tenant agree about the purchase money, the purchase money should be there and then lodged in the hands to the credit of the tenant or owner, and then let the landlord prove his title to the money in encumbered estates as under the Encumbered Estates Court Act, and let it be distributed between whoever is entitled to it.

17,919. Suppose the property is sold at a low price mortgagees would not get paid?—What would happen then?—I should leave that matter in the hands of the Purchase Commissioners.

17,920. And allow the Commissioners to decide any price that they thought expedient?—Yes.

17,921. And if the mortgagees were not paid they must suffer?—The mortgagees would be very unlikely to get their money in any other way, thanks to the different Land Acts.

17,922. Mr. Neligan.—Is not that what is known as the voting order principle?—The voting order is not workable either, because when there is a voting order the landlord must find one-fifth out of his own resources, and when I have known people with £5,000 a year refused a loan of £500, I do not know how that is to be done.

17,923. Have not the landlords power to accept any offer if they conveyed?—But how is it to be carried out?

17,924. The President.—The mortgagees had a vote upon the sale now?—Yes.

17,925. Would you do away with that?—Yes, I would do away with that.

17,926. Lord Millicome.—Has a mortgagee a vote on a sale?—Yes.

17,927. Why?—Because he must join in the sale.

17,928. Is not he obliged to join in the sale whether he likes it or so?—No.

17,929. Do you mean to say that any mortgagee can stop a sale?—Yes; the vesting order was never taken advantage of, I think, and cannot be taken advantage of, I think.

17,930. The President.—Would you be in favour of making purchase compulsory?—Yes.

17,931. On both sides?—Yes.

17,932. You have made suggestions on your own account?—Yes.

17,933. You thoroughly understand the whole subject?—Yes.

17,934. And you think there is no way out of the difficulties pending the carrying out of the purchase law except by making it compulsory?—No, a great many difficulties could be removed.

17,935. You think it ought to be made compulsory?—Yes, I think it ought in Kerry on landlord and tenant.

17,936. On both landlord and tenant?—Yes, but they might be agreed in a good many ways.

17,937. And you would give considerable powers to the Purchase Commissioners?—Yes.

17,938-9. Would you go so far as to let them fix the price?—I would guard that within certain limits. I would say where the tenant is willing to bid there is great difficulty in adopting a fixed rate all over Ireland, because, in the low shilling north, the landlord might not like to take the terms which the landlord in the south at the mercy of the Land League would be glad to take.

17,940. And as the tenants have told us in the north, they say they will suffer for their good behaviour?—Yes, no doubt.

17,941. Then you would give the power to the purchase Commissioners with considerable restrictions to raise the price?—Yes.

17,942. What restrictions would these be?—I will only take Kerry for the restrictions; I would say that where tenants on a townland were willing to give 22 years' purchase on the judicial test I would make the landlord accept it.

17,943. 22 years?—Yes.

17,944. And most of the landlords would be very glad to accept it?—Yes, very glad to accept it. I would not allow them to be a stop-gap, and I would say that where the landlord offered it at 18 years' purchase on the judicial test, the tenants should be made to take it.

17,945. Lord Milnes.—You mean that all the tenants?—Yes, on the town land.

17,946. You would not give it in isolated cases?—Yes.

17,947. The President.—The whole of them or a certain proportion?—The whole of them; there are not so many.

17,948. Lord Milnes.—You would not allow a man's estate to be sold torn down by a townland?—Yes, unless he could show that it would damage the sale of the remainder.

17,949. The President.—How many tenants are there in a townland generally?—From three up to 20.

17,950. Would you allow a small tenant to stop the whole thing out of 20?—I do not see any way out of that.

17,951. And when the landlord offers 18 years' purchase, or the tenant is willing to give 22 years, either must take it?—Exactly.

17,952. How would you compel the tenants to buy?—I would make them involuntary purchasers by making them pay rent to the Government instead of to the landlord.

17,953. And where the tenants would only give 18 years' purchase, and the landlord stands out for 20, there might be arbitration?—Yes, my lord.

17,954. Lord Milnes.—Of course you have thought of all the possible objections to making it compulsory?—I have.

17,955. And the long time it would take to transfer the land. I believe the Encumbered Estates Court only got through transactions to the amount of from a million to a million and a half yearly?—Yes, but

things might be vastly simplified; if there were a few more solicitors.

17,956. But they do not get through more at present?—Well, I have an estate where I lodged an application in October 1885 on a simple title, and I have not got the money yet.

17,957. When I refer to the Encumbered Estates Court, I was taking that merely as an example of the speed at which it could be done?—Quite so.

17,958. What is the value of the whole property in Ireland?—Is it £200,000,000?—About that.

17,959. Would not that with all the facilities you propose take a long time?—I think they could sell £50,000,000 a year. I think when a third of the property would be on such a sound basis that the people might not care—

17,960. But were you not going to compel them to sell?—I only confine my evidence to Kerry, but I say in the north where they are peaceable and quiet there is no such necessity.

17,961. I suppose in Wicklow and Kildare, where they are also quiet, there is no necessity?—Exactly.

17,962. The President.—When they saw such an example of the success of the agitation, in the north they might not keep quiet?—The north have a better example, because in the south, between stoppage of rents and the enhancement of Government and mortgages, the landlords are practically ruined.

17,963. But the tenants in the north—they might grumble?—I dare say.

17,964. As far as the landlords go, do you feel that as a class if they left any evil would befall the country?—No, they have lost all power now, they are only ciphers.

17,965. Their power of doing good is gone?—Yes, I do not see why they should go. I would much sooner live in my disease if I was rid of my property.

17,966. You think if the landlords would take a reasonable amount for purchase, the result would be satisfactory?—I think after all there would be this, then they would be looked up to as benefactors, and they would not be looked upon as oppressors.

17,967. Well, let us go from compulsory purchase now, and suppose it to be out of the question at present; what other recommendations would you make with regard to the Purchase Act besides that you have mentioned with regard to mortgages; is there anything particular that you wish to say?—I think the valuation by the Commissioners is a most arbitrary thing, at present there should be an appeal from that. Now, in my estate, there were five Commissioners who valued my estate, and five of the people who were considered by the Government as the most competent, and I am bound to say that they were very competent men. They fixed my judicial rents, and I agreed to sell to the tenants at 18 years' rent, and at the election of one valuer associated with this county they reduced my 18 years' purchase to 14½.

17,968. The Purchase Commissioners?—Yes, my lord.

17,969. Upon what grounds?—They gave me no grounds, they gave me no reasons at all.

17,970. It might be one of two?—No, we did not come to the question of title at all, it was a Landlord Estates Court title.

17,971. Did they take into account the depressed state of the country?—I cannot say; they did not give any reasons.

17,972. Sir James Caird.—Do you say that five of the Commissioners put on the 18 years?—Five Commissioners fixed the rent at £24 on four farms.

17,973. The President.—The agreement made between you and the tenants for sale at 18 years' purchase was not acted by the Commission, and they gave no reasons whatever?—Yes, sir.

17,974. Mr. Nelson.—You mentioned five Commissioners, to show that that rent must have been a fair rent, and was therefore pro tanto security?—Yes, and that Commission was presided over by one of the present Commissioners.

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17,875. After the fixing of the judicial rent at £34, what then happened?—I proposed to sell to the tenants then, and they sent down a valuer.

17,876. The Purchase Commissioners did?—Yes, and then they wrote me word that they would not sanction more than £781.

17,877. How much did your purchase money come to when you bought?—My purchase money came to 20 years' purchase of the old rents, or equal to about 23½ years on the judicial rents.

17,878. How many years purchase?—It was 23½ years.

17,879. Lord *Mills*.—That was not the sum you were asking from the tenants; I think there was some confusion as to your last answer. Mr. Herbert and his tenants agreed initially for 18 years' purchase on the judicial rents?—Yes.

17,880. Sir James Caird. —And the valuer sent down by the Commissioners reduced that?—I cannot say what he did, but he came down, and then the Commissioners wrote to me that they would not sanction more than £780, which was 14½ years' purchase.

17,881. Lord *Mills*.—And you had yourself given 23½ years' purchase on the judicial rents?—Yes.

17,882. Mr. Nelson. —I think your point is as I understood you, that from such a ruling you should have an opportunity of appeal?—Exactly.

17,883. Sir James Caird. —Is there no such opportunity?—No. One man is allowed to overrule the decision of five, and if I felt myself aggrieved, I have no right of appeal from this one man.

17,884. You do not know that, because you do not know what this valuer did recommend?—The two Purchase Commissioners, Mr. Lynch and Mr. McCawley, were appointed to carry out those sales, and it was they wrote me word that they would not advance me more than £780.

17,885. The President. —You would oblige them to give their reasons?—Certainly.

17,886. And give an appeal?—And I would give an appeal. If you will allow me I would wish to explain to you how this would work out—this loan of £780.

17,887. Yes.—In the first place I would have to pay the Government about £400 to redeem the title rentcharge. I have 18 years of that title rentcharge paid off, 18 instalments, and yet they charge me 20 years' purchase to redeem the balance.

17,888. 20 years' purchase?—Yes; and that if I had been dealing with the clergyman instead of the State I could have redeemed that title 25 per cent.

17,889. Lord *Mills*.—How could you have redeemed it 25 per cent.?—The title was originally for seven years in proportion to the price of oats.

17,890. The title rentcharge?—Yes, on the price of wheat.

17,891. Was it ever acted upon?—Yes, I have acted upon it myself. From the £750 comes £90 to redeem the title rentcharge, and £40 to redeem the land improvement rentcharge. The Government take very good care to keep their own interest, and they deduct a 4th of the gross purchase money.

17,892. Sir James Caird. —That 4th is not deducted permanently, it is taken as security?—It is taken as security.

17,893. And you get the interest?—I got the interest of 3 per cent. locked up for 17 years, and I cannot do with it. It should be deducted from the net and not from the gross. If the Government were making a very good bargain in one way they are getting their whole money in full. Now, will you allow me to give you one case of hardship. Here is a townland here (document produced).

17,894. Lord *Mills*.—Is there any definition of what constitutes a townland?—It is a townland by the Ordnance Survey.

17,895. You cannot tell me what constitutes a townland?—Oh, no; some are small, some large.

17,896. There is an enormous difference in the size?—Yes.

17,897. The President. —It is a division of a barony. Is the whole country divided into townlands?—Yes.

17,898. What has it to do with the parish?—There may be 20 or 30 townlands in a parish.

17,899. And what is the size of a barony?—There are so many parishes in a barony.

18,000. Then the gradations in which these divisions are made are townland, parish, barony, and county?—Yes. Now, in this particular case I sold the middle division for £150, and I did that on the understanding that an advance would be sanctioned for two other portions. When I came to deal with the long strip to the east, there is only £17½ difference in the past 18½ valuations between the two divisions, and I dealt with the eastern division for £200, and the Commissioners cut me down to £200 I was practically at their mercy, because the two small pieces were useless to me.

18,001. The President. —Before we pass from the purchase altogether, I would like to ask you again as to how you came to the conclusion that it would be necessary to make it compulsory. I suppose it was not until after some time that you satisfied yourself?—Not until after a considerable time. If the voluntary system would proceed rapidly in future I should prefer it, but really this country is in such a disorganised state that I see no other remedy.

18,002. The Lord League is stopping sale?—Yes, the Lord League has stopped sale. When I was a grand juror at the last assizes there was a man named Flaherty, and he sought compensation for the loss of his cattle, and he was asked on his oath if they were maliciously killed, and he swore he bought his farm on a Monday afternoon—that he bought it on a Tuesday, and that his cattle were killed on the Wednesday, and that no reason was assigned for it.

18,003. That was a sale from the landlord under Lord Ashbourne's Act?—Yes.

18,004. They considered it extorted?—No, they wanted to stop sales.

18,005. It was not the land of a tenant who had been extorted?—No, he bought his own land under the Act of 1885.

18,006. He was the occupier of the land?—Yes.

18,007. And there was no reason except the stopping of the sale?—Yes.

18,008. And do you think that purchase would break down the power of the League?—Yes.

18,009. And do you think that if the power of the League could be broken and put down, and that law and order were restored, that purchase would proceed of itself?—I think it would.

18,010. Without any compulsion?—Yes, although there may be more facilities for carrying it through and with some slight modification, it would work without compulsion; and in this country, as far as I can make out, the obstacle for sale is the difficulty of tenants coming to terms when no difficulties are made on the part of the landlord.

18,011. Most of them would be glad to sell at a fair price?—Certainly.

18,012. Really, the chief reason for making purchase compulsory here is that it would break the power of the League?—Yes, and it would give a class of people from which you could draw jurors and make public bodies. In enlarging local government powers, so far from benefiting the people of this country at present, without the purchase scheme, would result in a situation which would make the whole county bankrupt.

18,013. The people who would have to pay would be the landlords?—Yes.

18,014. I see that the townlands vary in size and population indefinitely?—Yes, perhaps you might not meet two in a hundred exactly alike.

18,015. I think you could give some evidence as to the difficulties in the law of apportionment?—Yes. When an apportionment is obtained at present you must get it done before the six months commences to run.

18,036. Mr. *Wiggins*.—Would you explain what the six months mean?—The six months for redemption. The meaning of that is that the tenant, after you have executed your writ, has got six months after he is turned out within which he can pay his rent and be reinstated. The result of that is that the landlord has to execute the writ. When he gets it he has to put the tenant out, and the tenant's credit is considerably damaged, and he is put to considerable inconvenience. If the six months dated from the day that he got the decree, without his having to put the tenant out until the end of the six months, then the agent would be in uninterrupted enjoyment of the farm, and his credit would be unimpaired.

18,037. The six months cannot begin until the war is actually out?—Yes, that is the hardship on landlord and tenant.

18,038. You think that is hard both upon the landlord and tenant?—Yes.

18,039. And you say that the six months ought to run from the date of the ejectment, and not from its execution?—Yes.

18,040. Do you see any hardship on either side?—I see no hardship; it is to the advantage both of the landlord and tenant, and would promote a great deal of good feeling among the landlords and tenants.

18,041. It would suspend execution for six months?—Yes. Again, the costs of evicting small tenants is very excessive. There are a number of labourers here who the landlords have taken on and given him off-put at a point to 50s. a year. You cannot evict one of them except at a cost of £3 10s.

18,042. Lord *Milnes*.—Don't they come in under the Cottier Act?—No.

18,043. You are excluding those who come in under the Cottier and Small Holdings Act?—No. It is very hard on the congested districts here that no under £5 should be recovered at Petty Sessions as a cost of an ordinary summons of 1s 6d, and that the tenant, if he felt aggrieved, could appeal to Quarter Sessions, and be as well off as if it originated in Quarter Sessions, whereas if he does not feel aggrieved he gets off with 1s 6d costs.

18,044. In fact you would extend the Cottier and Tenant Act to include such cases?—Yes. It is a fearful hardship piling £3 10s. costs on £1 or £2 of rent.

18,045. Of course, if this involved any questions of title, the Petty Sessions would not deal with it?—I would give them simply an appeal to Quarter Sessions.

18,046. Would you give the Petty Sessions power to deal with a point of title?—Yes, if there was no objection, but if there was objection I would not.

18,047. Would you except an objection taken on the title when you would use the jurisdiction of the Petty Sessions Court?—Yes, or an objection on any ground.

18,048. Would you give the tenant power to object?—Yes, to object to the jurisdiction on any ground he liked.

18,049. It would not be of much use?—Yes, I beg your pardon, it would, because the tenant would see that if he had not a good case he would have to pay £3 10s. costs.

18,050. But if he has not got it to pay?—Then he would be put out. In reference to the Purchase Act, to show you the tenants contemplate buying to pay the Government, I submit a letter which I got. (Letter produced.)

“Honoured Sir,—You must have a thousand any bid, which was £34 a year to you or £20 to the Government.”

18,051. Because they thought you would not meet it?—Yes, and they thought that the Government would.

18,052. The Government have power to give a title law?—Yes.

18,053. I do not understand that letter. What was the bid about?—His former rent was £36 a year, and he said, “I will pay you £34 a year.”

18,054. Rent?—Rent.

18,055. Quite so?—“Or I will purchase at £500, so that my instalments to the Government—I will offer to pay you £34 a year rent, or, if I purchase, £50 per year. I will give no more on my instalments than they would be £20 a year.”

18,056. So he preferred dealing with the landlord?—Yes.

18,057. The *President*.—Have you had any experience of what are called congested districts?—A little.

18,058. Would you extend the benefits of the Purchase Act to those districts, or would you except them from it?—I am afraid you should do that and accommodate equally emigration at the same time.

18,059. You would not consider it necessary to schedule these districts and put them on a separate rate with regard to the operations of the Purchase Act?—I have not turned that in my mind, and I do not know how it could be done.

18,060. With regard to emigration. You consider emigration as a rule a remedy for these cases of congestion?—Yes.

18,061. Have you ever thought of migration, I mean by that not moving the poor people into another county, but having waste land near and bringing up the tenants upon that land?—Yes.

18,062. Do you think that would answer?—No, I think it would perpetuate the evil.

18,063. Sir *James Chief*.—You said waste land, which I suppose means bad land that is not good for cultivation, but if they were migrated to good land might it not benefit the people?—I think it would not, because it would cut up the farms too small, and I think it is a wholesome thing to have some large and some small, so that men can rise in the world.

18,064. If there could be some good land found, from which it was not necessary to evict any resident tenant, and if it could be utilised in that way, as it has been recommended to us in some parts of the north of the country, do you think migration to that land would be useful?—No, I think those farms are an element of civilization in Ireland, that is, the few large farms that do exist, and I think it would be a great pity to cut them up and turn them into small farms. The statistics, if you take them from Thom's Almanac, will show you that there is only about one male employed at agriculture in Scotland to four males in Ireland, and that there are more acres of corn and more acres of turnips than there are in Ireland.

18,065. That goes against the Irish system altogether?—A great deal, and I don't want to perpetuate it by cutting up the few large farms that there are.

18,066. These large farms to which I refer, and to which reference was made in the evidence I refer to, were grazing farms and not tillage farms, so that it would not be reducing them?—No, they have got them into good heart at present, and I think it would be very hard and very wrong to reduce them to the bad farming which already exists in the congested districts. The position seemed to be this. That such good land could be bought by the State in sufficient quantity to accommodate one half of the population in the congested district, and give to the other half which remained twice as much as they have already. I cannot conceive a more reckless waste of money.

18,067. In both ways?—Yes.

18,068. You do not think it would succeed?—No.

18,069. In benefiting the people that it is given to?—No.

18,070. Then you think it is better that they should leave the country altogether?—Yes. The people in these congested districts would be wholly unequal to farm the good land that is at present in large lots.

18,071. Of course they would farm it in small lots if they farmed it at all?—Yes. Of course a great deal might be done in Ireland in the way of employment. I am very strongly in favour of planting in Ireland. I planted a quantity of ground myself in 1856, the

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Government valuation of which was 62. as an acre. I am now selling that wood for £20 an acre.

18,062. Before we leave the question of emigration, would you propose or recommend assisted emigration?

—Certainly, especially to New Zealand.

18,063. Do you think the people themselves would readily go into it?—I am quite clear they would.

18,064. Lord *Mills*.—Why New Zealand?—Because that is a place they would like to go to; because they have got good accounts of the colony, and have friends there.

18,065. The *President*.—More so than in Canada?—You would get more assistance.

18,066. Sir *James Caird*.—It is a milder climate?—They like it better.

18,067. From the congested districts with which you are acquainted have any people gone to New Zealand?—Yes.

18,068. And succeeded?—Yes, and succeeded.

18,069. And are they sending for their friends?—Yes.

18,070. And do you think there would be a ready market taken advantage of by the people themselves if assisted emigration were given in that way?—Certainly. I think you had a gentleman here yesterday or the day before, Father O'Leary, the parish priest, who could tell you the same thing.

18,071. Lord *Mills*.—He especially mentioned New Zealand also?—Yes, although the priests, as a rule, are against emigration.

18,072. The *President*.—Do you think the priests are less against it than they used to be?—The majority of them are unchanged.

18,073. I suppose as long as the priests continue to dissuade the people it would be difficult to get them to go?—Some of them do not. Father O'Leary would not dissuade the people so long as they would better themselves, if it was to leave half the country empty.

18,074. Do you think that that would be better than giving the means to the people in congested districts to buy their little farms?—I have no doubt that in the congested districts you should enlarge the holdings first, and then let them to purchase.

18,075. By getting a good many people to emigrate?—Yes, and then the remainder would get larger holdings.

18,076. The *President*.—And they might purchase?—Yes.

18,077. And do you think the land would afford security for the advances?—I think it would. The Government recover rents for the landlords at present, and I do not see why they could not recover in this case too.

18,078. Lord *Mills*.—But do they recover for the landlords?—They try to.

18,079. Sir *James Caird*.—Is there any proportion of rent paid now in the congested districts?—Yes, the small tenants in Kerry are paying better than the large tenants. Here are two estates (discontent produced), and you will see what they are paying on Lord Hradley's estates, and there are many better.

18,080. The *President*.—The tenant right sells for more in the case of small holdings than in large ones?—Yes.

18,081. Sir *James Caird*.—I suppose that is because there is more competition?—Yes.

18,082. With regard to emigration. Is there any other suggestion you can make for facilitating it?—No, only assisted emigration.

18,083. You think the people are becoming more aware of the advantages of emigration?—Yes.

18,084. And are emigrating too?—Yes, certainly. It is the interest of the agitators to discourage emigration, but I think the people themselves are consulting the priests on the subject.

18,085. But the priests discourage it?—They do, sometimes, but in some places they advocate it. If there was a proper system of emigration the priests would not be adverse to it. What the priests object to is letting girls and boys be thrown upon the quays of New York.

18,076. And if emigration could be properly carried on and provision made, and a suitable system provided, the priests' objection would diminish?—It would diminish to a very great extent, and perhaps entirely.

18,077. Is there anything else you would like to say?—As I said before, if something is not done, in the way the mortgages are going on, pressing for their claims, and the Government for their claims, with the most merciless severity, all the landlords will soon be ruined.

18,078. Upon this point we shall be glad to get some facts. You mentioned in the beginning of your evidence that you yourself and your partnership collected £250,000 a year; how much of that £250,000 is intercepted before it goes to the landlord?—I should think four-fifths.

18,079. How much probably of that four-fifths meets mortgage interest?—Well, I should say one-fourth goes now to the Government and their charges, and then, I think, the estates, generally in Kerry—I do not wish to give my own cases at all—I think the estates generally are mortgaged to very nearly half their value.

18,080. And then can you give us any idea—I don't want any particular estate at all, but a general answer—can you give us any idea of the rate of interest charged on mortgages?—We used to get money at 4 and 4½, but the mortgages are taking advantage of our distress to raise the interest from 5 to 6 per cent if we do not pay.

18,081. That condition of affairs must press very heavily on the landlords?—It is utter ruin.

18,082. Lord *Mills*.—That is in pursuance of a penal clause in the mortgage?—Yes; otherwise there could be nothing of the kind.

18,083. But they will threaten to foreclose, and put the property up to auction.

18,084. Precisely, but they will gain nothing by that, because they could not sell it?—But they are, that is what I am pointing out.

18,085. In former times they did not put the penal clause into covenants?—No. There is a letter I wrote to the "Times" asking for the Government to assist the landlords pending the purchase scheme.

18,086. The *President*.—The rate of interest on a mortgage under a penal clause—you say the thing can be raised to 5 and 6 per cent, and that to some extent that is not done?—Yes.

18,087. And I suppose if they determined to foreclose they could not sell?—They could get no purchaser.

18,088. Is not their position one in which it would be possible to make some compromise?—I think so.

18,089. Has that never been thought of?—No, they have not come to that stage yet.

18,090. A good many things turned up in postpore that compromise?—Yes, when Lord Ashbourne's Act was brought in everyone of the mortgages thought that everyone would avail of it, and that the mortgage would be cleared off, and now when they see it is not so readily taken up, it is coming to an end.

18,091. It has not come to an issue yet?—It has come to a crisis of interest.

18,092. But not beyond that?—Not to the putting up of estates for sale.

18,093. Besides the amount payable out of the rental to the mortgagee, what sort of proportion, as a rule, may be payable on finally settlement?—I include that.

18,094. You include that in the mortgage?—Yes. It is very hard to separate them, because finally charges have been transferred to other parties.

18,095. Then a landlord with £5,000 a year gets about £1,000?—About that.

18,096. Lord *Mills*.—That is to say, if he gets anything, and if he has to give 30 per cent reduction that settles that thousand. I understood you to say that reductions are now being made generally in Kerry?—There is an estate of Lord Rosbery's of which I am agent, and I see that here are advances

which can be seen; take any case at random. Here is a man whose rent was £50, that is, the tenant got a clean sweep out under the Arrears Act. They were all done in 1882, and then, when I collected his rent in 1883, I reduced his rent from £40 to £28, and I was offering a reduction for cash of ten per cent.

18,027. And that is an instance of what is being done extensively in Kerry?—Yes, there is another case of a farmer whose rent was £30. They took hold on, and I have reduced his rent from £30 to £18, and I am giving a reduction of ten per cent. on that.

18,028. Why are those reductions made?—I made those reductions in the year 1882. I thought—

18,029. Pardon me. These are permanent reductions. I think I understood from you that abatements are being now made?—I made abatements of ten per cent. on that this year.

18,030. Why did you make that abatement?—Was it in consequence of your belief that the tenant was unable to pay?—No.

18,031. Or were other influences in operation?—No.

18,032. Well, why did you make it?—The lawlessness of the country, that prevented me from asserting my rights.

18,033. You were of opinion, under those circumstances, although you did make that abatement in obedience to the reduction already made, that the tenant was really able to pay his rent?—Yes.

18,034. And it was in consequence of the utter absence of any power to enforce legal obligations that you felt it incumbent upon you to make a further abatement?—Yes, and the mortgagee pressing the legal rate of interest if I did not get it in.

18,035. Would that answer apply in your judgment in the case of the abatements made in this county in this last year?—To most of them.

18,036. You say that, in your opinion, purchase ought to be made compulsory in this county, supposing the law of the land to be enforced and legal obligations to be made binding, and you still would be of that opinion?—No, with a slight modification of Lord Ashbourne's Act, and with an observance of the law, I think if the thing would work valuably it would be much better.

18,037. I believe there is really no way now for a landlord to recover his rent practically, other than by ejectment?—It is almost impossible.

18,038. Can you suggest any other means which could be devised than that which is at least an oblique way?—No; when you seize through the sheriff's use in Kerry there is a system of concerted signals, which would tell everyone there when the sheriff would come out, and stock is driven off, and the ordinary remedy which was known in the old days, and which still exists in England, and which is known as the landlord's distress, no longer exists, because the Government have refused to give police protection to landlords distraining for rent, and one of the effects of that is to pile rents upon the tenant, because, when he takes his land and stock through the sheriff, it is a matter of 25 notes, whereas if he could by an ordinary distress warrant, the case would be limited to 4s. 6d.

18,039. Then the Government no longer afford protection to landlords carrying out the law?—They have refused to do so.

18,040. Is it long since the Government of the country has come to the conclusion that such protection is no longer to be afforded?—I think it is about two months since I got a circular letter to that effect.

18,041. Mr. Nelson. If an information be given that a breach of the peace is apprehended, do they still refuse?—I have not tried that.

18,042. Lord Milnes. I suppose there is a considerable fall in prices at present?—Yes, but things are going up; the price of cattle is increasing.

18,043. Looking back on your recollection during the last 25 years, should you describe the fall now in prices as an exceptional fall in prices?—Why, I remember stock half the price they are now. Cattle,

butcher, and pork are what the Kerry tenants depend upon for their rent, and I remember seeing them half their present price.

18,114. And the rents were then paid?—Yes, and better paid than now.

18,115. I think you have already said you do not think the present state of things call for any further revision of the judicial rent already fixed?—No.

18,116. Did you wish to say something about the taxation which exists in the districts where cottages have been commodified?—Taxation is very heavy. The boards of guardians have hit upon a plan of punishing the landlord. When the landlords evict a tenant for non-payment of rent they give the tenant a pound a week out-door relief, and the landlord has to pay half that, and they only give an ordinary family who have come to adversity from other causes 2s. or 3s. a week.

18,117. Mr. Nelson.—How long did that pound a week last?—There is one tenant on Leed —'s estate who was evicted out of a holding which he really had no legal right to at all, but which belonged to his brother-in-law. For five years that man has been putting 12s. a week, half of which comes out of Leed —'s pocket.

18,118. Lord Milnes.—Rather more than half?—Very often more than half, but in this case not more than half.

18,119. Landlords in Ireland pay considerably more than half the poor rate?—Generally speaking two-thirds of it.

18,120. And did the Local Government Board sanction this violation of the law?—They have done so.

18,121. The President.—They have power to stop it?—Yes, they have.

18,122. For they are committing an illegal act?—Yes, but they get a medical certificate of the doctor, who is practically elected by the Land League.

18,123. Lord Milnes.—Do you think if law and order were established the system of dual ownership created by the Act of 1881 is one under which the country could go on?—Hardly. What are you to do for juries or boards of guardians? You would get no conviction in Kerry this moment.

18,124. But I am supposing a state of things when the law is re-established?—Then you must change the jury system first. How can you establish law if the jury do not convict?—No jury now would convict a tenant for shooting a landlord.

18,125. But in a district where it was decided to enforce the law, and where the law was enforced, do you think the system of dual ownership is one likely to afford a satisfactory solution of the question?—It cannot be continued to the extent it has gone in Munster; the landlords are too few compared with the tenants. How can one man deal with 2,000 tenants, where they every day in the week in the newspapers read that they have more right to the land than the landlord?

18,126. If they are told that, do you think it has a demoralizing effect?—Well, perpetual dropping of water wears a stone. They hear it every day, and it has been recognized by different Acts of Parliament, by the Act of 1871, that they are not owners.

18,127. And it is in consequence of that, do you think, that the system of dual ownership will not work?—No, not to the extent to which it prevails at present.

18,128. The President.—The only thing the landlord now has to do is to collect his rent?—Yes.

18,129. Lord Milnes.—If he can?—Yes.

18,130. Well, you know before the Land Act of 1881 you had twice as much power of collecting.

18,131. The President.—The landlord has absolutely no connection with the tenant of any sort, except to collect money?—Let me explain. Before the Land Act of 1881 he had supreme control of his property, and if he found that one man was lusing all the others not to pay their rent he could turn that man out.

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Mr. Samuel Murray Hickey, J.P.

Nov. 18, 1846.

Mr. Samuel
Murray Esq.,
J.P.

18,132. Lord Millicom.—In your judgment, Mr. Hussey, previous to the Land Act of 1881, was the landlord's rent more easily collected and more safe, and, as you think, infinitely more secure?—Yes.

18,133. Then even a judicial rent?—Even a reduced rent when not half as secure. Previous to the Land Act of 1881 you could take proceedings in the Superior Courts, but the Land Act of 1881 altered that right in tenants whose rents were over £100.

18,134. £50, was it not?—£100 at present, and that has been a great impediment to the recovery of rents.

18,135. But then, on the face of it, that seems a just provision?—Sessions only happen every three months, and then you have to wait occasionally.

18,136. You may have to wait, but that seems not to interfere with the eventual result, though it may cause a delay, but you have a tribunal which sits more frequently in the Quarter Sessions than you had in the Superior Court?—Yes, it sits every three months.

18,137. But a Superior Court does not?—But a Superior Court, practically speaking, sits all the year round.

18,138. You see speaking of bringing actions in the Superior Court in Dublin?—Yes.

18,139. Do you think that is desirable?—If it came to trial, certainly not.

18,140. Sir James Caird.—I should like to put a question to you about the produce rents as a means by which the valuation in prices could be made. Have you considered that?—Yes.

18,141. And what is your opinion?—Well, where cattle form an element it is very hard to fix a produce rent, because it will depend upon what the state is in which cattle are sold. If there was an arable farm in Kerry where the sale produce is better, it is easy to do it there, but where cattle form a larger element than the produce of a farm, it is difficult to carry it out in that case.

18,142. I suppose the different products of meat or butter or cattle go very much together in the rise or fall?—But it is more cattle we sell here.

18,143. And still, without state cattle alone, could not you produce the rents to be adopted, taking the principal products of the principal districts of Ireland, say oats, meat, and butter?—It is possible such a thing might work, but not probable.

18,144. Is there any other way you can see out of the difficulty of fixed rents, which necessarily, by variation of price, must become unfair or unjust without even the intention that they should be so,—is there any other way out of it by having these regulated by the price of produce?—Not that I can say. I never could see any way out of the land question but that a piece of ground was worth what you could get for it. I put £50,000 together, which I invested on the security of Government title. I was only two years in possession of some of that when the Land Act of 1881 came in, which reduced its value by 30 per cent without giving me any value. I wrote to the Government that I wasted my money back. Of course I did not get it.

18,145. That does not quite apply to the question of produce?—What I say is, I do not know now how you can test rent except according to the law of England and Scotland—what you can get for it.

18,146. In Ireland that principle has been departed from and the rents have been fixed?—Yes.

18,147. And it has been found that it has no fixed price?—Yes.

18,148. Is there any way out of that, or any way in which that could be made a system of produce rent?—I do not think it would work.

18,149. For what reason?—Because, as I said before, cattle are an element.

18,150. You could take the different products of the country?—But the demarcination of the towns by the Land Act and the Arrears Act has got to such a pitch that it would be very hard to prove the return of the produce of a farm. You would have a second inquiry then as to what the farmer could do.

18,151. You may suppose that these rents would be fixed on some basis or allotment, and no doubt that basis would have relation to the existing prices of the principal products of that district?—I am greatly afraid there was no basis adopted. It was done completely in a haphazard fashion.

18,152. If we suppose that there was a basis, and that that basis had relation to the existing prices, then you would say that the valuation price, if it was taken into account, would make the rent move up and down according to the tenant farmer?—Of course, if it was inquired into at the time, and the Comptroller General said, "We valued this farm—that it ought to return so many hundreds of better is the year, and that we fix that rent to be so and so,"—if that was so at the time, then there would be no difficulty in valuing the prices, but when the Commissioners find the value of the land without giving the reasons for their valuation, I do not see how that is to be done.

18,153. If it was satisfactory at the time it must have been because it had reference to the prices at the time?—There is no evidence as to what was the basis taken.

18,154. If it was satisfactory to the tenants, does that satisfaction must have been on account of the basis upon which it was arrived at, and it is a good that it was fair in consequence of the prices then received?—Yes, if the tenants were satisfied with the judicial rent, but I do not think they were.

18,155. Mr. Neilgan.—Have you ever considered as to the period of 15 years, whether you would lengthen or shorten that period of 15 years for the judicial term?—I think there is no use shortening it, and upon my word I do not think it would be any harm if it was made perpetual. There was that rental of 1840—Mr. Osborne's rental—it was then £2,270, it has now come down to £1,800.

18,156. Do you think that there is the smallest chance of any land that was ever lowered going up again?—In Ireland, certainly not, and in that case £1,950 would be as much for the landlord as £2,000 would be now.

18,157. Sir James Caird.—I think you said, in answer to Judge Neilgan, that you did not think there was much advantage in limiting the term to 15 years?—No.

18,158. Did not you say that?—I did.

18,159. I suppose the very fact of its being a fixed term of 15 years, if it should go on, probably is that many farmers might rather reduce the appearance of their land before there was a re-valuation?—That is what I am afraid of.

18,160. And therefore it would perhaps have been better not to have had any term of 15 years, but only to have given them fixity of rent as well as of term?

—Yes, fixity of rent as well as of term.

18,161. That is your opinion?—Yes; I can give numerous instances of tenants having run down their land in anticipation of the Land Act.

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18,162. The President.—I think you have resided in Ireland for a long time?—30 years or over it.

18,163. And you hold a farm. What's the nature of your holding?—I hold a farm of 250 acres from Mr. Crobie, of Ardara, on lease. I have had it about 27 years. I renewed in 1878. It is not quite 250 acres.

18,164. Statute acres?—Yes. On lease indefinitely.

18,165. What term is the lease?—21 years, the usual term in this part of the country.

18,166. You say unfortunately, that is on account of what?—That is on account of the fall in prices.

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18,167. And the high rent?—Yes, of course, if I had not the high rent the fall would not affect me so much.

18,168. And you think if you had gone into court you would have that rent reduced?—Oh, undoubtedly.

18,169. And you would have liked the power to go into court?—Certainly.

18,170. And you think it is fair that all householders should have that power?—That is the general opinion as well as mine.

18,171. You see no reason to the contrary?—No; I do not see why the man across the road should get in while I should keep out.

18,172. Sir James Caird.—You have gone into the small lease as I understand?—Yes.

18,173. Is the rent of the second lease higher than the first?—It is.

18,174. How much?—Not so much; I resisted giving the increase of rent, and had my action advertised, and was within two days of getting away when Mr. Crawley induced me to leave it to arbitration—he left it to the valuation of a Mr. Johnstone. Well, when he got the valuation, he said, "This does not include the interest in my buildings and other things," and we arranged not to pay the whole county rate, as it was on the actual taking, but he kept me dodging on until I had the case again and my action put a stop to, and the end of it was, I was put on worse terms than than I had before.

18,175. What is the present rent, Mr. Watson?—£238.

18,176. Mr. Nefsey.—What was the previous rent?—£227. The previous rent was £150, but there were no buildings of any kind, and I had to pay the interest on the buildings and interest on the drainage and that brought it up to £227.

18,177. At what rate was the interest?—Five per cent.

18,178. Sir James Caird.—The rent when you took it was £150?—Yes.

18,179. And it was raised by interest to £227?—Yes.

18,180. And by the second lease to £238?—Yes. Should have never agreed to that but for the way in which I was let into it. I would much rather have taken my money away with me.

18,181. Have you asked your landlord why he would not allow you to go into court?—He would not allow me to go at all because I have a lease.

18,182. Have you had any reduction?—I got one half year 15 per cent, and the two last half years 25 per cent, but my rent is still 60 per cent. above the Government valuation.

18,183. Lord Ashbourne.—What is the Government valuation?—£108 10s.

18,184. That is not including the buildings for which you are paying interest?—No.

18,185. Then the price does not happen to be above the Government valuation?—Well, I do not rightly understand it.

18,186. I understand you are paying this £227 because you are paying interest on certain buildings?—No, there was a 10s. put on me afterwards—near £23 a year—a rise of rent for which you cannot get at all.

18,187. But this rent does include the price of the buildings?—It does.

18,188. And also of the drainage?—Yes, and also of the drainage.

18,189. Neither of which are included in the poor law valuation?—No.

18,190. The President.—Then going into the Land Court would meet your wishes, and you think by doing so you would get a substantial reduction?—Well, looking to the late decision I would.

18,191. Have you ever thought about the question of purchase?—I have purchased.

18,192. You purchased under Lord Ashbourne's Act?—Yes.

18,193. Well, what were the terms of your purchase?—I rented a place from Mr. Sydney Burton, B.L.P. for one of the London districts, at £225, about

10 years ago. He was over with me shooting, and stated he had been giving reductions in England, and that I had not asked him for one in reference to my holding here. I replied that I had taken it so lately that I did not like to ask him, but he said, "You might as well have a reduction," and he said, "Supposing we say that it shall be £150."

18,194. And it was reduced to £150?—Yes.

18,195. Mr. Nefsey.—In what year was that?—That was about four years ago.

18,196. Lord Ashbourne.—That was some other holding?—Yes.

18,197. In the same county?—Near Dingle.

18,198. In this county?—Yes.

18,199. The President.—Why didn't you go into the Land Court before you made that agreement?—would you not have got a reduction?—Well, he was so liberal and came forward himself that I did not require to take any such step.

18,200. That was in 1884, and up to that time you felt that, if you represented your case to him, he would make a reasonable allowance?—Yes.

18,201. Sir James Caird.—And did you purchase, and you purchased, on your own reduction?—Yes. I asked him, when Lord Ashbourne's Act came out, would he have any objection to sell, and he said no, and I bought it at £1,000.

18,202. 30 years' purchase?—Yes, 30 years' purchase; this brings it down to £120, and £120 10s. is the Government value.

18,203. Are you quite satisfied with that result?—I am quite satisfied with that, because Mr. Burton had laid out £1,000 of his own money in buildings and suitable offices, and dwelling-houses and drainage.

18,204. Your rent now only amounts to 5 per cent. on the landlord's outlay in improvements?—It amounts to less.

18,205. And the fact is that the landlord has got nothing for the land himself?—He gets nothing, but he did not pay very much for it himself. He went and had a look at a sale in the Encumbered Estates Court, and he bought it and never saw it. I wish all the landlords were as good as him.

18,206. Did he sell any other land at the same time?—He sold a lot previously adjoining that to Lord Ventry, who is the landlord. There is a head rent or a title rent payable by Lord Ventry out of the two places, and he sold this small portion to Lord Ventry for £200.

18,207. There was no change on the lot of land he sold to you?—Nothing but £7 a year title rent.

18,208. Were any difficulties made by the Purchase Commissioners in ratifying this agreement?—Not at all. I may tell you that my profit out of that farm used to average for the last three years to £120 a year. Last year the profits were 13s. 6d.

18,209. And you paid your rent out of other sources?—That includes the rent.

18,210. After payment of the rent?—Yes.

18,211. Still you had to live from other sources?—I had.

18,212. Sir James Caird.—Then this is the first year you had no profit?—For the last seven years it has run from £20 down to 12s. 6d.

18,213. The President.—And unless you had the other sources you could not pay the rent and live?—No.

18,214. Sir James Caird.—Not then?—Do you know I could live upon £20 a year, and I had to several years.

18,215. The President.—Then, in fact, you don't think the rent has been a bit too low even after his reduction?—No, it has not been a bit too low.

18,216. Do you think the reduction about the same as the Commissioners would have given, judging by your neighbours?—No, they don't have given less; the Commissioners are thoughtless of giving reductions; they were very different about it.

18,217. Judging from your own experience and your profits, and the rents fixed—your think it would have been difficult for farmers to pay the

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judicial rents?—I do not think they could have paid them. I took a great deal of interest in the question because I value farms for a good deal of tenants, and I put them at what would be fair and the judicial rents have seldom or never come so low as my estimate of the land. I have been over in Scotland, and I have just come back from Scotland, and know that land could be got there in Kilmordunshire at a much lower rent.

18,218. Much cheaper?—On the Earl of Kintoun's estate there are about 3,000 acres not let, including a farm which my father held, and I could get my choice of 500 acres of that at £1 an acre, with splendid fences and residence and on the side of the railway, and now I am paying £1 10s. a statute acre for a farm on Mr. Crobie's property, with all the disadvantages of living in the back of the world.

18,219. Lord M'Alister.—£1 10s. I thought you stated you had 250 acres?—But in that there is a whole lot of bog.

18,220. Never mind what it is, you have got it?—But I tell you that is the value put upon the land according to its quality. There are three qualities of land—100 acres of land are valued at £1 10s., and the other at 7s.

18,221. I have got it down that you hold 250, and that you pay £237?—Yes.

18,222. That does not look as if you were paying £2 an acre?—I will tell you how that amount was arrived at.

18,223. It was actually paid at £1 10s. an acre?—I have got the document.

18,224. I understand you to say that during your recent visit to Scotland you have seen land that you could get at 50s. an acre which is better than the accommodation which is afforded you here, and for which you have to pay 50s. an acre?—Yes, the land is all under cultivation and splendid.

18,225. And that is in Kilmordunshire?—Yes, in the valley of Strathmore.

18,226. Mr. Nelson.—Could you give any other instance in reference to this question of the letting value of the land?—I give you my experience showing that in this part of the country we let—at least my land is let—

18,227. I want to see how you arrived at what is the letting value of land here; could you give me an instance of letting in this country to compare against the letting in Scotland you spoke of?—We know of no recent letting here.

18,228. Then there is no present letting which would enable you to make a comparison with that letting in Scotland?—No present letting. I was offered a place at Grogg, near Aulder, which belongs to Mr. Chute. I was offered it at £1 an acre, and I would have taken it at that rent, but that it would have been at the risk of being shot.

18,229. You dare not do it?—No.

18,230. The President.—Have there been any judicial rents fixed within the last year or so in your neighbourhood?—Yes, there was one in the case of a man named Barrett on the same estate as where I live.

18,231. Was that the same sort of land as you have been describing?—No, it is low, wet, marshy land.

18,232. So that there is no means of making a comparison between that and what you have stated about the Scotch land?—No. I know Sir Thomas Gladstone, Mr. William Ewart Gladstone's brother. He has 15 farms on his lands, and nearly the whole estate of Giffenburgh is without a tenant.

18,233. Sir James Caird.—Then you mean to say that land of good quality can be had in Scotland much cheaper than it may be had in this part of Ireland?—Yes.

18,234. And without any risk of life?—No risk at all.

18,235. But you would have to walk out at the end of your lease?—Certainly.

18,236. But you would not have to do that in Ireland?—No, but they do not think anything about

that there; when they do not find it pay they turn to something else.

18,237. Is there any means of selling the tenant right now here?—No, nobody has any money, the landlords have no money.

18,238. Is it want of money that has made it impossible to realise anything for tenant right?—It is because of want of money, and that want of money arises from the want of prices.

18,239. Has that been increasing,—in your experience do you find that the farmers are getting poorer?—There is no doubt about it.

18,240. Do you attribute that to bad seasons as well as low prices?—Yes, there is no doubt that the seasons have got bad as well as the low prices.

18,241. And that the land is of itself not productive?—Yes.

18,242. Notwithstanding good farming?—I don't know about the good farming.

18,243. I am speaking of what I suppose your own farming is?—Well, I know the quality of my own has deteriorated and has lost in quantity. I know that on the Dingle farm my cattle used to be kept on the mountain all the winter when they were young cattle, but now they would die there. It is too cold and too wet. Last May, this year, on Lord Venry's estate, there were, in one cold night, 80 head of cattle and from 200 to 300 sheep which died.

18,244. In the month of May?—Yes.

18,245. And in one night?—Yes.

18,246. I suppose that was very unprecedented?—Very unprecedented; they died by degrees, they were very weakened.

18,247. I suppose previously they have died when the snow came?—(No answer.)

18,248. Lord M'Alister.—Do you represent that that happened every year?—I know my cattle would do if I left them out as I used to do.

18,249. A great number died last year in Wales and Scotland?—Yes.

18,250. And that was considered a very unusual circumstance?—Yes, but we had snow on the mountains which is not usual here.

18,251. The President.—Have you ever turned your attention to what they call the produce rent and the sowing seed?—No. I had arranged with Mr. Crobie to pay for the Ballashern farm sowing to the price of butter.

18,252. That is entirely pasture?—Not altogether. I used to grow corn as long as it paid, but it does not pay now, and I have let it grow to grass, except 40 acres.

18,253. Then I presume butter is the principal produce?—Butter is what I go upon.

18,254. And you very nearly made an agreement to pay an improved rent on the price of butter?—But he backed out of it.

18,255. I believe he had an understanding of that same nature with other tenants, and yet the result of it was his having to make very great reductions?—Yes. I knew a neighbour of mine named Sullivan who took it upon that principle, and he says he is ruined, and Mr. Crobie has made him an allowance.

18,256. But you yourself would have been glad to take on these terms?—I would have taken it then, but I have no doubt that I would have been left out as things have gone. He thought it would be a nuisance to change every year, but that it would not be hard to settle it every three years.

18,257. Sir James Caird.—Would not you be better that way than with a fixed rent?—I think so undoubtedly.

18,258. By an amiable arrangement?—I think so. We were to be guided by the Cork prices for first quality and for second quality, and then to calculate that the farms would carry so many cows, which we could arrive at very closely, and the produce of a cow has been pretty closely arrived at in this county, and I believe about a skin and a half is about the average produce of a cow in this county.

18,259. You state your rent was £100 a year, and that it was to be regulated by the price of first and second quality butter in Cork?—Yes.

18,260. There would have been no difficulty in varying it each three years?—There would have been no difficulty. It would have been better for the tenant if it varied every year, just as in Scotland, with the "wages" price, but that was Mr. Crosbie's proposition.

18,261. But would you have preferred it every year?—Yes.

18,262. And, if it had been every year, your rent would have moved up and down according to the course of prices?—Yes.

18,263. And you think that would have been more satisfactory?—It would have been a safer arrangement for me. Of course, leases were made for the protection of the tenants, but they have taken them at a great loss to themselves now all over Great Britain.

18,264. On account of the continental fall?—Yes. I have been in Manchester and tried to sell butter there, but I find that butterine is selling there from 6d. a pound.

18,265. Mr. Nefigue.—What is the highest price of butterine?—From 6d. to 8d.

18,266. What would be the price of first quality butter the same time at the same market?—100s. today, and we have to make a reduction on that to the wholesale man, and he could have a month's credit.

18,267. The President.—Do you know much of the feelings of other tenants with regard to the question of purchase—do you think there is a wish to buy?—They would, undoubtedly, if they got it at probably the Government valuation.

18,268. If they could make as good terms as you did—20 years' purchase at a fair rent?—Yes.

18,269. But then, at that rate, you have not been making any profit for some time?—Yes.

18,270. They would buy on the same terms?—They would, I think, if it were their own, they would struggle and live when they would rather rebel against paying rent for it.

18,271. But still they do not mind coming under the Government and having their instalments collected by them?—I think they are all, so far as I have seen, very willing to pay their drainage money—those who have purchased glebe lands have been anxious to fulfil their agreements, and have done so.

18,272. Then what's the obstacle—are the landlords unwilling to sell at the same price?—Exactly; there are many of them embarrassed with mortgages, and they cannot sell at the Government valuation.

18,273. Does the Land League prevent the tenants buying?—I do not think so.

18,274. What part of the country do you come from?—In this county; I live near Ardara.

18,275. Is that a disturbed part?—It is, it is very much so.

18,276. Have you had any inconvenience?—Well, they came into my house and took away my gun, and I have some inconvenience in this way, that some of my labourers I cannot get rid of, and I cannot turn them out.

18,277. Because, you could not get anybody else, to take their place?—No, it is not that, but they probably would burn my offices or attack myself. That has been done to me before.

18,278. I suppose you are given to understand that if you took strong measures with some of these men you would suffer?—They threatened me; one of them came into my garden one day and threatened me.

18,279. Then you had to give way?—I just had to leave him there, which is the very thing.

18,280. Did they try to prevent you paying your rent, or did they join in any combination with others to stop the payment of rent?—No, they did not.

18,281. Is this the farm you held from Mr. Crosbie?—It is.

18,282. And in the same neighbourhood?—Yes.

18,283. And though there is that intimidation and outrage it has not assumed a systematic form of

resistance to payment of rent?—No, with that I have nothing to do. Mr. Crosbie's tenants had a meeting, and wanted to deduct the amount of reduction they should get from the rent, and I advised them to leave it to himself, and they did.

18,284. They took your advice?—They did.

18,285. And left it to him, to his own liberality?—Yes.

18,286. And the Land League did not interfere on that occasion?—No, they have never in that district, all events about the rents.

18,287. And you think this outrage which was committed upon you in carrying away your gun, and this threatening, which obliged you to keep labourers who were worthless, is promoted by the Land League?—Oh, I don't think it is the Land League, as you might call it, but I think it is a parcel of boys, scoundrels about the country, and farmers' sons. I do not think the Land League or the National party had anything to do with that. I think it is a lot of reckless boys knocking about the country for the want of something better to do.

18,288. Could not they be got hold of and punished?—Yes, the majority have been punished. I think, if I had nothing else to do—

18,289. You think you would know who they are?—I do not see how they can hide guns. They must have 200 or 300 guns in my district. They surely could be found; they cannot put them under the earth.

18,290. Is there combination from partiality, terror, or other cause to assist them?—Certainly.

18,291. Is there any chance of protection from that as far as you can see?—Well, I told the police that if they offered a reward for information, and not to bring forward the party who gave the information, that they would very likely know all about it very soon. If they offered a certain sum of money or paid the amount enclosed in a letter, which they could easily do, they could get it by going and looking for it. Then they might obtain the information they desired. However, they seemed to think that that would be lowering the position of the constabulary, and they took no action as the matter.

18,292. Lord Midleton.—If they were to turn themselves into detectives?—Not to offer bribes, that is what I meant.

18,293. For private information. I think General Buller's plan is pretty much the principle of allowing each constabulary division to act on their own information?—I told the police in my neighbourhood that, instead of running away to the place they heard firing, if they scattered themselves across the fields they would be likely to meet the people running away from it, but instead of that they ran away to where the shots were fired, and of course, the people who fired are not likely to stop there.

18,294. Do you think they have made any advance in putting down moonlighting?—My opinion is that the quietness of the country is more through the land agents not being so troublesome in the matter of evictions and rents.

18,295. You think that is the cause of the great tranquillity?—Yes.

18,296. You think, if they were to try and enforce legal obligations, the state of the country would be as bad as ever?—I think it would.

18,297. I understand you to say that you have been acting as valuer for the tenants, Mr. Watson?—Yes.

18,298. I suppose you got paid for the valuations?—I got a £1.

18,299. If you value too high you would not get much employment in that quarter?—I found it so disagreeable that I gave it up. No matter how I valued for a tenant, he would think if I valued lower it would be got lower, because the Land Commissioners went in many instances by my valuation and, however, they got it into their heads that whatever I stated the Land Commissioners would go by. They actually offered me money if I valued lower.

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Mr. David
Watson.

18,300. They did?—They did.
18,301. And you declined anything of the kind?—I gave it up altogether.

18,302. Mr. Neilson.—Has anything occurred to yourself which you wish to lay before the Commission?—There has been a great bad banger in this country amongst small proprietors. If they got a bit of land they mortgaged that bit of land and bought more land, very often too dear; they took fines from the tenants, and they got the promise of rent which are too high, and I think in this country this aggravated the state of things more than it otherwise would. I had the management of the Herring estate, and you know how that went from the tenants, and some £17,000 was given for it—more than it was worth.

18,303. Is that Mr. Henney's estate?—He bought part of it.

18,304. Was that shooting at Mr. Vandeleur—did it occur near you?—Yes; in the field just close to me.

18,305. It was near your house?—Yes, and the shooting at Mr. Connor, who was shot in the leg.

18,306. But what would you ascribe the attempt on Mr. Vandeleur to?—It was rather a detourment with regard to him to prevent him getting the rents. You see Colonel Oliver's was always held to be low rented, and Mr. Vandeleur thought he ought to get his rent. I imagine that the tenants concluded that, as other parties were getting reductions, they ought to get them also, and, though the reductions that were given on other properties did not make them as good a position as Colonel Oliver's tenants were, still they wanted to get the reduction, and they then received it when they fired on the agent. He was fired at to get the reduction.

18,307. And hence the shooting?—Hence the shooting.

Mr. Maurice
Leonard.

Mr. MAURICE LEONARD, examined.

18,311. The President.—Mr. Leonard, I believe you are the agent of Lord Kenmare?—Yes, I was sub-agent for nine years; I have been agent for the past 12 months.

18,312. And you are well acquainted with the circumstances of his estate?—Yes, thoroughly.

18,313. In the first place, how many tenants hold on the estate under leases?—There are 1,800 agricultural tenants on the estate, and 150 held by leases made from the year 1811 up to the year 1875.

18,314. And the rest?—150 hold under judicial terms, and the remaining 1,500 hold as tenants from year to year.

18,315. Lord Milltown.—The judicial tenants include all those who have had rents fixed by agreement?—Yes, and by the Court.

18,316. The President.—The great bulk of the tenants are from year to year?—Yes.

18,317. I suppose they did not go into court because they thought their rents sufficiently low?—I presume that is the reason.

18,318. Were there who did go into court raised or lowered?—A certain number went into court on the 5th June 1882, and 15 per cent. was taken off their rent, and the 19 of a decimal; on the 27th February 1884 there was 11 per cent. taken off, on the 25th June 1883 there was 13 per cent. taken off; on the 19th November 1883 there was 10 per cent. taken off; on the 20th February 1884 there was 15 per cent. taken off; on the 24th March 1884 there was 18 per cent. taken off; on the 3rd June 1884 there was 8 per cent. taken off; on the 26th May 1885 there was 25 per cent. taken off; on the 28th November 1885 there was 24 per cent. taken off; and in June 1886 there was 29 per cent. taken off, and the average reduction by the Court, on a rental of £4,579, came to £803 a year, or 18 per cent.

18,319. I wonder, with these large reductions, that the other tenants were not tempted to go in. How do you account for that?—I am sure they believed

18,308. Then with reference to this transaction about the leg?—That was a very disgraceful case.

18,309. I wish you to explain that to the Commission.—There was part of my land which was very wet. Mr. Christie had agreed, or rather his agent, Mr. Todd, had agreed to make a canal to dry this place. Mr. Todd left the agency, and another agent came in. I did not believe it was possible to do it, so I arranged with Lord Listowel's tenants that a new canal ought to be made through Lord Listowel's property; that it ought to be done as I wanted, and I therefore made the arrangement with the tenants, and we opened the canal between us. Lord Listowel's tenants applied to Lord Listowel to be reimbursed the net amount of the money they expended, and then Lord Listowel came to see it, and saw it was such a good job he gave the money; he paid their share, and stated that if I would join in still further deepening it that he would pay the other half himself. A continuation of this canal dried a large quantity of bog, which was absolutely useless, and the tenants in the neighbourhood were paying 6s. or a few shillings each to be allowed to run their cattle on it in the summer when it was dry. When this canal was deepened it dried this place in such a way that it could be made use of for turf cutting, and the tenants who had previously had giving on it objected to allow the turf to be cut. Lord Listowel lost the advantage of his outlay, and what would have been a great advantage to the tenants. I think it was a disgraceful piece of business on the part of the tenants, and I did not hesitate to tell them so.

18,310. Did that lead to any outrage?—One neighbour of mine cut turf there, and the moonlighters smashed the turf up and threw it into the place where he had cut it, and another poor man who got a little turf went and shot him in the leg; that is one of the cases of moonlighting.

their holdings reasonable, and that they had then at a fair value.

18,320. Lord Milltown.—Were these the highest rents that went in?—Well, I presume they were have been.

18,321. The President.—Do you think the rents fixed are such as could be got now?—Certainly, and they were paid regularly, and in some cases the renting was done voluntarily by the tenants until the agitation of 1884, until about September 1883. I think I may read for you a short extract from the judgment of Mr. McCarthy in fixing these rents. I should like to do so. The 25th June 1883 was the date of the judgment. "Estate of Lord Kenmare." Mr. John George McCarthy, Land Commissioner, "said,—In considering the number of cases that have come before me here, the bulk of which, as I have already mentioned, have been on the estate of Lord Kenmare, the history of the holdings is that of a friendly relation between landlord and tenant, a liberal expenditure by the former for the benefit of the latter, and considerable improvements made by the tenants. The rents, which though some times need revision, scarcely ever have been mandated any considerable reduction." That was the 25th June 1883. On the 26th February 1884. This is an extract now from a further judgment. In this other judgment he says, "On this, as on previous occasions, we have had to deal with a considerable number of cases from the estate of Lord Kenmare, and now, as previously, our investigation is not disclosed but five cases of complaint, and our examination of the land has disclosed but few instances of excessive rent. In every case every circumstance of importance has been considered very fully. Every field has been examined; every tenant's improvement has been examined from the rent, and the whole process has been one of check and countercheck, most scrupulously applied in every case. As might have been expected

"from the estate of a kindly resident abolitionist, the results do not, except in a few instances, involve much reduction of rent." With reference to the husband's expenditure upon the estate, Lord Kenmare came to the management of his estate in the year 1841, and from the year 1851 up to the 30th December 1851 Lord Kenmare has spent £163,814 upon his estate, exclusive altogether of the outlay on Kilmaree house, that is from 1851 to 1851.

18,323. But these amounts, I suppose, were chiefly expended in building?—I will read to you how the amounts were expended. Out of the rents of the estate which he got he spent £138,516. I am now talking of his Kerry estate, I am not talking of his Cork or Lismore estates; I am talking of his Kerry estate alone. In addition to that he got, from the Board of Works, £34,500, which he also spent on the estate.

18,323. And paid the interest himself?—Yes, and put the interest himself, and not a single tenant was ever charged a 1d. interest on that outlay.

18,324. Then, in your opinion, there is no necessity for a revision of the judicial rents?—Oh, certainly not, because the Land Commission studied every point they could in favour of the tenant.

18,325. And rents can be paid now throughout the estate, not only the judicial rents, but in the other cases also?—Certainly; but Lord Kenmare's trustees gave 25 per cent. on the last gale, and they are giving 50 per cent. on this December gale.

18,326. Mr. Neligan.—Then there is no necessity for any revision of the judicial rents?—Certainly not.

18,327. Lord Midtown.—Do you think that the circumstances of the tenants demanded that abatement?—Well, I think so to the yearly tenants. I think it would be fair to give it to the yearly tenants.

18,328. On account of the exceptionally bad times?—On account of the fall in prices.

18,329. Sir James Caird.—Twenty per cent, but not in the judicial tenants?—Yes.

18,330. Only to the yearly tenants who did not get any reduction in their rents such as the judicial tenants?—You could not interfere with the judicial rents, because the Commissioners put them as favourable as they could for the tenants.

18,331. This reduction only applies to those who did not go into the Courts?—Yes.

18,332. This statement was given then solely to those who were not under judicial rents?—The statement was not given to tenants who held by lease, not to judicial tenants. It was only given to tenants who held from year to year.

18,333. And the leaseholders—you say there are 120 leaseholders?—Yes.

18,334. Are they higher rented than the others?—They are not. They hold at or near the poor law valuation. All the yearly tenants hold at about once and a half the valuation. There are three tenants on the estate who pay twice the valuation.

18,335. Then if the leaseholders come now before the Court their rents would very likely be raised?—Certainly. The first time the Land Commission came here, Lord Kenmare instructed Mr. Murphy, his counsel, to say that he was prepared to take a surrender of any lease he had ever made, and that the leaseholders could go into court and get the Court to fix their rents. One tenant on the estate, named John McMahon, of Bishmon, sent in a surrender, but he never went into court to fix his rent. John Fleming, of Aungah, has since surrendered, and now he goes into court to fix his rent.

18,336. You see no objection to allowing the leaseholders to go into court; do you think that, as a rule, they ought to be admitted to the benefits of the Land Act?—Most certainly. Every leaseholder ought to be allowed to go into court, for if there was any hardship at all it was in the leaseholders' cases, because, before the tenants got fixity of tenure, the small landless generally put on high rents and gave leases.

18,337. Lord Midtown.—You mean to say, put on high rents as the price of a lease?—The tenant used to offer a high rent in order to get a lease,—in order to get fixity of tenure of his land.

18,338. The presumption is that the tenant could not have got the lease unless he gave a high rent?—Certainly not.

18,339. The President.—Have the rents been paid of late?—By compulsion they have—by pressure.

18,340. Has there been any combination or any intimidation exercised?—Certainly there was a combination on Lord Kenmare's estate from the year 1851 to the year 1853.

18,341. Has that ceased now?—Yes, but it commenced again in September 1853, and it exists up to the present moment.

18,342. Lord Midtown.—Then there was a bill between 1853 to 1855?—Yes, from about June 1853 to September 1855 there was a bill, and the tenants paid very well.

18,343. The President.—And then the combination now has its origin from the Land League?—And the National League also; to give you instances, There was in 1851 a tenant named —, of —, who holds under lease made 1876. He was pulled out of his bed and shot in the legs for having paid his rent.

18,344. What year was this in?—1851. Pat and John —, of —, were pulled out of their beds and shot in the legs for having paid their rent.

18,345—6. Has anything like that happened since 1853?—No, my lord.

18,347. I don't think we need go into many details?—I will just give you one more. There was a tenant named Michael —, of —, who was pulled out of his bed and had his ears chopped for having paid his rent.

18,348. Lord Midtown.—That was in 1852?—Yes, my lord.

18,349. The President.—Then after a little it began again in 1855?—Yes, in 1855. Two other tenants paid me their rents outside the office.

18,350. Clandestinely?—Yes, sir, and they were so much afraid of being attacked that they actually went into Lord Kenmare's solicitor's office and ordered him to serve them with writs of ejectment for rent which they had already paid. Here is a letter from one of the tenants in 1851. It is dated 10th November 1851, and it is as follows:—

"My lord,—My father, one of your lordship's tenants, has written to me asking me to pay his rent to you as he is afraid to do so himself. The more honourable and courageous course for him would be to pay it himself, but the poor man cannot suppress this feeling of terror which these midnight marauders have caused. I enclose, therefore, a cheque for £—, payable to your lordship. He tells me that there is a ransom of 25 per cent. abatement on the current gale. I thank your lordship for this reduction, but if it be not granted I shall send the balance of the current gale as soon as I hear from your lordship. The tenant's address is —. Begging your lordship to be so kind as to make the receipt out in the name of —, and to forward receipt,

"I remain,

"Your lordship's most obedient servant,
—"

Here is a letter in 1852, which a tenant sends enclosing his rent to Mr. Haney, who was then the agent:—

"Sir,—I have enclosed a cheque for —, with a poor rate docket interest or money, making in all —, which kindly send me a receipt by post as soon as possible. I am afraid of being attacked at night if made off I paid the rent.

"I remain, sir,

"Your obedient servant,
—"

"S. M. Haney, Esq., Estate Office, Kilmaree, 18th April 1852."

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Nov. 12, 1886. 18,351. The *President*.—One instance was in 1885?—I am coming to that now, my lord.
18,352. You say it goes on now?—Yes, my lord. This letter is from another tenant in the estate in the Rathmore district. It is dated 7th November 1885, and it begins,—

"Dear sir, I enclose a draft on the ——— bank for ——— payable at Kilmoney, being amount of one gale of rent. You will please send receipt to my address. I have to request that you will keep this matter a dead secret, as it is very necessary that it should not be made public, and that when sending the receipt the estate office print be not marked in the envelope. Hoping you will kindly oblige,

"I remain, very truly yours,
MR. MAURICE LAMOND.

"P.S.—Please address the letter containing the receipt ———"

On the 25th December 1885, I got this letter from the very same man,—

"Dear sir,—I beg to inform you that I received in due time the writ you kindly sent by post." I was requested by this tenant to serve him with a writ to prevent him being shot.

18,353. Even though he paid?—Even though he paid,—

"I also wish to let you know that I removed my hay and cattle from my own land, as others in my neighbourhood have already done. Now I have another favour to request of you, and that is to sell my farm by sheriff's sale of the farms of ——— and ——— be sold in that manner, and also whatever notices of sale and other legal documents you send by post or by ——— to these three farmers who are already served with writs. I have to request that you send the same notices and in the same manner to me but if you should have any private business with regard to this matter, and which it would be necessary for me to know, you will please send it in an envelope to Miss ——— at ———. This girl, who can be implicitly trusted, is my daughter, and she will send to me immediately whatever accounts she receives. The reason I wish the private letters not to be sent to myself is that I strongly suspect certain letters might be tampered with at ——— and ——— post offices. I enclose two envelope addressed as above for convenience if required. Dear sir, I have confided to you the whole secret of this business since the commencement, and I trust you will help me out of this terrible difficulty in the manner I have requested even, should the farm not be actually sold. I will only be too happy to pay all the expenses incurred by the law proceedings. I may tell you that if it were known with certainty I had my rent paid, my life would be in the greatest danger. Hoping you will kindly oblige and keep this matter, as I have written before, a dead secret,

"I remain, dear sir,
"MR. MAURICE LAMOND."

18,354. Is there any reason to believe that at the post office letters were tampered with?—There is. Certainly there is no doubt that in the country post offices that is so, but I don't say anything about the local ones.

18,355. In this part of the country?—Yes. This is another letter from the same man on the same subject. It is dated 2nd February 1886. "Dear sir, I beg to inform you that I received, on Monday the 25th ultimo, the registered letter you kindly sent from the estate office to the effect that my farm would be sold by sheriff's sale, at the court-house, Tralee, on the ——— of the present month. The date first written was the ——— February, but it was crossed, and the ——— written overhead. I have also to state that ——— of ———, and ——— of ———, received on the same day letters to the very same effect." I had to send him this notice as well, because I believed if it was not sent he

would have been shot. I had to follow out this false course in that way. "But here is a terrible difference. "These two farmers, and three or four others from ——— were ——— received on yesterday printed forms from the sheriff's office at Tralee, stating that they farm, with several others, 14 in all, would be sold at the court-house on next Saturday, the 6th February, but my name did not appear on the printed list. Again, the leading members of the National League have been sent some time ago an account from Dublin, that judgment had been marked against ———, and also the ——— tenants, whose names appear on the sheriff's list sent to each on yesterday. No judgment was then marked against me. These two facts place me in a dreadful difficulty. You have kindly sent me writ and notice of sale as I requested, but I see you have mistaken to order judgment to be marked against me in Dublin as if I paid nothing, and consequently my name is not in the sheriff's list of the farms to be sold at Tralee on the 6th February. Now, as I have again to request and beseech you in the most earnest manner to send an order at once to the Dublin Court and get judgment marked against my case, if it is not already done, and get my farm legally sold, if at all possible, at Tralee, on the 13th instant, or as soon after as possible, in the same manner in every respect as all the other farms have been sold. You may consider me too powerless in writing thus, but, sir, you should kindly remember that I have, as above stated, received two documents from the estate office, and being suspected before, should it then turn out to be false, what then would be the consequence? I have so hesitation in saying that my life would be seriously in danger in these distracted times, and that still more distracted districts, where every farmer is my townland is ejected in court, and expecting eviction. As I have previously stated, I am more than willing to pay all the expense incurred. You will please send reply, for safety, to my daughter's address in the enclosed envelope. I have again to implore you to act kindly, as I have requested, or in some other manner which you yourself may know is which it would be believed. I paid no rent in the present gale to save me in these terrible times from violence, or worse still from boycotting."

18,356. That is this year, 2nd February 1886?—On the 28th December 1885 I received the following letter:—"Dear sir,—I have earnestly to request that you will send by post to me at your earliest convenience a notice to pay the November rent." That rent had been already paid in the October previous. "You will please state that you would have no need already for its recovery were it not for the debt I owe you I behaved in the payment of the same due by ——— at the time I purchased the farm. You will, I trust, kindly oblige, as the state of this part of the country is so desperate that my life or property is not safe at the present time."

18,357. Sir James Condon.—Where is that written from?—It is written from a place about nine miles from this. This is a letter from two tenants whom I served with writs. One was a judicial tenant and the other was a yearly tenant, but I was obliged to serve them with writs. The letter is,— "Dear sir,—I have enclosed two cheques for rent in the amount for myself and ——— of ———. My cheque is for £——, and ———'s cheque is for £——, which you will please receive in account and stop all further law proceedings, as you are well aware how dangerous it is for me to do so. I paying so much at the present time, we could not go any amount pay any more at present. Please send us an acknowledgment by post. I remain, dear sir, faithfully yours, ———." This is from the side of the district. It is a letter dated 10th April 1886, from the other side of the district. "Dear sir,—I enclose you have a draft on the ——— Bank for £——, amount of last November gale, by the ——— during poor rate and statement, the receipt of

"which I also endorse. I should not think it safe for me to go to Killybeg, on account of the rent agitation which prevails at present. Please send me a receipt by post to ———." That will show the agitation here, and the fear that the tenants were in from September 1885 to the present day.

18,368. Then there is a great deal of rent still unpaid?—Yes.

18,369. An immense amount?—Yes.

18,370. What steps have you taken on account of ejectments?—Since October 1885 there have been about 30 writs issued on the estate.

18,371. Mr. Neilligan.—In ejectments?—There have been, I should say, about 200 ejectments issued.

18,372. Ejectment processes?—Yes, ejectment processes.

18,373. Lord Millican.—What do you mean by 30 writs?—Actions for rent.

18,374. Have there been many actual evictions carried out?—In 1885 there were 17 tenants evicted on the property.

18,375. Is that out of the 1,800 tenants?—Yes, 17 tenants evicted, and they were all let back as caretakers, because they all paid the gales of rent on being evicted.

18,376. And do these examples make other people pay?—Oh, certainly, and in 1886 up to the present time there have been 28 evictions on the property, and the tenants paid gales of rent on being let back as caretakers.

18,377. Mr. Neilligan.—Has that occurred in all the cases?—Yes.

18,378. As I understand, in 1885 and 1886, in the last two years—in one year there were 17 evictions, and in the other 28. In all cases one half year's rent was paid, and the men were put back?—Yes; and the reason I had to bring so many evictions in 1885 was that on this property, there are eight National League courts, and they sat from October 1885 to April 1886. There is one in Killybeg, one at Ferra, there is one at Ballybeg, one at Kilmacna, one at Headford, one at Griesquellan, and one at Rathmore. These courts sit regularly every Sunday.

18,379. Land League courts?—Yes; from the 1st end of October until April they tried tenants regularly. They tried tenants there for having paid their rents without a percentage and without the sanction of the local branch. On each Sunday a suit's son used to openly leave here in the morning to attend that court and sit as judge. He sat as a chief judge.

18,380. Who is the smith?—Michael Healy, of Red Street; he used to go openly and sit as the appeal judge over the court.

18,381. In what court did he preside?—He used to go round. He was a kind of a going judge round the whole of them on successive Sundays.

18,382. On Sunday?—Yes, each court had its own chairman. In Ferra Father O'Connor was the chairman, and in Ballybeg Father O'Connor.

18,383. Was that the gentleman in whose parish the Carries were murdered?—Yes, he was president of the Kilmacna one, and I forgot the man who was president of the Barrowduff court.

18,384. Mr. Neilligan.—You need not give us any further names. Up to what time did the judicial functions continue to be exercised?—Up to about the end of April.

18,385. Of last April?—Yes, up to the end of last April.

18,386. And then it ceased?—Yes, then it ceased.

18,387. For what reason?—These courts advised Lord Kilmacna's tenants not to pay unless they got 30 per cent. reduction on the rent. The trustees decided only to give the yearly tenants 25 per cent., and gave directions that the other tenants were to be made pay who could pay, and proceedings had to be taken against them, and in some cases the men's cows were seized, and in the case of Ulick Sullivan, of Dromore, his cows had to be seized three times, he

having previously lodged his rent with Father O'Connor, in the Ferra League. Nov 13, 1886.

18,378. Then, I suppose, he would only pay his rent through the League?—Yes, that's so, I will give you an instance in the case of Edward Kerrisk, of Dromore. He is a tenant who holds under a lease made in 1882. The Land League of the Ferra branch directed that he should not pay his rent unless he got a reduction of 30 per cent., and he lodged his rent (and I will state his own statement to me)—he lodged his rent, less 30 per cent., with Father O'Connor. I demanded the rent from him, and he took no notice of the demand, and I had to serve him with a writ for his rent, and then, on being served with the writ, he came into the office and paid me the 30 per cent. which he deducted from the rent which he had lodged with Father O'Connor, which he had and which he paid to me the same day.

18,379. Lord Millican.—He got it back from Father O'Connor?—Yes, although for some weeks Father O'Connor and the League at Ferra insisted that he should not pay his rent unless he got 30 per cent.

18,380. The Ferra is the place where Curran was shot?—Yes.

18,381. Is there any other instance you wish to give?—There is a case of Malachy Cronin, a wealthy farmer and cattle dealer at Killybeg, in the Ferra district. He alleges that he lodged his rent with Father O'Connor, but he was served with a writ and his cattle were seized, and he was put to £17 costs, which he paid in addition to his rent.

18,382. How much was his rent?—About £21.

18,383. And about £17 for costs?—Yes.

18,384. So that he had to pay double the rent, in fact?—Yes. There was a widow, Shea, who lives quite close to the town, and she has a judicial rent. I see Matt Cronin's rent is £33 19s., and he was only asked to pay half a gale.

18,385. That was less than the costs?—Yes, and then there was Honoria Shea, a widow woman who lives quite close to the town, within a quarter of a mile, she holds under a judicial rent, and she was not allowed to pay her rent in this year and unless she got 30 per cent. reduction. She was served with a writ, and her cattle were seized, and in addition to the gale of rent she paid £19 10s. costs.

18,386. Do you suppose that if she had been left alone to do as she wished she would have paid?—Oh, certainly.

18,387. And in the other case too?—Yes, and in the other case too. They would be most happy to pay if they were let. The two FitzGerald, in Gushera, were treated in the same way. They had to be sued for their rent, their cattle were seized, and the very minute they were seized they scolded.

18,388. The President.—I think we have had plenty of test cases, and I suppose there are a good many more?—There are about 20.

18,389. Mr. Neilligan.—I suppose you may take those as typical cases of the same kind?—Yes.

18,390. The President.—Of the same kind?—Yes. May I refer you to the different meetings of the Land League courts which were published in the papers at the time?

18,391. Cases of tenants summoned?—Yes.

18,392. You may give us one or two specimens. —Exactly, my lord. On the 13th October 1885 the first meeting was held in Killybeg, at which Father O'Connor, of Ferra, presided. That meeting was the one at which he told the tenants that no tenant was to pay any rent unless they got 30 per cent. reduction. I was present at this meeting. I was in the crowd listening to the whole thing; and, in the report of that meeting, the following passage occurs:—"To-day, on the motion of the Rev. Patrick O'Connor, seconded by Mr. D. Haly, P. L. G., it was proposed that the valuation be the standard, and that each individual case, when the valuation made be considered too much, be left to the arbitration of a local branch of

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"the Irish National League to determine what a fair rent would be." That was on the 13th of October. Then, on the 28th October, they had a meeting at Flores, of which Mr. John O'Connell Curran was a member, and was there.

18,393. That is the man that was shot?—Yes. The following were elected officers:—The Rev. P. O'Connor, President; Jeremiah McMahon, Hon. Sec.; the Revs. P. O'Connor, John O'Connell Curran, and William Dely, Treasurers. Committee: John McMahon, Jeremiah P. Brosnan, John Brien, Maurice Donaghy, Charles Dely, William Dely, and Michael Ryan; and labour representatives, Timothy Bowler and Michael Hogan." Mr. Curran was the largest subscriber in the district to this very National League; that was about a month before he was shot; and at the above meeting this resolution was passed:—"That, in consequence of the preposterous refusal of the trustees of the Kenmare estate to make an abatement in the rates, we hereby call upon the tenantry to adhere firmly to their demand for a reduction of 30 per cent.; and be it further resolved that a fund be established in this branch, called the Kenmare tenants' defence fund, at the rate of 6d. in the pound, for the purpose of defending those tenants against whom legal proceedings may be taken; and that any tenant who pays his rent behind his neighbour's back be expelled ignominiously from the League, as we consider the man who pays the least rent to be offering a grievous wrong to every other class of the population, whose demand, according to every law, human and divine, deserves to be considered before those of any landlord."

18,394. And these are specimen cases of what have appeared in the newspapers?—Yes.

18,395. I think we need not go any further in that?—The judgments (produced) and proceedings at the Land League court, which appeared in the "Kerry Sentinel" before me, they have been published from time to time.

18,396. The President.—And they have been before published. I think we need not go into this. I think we might now pass to the subject of purchase. Are the tenants anxious to buy?—The tenants on this estate are not; they never open their lips about it.

18,397. They have no wish to buy?—They have no wish to buy.

18,398. They are quite content with the rent as they are?—Certainly. I won't say content with the rent, but they have made no move to purchase their holdings.

18,399. Unless for the sake of getting a reduction?—Yes.

18,400. Are you in favour of peasant proprietary? Certainly; it is the only thing for this country.

18,401. We have heard what the objection is on the part of the tenants. I do not mean by that Lord Kenmare's tenants. Would you kindly inform us what the objection is on the part of the tenants?—I have been talking to several tenants on the point outside Lord Kenmare's estate, and what they stated to me was, that if they held out they would ultimately get better terms.

18,402. Do you think that landlords in general would be willing to sell?—I think so, so far as I know.

18,403. The Kerry landlords?—Except Lord Kenmare. I do not think Lord Kenmare has any idea of selling.

18,404. And the reason they are not purchasing is because they are waiting for better times?—Yes, that is what they mentioned to me when I spoke to a few on the subject.

18,405. Is there anything that you could suggest that would facilitate the sale of the land and the establishment of these peasant proprietors?—Nothing but a restoration of law and order.

18,406. Any other suggestion?—No other suggestion.

18,407. No alteration in the Act?—Nothing but a restoration of law and order will make the tenants purchase.

18,408. Mr. Neligan.—Or will get anything right?—Yes.

18,409. The President.—Have you ever thought of compulsory purchase?—I do not think it would work well. I think everybody should be a free agent to act as he chooses. In order to make it work smoothly, I think nothing should be compulsory on the tenants.

18,410. Lord Millicoma.—You have spoken to a very large extent of Lord Kenmare and the improvement of his property?—Yes, my lord.

18,411. You say his expenditure for that purpose began in 1841?—Yes, my lord.

18,412. When did it cease?—It ceased on the 5th December 1880.

18,413. He never, I suppose, expended any money after the passing of the Land Act of 1881?—No, none.

18,414. That put a stop to improvements?—Yes.

18,415. And consequently, I suppose, to a very considerable employment of labour?—The labour bills amounted to £200 a week, and often over it, but since the passing of the Act they are only £50 or £60 a week.

18,416. In point of fact, this very large sum of money was spent by him in 30 years?—Yes. In buildings £40,116, land improvement expenditure £15,019, and roads £4,412. In Killarney town, in the improving of the town for the benefit of the people here £1,362, in purchasing seed potatoes for the tenants during the bad times £2,391, and in general labour immediately about the town in the demands and roads £26,201, and that gives a gross sum of £129,334; and, in addition to that, he spent on the estate (which he borrowed from the Board of Works) £35,300.

18,417. Mr. Neligan.—And the interest on that he paid himself?—Yes.

18,418. Lord Millicoma.—Have the tenants improved their holdings?—There is lately an indication in that way; if they get facilities they would be anxious to do so.

18,419. What facilities?—They are anxious to get money from the Board of Works, but there is such red-tapeism in the Board of Works that the tenant gets sick of waiting as a long time elapses, from the time he makes his application before he gets the first instalment of his money.

18,420. I gather from your answers that law and order is not very prevalent in this neighbourhood?—Certainly not, and I will give you an instance of it. The Queen's writ came down last December against a judicial rent on this estate against a woman named Miss Fleming, and the sheriff after great pressure came to execute the writ. He went out in the place about a mile and a half from this. He went out in the morning with four policemen, but no sooner had he got to the place than he was surrounded, and 200 people assembled, and they released eight cows and some pigs which they had seized. The four policemen arrested one man, for throwing the bailiff over the ditch and throwing stones at him, and the police brought the man into town with great difficulty. He was brought before a magistrate, and the magistrate remanded him until the next Petty Sessions. That very night some members of the Land League called upon the resident magistrate, and the resident magistrate came down from his house at half-past eight o'clock, and released that man.

18,421. Do you mean to say on bail?—Yes, atmitted him to bail.

18,422. Mr. Neligan. Who is the resident magistrate?—Mr. Macdonn.

18,423. Lord Millicoma.—He did not bail himself?—He took bail for him; the case came before the Court next morning, and the sheriff was not there to prosecute him; the police did not prosecute him and he was let go free.

18,424. Have you seen any little improvement in your district since General Buller has taken the or

guidance in his hands?—Yes, there is, in this way—General Buller has made every constable in the district responsible for the peace in the district, in that way the police in all the districts are now doing their duty. Up to General Buller coming here there were a special number of policemen told off to investigate crimes, but other policemen living in the district took no pains or trouble in the district; they only let these special men work the district, and the consequence was that the whole thing went upside down.

18,425. Lord Milltown.—You see improvement now?—Yes, for this season, that every constable is responsible in his own district.

18,426. The President.—Then, generally, there are improved police arrangements?—Yes.

18,427. Who is responsible for this violation of justice?—There was an order came down, and there were special resident magistrates, and a special detective force, this detective force was bound to find out offences, and immediately the other constables felt "not upon"—they felt it, and they did nothing. To give you an instance, if an offence occurred in the Rathmore district, even the most dreadful thing, the constable there could not act upon his own responsibility. He should have to report it to the sub-inspector here, and the sub-inspector here would have to report it to his nearly inspector, and he would have to report to Captain Plunkett, the district resident magistrate, and he would report it to Dublin, and the whole thing would have evaporated before the answer came back.

18,428. Do I understand you to say that in your judgment were it not for the finalisation now expiring the tenants are all of them willing and able to pay their rents on the Kenmare estate?—Certainly, with the statement that has been given; they certainly are. Of course there are about 150 poor tenants on the estate who have broken down from misfortune of different kinds—illness and loss of cattle, and different things of that sort. Those tenants are named and brought on. Of course they could not pay.

18,429. Lord Milltown.—Does that remark apply to other estates as far as judicial rents are concerned?—I could not say.

18,430. Do you think farmers have been improving, as a rule?—I think in some cases it has been very slight. I think it has been a "live-hall" with some of the farmers. They have made no profit for portion of 1885 and in 1886. They have made no profit certainly, but they have held their own in some general cases.

18,431. And they have actually lost in some other cases?—Well I should say so in some cases.

18,432. Making no profit, and yet they have to live and pay, and it must be out of previous savings that they have done that?—In some cases it must be, that is if they have paid up the full amount.

18,433. Mr. Neligan.—Do you think the state money made have been sufficient to meet the emergency?—Certainly.

18,434. I believe, as a general rule, the Kenmare estate has been a lovely let estate?—Oh, very. The poor tenants are the highest of them, and they do not exceed one and a half the valuation, except in these cases, and the rental of these tenants does not exceed £150. If the estate had been allowed its own working—that it was strong and healthy—those tenants are badly off, they are trying to pay. If they got £10 or £5 off they would have it on the spot. It is the wealthy tenants who are causing the disturbances.

18,435. So that the resistance to rent has not stemmed from poor people but from the strong and well to do farmers?—Through the strong and well to do farmers the whole agitation has sprung. The poor men are doing their best.

18,436. Lord Milltown.—Every poor man has put his best foot forward?—It is the well to do farmers who are the foundation of the great trouble in this matter.

18,437. Mr. Neligan.—These are men who might be comfortable during a couple of good years, and could have made some provision to enable them to meet a bad year?—Certainly.

18,438. If the term of 14 years is fixed?—Certainly. In the term of 15 years there must be a bad year which won't pay its way, and upon which a man must fall back. To give you an instance of the value of rents on the estate, this return (produced) was made for Lord Kenmare's trustees so far back as the 1st March 1885, and this is a list of tenants who got permission to sell their tenancy or interest to the incoming tenant and at rents from £70 to £85.

18,439. I want to ask you one question before you go on—Would it be correct to say that since Mr. Galwey ceased to be agent the tenant right has ceased?—It is not true, the tenants were never refused permission to sell their interest.

18,440. There were no restrictions?—No.

18,441. Mr. Neligan.—It is not accurate to say since Mr. Galwey ceased to be agent (because we leased this) that tenant right has ceased to exist on the estate?—Certainly not. In 1876, in the case of one tenant whose yearly rent was £120, and the valuation £73 10s, the purchase money was £2,000. In 1871 the yearly rent was £25, the poor law valuation £25 10s, and the purchase money £500. In 1874 the yearly rent was £38, the valuation £25 15s, and the purchase money £450. In 1874 the yearly rent was £4 10s, poor law valuation was £3, purchase money £300. In 1874 the yearly rent was £50, poor law valuation £33 3s, purchase money £450. In 1875 the yearly rent was £30, poor law valuation £18 15s, and purchase money £300. In 1876 the yearly rent was £20, poor law valuation £25 10s, and the purchase money £350. In 1878 the yearly rent was £25, poor law valuation £38 5s, and the purchase money £300, with a guarantee to pay half of £400 due to the Cork Building Society. In 1878 the yearly rent was £30, the poor law valuation £23 15s, and the purchase money £354. In 1879 the yearly rent was £54, the poor law valuation £27 15s, and the purchase money £250. In 1879 the yearly rent was £64, the poor law valuation £43, and the purchase money £400. In 1880 the yearly rent was £21, the poor law valuation £14, and the purchase money £170. In 1880 the yearly rent was £7, the poor law valuation £4, and the purchase money £50. In 1881 the yearly rent was £37, the poor law valuation £26 5s, and the purchase money £420. In 1881 the yearly rent was £84, the poor law valuation £99 10s, and the purchase money £1,200. In 1881 the yearly rent was £16, the poor law valuation £10 5s, and the purchase money £90. In 1881 the yearly rent was £80, the poor law valuation was £62, and the purchase money £235. In 1882 the yearly rent was £102, the poor law valuation £50 10s, and the purchase money £350. In 1883 the yearly rent was £78, the poor law valuation £50, and the purchase money £358. In 1883 the yearly rent was £100, the poor law valuation £67 5s, and the purchase money £310. In 1883 the yearly rent was £50 10s, the poor law valuation £42, and the purchase money £270.

18,442. You need not go through every year, simply give typical cases.—There is another one in 1885, where the rent was £6, valuation £3, and the purchase money £110.

18,443. Is that near the town?—No, at Rathmore, within a quarter of a mile of the station, on the townland of Coomb.

18,444. Sir James Caird.—Perhaps it would be as well to give us the whole of it to show that there is no change?—In another the rent was £40, the valuation £31 10s, and the purchase money £380 10s. In 1883, another case, rent £24, valuation £21, and the purchase money £200. In 1885—

18,445. Had you nothing in 1884?—No, there was no purchase in 1884 at all. In 1885 there was a case in which the rent was £66, valuation £42 5s, and the purchase money £300. In the next case the rent was £34 10s, valuation £70 5s, purchase money £712 10s; and in the next case the rent was £84 15s, the valuation £33 9s, and the purchase money £450. Then there is a case in which the rent is £8, the valuation

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86 lbs., and the purchase money £180, but that is within a mile of Rathmore Station. In the next case the rent is £14, the valuation £10, and the purchase money £140.

18,446. You have finished 1883?—I am going into 1886. There is only one case in 1886, a lot holder in which the rent was £1 and the valuation a £1.

18,447. Lord Midleton.—What is a lot holder?—He has a house with about an acre of land attached.

18,448. These are called lot holders, are they?—Yes. He sold that for 29 lbs.

18,449. Sir James Caird.—That is the only transaction in 1886—that seems to indicate that the combination against the sale of tenants' interest has considerably slackened?—Yes. I will give you an instance to show you how it has slackened. In the latter end of 1885 a tenant got permission to sell his interest in the Piaras district, and he sold it for £300, the purchaser was threatened that if he went into possession he would suffer, and a few days after being threatened a party of moonlighters went and cut the ears off a pair of horses of his.

18,450. The President.—That was because he purchased. In what year was that?—In 1885. In December 1885; and, not being satisfied with that, he was summoned before the National League at Piaras for having bought the farms, and tried.

18,451. Mr. Neligan.—And what did that suggest body do?—There was influence brought to bear by a clergyman—a clergyman brought influence to bear, and stopped the matter.

18,452. Sir James Caird.—I should think that incident stopped further sale?—Oh, certainly.

18,453. And the man's lot which was sold for that—if it was sold in 1883 he would have got £30 for his interest in it?—Certainly. There is another matter that I should like to refer to, and that is the increase of rent that was put upon Lord Kenmare's estate. The National League alleged that there was £8,000 a year of an increase put upon Lord Kenmare's estate by Mr. Hussey. That is not the fact, and those are the facts. From 1875 to 1879 Mr. Hussey increased the rents on 435 yearly tenants out of 1,500, and brought up their rents to about what they were paying before the famine.

18,454. Mr. Neligan.—That is the famine of 1847?—Yes.

18,455. Then I assume that the rents were reduced at the period of the famine, and were then brought back again?—Certainly, and that increase came to £1,280 12s. 6d.; £803 12s. 6d. of that increase was taken off by the Land Commission, and £153 was taken off by arrangement outside the Court, which leaves the present use on the estate £1,892 a year.

18,456. The President.—And that is the total increase on the estate?

18,457. Mr. Neligan.—Is that the whole increase?—Yes, that is the whole increase on the estate.

18,458. Sir James Caird.—Instead of £8,000?—Yes. There has been any amount of comment upon the increase on the Kenmare estate, and large figures have been mentioned from time to time, but those are the facts, and I can give day and date for them. As to the evicted tenants on the estate, there are only 15 permanently evicted tenants, and since the 1st January 1886 they were offered to be allowed to sell their interests to any succeeding tenant, to be forgiven all rent and cost, and to put the whole of the purchase money into their pockets.

18,459. What have they got to sell?—The goodwill of their former holding.

18,460. But if they are permanently evicted what right have they to sell,—what interest have they?—Lord Kenmare has offered to waive all his rights and give them the right of sale as if they were never evicted.

18,461. Then, in addition to what you stated, he actually offered to give them back the interest forfeited in order to enable them to sell?—Yes.

18,462. Mr. Neligan.—He said you may sell as tenants in occupation and walk away with the money

in your own pocket?—Yes, and if they did that, that the incoming tenants should have the opportunity of coming to the Court and of having fixed the future rent.

18,463. Lord Midleton.—And those terms were declined?—Yes, they were declined.

18,464. They were also offered to be allowed back into their holdings on the payment of one year of rent; that is, one half year's rent?—Yes, one half year's rent, to be forgiven all costs and arrears, and to get a clear receipt, the same as tenants who had previously paid up their rent on the estate.

18,465. The President.—And was that refused?—It was declined.

18,466. Lord Midleton.—And what has become of their holdings now?—There are five or six of them stocked, but the rest are waste.

18,467. Stocked by Lord Kenmare?—Yes, stocked by Lord Kenmare.

18,468. And are they large holdings?—There are five or six large holdings, but the remainder are small holdings.

18,469. What do you call large?—One man's rent, who was permanently evicted, was £30 a year, another was £5 16s., another tenant paid £12 a year, another £30 a year, another £6 a year, another £15 a year, another £33 a year, another £27 a year, another £38 a year, and another £23 a year. With reference to those small holdings, the reason those tenants were evicted was not because of the amount of rent they owed, but it was because they led the agitation and because they made themselves generally obnoxious.

18,470. You say that five of the farms are stocked, and that all the others are lying waste?—Yes.

18,471. And why do they lie waste?—Because they are too small to stock.

18,472. But it is not for fear of any intimidation?—No.

18,473. You have no difficulty in stocking the others?—Not the slightest.

18,474. Not owing to any interference on the part of the Land League?—No, they have not interfered.

18,475. Mr. Neligan.—Has there been any difficulty in letting the grazing?—Oh, yes, there has. The Land League, as a rule in this district, has not interfered with the stock where the landlord couples and grazes his own evicted farms, but if he brings in the Land Corporation or any outside parties to work that farm it is looked upon as "grabbing," and the stock are boycotted or stolen from off the farm by night.

18,476. Did they try to "boycott" the people who had the grazing on Lord Kenmare's demesne, what is the demesne here?—Yes, there are four tenants on it.

18,477. And did they succeed in that?—Yes.

18,478. Lord Midleton.—If they "boycotted" the grazing demesne it seems strange that they allowed the evicted farms to be stocked?—The reason is quite obvious; they considered if the demesne could not be let that should be stocked with cattle from the evicted farms which would then lie waste, and after a meeting of the Killarney branch of the National League held on the 23rd October 1886, the following report of that meeting appeared in the public papers:—"A letter was received from Mr. Michael Power of Tralee, asking whether Messrs. Ledwige and Savage of Tralee had withdrawn their cattle from Lord Kenmare's grazing farms, and if not to have the matter brought under the notice of the National League at their next meeting. On the chairman's suggestion it was decided to consider the matter at their next meeting." After that appeared in the papers Savage came into my office and gave me up the portion of the grazing he had, but he kept an out field and paid for it, but he put no stock of any kind on it, and then on the 24th April 1886, at a meeting of the Killarney branch of the National League, Mr.

James O'Leary proposed a resolution condemning the conduct of those Thrale grangers who still cling to the granting of their cattle on Lord Kenmare's demesne, and mentioned Mr. P. Slattery and Mr. Sedwige as the two out of the others who continued to keep their cattle on these lands.

18,479. What was the practical result of this action of the Land League?—Sedwige and Slattery kept them on, but Savage gave up his portion, and we had to keep it in our own hands.

Mr. GEORGE COLLIER, of Dingle, examined.

18,482. Sir James Caird.—Understand, Mr. Collier, that you hold several farms—several portions of land?—Yes.

18,483. Those portions are in different holdings?—Yes.

18,484. And you hold them from different landlords?—Well, mostly from one—Lord Cork.

18,493. You manage also some small estates?—Yes.

18,494. Have you had considerable experience in that part of the country?—Yes, sir; for quite a number of years now.

18,497. Mr. Nelson.—How do you hold under Lord Cork—is it by lease?—Yes, by lease, sir, and we hold land from two other landlords as yearly tenants.

18,498. Sir James Caird.—You don't wish to make any remarks upon that point, you wish rather to give us some information with regard to boycotting?—Yes, sir.

18,499. Now, kindly tell us your position in that respect?—We have been boycotted now for a little over a year. Since then we have had the very greatest difficulty in obtaining the ordinary supplies in the way of food and that sort of thing. We have to get them all at a great distance, and labour we cannot get at all. We have to get them from Cork and from Liverpool—we get the groceries and supplies of that sort from Liverpool, and we get meat and flour and other matters of that kind from Cork.

18,499a. How do you bring these supplies from Cork to Dingle?—There is a steamer plying between Cork and Dingle, and we get supplies by the steamer.

18,499b. Upon what grounds have you been boycotted; is there any reason?—The first of all boycotting seems to have originated there. The National League branch was managed by little shopkeepers in the town and mechanics, but the shopkeeping element had taken the control of it. The first boycotting was so conducted to break up the business of a large trader who had settled in the place, and who was rather interfering with their profits. Then some few people refused to boycott this firm of Atkins and Co. of Cork, who owned the branch establishment in question. Some few acting on principle refused to join in the boycott to this house, and continued to deal with them. We were amongst the number, and so then got boycotted ourselves. After a little time Atkins and Co. made peace with the League and were let off, but they continued to boycott us, and they charged as a reason our connection with Mr. Haasey. Mr. Haasey owns some land in the neighbourhood and we have been of assistance to him—not in the way of any employment at all—but my father and he were old friends, and anything that he could do to convenience him or to oblige him he was always ready to do, and he was under obligations to him that he felt and wished to discharge by assisting him in any way he could.

18,500. So that the boycotting was taken off the firm for which you were originally boycotted for trading with them, and though that was taken off they continued to boycott you because you had some friendly relations with Mr. Haasey?—Precisely, sir.

18,491. Well?—It has continued from that to this, and of course they have made it as severe as ever

18,485. Mr. Nelson.—Is there any other matter that you wish to mention that you consider of importance?—I do not think there is, I could give further evidence of the system of intimidation and "boycotting" attempted to stop the payment of rent, but I presume it is unnecessary.

18,481. You could increase it by a number of other cases?—Exactly. But you have already sufficient evidence on that point. I do not think there is anything else I could tell you.

they can. I have even had to drive into Tralee to get my horse shod.

18,492. Mr. Nelson.—How many miles is that?—Thirty-two miles—and I have had to do that to get my horse shod, and now it is only a blacksmith who is boycotted himself and who lives about twelve miles away from us that shoes the horse for me. I drive there to get him shod, and he shoes him for me.

18,493. Do you mean to say that you have to go twelve miles to get your horse shod?—Oh, yes, sir, and the slightest labour that is to do we were not able to obtain. We got a few men to work for us for a few days, and then the League boycotted those men and said that if they did not at once leave the employment they would not get any supplies—that they would be ruined.

18,494. Sir James Caird.—And have you complained to the authorities about this boycotting?—The authorities are quite aware of it.

18,495. But they can do nothing?—They don't do anything at all events.

18,495a. Are others besides yourself in that place—are they boycotted—others as well as yourself?—Mr. Fleming, the Protestant clergyman living at Ventry about three miles away—his is similarly situated.

18,497. You are a Roman Catholic yourself?—I am a Roman Catholic.

18,498. And you are speaking of the Protestant clergyman being boycotted?—Yes, sir.

18,499. So that it is not a question of religion at all?—Not at all, sir.

18,500. It is simply a question of disobedience to orders of the League?—Yes; and the League is not conducted merely with a view to the assistance of the land struggle, but the men directing it in the local branches are so dishonest that they use it for their own purposes, each and everyone of them; and every man who has an axe to grind or a spite to indulge uses the League for that purpose.

18,501. You say you cannot get labourers to work regularly?—No, sir.

18,502. And your servants—have they been noticed?—We have been without domestic servants for a long time. We have one at present. We succeeded in getting one lately, but we had to spend a great long time without one at all; and though we had engaged several, just as they were on the point of coming it was discovered by the "League police," and word was at once sent to them that they must not be with us, and that if they were to come to our employment they were to suffer penalties, and so they were prevented from coming.

18,503. You have an island farm, I believe?—Yes, sir, we have four islands.

18,504. And have you to take boats to them?—Yes.

18,505. Has there been any attempt by the League to interfere with your enjoyment of these islands, and the property there?—Oh, certainly. They have not only succeeded in making these islands unprofitable, but a severe loss. They won't allow anyone to take us out there. We sheep farm those islands, and every year a considerable portion of the flock of the older ewes has to be drawn off or let perish. We have not been able to do that, and we have lost three sheep for two years now in succession. One of the islands we

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only graze in the summer. It is rather a fattening island, and we were accustomed to put off the young sheep from the other islands upon it to fatten them, and to bring them in and sell them, and last year the produce on that island went entirely against us.

18,506. Are the islands some distance from the mainland?—The nearest one is four miles from the mainland, but from Dingle it would be about twenty miles, for we usually go round in a large "hooker" to do such work as bringing in the work or putting them out.

18,507. Then these islands are some distance away from Dingle, and it is necessary that you should be in order to get to them, you should have a large boat to carry you there?—To do any large work we must take a "hooker" around from Dingle.

18,508. And does the "hooker" belong to people in Dingle?—Yes, it does.

18,509. And they are directed not to hire their boats to you?—Yes, sir.

18,510. And who will not allow her to be used, or themselves to be hired by you in order to facilitate your visiting your property upon these islands?—They are afraid to do so. The boatowners would be pleased to do it, but they dare not. The poor men would suffer more than we could recompense them for. In the case of the island nearest the mainland we used to go out in a small class of boat to see the flocks occasionally, and those people who are under obligations to us in many ways are now quite afraid to do that portion of the work too, and we cannot get out in that way at all.

18,511. Even from the nearest point?—We can have no communication with it now at all.

18,512. Are those men also prohibited by the orders of that branch of the League from giving any assistance of that kind?—Yes, sir.

18,513. And they would be very willing to do it but that they feel themselves obliged to forbear?—Exactly so, sir. They have been visited by members of the

League and written to, and it was plainly intimated to them that they must not do it, and they understood what disobedience means.

18,514. Have you a large stock of sheep on these islands?—Several hundreds.

18,515. Any cattle?—No cattle.

18,516. Have you suffered seriously from the prevention of getting any access to the island?—We have suffered severely for the past two or three years. That island that I have spoken of as the fattening island was seized upon altogether this year, and they took it away from us, and are grazing upon it themselves.

18,517. Did they remove your stock?—We had no stock. We are accustomed to put the stock on at the beginning of the summer and to remove it about the 1st of October.

18,518. Yes?—Well, this year the inhabitants of the Great Blasket—there are about twenty families resident upon it, and they, invited by the neighbouring branch of the League, came down upon our island with their cattle—with a number of their stock.

18,519. Mr. Neligan.—And held it against you?—Certainly, sir.

18,520. Sir James Caird.—Who does this island belong to?—Lord Cork is the owner.

18,521. Does Lord Cork not interfere in any way?—I had an interview with his agent, Mr. O'Keefe, and explained all to him, and he even went out there and saw the cattle for himself. But what can Lord Cork do? He cannot get his rents out of these people. Even the county cess and poor rates cannot be got from them.

18,522. And you are not only prevented from landing and looking after stock on one island but you are actually ousted from the possession of another?—Quite so. The law in our part of the country is utterly helpless, and I have no reason to think it is different all over Kerry.

The Commission adjourned until the 15th instant, at Cork.

TWENTY-FIFTH DAY.

Monday, November 15th, 1886.

The Commissioners sat at the "Imperial Hotel," Cork.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MERTON.
SIR JAMES CAIRD, B.C.B.

MR. NELLIGAN, Q.C., Recorder of Londonderry.
MR. KRINE.

JAMES HAMILTON, Q.C., Recorder of Cork, examined.

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18,523. The President.—You are, I believe, Recorder of Cork?—Yes.

18,524. And you have had a good deal of experience in this part of Ireland?—In every part of Ireland, my Lord; I am an Ulster man. I have been chairman of the county Sligo, county Carlow, and the East Riding of York, but I think I know the West of Ireland best.

18,525. Has your experience continued up to the present moment?—Yes.

18,526. Do you think that there is at the present moment much desire on the part of tenants to purchase their holdings?—I do, my Lord.

18,527. Are you personally in favour of the idea of establishing a peasant proprietary?—I should be sorry

that the country should be given up to peasant proprietors. I think that would be a very great evil; but I think a large addition to the number of proprietors of land in Ireland would be an advantage. I may say, I have considered this question mainly with a view to the interest of the small holders of land in Ireland, of whom I believe there are 200,000, with holdings of a valuation under 40s. and 400,000 with holdings valued under 8s. I think that so far as the West of Ireland is concerned, to make these people proprietors would do very little to improve their position.

18,528. You think these small holders of land would be very little improved by being made peasant proprietors?—Yes, I have studied very carefully the

evidence given before the Richmond Commission on this subject, the evidence of Professor Baldwin and the evidence of Lord Dufferin.

18,529. I suppose you refer principally to the congested districts in the West of Ireland, where the holdings are small, and not to small corners scattered through other parts of the country?—I refer principally to the West coast. In point of fact, if you look at the map of Ireland and draw a line from the centre of Donegal to the extreme southern point of Cork, on the eastern side of that line you will have counties such as Londonderry, Antrim, Down, Armagh, Louth, Dublin, Wicklow, Wexford, Waterford, and the East Riding of Cork. I think you will find these counties in as good a position, and the farmers in as good a position, as in any part of England or Scotland. I do not think there is any permanent distress amongst them. They are close to the English markets. In fact the eastern towns are flourishing, while the western towns decay.

18,530. Then you would treat the eastern parts of the country differently from the western parts?—I do not think that the eastern parts of the country require any legislative relief at all. Now, my Lord, I live on the west coast of Donegal. I am only 30 miles from Londonderry, from which we get our imports and through which we send whatever exports we have to send. The people are small holders. A great many of them do not live as they formerly lived on potatoes, and milk, and fish. Their food now consists principally of Indian meal, American flour, tea and sugar, and these kind of things. We pay 2*l.* 10*s.* a ton for goods carried from Londonderry to the west coast of Donegal.

18,531. Lord Millican.—Can you not come by sea?—No.—If you look at the map, my Lord, you will see that the south-western coast of Donegal is a dangerous coast and of very great extent.

18,532. Practically you have no water carriage then?—No. Now, as I say the freights from the west coast of Donegal to Derry is 2*l.* 10*s.* a ton. This tariff, I feel truly say, is practically prohibitory on persons who desire to send their produce to market. The only things that they can send are lobsters. The bays there abound with fish. They are the only article of export in the district, and they could find boxes of salmon by the railway. But as I say, the rates are almost prohibitory. The fish rates are very very high. I am trying to get up a fishery company with the help of some Glasgow people, but our chief difficulty is this question of railway rates. I have a return giving the rates for different kinds of fish here. This one is from Bannerman to London, at the owner's risk 5*s.* 6*d.* per cwt, while the rates to Londonderry, which is only 20 miles distant, is 2*s.* 6*d.* per cwt, so that you see you can send fish to London for about double the cost of what you have to pay to send it to Londonderry. Irish railway rates, my Lord, are very high and very capricious.

18,533. Sir James Caird.—Do you send your fish to London?—No, we cannot afford to send it to London, nor, except lobsters, to England at all.

18,534. The President.—Then what you want is to get cheaper rates?—What we want for our district is a great railway in continuation of the Fium Valley Railway, a railway of 20 miles. Some of the most intelligent people in the place exerted themselves about this railway, and a guarantee for its construction was suggested, but the ratepayers would not listen to any proposition for increasing the taxation, and we failed in carrying it out. In point of fact I may candidly tell your Lordship that the Government of the country has been so fluctuating, making at one moment an extreme of severity, and the next moment to an extreme of indulgence, that the people have got quite a contempt for it, and we cannot administer the law, and capital is absolutely banished, and enterprise is perfectly dead; therefore, it is that nobody will undertake works of this kind. I believe there are thirty millions sterling deposited in Irish banks, and yet nobody will invest a single shilling in any enterprise, and unless the

Government come forward the west will never be opened up. I am not, I may say, in favour of the principle of State aid; still if the Government do not come forward and do something for the West of Ireland, they will never be able to restore peace and order in the country.

18,535. Then for the western parts of the country you would suggest improved railway communications?—Yes, it might be improved by railways and by small harbours, fishery harbours. I may say I live all my leisure time in Donegal. I know the peasantry well, and I am perfectly satisfied that they would be industrious, for they are exceedingly orderly and peaceable, and that they would exert themselves in every possible way if they had only the means of communication with markets, but as it is we have no markets there. I know Mayo very well, and I may say that observation applies to Mayo and Galway, and possibly to the whole western coast. They are a docile and a wonderfully easily contented people.

18,536. You think the Land Purchase Bill could not be made use of in these districts with advantage?—I think that without railway lines it will not do any good.

18,537. You would not schedule a part of the country and exclude it from the benefits of the Act?—The very reverse. I will give you an instance of the injury caused by the vacation of our policy. I was very strongly in favour of Lord Ashbourne's Act because it would reduce the tenants' rents as a rule 25 per cent., make them owners of the land, and tend to increase their industry if they had a market for it. There is a townland belonging to Lord Cunningham, close to where I live. There are very small tenants on it, half fishermen, half farmers and labourers. Lord Cunningham really did not like to enforce the rents as the people are very poor. He wanted me to purchase the place, and I refused; but I tried to induce the tenants to purchase under this Land Act. They were quite willing to purchase a year and half a year, but there was a question as to the amount of the purchase money. They were willing to give 14 or 15 years purchase, they would have offered those terms, but the moment the Home Rule Bill was introduced they came to me and said they could not give that amount. The moment the Home Rule Bill was introduced they would only give six or seven years purchase.

18,538. Was Lord Cunningham on the previous occasion willing to sell for 14 or 15 years purchase?—I cannot say. He might sell for 16 or 17 years purchase.

18,539. Lord Millican.—The introduction of the Home Rule Bill brought down the price to seven years purchase?—To six years. However, they were talking about 14 or 15 years purchase about three weeks ago, before I came here. I also think that there is a large number of tenants as to whom it would be idle to look for any amelioration of their condition from a mere reduction of rent. If you gave these men their land for nothing you would not do them much good while you leave them in a position where they can sell nothing.

18,540. The President.—What else would you recommend?—I believe the West of Ireland cannot be improved until it is brought within the reach of civilisation and trade by roads, by improved communications, and I believe I may add in the present state of things you need not look to accomplish that to any private enterprise.

18,541. It must be done by State aid?—It must be done by State aid, and the Government of the country must be firm and steady. I have the highest opinion of these western people, as a people easily managed and easily contented if fairly and kindly dealt with. I think the natural relief of the place would be emigration, but they will not emigrate.

18,542. Are they more willing to emigrate now than formerly?—I do not think they are; so many influences have been brought to bear on them, and such hopes have been raised in their minds as to the distri-

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bution of the property of the country amongst them, that they will not emigrate. Then there is an unwholesome kind of emigration. The young and the energetic emigrate, but they still keep a grip on the land. They leave the old and the sickly upon the land at home, and they really support them, to a large extent, by contributions.

18,543. Do they come back again?—They seldom come back again. Have you seen the description of Donegal by the "Times" correspondent? I can verify every word of that.

18,544. Would you suggest anything in the way of assisted emigration at present?—You see, my Lord, they will not go at present, but I am in hopes when order shall be established, and the law capable of being enforced, that they will do so. I have great difficulty at present in administering the law in consequence of Lord O'Hagan's *Jury Act*, for at present, unfortunately, the juries very often sympathise with the criminals, and they are terrorised.

18,545. Have you thought of what is called migration?—I think that is absurd.

18,546. I do not mean removing people from one county to another, and planting them there. I mean buying up a tract of waste land to which some of these people could be transplanted, and other portions of it, when it is divided, added to holdings close by?—I think a good deal could be done in that way if you bring them within reach of a market.

18,547. Then you think migration, to a certain extent, could be carried out?—I think so, if it was judiciously done. The hunger for land in Ireland is something wonderful. They do not seem to recognise any other treatment for their capital, and though there is six millions of money in the Savings Banks, and thirty millions on deposit receipts in the banks through the country, yielding only one per cent. interest, yet they do not seem anxious to invest in any enterprise except in land, and for land they will give anything. In that miserable *Guinevere* I have known them give as much as 92 years purchase for land.

18,548. Lord Milnes.—We have had evidence on that point in Donegal?—I saw 86*l.* given for a hillside, held at 3*l.* a year, on Lord Oanaghlin's property, and I saw 1,750*l.* paid down in cash for a tenancy from year to year of a part of an island that the landlord has let at 40*l.* a year, so that they must have money. There is a great deal of money made on these lands, for the small farmer in Ireland is a wonderfully saving creature, and he hoards that money in the hope of one day or other getting another bit of land.

18,549. The President.—Turning now from Donegal, have you much knowledge of this immediate neighbourhood?—Well, my Lord, I have only judicial knowledge, and I am happy to be able to say that in the great majority of the ejectments for the non-payment of rent before me, the tenants have settled with their landlords. What generally happens before me is this. The landlord seldom or hardly ever takes proceedings until a year and a half's rent very often not until two or three years are due, and unless the tenants put him at defiance, he is always willing to let the proceedings drop on payment of a small proportion of the rent.

18,550. Have you any information as to harshness or injustice on the part of the landlords?—Well, all cases of harshness and injustice that I have known are on the properties of small holders of land.

18,551. They are a small class?—A small class. They cannot afford, possibly, to be generous with their tenants. The tenants on large estates are much better treated than the tenants on small estates.

18,552. On small estates you have known cases of harshness on the part of the landlords?—Oh, yes; that is, rights enforced with the utmost severity.

18,553. Men turned out when they could not afford to pay?—Very possibly, but it is very hard to know how men stand nowadays. What I would most strenuously impress upon the Commission is that mere reduction of rent is no panacea for Ireland. I have known instances of reductions in rent from 1*l.* to 12*s.* 6*d.*, and I suppose it cost the unfortunate fellow who got the reduction 10 years purchase of it to treat his witnesses to drink, and I do not know what it cost him for his attorney. I will leave you this rubric with regard to railway rates.

18,554. I do not know that it is quite our province to deal with a question of railway rates?—I only intend it, my Lord, to illustrate the position in which the tenants stand.

18,555. Mr. Neffegan.—I take it, Mr. Hanthwa, you wish by this return to contrast the position of the tenants in the West of Ireland, and their difficulties in transporting their produce to market, with the tenants on the east coast who had enormous facilities to get to the English markets?—Yes.

18,556. The President.—To what place does this refer?—This refers to the only place we can land fish near a railway on the whole coast of Donegal, a place called Bundarra. There are the railway rails fencible to us. There is a most dangerous landing place there. The present rates for fish by passenger train from Bundarra to the following stations are:—

	Sligo.	Londonderry.	Liverpool.	Manchester.
Salmon, oysters, salmon, eels, trout, and turbot in boxes	Ordinary 6 11 per cent. Owners 5 6 "	6 4 5 5 "	6 4 5 5 per cent.	6 4 5 5 per cent.
Mackerel, herring, flage, and skate in boxes	Ordinary 4 6 "	4 6 "	4 6 "	4 6 "
Fish other than those named above	Ordinary 3 3 "	3 3 "	3 3 "	3 3 "
" " " " " "	Ordinary 3 3 "	3 3 "	3 3 "	3 3 "
" " " " " "	Ordinary 3 3 "	3 3 "	3 3 "	3 3 "

	Sligo.	Derry.	Dublin.	Belmont.
Salmon, eels, trout, turbot, cod, and oysters in boxes	Ordinary 3 4 per cent. Owners 3 0 "	3 4 per cent. 3 0 "	3 4 per cent. 3 0 "	3 4 per cent. 3 0 "
Other fish	Ordinary 3 0 "	3 0 "	3 0 "	3 0 "

Minimum charges as for 1 cent.

18,557. Mr. James Caird.—There seems to be a railway to this place, at all events?—Yes.

18,558. Has that railway very much reduced the cost of transport?—This railway of which I have been speaking is in the extreme south of the county, and there is only three miles of it in the county Donegal.

It runs to Enniskillen. The one which I have recommended is one from Stranorlar to Glenties, a coastal line where there is a thriving woollen trade, and then the fish could be carried from the sea to Glenties. We would be contented with the extension of the present line Stranorlar line to Glenties.

18,539. Then you would have an extension of the railway, and after that cartage to the sea?—Yes, but then there would be a saving of 20 miles between Glenties and Stranorlar in the way of cartage. Really it is a railway which it would be very easy to make. There is a valley right through, and it is almost a dead level and the saving of time is all important.

18,540. There seems to be a road now right through the valley?—It is one of these Famine roads. They commenced lots of things at that time, and never finished them, and that road is not finished. A project such as that I now suggest would improve the condition both of landlord and tenant, and would encourage trade and probably lead to the introduction of manufactures, but the idea of hoping that by simply reducing the rents of these 300,000 tenants who have holdings under a 4*l.* valuation you improve their condition, is simply absurd.

18,541. The President.—You would not be in favour of enabling them to purchase their miserable holdings?—No, you would merely be fixing them down there, and discouraging emigration.

18,542. Sir James Caird.—You do not think it would be prudent to make these small holders of land owners of them?—I think it would be prudent if you introduced these measures which I suggest, but I say they cannot do anything with the land at present.

18,543. You would put the 400,000 with holdings valued under 8*l.* in the category of those whom you think it would be not judicious to make proprietors?—No, I do not say that; I say that to merely make them proprietors would do very little to improve their condition, I would be very sorry to see all these 400,000 persons turned into proprietors. I would be very sorry to see the landlords banished from the country, because I think doing so would throw the country back into utter barbarism.

18,544. Do you think that to the vast proportion of these small tenants under 4*l.* that it would be safe to advance them the money at all to purchase their holdings?—I do. You see the enormous sums they gave for the tenants' interest in these holdings.

18,545. Lord Milnes.—Can you tell us anything about those enormous sums?—I refer to the letter of the "Times" correspondent, which shows 12 instances since the beginning of this year, in which from 50 to 40 years' purchase was given for the interest in holdings.

18,546. Were any of these people holding under a valuation of 4*l.*?—There was a person paying 5*l.* for a holding, and she got 60 years' purchase for the holding, and the purchaser refused to pay the landlord the 5*l.*

18,547. Was that this year?—This year. I have already given you an instance about Gweedore.

18,548. Sir James Caird.—You said you were in favour of emigration?—Yes. It would be the natural remedy.

18,549. You said at the same time that the people would not emigrate?—No, they will not.

18,550. Can you give us any reason for that?—Well the Celt has not the enterprise of the Saxon, and then the whole influence of the priests are brought to bear on the people, and the whole influence of the agitators who promise them the land of the country and the expulsion of the landlords. There are several things the Government ought to do, but first and above all, they should see that law and order is preserved. I think this is a very difficult task on account of the machinery we have to administer the law, the jury system is so deteriorated owing to Lord O'Hagan's Act.

18,551. I would like very much to know if you had any experience of boycotting in this country?—Yes, sir, I have.

18,552. Is there any power in the law in any way to interfere to stop boycotting?—It is practically almost impossible, it is so cleverly done.

18,553. Are the police whose business it is to look after these things in a position to give evidence, to show who it is that brings about this system of boy-

cotting?—If there is evidence of a conspiracy, no doubt the magistrates would send the case for trial, but no jury in the country parts of Ireland would convict. That is one of the difficulties of the position.

18,574. Even if the evidence is not withheld the juries will not convict?—The juries will not convict. In Donegal or Mayo, or Galway, in an agrarian case you will have men in the jury box who sympathize with the criminals, and as to the rest of the jury it would be as much as their lives are worth possibly, if they were for conviction.

18,575. Is it possible for the country to right itself until this system of boycotting is put down?—I think a firm and steady Government would right it. I think the people are getting better already, and seeing that the wild hopes which were encouraged by the agitators cannot be realised, and they are getting more amenable. There is no people, if you see firm and generous, more easily governed.

18,576. Then I understand from your evidence that though the evidence can be got the juries will not convict?—I say that, decidedly, unless you eliminate a certain class from them.

18,577. The determination of the juries not to convict is really the crux of the whole matter?—Exactly, and it is one of our greatest mischiefs that the English people will not recognise that that is so.

18,578. The President.—Well, it would be very desirable that we should hear the opinion of a gentleman who is so intimately connected with the administration of the law as to what method he would suggest by which this difficulty is so be possibly overcome?—Well, I think the people themselves are beginning to take a more rational view of things, and I think they are getting tired of the tyranny of the Land League.

18,579. Do you think will that extend to the juries being ready to give a fair judgment?—I think that will extend especially if this Government show an intention to annihilate their material condition.

18,580. Sir James Caird.—But have not the Government been showing that intention for the last 15 years, from 1870?—They have certainly been showing a great desire to do so, in my opinion.

18,581. And stretching principles a very great deal in order to do what they believed to be for the improvement of the condition of the people?—Yes, but doing so much harm as good by stretching these principles, and also by using very questionable means to bring about that amelioration. The Land Act of 1881 has done absolutely nothing for the class that I speak of. What use is it to them.

18,582. To the small farmers?—Yes. They are the people who really ought to be considered. They are the people most easily involved into this turbulence, and nothing has been done for them.

18,583. I would like that we should keep to the point with regard to boycotting. Do you think that the people are beginning to be more moderate, and that they will probably in the course of time be ready to do their duty, as citizens of the country, in the jury box?—I do believe the people will improve if the Government is firm and vigorous.

18,584. Can anything be done with success in the way of applying another remedy?—You will hasten the improvement very much whenever you improve the material conditions of the people.

18,585. But have not Parliament been trying to improve their condition since 1881?—But you have not done it, you have gone about in the wrong way. The Land Act was never accepted by the people.

18,586. Well, what is the right way?—Treat this country as a new colony, open up trade, and bring the people within reach of the markets, and encourage their industry.

18,587. But really your evidence on that point is that Donegal wants about 16 miles of a railway from one point to another?—I merely illustrated the whole state of the West of Ireland by that. Let me tell you that for a hundred miles along that coast the sea is abounding in fish. We have a harbour at Portlaoise

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constructed by the Board of Works, which was swept away three years after it was built, and now the debris of the harbour blocks up the natural harbour. An instance of the neglect of our resources.

18,588. Mr. Neligan.—I am afraid even in the richest counties we have a good deal of unemployment?—Yes.

18,589. And if you have at the present to administer the law through juries such as you describe, I would ask you whether a recourse to summary jurisdiction in cases of boycotting would not be very useful?—We must have recourse to this unless juries do their duty.

18,590. But would not what I mention be a simple and an immediate remedy?—We will have to come to that unless the county improves very much, in my opinion. I have here a report by Sir Thomas Brady on the fisheries on the coast of Donegal. This is it. He was asked whether there was an abundance of fish on the coast of Donegal? "What quantities of fish are at present being caught or are caught during the best seasons of the year? What kind of fish are caught on these banks and around Donegal Bay? Is there good harbourage for steam trawlers? Do you think it would pay if a company were started for the express purpose of fishing in that bay, taking into consideration the present high rates for fish conveyance from Bangor to London and other markets?" The replies furnished by Sir Thomas Brady were as follows: (No. 1.) "Abundance of fish, I believe, to be had in Donegal Bay and coast adjoining. One large steam trawler doing very well at Killybegs, when I was there last, but great outcry against trawling." (No. 2.) "All kinds of fish in neighbourhood, soles, turbot, haddock, herrings, &c., &c." (No. 3.) "Excellent harbour at Killybegs." (No. 4.) "I can give no opinion as to whether a company would pay. Railway company, I believe, would try and meet cheap transit of fish from Bangor."

Another railway from Dufferin, 4 miles from Donegal to Stranorlar and Derry.

18,591. Sir James Colvill.—Is not Killybegs a splendid bay in which a vessel could anchor with great safety?—Admirable, but it is 20 miles from a railway station. I may say I quite agree with Mr. Neligan, unless the present administration of the law improves it will be absolutely necessary to get additional powers to administer the law. That will be attended with good results, but you will never get at the root of the evil until you open up this century of which I have been speaking. If one considers this, that Mayo was a peaceable county and yet boycotting was instituted there first, and then there was the murder of Lord Mountnorris, the Huddy murder, the Massinissa massacre, and many other crimes in the West, and from those places this desperate turbulence spreads into more prosperous counties. You will see if you consider these matters that in the West of Ireland you have a nucleus of distress and misery which, in my opinion, must be got at before any permanent good can be done to the country.

18,592. I think you said that in this county very considerable distress existed on the part of the landlords to meet the reasonable wants and necessities of the tenants at this moment?—Unquestionably. You asked me about boycotting. Now, I will give you a case that occurred before me the day before yesterday. You will see it is reported in the "Constitution" of today. A farmer let a forge to three men, smiths, on these terms, they were to make a money payment and to shoe his horses. This occurred at Ovens, a place within a few miles of the city of Cork. The man was boycotted and the smiths refused to work for him, and no smith would work for him, although he was a member of the Land League himself. He was then obliged to send his horses into Cork to be shod. Then he brought a process against the smiths for breach of contract and the damage done to him by being obliged to send his horses into Cork. In the case he told us how he came to be boycotted. He said there was a

property in the Court of Chancery, and a receiver was appointed, and the receiver put up the grazing of some of the land to let, and there were four proposals sent in for the grazing by four members of the Ovens Land League. One was put in by the cousin of this man, and he was accepted, and thereupon his brother-in-law got him boycotted, and they refused to allow anyone to speak to him, and the plaintiff in the case before me was boycotted because he spoke to his cousin who was boycotted.

18,593. What was the cause of action on the part of the plaintiff?—It was because the smith refused to shoe his horses.

18,594. But how did the case come on?—You see the man sent his horses to Cork to be shod, and he procured the smiths for breach of contract and for the damage he sustained because he was obliged to send his horses to Cork to be shod. It was a very pitiable case, for these poor smiths would be boycotted themselves if they shod the man's horses. I was asked to make the amount of the damages payable by small instalments, but I refused because that would be a direct encouragement to boycotting, and I said that I thought those who took away their business should recoup them for the damage they sustained. It really looks like a return to the middle ages.

18,595. What was the remedy the man got?—He got a decree, and he put his damages, but I do not know whether he will be able to execute his decree or not. The plaintiff in cross-examination was asked the name of the smith in Cork who shod the horses, and though he himself was an active member of the Land League he refused to give the name on the ground that the man would be boycotted if it were known.

18,596. Is the law unable to reach those cases?—Practically so in many cases.

18,597. The President.—The position appears to be that the law really has no effect in these matters.—That is the position. Myself and my friend here, Mr. Neligan, we are, as it were, administering the law with a bludgeon over our hands. If we are doing anything displeasing to the League we are denounced in all the national papers in Ireland.

18,598. It is not only that, but you cannot carry into effect any decision you give?—It is with very considerable difficulty.

18,599. Mr. Neligan.—Therefore you say that if you are to enforce the law the Government are morally bound to do something to remedy that state of things?—Yes.

18,600. Would you recommend that these officers should be tried summarily by two resident magistrates?—That is what it will have to come to.

18,601. This jurisdiction worked well during the stormy times of the Land League agitation?—Yes.

18,602. The President.—But was not there boycotting during the time the Criminal Act was in operation?—I think so, but it was rare of punishment.

18,603. But it still existed?—It still existed. It is very hard to get at it.

18,604. Lord Malmesbury.—That is the difficulty of getting evidence?—Yes.

18,605. But now, even if you get the evidence, it is impossible to get convictions?—That is so.

18,606. In fact you have now two difficulties instead of one?—Yes. The present position, in my opinion, is much more largely due than is generally supposed to Lord O'Hagan's Jurist Act. He threw open the jury box to the criminal population of Ireland. He believed, I am sure, that it would have a very good effect, that it would be the means of educating the people, and gradually making them learn the duties of citizenship.

18,607. Sir James Colvill.—Then your remedy would be to re-enact the provisions of the Criminal Act with regard to boycotting?—Yes.

18,608. The President.—But even that did not put down boycotting?—I am in great hopes that we may get on without any such thing. Boycotting, you know, has a very subtle machinery, and it is extremely difficult to meet it by any legislation. I say the

until you make the people more educated until you better their material condition, it will be very difficult to deal with them. The question is how will you better their material condition.

18,609. Mr. Neligan.—The case of boycotting, of which you spoke awhile ago, occurred within a few miles of Cork?—Yes. You know Mr. Neligan, as well as I do, that the people were filled with the idea that the country was going to be handed over to them, and that that was to be accomplished by turbulence and crime. There is no question about that. If they could get the realization of that idea, the simple idea of getting possession of the land, I do not think they would care a straw whether the laws were made in Dublin or in Turkey. As Mr. Bright said, the Nationalist members even will never introduce any useful legislation, they will never turn their attention to the things that would better the condition of the country, because this would weaken the agitation for their grand idea.

18,610. Lord Millican.—You think the railway rates are so high as to be almost prohibitory?—I think they are, especially for fish.

18,611. Can you suggest a remedy for that state of things?—Well I expect some good from the Railway Commission. I think it would produce probably a greater uniformity in the railway rates; I think also that the management of the railways should be more economical; I think we have too many boards of railway directors over the small railway systems of the country, and they do not seem to me to pull together.

18,612. Are you in favour of the State getting possession of the railways of Ireland and managing them all?—Well, I am not capable of giving an opinion on so important a subject of that kind, but *providing* anything that would introduce more uniformity into the present system, and that would lower the rates, would be of enormous use in developing the resources of the country. I may mention that the west of Ireland is capable of being made very productive; for instance, our mountains with a little drainage would make admirable sheep runs, and we do not lose sheep in Ireland as they lose sheep in England and Scotland. We have practically no snow in winter in Ireland.

18,613. Mr. James Caird.—We had evidence that sheep were lost in Kerry in the month of May, that they died there in huge numbers from the cold?—Well, I think our mountains want drainage, and they want draining. We have none of those tremendous losses here from snow that they have in Scotland. My friends are farmers to a considerable extent, and they keep large quantities of those black-faced sheep, and find them to do excellently. The people in the west of Ireland are very good breeders of cattle. They keep a hardy breed of cattle that would do well, but they are obliged to sell them as young store cattle for want of a railway.

18,614. Perhaps the land is not sufficiently fertile to enable them to proceed further than the rearing of store cattle?—On the contrary, in many districts in hilly land they produce as good mangolds and swedes as in Scotland, mixing shelly sand and seaweed, and so much farmyard manure as was to be had, with heavy soil; it fertilizes the land very much, and my son has as good turnips and mangolds as you could see anywhere, but we cannot sell a single turnip or mangold in the district, and we cannot sell fat cattle for want of a railway. In fact we can sell nothing there. Now let me tell you this, that at the present moment Ireland is in a worse position than it was fifty years ago, and the reasons for that are obvious. Free trade, though it may be very good for England, was a tremendous blow for us, for it brought the raw produce of the whole world into competition with us, and the enormous improvements in steam communications by land and sea, which have been going on while we have stood still, has been a great disadvantage to us. Therefore it is that I am positively of opinion that Ireland at the present time is in a worse position than it was fifty years ago.

18,615. Are you acquainted with the congested districts as they are called?—Oh yes, very well; my evidence would apply to Gweedore, and Glenties, which is another parish in that too thickly populated.

18,616. The great proportion of the people there depend on the potato?—Yes, if the potato fails they starve.

18,617. There is a constant recurrence of something like famine in the place?—Yes, Glenties is away to the west of Killybegs. I know the place well.

18,618. The remedy for that place is not migration, but emigration?—Emigration would be the natural remedy.

18,619. Do the people emigrate there?—The young people go and the old do not. They keep a grip of the land.

18,620. There is not increase in the population there?—No, I do not think there is any increase in the population of the place.

18,621. The President.—Do the people who emigrate come back again in later years?—Very rarely, my lord. They have others behind to keep a hold of the land, but they rarely come back.

18,622. Lord Millican.—You have told me the cottagers some these people pay for the tenant right of their holdings. Now would there be any chance of these men paying down in ready money for the fee simple of their holdings?—At present they pay sometimes more than the fee simple for the tenant right.

18,623. But would they pay for the fee simple of their holdings?—Yes, a great many if left to themselves.

18,624. One of the difficulties in the way of the extension of the Purchase Act is, that these people would afford the State no security for the money advanced, but of course if they pay the money down that difficulty would disappear?—Yes, but I think whether they purchase their holdings with their own money or with the money of the State, the value they attach to the land is enormous, and if the State advanced the money it would be perfectly safe in doing so.

18,625. You think the State would be perfectly safe?—Yes, I do certainly, for the loss to the tenant would be greater than the value of the landlord's interests.

18,626. Supposing one of these holdings was declared forfeited by the State for non-payment of the instalments of the money advanced, and if it were put for auction, do you think the other holders would bid for it?—Half-a-dozen of the neighbours would jump at it if freed from the terror which now paralyses all action.

18,627. And there would be no fear that it would be boycotted?—Well, you know you must govern the country, or if you do not it will never prosper.

18,628. Above all things it is necessary to enforce the law?—Yes, my Lord, I think it is. At the same time I do not say that the two things should not go on together, and I am perfectly satisfied that if the Government sanctioned their intention to encourage and aid substantial works, such as the construction of railways and small harbours, that it will produce a wonderful ball in disorder.

18,629. Sir James Caird.—Would that apply to the whole country?—It would apply everywhere. What they are led to except by the repeal of the Union Act is that the Irish Government then will make railways and harbours, that there will be no more poverty, and that the land will be divided amongst the people.

18,630. Lord Millican.—The last I suppose is the most tempting conception that they expect?—Yes, I think it is. I have never known any good to arise from opening distress funds, or from charitable doles. Nothing could be worse or more demoralizing.

18,631. Do you think the effect of the Arrears Act was demoralizing or the reverse?—It may perhaps have been necessary, but I think charity of any kind

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has a most demoralising effect. I would rather open up a field for a man's work, and then let him starve if he does not work. Open up the country, let the people reach the markets, and make their land profitable. I think it is Mr. Baldwin who said that, owing

to bad cultivation, the land does not produce within one third of what it ought to produce, and so long as the people have no markets in which to sell their produce that will continue to be the case, and they will be naturally indolent and the prey of agitators and fanatics.

Mr. W. D.
Webster.

WILLIAM DOWNS WILKIN examined.

18,632. The President.—You are, I understand, a landowner at Mitchellstown in this county?—Yes.

18,633. You are also agent?—Yes, I have been land agent for a great many years.

18,634. You managed estates for several people?—Yes; but not lately. I now manage the Kingstown estate.

18,635. What is the Kingstown estate?—The Kingstown estate is situate at Mitchellstown Castle. It is a very large estate in the north of this county, with a rental of £17,000 a year. It belongs to my wife, the Countess of Kingsdown.

18,636. What is your experience with regard to the Land Act of 1881?—The Land Act did not much affect the amount of rents of this estate owing to the old rents being moderate; there has been a large margin of tenant right for many years; therefore the Land Act did not at all affect the estate. Some reductions were made voluntarily, and leaseholders were allowed to enter court if they were not satisfied with the reduction the landlord made.

18,637. Do you think the leaseholders should be admitted to the benefits of the Land Act?—I say they have on this estate.

18,638. But as a general rule, do you as any reason why they should not be admitted to the Act?—I would not like to answer with regard to any other estate but the Kingstown estate, but I think there is nothing against admitting leaseholders to the Act.

18,639. Have there been any combinations against the payment of rent on your estate?—Yes; we have no obstacles to the payment of rent, except combinations. I consider the policy of the Land League in this respect was supported mainly by bankrupt tenants. There were two principal combinations, one in 1881, and a second in 1885. I may say that both these combinations failed. The history of the combination in 1881 is very well known, and attracted a considerable amount of attention in the newspapers at the time.

18,640. This evidence applies exclusively to the Kingstown estate?—Yes, all my evidence will apply to that estate. In 1885, at the time the rent was to be paid in December, we instructed our agent to give notice that an abatement would be allowed to the tenants.

18,641. Is the rent only paid once a year?—No, twice a year, but this had reference to that particular year. In some cases we allowed an abatement, and in other cases we did not, and because we did not the tenants were dissatisfied and formed a combination, and passed a resolution that nothing would satisfy them but an abatement of 25 per cent. all round. This demand was considered by us, and we came to the conclusion that it could not be granted, that we were prepared to give certain reductions, but that we could not give reductions all round. The result of that was that the tenants prepared to resist the payment of the rent, and collected subscriptions to defend themselves against the proceedings taken against them.

In a short time the proceedings were commenced, and it was soon found that the contributions for the defence were not forthcoming. I may mention that in 1881 the combination was notoriously supported by the Land League, and would never have occurred if the Land League had not undertaken to pay the costs of the proceedings. The Land League at that time paid £1,700, the costs of the proceedings; but in 1885, when the tenants endeavoured to collect the costs, they failed. The combination then ceased. Some retired from it, and began to pay their rents,

and they received the abatements which were determined upon. The greater part of the rents were then fairly paid; in fact as well as usual.

18,642. What was the abatement?—From 10 to 20 per cent, and in many cases no abatement at all. The abatements afforded about two-thirds of the tenants, and they got from 10 to 20 per cent.

18,643. Each case was dealt with on its merits?—Yes. I may say that I attribute the failure of these two combinations to the following causes: (1), the refusal of the proprietors to submit to the combination; (2), the costs which were incurred by the Land League and the tenants. I may mention that even in 1881 the tenants suffered loss themselves because the Land League only recovered them the actual legal expenses. (3), the breaking up of the National Land League. I may mention that after the first combination had broken up, the Land League ceased to hold any meetings in Mitchellstown. After the second combination in 1885 was started they immediately formed a fresh branch of the League in Mitchellstown, but when the combination failed and the tenants paid their rents this branch also ceased to exist. It gradually subsided, so that for the last six months there is no branch of the National Land League in Mitchellstown.

18,644. Well, I suppose these two fights cost you a good deal of money?—It certainly cost us a good deal, but then the National League paid the law costs, and though of course it cost us something, it did not cost us nearly as much as it cost the National League. The fourth reason I put down to the reason that we have taken up for grasping purposes several farms from which tenants have been evicted. The fifth reason is that we reside nearly constantly, and of course we spend a considerable amount in the way of employment. Our weekly expenditure is pretty considerable, and the benefit of our living there is of great importance to the village and the district.

18,645. Now, how is the payment of rent affected by the present prices of produce?—Prices of produce in this district have risen as in other places, and have not fallen so low as in former times, when the rents of this estate were paid generally. The effect of the present or recent fall must therefore be temporary. While admitting that there may be some amount of pressure to-day, and that the tenants may experience some difficulty, I say that when the lower range of prices establishes itself the tenants will be able to work and carry on as they were formerly when a still lower range of prices prevailed.

18,646. What are the prices given for tenant right on this estate?—The prices of tenant right on the estate are extremely high. They may be taken as average at least 20 years' purchase. I have known a case in which 60 years' purchase was given.

18,647. Was 60 years' purchase given recently?—Not quite recently. I can give you some instances which show that quite recently very high prices were given. In April of this present year a farm of 80½ statute acres at a rent of 25 was sold, and the tenant right was purchased for £365.

18,648. What was the valuation?—£16 a year.

18,649. Was the rent a judicial rent?—No, it was a leasehold rent.

18,650. Well, I suppose that was a very low rent?—Yes, it was a low rent. In another case a farm in 1881, in which the rent was £60, and the valuation was £28, was sold, and in that case £241 19s. was given for the tenant right. Then in another case in 1885 the rent was £63, the valuation £74, and the amount given for the tenant right was £280.

18,651. That was not 10 years' purchase?—No, but I have known 60 years' purchase to be given in former times within the last six years. These are only the most recent cases.

18,652. The last one you mentioned was exactly 10 years' purchase of the rent?—Yes.

18,653. Sir James Caird.—Was there a good house on that farm?—No, but the man had a comfortable house near. The houses on the place are of no great value, as it is a grazing country.

18,654. Such a house as you describe was constructed at the tenant's cost?—Yes; I have no proof of it, but I take it for granted.

18,655. The houses did not cost £680?—Nothing like it; probably one fourth of it. I have known cases in which places with no houses at all were sold, and the value of the tenant right was 20 years' purchase.

18,656. Recently?—Within the last five or six years.

18,657. The President.—Have you a case of this year in which that amount was given?—The case I have given you was in 1885 and 1886. I know a case in 1884 in which the rent was £20, and the valuation £50; another in which the rent was £21, and the tenant right £421, and a third in which the rent was £14, and the tenant right £350.

18,658. Sir James Caird.—On such farms there is great security for the landlord's rent?—Amply security.

18,659. Lord Midleton.—These large prices were given with the consent of the landlord?—The landlord did not interfere with the prices.

18,660. Did he encourage them?—No, except in this way, it was encouragement by freely always giving leases. A great part of the property is let on lease.

18,661. Sir James Caird.—Is the general character of the land where these high prices were given fairly fertile?—Well, it is fairly fertile dairy land; of course it is not at all equal to the dairy land of the county Limerick.

18,662. Is it grass land?—It is merely grass land. I may say, as regards tenant right, that if the market for it were free the farms would realize large sums. At the present moment, though, they are prime to rot. Where the tenant right has been mortgaged to the banks, the amounts have been realised without reduction, as in the case of the Munster Bank.

18,663. The President.—How did the bank realize the value of the tenant right?—The tenants paid the amount due to the bank in full, and without any reduction. The failure of that bank ought to have produced a fall in the value of tenant-right, for it took place only last year, and this would account for the decline in the price of tenant-right, independent of other causes. A sum of £28,000 was paid into the Munster Bank, at its branch in Mitchelstown, for the liquidators in the year 1885, and of this sum considerably over one half was paid up in six months.

18,664. Not all from the Kington estate?—No, but a considerable proportion of it was from the Kington estate, as it is much the largest estate in the district. The result of this naturally is that it has left less money for the purchase of tenant rights, but there are signs of this being transitory in existing circumstances. In numerous cases of the tenants being indebted to the bank, the discount on bills is paid by them in full. The value of the proprietor's right having priority to the tenant-right, is therefore not affected in the "conscience" sense, but has suffered politically, i.e., under the effect of agitation, and the prospect of future legislation of a similar compulsory nature to the last. Principally by the expectation of Home Rule, which is still kept up by the Paradiatic press, creating a sense of insecurity.

18,665. Do you think if they got Home Rule that the value would be very much less?—Yes, as it would give rise to insecurity, and the effect of insecurity on a commercial undertaking is very well illustrated by the case of the Mitchelstown Railway. I may say

that this railway was passed nearly three years ago. It was to have a capital of £60,000, and was to run from Mitchelstown to Fermoy, and to be constructed at a cost of £5,000 a mile. It has not, however, been constructed, because the capital could not be raised. A guarantee was given by the grand jury of a perpetual 5 per cent. on the whole £60,000 in the barony of Cordon and Glogghibona, in which Mitchelstown is situated, and on part of the barony of Fermoy. This would produce a rate of 4d. in the pound if the interest on the capital fell upon the baronies.

I believe myself, however, that only a small part of the guarantee would fall on the baronies, as I think the line would probably pay in a short time. The existing economic value of land is also shown by the landlord being able to realise the rent by taking the land into his own hands for grazing and dairy purposes, which pays, owing to the improved methods of making butter, giving a better price, and the facility of getting store stock for grazing. I have now several farms on my own hands which I am working.

18,666. Lord Midleton.—Is there any opposition to your working them?—There is a sort of quiet opposition. There is no active opposition, and I attribute that entirely to my residing there, and to the expenditure of money which my residing there necessarily involves.

18,667. They are afraid of the finding of the labouring class is your favour?—Partly that, and that it would be a general loss to the place if my expenditure there was stopped.

18,668. Sir James Caird.—Are you taking up the question of improved butter making?—Yes, I have got new machinery, a Queen separator, and since that I have been getting a very good price for my butter. I was getting 138s. a cwt. when fresh butter here in Cork was selling at 105s. a cwt.

18,669. That is owing to the improved make in the butter?—Yes.

18,670. You would agree that the introduction of this system would be for the general advantage?—I think so, decidedly.

18,671. It would be better than the isolated efforts of small farmers?—Yes, it will only produce the best quality, and it is the best quality that pays.

18,672. If they took their milk to the creamery they would secure the best quality?—Yes.

18,673. There is nothing in the cream itself inferior to the best?—Nothing. The cream produced in the separator is better than the cream produced in the ordinary way, particularly when the milk is left standing in places where the air is not very pure. A very much better quantity of cream is also produced from the separator. I believe the separator is best for a moderate-sized farm than for a large creamery. At present I see the people bringing in the milk great distances.

18,674. The difficulty is to dispose of the milk after the butter has been extracted?—That is no doubt a difficulty; I have not myself, however, any difficulty in the matter, so I am able to dispose of the milk in the town close at hand, and the rest of it is consumed by calves and pigs. Therefore, in that respect I have not met with any difficulty up to the present.

18,675. The President.—The farmers are also, I understand, in the habit of letting dairy cows?—Yes. I recollect 25 years ago the very highest price of dairy cows let by the farmers was £9 each. A fair average at that time was about £8.

18,676. How are the cows let?—The owner or tenant lets to a dairyman a whole dairy of 20 or 30 cows for the dairy season, the dairyman undertaking to pay a certain price per cow. As I say, the price used to be 25 years ago £8 or £9 per cow, and that was considered a very good price at the time. For the £8 or £9 a cow, the dairyman would get the milk of the cow, and the calf. At the time that the butter rose to the highest price, the amount given by the dairyman rose to £14 a cow; £13 a cow was then quite customary, and £14 was perhaps the extreme price. Now, I find it has fallen again to £9 or £10 a

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now, that it is it has gone back to what it was 25 years ago. For some years I let my cows to a dairyman, but for the last two years the dairyman could be would not give £10 10s. for them, which was the price for which they were previously let, and so about 18 months ago I ceased to let them, and took the dairy business into my own hands, and did so with a favourable result.

18,077. You have made more of them?—I think I made more.

18,078. Sir James Caird.—Do these people make anything else but butter; are they purely butter farmers?—Purely butter farmers. They make no cheese.

18,079. I suppose this system applies chiefly to the large farmers?—I have known 20 cows to be let, but not less than 20 cows. These are dairymen who would think it worth their while to take that number.

18,080. Better paid extremely well 10 or 15 years ago?—Yes. No having pays like it. Compared with other farming there is nothing pays like it. There is one cause of the difficulty of paying out that I would like to mention, that is the insufficient cultivation of the soil, and the farmers spent a good deal of their time otherwise than in making their rents. There is a great deal of idle time spent in markets. There is of late years happily a diminished expenditure in drink, which need to be very large.

18,081. The President.—Is it diminished now?—It is diminished through the action of the League of the Cross, which is the Roman Catholic Temperance Association. This association has spread considerably, and its introduction has had a marked effect on Mitchelstown. Up to that time I have made a calculation that the expenditure in Mitchelstown in liquor during the year was double the rental on the Kilsnaw estate. Now the district around Mitchelstown is double the estate and so more, and so you see that the expenditure on liquor on the estate nearly equaled the rent. During the past year, however, the expenditure on liquor has greatly diminished.

18,082. What do the people chiefly drink?—They drink porter and whiskey. These are almost the universal drinks.

18,083. How many public-houses are there in the town?—40.

18,084. What is the population?—About 2,600 or 2,800. There is a large district around the place which has a population of 7,000 or 8,000.

18,085. Is there a strong desire on the part of the tenants to purchase?—On the side of the landlord I may mention that in 1870 if the present Act had been in operation, tenants, I have reason to believe, would have bought for 25 or 30 years' purchase on their ten rents, and that would equal about £500,000.

18,086. What reason have you to believe that the tenants would have given 25 or 30 years' purchase?—I made various inquiries on the subject, and I was told by persons acquainted with the district bankers and people in business, and professional men that if there were means of purchasing in the Bright Clause of the Land Act of 1870, by which the tenants would be allowed to borrow the whole of the purchase money, they would have freely given that price. In 1875, the proprietors endeavored to sell, but they were unable to do so owing to the want of the present Act. There was no power to enable the tenants to borrow the whole of the purchase money. The consequence was that while one tenant would have been willing to buy, the others would not, and nothing could be carried out effectually.

18,087. There was a portion of the purchase money to be paid by the tenants?—Yes, a third. In 1885 the proprietors offered to sell under the present Act at about 25 years' purchase of the present rents, which would amount to about £363,000. To carry out the sale there were certain obstacles on the side of the landlord. First, large encumbrances and charges, which have all to be redeemed at a number of years' purchase greater than the 25 years which the proprietors offered to sell for, viz. quit rent 25 years'

purchase, the rentcharge 22½ years, purchase, mortgage on estate 25½ years, purchase. This would amount about £293,000 out of the £363,000 mentioned above, leaving balance to proprietors £69,000 in place of £220,000. Of this balance £73,000, being one fifth of the entire purchase money, would be retained by the Land Commissioners, and the remaining £100,000 would be absorbed by costs and concessions in negotiating the sale. The proprietors therefore cannot sell at less. The tenants refuse to buy at more than 18 years. I now come to the debts on the side of the tenants to purchase. There was a general wish to purchase in 1885. Several tenants began to negotiate, among them two who offered to pay the whole purchase money, and who required no loan from the Government, but would pay the money down, and I may mention that they were in a certain sense representative men, for one held a large farm at £90 a year and the other was a widow holding a small farm at £1 a year, and both of these had money of their own with which they were perfectly prepared to purchase. This twenty years' purchase negotiations were stopped by the National League sending down Mr. Michael Davitt to caution the tenants against giving a fair price for the land, and in that way the sale was boycotted. There is no doubt that that sale would have been successful only that this step was taken and that Mr. Davitt came to Mitchelstown. Mr. Davitt made a speech in the usual terms on which he told the tenants to take one that they did not pay too high a price for their lands. From that time there has been no negotiations of any kind as to purchase. They are now afraid to speak about it or to attempt. They have spoken to that effect to my agent and solicitor. I would like to produce a notice bearing on this point, but I do not wish the names mentioned in it to be given.

18,088. You can give us the substance of it?—It is a placard boycotting a sale and it is headed "Sentences of Death Headless Execution." I may tell you that the notice does not refer to any landlord. It is a notice of the recovery of a small debt. The person named in the notice brought proceedings in one of the superior courts and got a decree, and the firm which is referred to was put up for sale four weeks ago in satisfaction of the decree. The sale was not to take place exactly in Mitchelstown, but in a place seven miles from it, but the person referred to resides in Mitchelstown. I need hardly say that if such things occur in regard to the recovery of a small debt, and if it were true in regard to such a case a farmer is referred to a question of rent, it would be still more true. The third obstacle to purchase is the prospect of better terms either from a Home Rule or Imperial Parliament. If they did not look out for this they would purchase. Fourthly, on the question of providing security for purchase by paying instalments, I would say that on this estate every farm could be safely sold on the security of the tenant's right which affords single margin of the rent now paid, and still more over the future instalments. On 25 years' purchase the instalments payable by the tenant would be 12½ or 10 per cent. less than the present rents. Twenty-five years' purchase would make the instalments equal to the present rents; any distribution of responsibility to local authorities would weaken the instalments to regular payment. There would be every disposition to pay both now and in future provided the central authority remained fixed and was known to have the power and intention to deal with individual defaulters. It would be easier to deal with individual defaulters than defaulting local authorities. It would be easier to deal with defaulting local authorities than with a defaulting central authority like an Irish National Parliament. The method of dealing would be by sale of proprietor's right, which would be perfectly effective in the absence of boycotting. If there was no danger from boycotting, and I believe there would be so such danger, the selling of the farms would realize far more than any instalments which might become due to the Government. Boycotting would cease on the eve

tion of proprietary rights of the tenants and the consequent decline of the National League. I think it is therefore unnecessary to make use of a local authority for the purposes of a guarantee, and this applies also to the present provision by which the Land Commissioners return one-fifth of the purchase money.

18,880. *The President*.—This might not apply to another estate in a different part of the country?—Of course it might not. I am only speaking of what is applicable to the estate, but I believe as a rule that boycotting would cease when the tenants became aware. I am of opinion that this provision regarding the retention of the fifth of the purchase money should not be insisted on. First, it is unnecessary as a guarantee; second, it presses unduly upon encumbered landlords; and third, it is an obstacle to the sale being effected at all by tying the proprietor's hands as to price, as in the case of the Kington estate to which I have referred. Lastly, it must be considered that the present Act is practically compulsory against a landlord if he has to accept less than 25 years' purchase on judicial rents. These being fixed and declared fair by the highest authority, and also having priority to a large margin of tenant right, are fairly worth the above value.

18,881. Why do you say it is compulsory?—In this way, that the only cause for accepting less is the fear of future compulsory legislation by either an Imperial or Irish National Parliament on the principle of the Labourers' Cottages Act. Under that Act only 19 years' purchase was awarded by a Government valuer for plots taken for the purposes of the Act, and if there is a possibility of 19 years' purchase being fixed at a future time as the fair price, I must now try to make the best bargain I can. 19 years may be secured, and in that way I may be compelled to take within the 25 years' purchase.

18,882. *The President*.—If you live on the estate, you will have an outgoing of 20 per cent., and if you invest the purchase money at 4 per cent. you will at 20 years' purchase be in exactly the same position as that in which you are now?—In other estates there will be a difficulty in proportion to the encumbrances, and where the circumstances reach a certain point the landlord's proprietary right becomes lost.

18,883. You do not get more than 19 years' purchase for labourers cottages?—In our union that was the price fixed.

18,884. And you were compelled to take that number of years' purchase?—Yes. Now I say of opinion that the Act being compulsory the first inference is that in all cases where a sale is agreed upon with the sanction of the Land Commissioners for less than 25 years' purchase it should be held that a case is established for the reduction of all charges and encumbrances in a proportionate degree.

18,885. *Sir James Gard*.—Do I gather correctly from your statement that you wish to show that any person who sells under 25 years' purchase must be a loser?—He must be a loser.

18,886. But you have allowed nothing for collection of rents and so forth?—I am only drawing a comparison, and I wish to show that if the owner rented when he could get 25 years' purchase, he would have the same expenditure and the same savings as he has now. Certainly 25 years' purchase of judicial rents would by no means equal the old rents before the Commissioners reduced them, and therefore to make it equal I would raise the price in the case of farms in which the judicial rent was paid.

18,887. *The President*.—That is, you want to get the same income as before the Land Act of 1881, landlord with you?—I think I am entitled to it. On any estate the landlord is certainly entitled to it, because there was a large margin of tenant right. Until my suggestion on this point is carried out, the provision for the sale of estates must remain a dead letter. A further suggestion which I have to make which would relieve many landlords, and that

is, that a motive should be given to encumbrancers to compromise their claims. This could be best done by an enlargement of the 9th section of Lord Ashbourne's Act. That section relates to selling land, subject to charges, and there was a provision that an estate could be sold subject to the charges still remaining upon the tenants; of course there would be a motive for the compromise of claims. Now, as the section stands at present, it gives the Commissioners power to sell as they may think fit, subject first to a chief rent, second to any annuity charge in favour of themselves to realise the title reversion, and third, any other mortgage or charge which they may think fit.

18,888. *Mr. Nelson*.—Would that apply to monies lent under the Drainage Acts?—No, not the Drainage Acts. It says any other mortgage. It is not obligatory on the Commissioners in any way to go into matters connected with an estate, and they may sell subject to charges or they may refuse to do so.

18,889. *Sir James Gard*.—They have the power, but you want them to exercise it?—Yes.

18,890. You see the discretion may not be necessary in a case like your own, but it may be very necessary in other cases?—Of course, as I said from the first, I confine myself to my own case. I also think the provisions of this section should be supplemented so as to provide for the appointment of all the charges.

18,891. *Lord Millicombe*.—You think, in fact, that a landlord should be enabled to sell subject to his mortgages?—Yes, if the landlord should so require it.

18,892. And if the Commissioners thought the sale desirable otherwise?—Yes. Of course it may be necessary that an indemnity should be given to present trustees holding charges in case they accept a compromise. Trustees holding charges would be very difficult to deal with, for they are precluded by their trusts from accepting less than the full amount of their trusts, and even if a landlord sold at 20 years' purchase they would expect 25 or 28 years' purchase on their charges.

18,893. How far would you indemnify them?—They should not be held responsible for accepting any terms sanctioned by the compromise.

18,894. It would be sufficient that an order of the court sanctioning the compromise should be regarded as a protection to the trustees?—Yes, something like that. Now, as an alternative proposal, I think that in case where landlord has offered to sell and tenant refuses to accept reasonable terms, the Commissioners should be empowered to advance money to him to clear off charges on the same terms as now offered to tenants for purchase of their holdings.

18,895. *The President*.—Reasonable terms would be, I suppose, 25 years' purchase?—Well, if the judicial rents are, so they ostensibly are, fair rents, I think 25 years' purchase would certainly be fair terms.

18,896. What would be the security of the Government for the advance to the encumbered landlord?—There would be the full value of the estate which is still considerably more than the value of the encumbrances. I propose this as an alternative scheme where the landlord has tried, and it is known that he is willing to sell.

18,897. As a reward, I suppose, to the landlord for having offered to sell, his encumbrances are to be paid off by the State lending money for the purpose?—Not as a reward.

18,898. That would not tend towards the creation of peasant proprietors, which is the object of Lord Ashbourne's Bill?—Certainly not, but it would tend towards giving the country the benefit of having landlords retiring here. I would also suggest that the provision requiring one-fifth of the purchase money to be retained by the Commissioners should be dispensed with. If not dispensed with it should be modified so that encumbrancers should be required to leave one-fifth of their charges on the same terms as the landlord. As it is at present, the landlord is the

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only man who does not receive any money by the sale of his estate, while the others receive the full amount of their charges.

18,708. Do you think it would be for the advantage of the country that a certain number of yeoman proprietors should be established?—I certainly think it would be an advantage that a certain number should be established.

18,709. And that most of the landlords, at least, would be willing to sell a part of their estates?—I am sure that those who have circumstances would.

18,710. And that it would not necessarily follow that these proprietors would leave the country, but would still continue, a great many of them, to live on their demesnes?—I am very much sceptical of that.

18,711. In your own case, if you will permit me to ask you the question, you would be willing to remain in the country?—I am quite willing to remain, and I would be in a much more favourable position than I am at this moment as a landlord.

18,712. Therefore the labour and employment which you at present give would be very little affected by the fact that you had parted with the greater part of your estate?—Precisely so.

18,713. Mr. Kuge.—You say you have a large quantity of land in your own hands?—Yes, I have 1,550 acres in my own hands at the present time.

18,714. Have you made as much money by your farming this year as you did three years ago?—I have made money, but not as much as I expected, having regard to my improved better rearing. Of course the depression in prices must be admitted. I always value my stock at the commencement and end of the year, and where you allow for the depreciation of stock you will, of course, have a considerable deficit at the end of the year, but when you have brought the stock down to its former value you will have no deficit, and if your output continues the same, you may practically work at the low range of prices with as much profit as at the higher range of prices.

18,715. Small farmers would hardly be in a position to carry on dairy business on that principle?—They would, if circumstances were established. There are several circumstances established in places near me now, and they are getting on very well, and getting as much profitably for their butter as I am.

18,716. Have you found the business profitable as formerly for the past two years?—Not the present year; last year I did. I think there was a very fair return last year, and any person who bought stock in the spring would find it equally profitable this year.

18,717. That was in consequence, I suppose, of the low price of cattle?—Yes.

18,718. And that would affect the farmers who reared those cattle?—Yes.

18,719. They were getting a much lower price for their stock?—They were getting a lower price for their stock.

18,720. Is there any landlord giving reductions on the judicial rents in your part of the country?—I have not heard of any.

18,721. Have you any judicial rents fixed on your estate?—There are very few judicial rents on our estate, very few indeed.

18,722. Did you keep an account of your farm?—Certainly.

18,723. Perhaps you have the figures regarding it here?—No, I have not the figures with me. With regard to last year I have not made much on the year, there certainly was a deficit at the end of the year, when I value the stock at the depreciation on the price.

18,724. Do you believe this year will be even worse?—I believe it will be a better year, because I started with stock at a lower valuation.

18,725. I think you said that it would have a good effect making the tenants owners of the land?—Yes, I think so.

18,726. Do you think the land itself would be sufficient security to the State?—I think it would be ample security. That is just the point of my evidence.

18,727. You believe the tenants would pay the instalments regularly?—I do, most decidedly.

18,728. I believe that in former times the tenants were rated for their punctuality in paying their rents?—Up to the year 1880, when the Land League was started in Mitchelstown we had only £300 arrears, on the March half gale of that year amounting to 50,000*l.*, and there is no reason to think when things are once settled, that they would not pay their instalments even more willingly than they paid their rents.

18,729. It would make them more industrious to be owners?—Yes.

18,730. And they would probably employ more labour?—Yes, perhaps not so much as some people think, because on the Kingsdown estate the scarcity of tenure has been very great, and still there was a lack of industry, and that may exist under the new conditions. They might be well-to-do men on the Kingsdown estate if they were industrious.

18,731. You appear to think that the tenants and the landlords may have some difficulty in coming to terms as to the price?—That is the difficulty.

18,732. Could a court be established that would interfere between the two parties and fix the price?—Well, if on condition that it became necessary to do so in a compulsory and arbitrary way in the price, a court might be established, but if a court is established to deal arbitrarily with the price, the court must deal arbitrarily with every change upon the land and every interest concerned in the land, and it should not deal arbitrarily with the landlord alone.

18,733. Take, for example, the Land Court. Would it be any greater hardship to interfere as to the fixing of the price of the land than to interfere with the fixing of the rents in the past?—I think that would be simply dealing with the thing twice over. We first established a standard of rent, and in doing that enhanced the number of years' purchase which should be paid for the ownership of the land, and instead of allowing that enhanced price you again interfere arbitrarily, and you reduce the number of years' purchase. That would be a double injustice to the landlords.

18,734. Probably the Court would give even a lower number of years' purchase than the tenant would be willing to pay?—Well, if it is established with the same object as the Land Act is to reduce the rent, it certainly will not have the effect you suggest.

18,735. Taking the fall in the prices since the last Act was passed, are the rents which were fixed during the past few years too low now?—I say they are too low now, but they were too low then.

18,736. Are you aware that landlords are giving reductions on these judicial rents?—I have heard that reductions have been given. I am prepared to give certain reductions myself on this present year, because I say it is an exceptional year, and having regard to the fall in prices there must be pressure on the tenant, but when prices have arrived at the lower level the same difficulty will not arise, and the same necessity for a reduction as in the present year.

18,737. Do you think the prospects of the future are as bright as they were a few years ago?—I think they are brighter, certainly not lower.

18,738. Have not prices for the past two or three years been getting lower?—In some things; yes, in other things, no. Though butter is now exceptionally low, yet in the year 1879, in Mitchelstown, it was quite as low as during the past season.

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18,739. The President.—You are one of the trustees of the Cork Butter Market?—Yes.

18,740. And a better merchant also?—Yes.

18,741. I believe, sir, that you can give as some information as to number and quality of the firms of butter that passed through the Cork Butter Market during the years 1885 and 1886?—Yes, my Lord.

18,742. First of all tell us what a firkin is?—A firkin as a rule contains from 70 to 77 pounds of butter.

18,743. It is not a fixed quantity?—No, it comes from various districts into the Cork Market, and it slightly varies in size, differing, however, only by a few pounds.

18,744. How many pounds are in it on an average?—About 75.

18,745. Now, would you kindly give us the particulars of the qualities of the firms of butter that passed through the Cork Market in 1885 and 1886?—In 1885 the number of superior firms was 7,061, and 14,161, firms 98,224. The latter is the ordinary sized first quality butter made for the purpose of preserving. The other brands are mild cured and intended for immediate consumption. These are the best brands of the market.

18,746. Mr. Nelson.—Does that total of 98,000 firms include the other numbers given?—No, it excludes them. In 1885 the superiors were 10,731, firms 27,740, and ordinary firms 100,131. This shows the number and quality of the best brands of butter for the year up to the 12th November. Therefore, the return for the season up to the 12th November this year is of superior class butter 135,431 as against 121,446 in last year. There is an increase in the superior quality butter which shows that the makers of butter in the country are really improving. I now come to second-class and other quality butter, and in 1885 I find there were milks 2,031, firms 123,492, thirds 70,716, fourths 10,063, 20th 1,019; total for the year 339,754. In 1886 I find there was of the same class of butter, milks 8,405, firms 110,715, thirds 32,097, fourths 3,435. There were no fifths, that class having been abolished. The total up to November 12th was 289,181. The season has not yet concluded and it will run up to 15th or 16th of April next. There is, therefore, a long time to run yet, and our receipts so far are equal to what they were this time twelve months. The figures also show that while the superior qualities have increased the lower qualities have decreased. Now, as to the average prices for the last six years I will first take the produce of a large producer who makes the best butter. He makes a hundred firms yearly. The average price of his butter for the past six years was 1881, £3 14s. 1d. a firkin; 1882, £3 10s. 6d.; 1883, £3 10s. 6d.; 1884, £3 8s. 5d.; 1885, £3 1s. 3d.; 1886, £3 15s. 3d. These are the prices of the same quality butter throughout, and I have taken the butter of the gentleman because his butter is classed superior. Now, for a person who makes the ordinary class butter, I have taken the figures in the same way, 1881, £3 9s. 1d.; 1882, £3 8s. 3d.; 1883, £3 4s. 4d.; 1884, £3 6s. 4d.; 1885, £3 10s. 6d.; 1886, £2 7s. 5d. You see that the fall in butter is nearly equal in proportion in both classes of butter.

18,747. The President.—The butter has decidedly improved in quality during the past year?—Certainly.

18,748. To what do you attribute that?—To extra care on the part of the producer, and also to extra precautions on the part of the market trustees in not allowing anything pass that was not good.

18,749. Do you think that improvement is likely to continue?—I think so, my Lord, and I think the improvement will be more marked in future.

18,750. I suppose the pressure of prices led them to improve the quality of the butter and made them so that unless they produced a good article they would get no price?—It was intimated by the market

trustees that the imposition would be stricter than it was heretofore, and that anything having the semblance of fraud would be severely dealt with, and I think that two or three prosecutions that we instituted had a very wholesome effect.

18,751. Mr. Nelson.—Were those prosecutions instituted by the market trustees?—They were.

18,752. The President.—Do you wish to suggest anything further as to how to improve the quality of the butter produced by the farmers?—No. I believe, my Lord, you will be asked to receive a deputation from President Sullivan and others on this subject.

18,753. You have of course general knowledge of the position of the farmers in this neighbourhood owing to your business transactions with them, particularly with regard to their financial position. Now, do you think they are in a worse financial position at present than they were formerly?—Yes, very considerably worse, though perhaps not feeling it to the same extent as they are meeting with a great deal of consideration.

18,754. From the landlords?—Yes, from a large proportion of landlords and others.

18,755. As far as your knowledge goes, their financial position is considerably worse?—Yes, they draw upon their savings in order to provide the means of paying their rent and obtain subsistence.

18,756. Have you considered the question of the advantages of a peasant proprietary in this country?—I believe a peasant proprietary would be for the interest of every person living in the country.

18,757. Lord Ashbourne's Act seeks to encourage the establishment of a peasant proprietary. Can you suggest anything that would further facilitate the working of that Act?—No, my Lord; I think in some of the cases where the landlords offered to sell their land, the prices asked were reasonable, and I told tenant farmers, to whom I knew often were made, that they were acting foolishly in not accepting the terms offered. I think they are under the impression that they will get the land cheaper by-and-by.

18,758. Are they prevented by the National League from purchasing their holdings?—I think not, but the tenants on the large estates try as far as possible to work together.

18,759. Lord Ashbourne.—Is there a general desire on the part of the tenants to become owners?—I think so, but the low prices at the commencement of this year scared them. Prices tumbled down in such a manner that they did not know where they stood, but if the prices kept up you would have seen a great many farms purchased by the tenant farmers. I have given you as the average price of butter this year for one class £2 15s. 3d., and for another class £2 7s. 5d., but during the months of June and July the price would be under £2, and the low prices then falling scared the tenantry from making purchases.

18,760. Do you think the bad financial position of the farmers at present arises to a certain extent from having thought that the good times were going to last for ever?—I think, my Lord, that their present financial condition has been caused by low prices and small holdings, the profits from which were not sufficient to do more than keep them alive. Small farmers now bring up their families better than they used to do; they feed and clothe themselves better.

18,761. Do you think the State would be safe in advancing the tenants money to purchase such small holdings?—Well, I argue that if these men buy their land they will have a small rent to pay to the State; in some cases they will only have to pay one half what they used to pay 10 years ago, and in that way they will be able to get a living out of it.

18,762. You think that even those who would have to pay that low rent may have difficulty in paying it?—Well, I think that if he made a living when he had £20 a year to pay he ought to be able to live better when he has only £10 to pay, and he knows that every improvement he makes in his land will be for his own

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Mr. D. Crooks.

benefit. In this part of the country, I am sorry to say in some instances that when a tenant largely improved his holding, it was made the excuse to saddle him with a higher rent.

18,763. I am sorry to hear it, but that can be no longer the case, now that the Act of 1881 has been passed, whether he purchases or not?—I quite understood that.

18,764. You think there would be an advantage in the consolidation of the holdings?—Yes. Then there would be the independence which ownership would also give the tenant. They would be living rent free, after some time, and when a man wanted to sell he could get a handsome price from his next-door neighbour.

18,765. Do you think that would be so where a man gets broken?—Certainly.

18,766. At present there is no thorough liberty for one man to purchase from another?—I believe so.

18,767. Do you think that the increase of peasant proprietors would increase the influence of such a body?—I think very much so.

18,768. Does combination among the tenants exist to any extent in your districts?—Naturally the people have combined for the purpose of keeping themselves in the land. Had they not combined I am afraid a good many of them would be out of the land now who are not at the present moment.

18,769. Then you do not expect any combination against the payment of the instalments of the purchase money?—I should think not. Many are afraid to purchase more because they think they will have in the Government harder landlords than at present. I have suggested to them that in a very bad year they might get some indulgence from the Government, as they can afford it better than the landlords.

18,770. But the Government could not give any such indulgence except there was special provision made for it?—Yes, of course, special provision.

18,771. Is there any fear that in a bad year there would be an agitation for such a reduction?—I do not think so, I think the rents would be so fair that they would be regularly paid.

18,772. Even in bad years?—Yes, in bad years. There would be a very good interest in those holdings if things settled down.

18,773. There would be at any time if things settled down. Do you think things are settling down?—I think they are settling down.

18,774. That is your opinion?—I think so. I think there is a better tone and a better feeling beginning to show itself.

18,775. Is there less boycotting?—That has been very limited here, my Lord.

18,776. That is in the neighbourhood of Cork?—Yes, with the exception of one district, there is very little boycotting.

18,777. They have not boycotted in fact, because the people dare not do anything that would bring down upon themselves this system of boycotting?—I think the people have a wholesome dread of it.

18,778. Mr. Kaye.—What has led, do you think, to the present depressed conditions of affairs?—The figures I have read showing the great reduction in the prices of produce would be my explanation of it. A man who makes 100 shillings of the very best butter gets now for it but 25. 15s., when he got 45 14s. for the same a few years ago. That is a loss of £100 to that one man in butter alone, and there is a depreciation to the same extent in cattle.

18,779. Do you know what the depreciation in the price of cattle is?—That is not my business, but farmers have come to me asking for accommodation in money, and when I ask them why they do not sell

their cattle at the fairs, they tell me, "If I could sell my cattle at the fair, I would not come to you for money; but I have been to the fair, and nobody asked me even the price of the cattle." It is a remarkable fact that the number of milch cows in Munster is now nearly 50,000 less than it was 10 years ago, and there are 4,000 milch cows less this year than last.

18,780. Mr. Neligan.—Is the falling off so great?—It is over 40,000. I think it is 46,000 or 47,000.

18,781. Do you see any reasonable prospect of prices getting higher again?—I have no reason to think they will.

18,782. That is speaking of the produce of farms generally?—I am hopeful that prices may improve, but I cannot give you sufficient reason for being so. Better, I may say, is higher now than it was this time 12 months, though the quantity of foreign butter coming in is just the same as 12 months ago. There is an idea abroad that a much larger price is paid for foreign butter than for Irish butter, but if you really take the prices of foreign butter and of Irish butter you will find that we are not far behind. Now for Normandy butter, about which you hear so much, the prices ranged in England last June from 80s. to 90s. a cwt., while butter in the Cork market on the same day ranged from 70s. to 82s. That is not the retail price; it is the price paid in the Cork market. Now, on the 12th of November, Normandy butter ranged from 96s. to 112s., while Cork butter ranged from 106s. to 117s. That shows the great improvement that is taking place in the value of the butter sent out from the Cork market. What I want to show the Commissioners is that the depreciation in the price of butter is not confined to Irish butter alone, but that it is general everywhere.

18,783. Lord Midleton.—People tell the buttermen immediately that they make it?—Very much so.

18,784. And when the high prices cease they are too late to effect the producer who has not ordered his butter?—Quite so, this year.

18,785. Mr. Neligan.—Have you considered the question of butterine?—Have you any suggestion to make in regard to that article?—I think they should be obliged to sell it containing all reference to the word butter. The word butter is used simply for the purpose of deception. According to the quantity of butter you mix with this compound, you make its quality good or bad, and I really think it should be sold as what it really is—oleomargarine—and not as butterine. It is simply fat, and if you mix it with a large quantity of butter you make it palatable, but you can easily distinguish between it and good butter.

18,786. It tells very much against the butter market?—Of course it does, very much.

18,787. Are you quite correct about the falling off in the number of milch cows?—It is over 40,000. I am sure it is about 45,000 or 46,000.

18,788. From a return before me I find the falling off since the year 1880 is about 5,400?—It is possible you may be quite correct, and that I may have made a mistake, but I compared the present rise with 10 years ago, and I believe I am quite correct.

18,789. Do you find that the land is not so productive now as it used to be?—Yes.

18,790. That there is a deterioration in its quality?—Yes. The farmers have not the same supply of manures and lime that they used to have formerly.

18,791. The quantity, quality, and price of butter at the present moment is better than it was two 12 months?—Yes; that is comparing last Saturday's transactions at the Cork Market with what they were that day 12 months.

Rev. J. Lucy.

Rev. JEREMIAH

LUCY examined.

18,792. The President.—You are parish priest of Clonckilly, in the county of Cork?—Yes.

18,793. How far is that from here?—About 40 miles; the county is very large.

18,794. How are the rents in your parish being paid?—The rents in the parish are being paid remarkably well, considering the depression in the times.

18,795. Are the landlords giving statements?—I sent a letter to the "Constitution" to-day, in which I stated that 19 out of the 22 landlords in the district have been giving statements, and that is owing in a great measure to the action of Captain Plunkett within the last fortnight.

18,796. Under his advice?—No, but the withholding for the present of the use of the police. You may probably have heard of the evasion or the attempted evasion at Castleview, in the parish of Clonsilla. The police were not able to carry out the evictions, as the tenants resisted. The landlord would not give any statement, and the tenant held out, and he is still in possession, and the police have not come to the place since, and up to the present day the eviction has not been carried out, as the landlord was told he would not get the use of the police for the time being.

18,797. Lord Milnes. —Is this hearsay, or do you know it as a fact?—I know it specifically to be a fact.

18,798. Who told you?—I heard it, and the landlord has been deprived of the police escort that has been given to him up to the present time.

18,799. The President. —What I want to ascertain is who told this landlord that he should not get police protection? Was it Captain Plunkett?—Captain Plunkett, through Mr. Carr, the inspector of police in Clonsilla. I have only that on hearsay, but I have seen the police withdrawn as a fact. I may add that there was no necessity for the police escort, for nobody would hurt a hair in the man's head.

18,800. Then you say that 19 out of 22 landlords have given statements owing to the action of Captain Plunkett?—No, a great many of them had given statements before. Some of them gave 25 and 30 per cent. before Captain Plunkett interfered.

18,801. Lord Milnes. —What was the date on which the intimation was made that the assistance of the police would be no longer given to carry out the law?—The 18th of October the police visited the farm.

18,802. Mr. Neligan. —Is that the place where dynamite was discovered about which we read in the papers?—Yes.

18,803. The President. —Where statements have been given the rents have been fairly paid by the tenants?—Yes.

18,804. Are most of the rents judicial rents?—Yes, the larger portion of them. On the estate of the Earl of Staines, near the town, there are no judicial rents. Except in a few instances, the tenants did not go into court. Some of those who were highly rented went into court.

18,805. And those who did go in did not receive much of a reduction?—Very few of them went in. I may say my object in coming here was to give evidence about the landlords there who are terribly rack-rented. These are the tenants of Mr. Bennett, in whose property the Castleview farm is, and the tenants of the late Mr. Beane Jones.

18,806. You think these men should be admitted to the Land Court?—No doubt about it.

18,807. You think it would have a good effect on the neighbourhood?—I think it would. We would not have this attempted evasion at Castleview if they were admitted.

18,808. This man who was attempted to be evicted is a tenant?—Yes. His valuation is £22, and his rent is £110.

18,809. Does he owe much rent?—A half-a-year's rent.

18,810. The landlord is evicting him for half-a-year's rent?—Yes.

18,811. Is there a hanging gale?—There is no hanging gale at all. This landlord is in the habit of getting a portion of the rent before it falls due, and then three or four days after it falls due he issues a writ for the balance.

18,812. Practically, then, this man can only owe one half-year's rent?—That is all. I wrote to the "Constitution" about another case also. This man's valuation was £22, and his rent was £63. The poor man was served with a writ last March, and another writ in October, and no abatement was given to him; not a penny.

18,813. Mr. Neligan. —Do the leaseholders represent a large class in your parish?—A very large class.

18,814. Are the leases as a rule of recent date?—Yes, of recent date. Nearly all since the Land Act of 1870. At that time the landlords threatened the tenants with eviction if they would not take the leases up.

18,815. It is to this class of leaseholder that you would be most anxious to give the benefit of the Land Act?—Yes, sir.

18,816. The President. —Do the tenants wish to purchase under Lord Ashbourne's Act?—There is one instance of it already in the township of South Ring, on Captain Bolman's property.

18,817. How many years' purchase was given?—17 years purchase.

18,818. The sale has been completed in that case?—Yes.

18,819. Was that on the judicial rent?—No, the old rent; but the old rent was a moderate rent, and a reduction on that rent of 60 per cent. has been effected by the reduction.

18,820. Is there any other point on which you would wish to give evidence?—No, the principal point is about the leaseholders.

18,821. Lord Milnes. —Is there any intimidation exercised in your parish?—Not the slightest.

18,822. Every man is free?—Yes, every man is free.

18,823. And there is no boycotting?—There is nothing of the kind there.

18,824. Mr. Keipe. —Do the tenants desire to purchase their holdings?—They would be all anxious to get the land on fair terms, but at present they are alarmed by the terrible fall in prices on all agricultural produce. There is a fall of 30 per cent. all round, and they would be afraid to buy owing to that.

18,825. Would ownership make them more industrious?—Well, I must say for my parishioners that they are remarkably industrious at the present time.

18,826. But would the fact of ownership make them more industrious?—Well, at present they are borrowing money from the Board of Works, and despoiling their land.

18,827. Do you think they are becoming poorer than they were?—Terribly so. It is a tremendous struggle for life now. I may tell you that I am sure in the National Bank in Clonsilla to the extent of £1,000 for tenants who were seeking to pay their rents. I have taken that £1,000 from the National Bank for the tenants.

18,828. For the purpose of paying rent?—Yes, for the purpose of paying rent.

18,829. Is that lately?—Within the last 12 months.

18,830. The people are anxious to meet their obligations if they can?—Remarkably so. I have seen them to pawn their clothes for the purpose of making up the rent when they got this 3s. or 2s. 6d. in the pound.

18,831. Sir James Caird. —When did the tenants begin to get poorer?—Last year, 1885.

18,832. And is that continued this year?—Yes, they are poorer by 50 per cent. this year than last year. For the barley crop, which is the staple crop in that part of the country, they are getting practically nothing. It actually perished in the fields.

18,833. In consequence of the wet weather?—Yes, in consequence of the wet. The brewery in Clonsilla refused to buy it from the farmers, and the price is gone down altogether.

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Rev. J. Eary.

Nov 15, 1885.

Mr. J. H.
Barry

MR. JOHN HAROLD BARRY examined.

18,834. The President.—I believe you see a land agent and a farmer?—Yes, I am a land agent. I hold land on my own behalf. I am a landlord and a tenant, and I manage some land.

18,835. In what part of the country?—In the neighbourhood of Downsville.

18,836. Have you considered Lord Ashbourne's Act?—Yes.

18,837. Have you any experience of the working of the Act?—Yes. A good deal of land that I had to say to has been sold for 23½ years' purchase on the poor law valuation. That was the Harrison estate.

18,838. Has that sale been carried out?—The Commissioners have consented to advance the money.

18,839. Did the offer come from the landlord or the tenant?—Well, negotiations were going on between landlord and tenant.

18,840. How much had changed hands?—I should say about £2,000 a year. I think there are 27 tenants. The entire property has a rental of £2,600, and I think the landlord has retained about £500 or £600 a year as of present.

18,841. Was there much difficulty in this case from incumbrances?—No, sir; I think not.

18,842. There was nothing in the transaction which brought out any shortcoming in the Act which in your opinion would require alteration or amendment?—No, sir.

18,843. Can you say whether there is any desire on the part of the tenants and landlords in your neighbourhood to follow the same example?—I think the tenants are holding back in the hope of getting better terms hereafter.

18,844. What do you think of the circumstances of the farmers in your part of the country. Are they in more reduced circumstances than they were formerly?

—Well, this is an exceptionally bad year. It is very hard to make money this year. We had good crops, very good; but during the harvest there was a great deal of rain and a great quantity of very bad hay which it was impossible to put together satisfactorily except what was sown in the early part of the year. I should say that hay saved before the 12th of July is very good; but we have had continued rain since. We had not three fine days in succession after that date.

18,845. And prices are low?—Prices are very low.

18,846. How have you received your rents?—Fairly, by making concessions and abatements. I think that the landlords that I know are willing to meet their tenants fairly, and to give liberal abatements in their rents.

18,847. Do they pay when they get liberal abatements?—They pay, and some promise to pay when they can.

18,848. They pay when they can?—Yes.

18,849. Is there any combination against the payment of rent in your locality?—Not to my immediate knowledge. I think Lord Ashbourne's Act would be very much more valuable but for the uncertainty, I may say, of the present times, and the great fear of taxation which is increasing from year to year, and although they may think the price very reasonable now, they think they may be able to make a much better bargain hereafter. I think this is what is keeping them from availing more of Lord Ashbourne's Act.

18,850. You have spoken of the reduced circumstances of the farmers. Now how are their farms managed; are they managed better or worse than formerly?—There are a great many whose land, I think, is not properly managed. Many of our farmers have not capital enough, and it is one of our great misfortunes that our farmers go into land without capital. Nobody can manage a farm or anything else without capital. The moment a bad year comes the man without capital is done for, and he would be a

great deal better off with half the land and a little more capital.

18,851. Farmers take land beyond their means of working it?—Yes. I think the small holders get on better. They are more thrifty than the larger ones.

18,852. In your part of the country have the farmers got capital?—No, in the good times the farmers got over, almost unlimited credit; but for some years back they have lost this credit. The failure of the Minister Bank was also a severe blow to them.

18,853. And the effect of the change came more on large holders than on the small ones?—Yes, because the smaller men did not get credit.

18,854. Lord Millicome.—If he did I suppose he would get into debt too?—I suppose so.

18,855. The President.—Small men do not get credit from anybody to the same extent as the large men?—No.

18,856. So that the small farmers now are comparatively unfavoured?—Comparatively unfavoured. Small tillage farmers, with a little of something else, who were rented rather highly, are now more solvent than the men who had large interests in their farms.

18,857. What would you call a small farm?—I should say a farm of 30 acres.

18,858. Sir James Caird.—At what rent?—About 25s. an acre.

18,859. Lord Millicome.—You are speaking of Irish acres?—Yes, of Irish acres.

18,860. Sir James Caird.—And you say that these men are now the most prosperous, the most industrious, and the most thrifty of the farmer class?—Yes; and the sale of the tenant right on them small farms reaches larger sums comparatively than the sales of larger ones. They are more sought after.

18,861. The President.—Are there many sales?—No, there are not many sales.

18,862. So you cannot say?—I can judge.

18,863. Sir James Caird.—When you say that these small farmers, with an average rent of 25s. a year, are a more thrifty class than larger holders of land, would you be inclined to go very much below that sum?—I do not think a man can well manage a farm, manage it to advantage, which is below that sum. He must have something else to supplement it. A man with a farm of 25 acres must keep a horse. He would be very lame if he had not a horse.

18,864. That would exclude the greater portion of the farmers of Ireland whose rent is below £45 a year, and in your opinion these men do not make their business profitable?—Well, I think they make it a profitable business if they supplement it by something else. Some of them would become road contractors.

18,865. In that case they may have a profitable business, but is not by holding land?—Not entirely by land.

18,866. It is a very good assistance to them?—It is men with small holdings of four or five acres who do very well when they take these road contracts.

18,867. In the case of the estate of Mr. Harbin, a certain portion of the tenants must have considerable holdings if we divide the £2,000 a year by the number of tenants. It would form of £80 or £1,000 a year?—Well, perhaps I have a little overstretched the mark. It is not so much as £2,000 a year.

18,868. Now with regard to the change from tenant farmers into purchasing proprietors, do you think when a man becomes a proprietor he will have more influence in stopping extravagant taxation in his district?—I think he would.

18,869. They would know that themselves would have to pay the increased taxation?—Yes, I think so. When they come to pay the taxes they would be more cautious.

18,870. Are they represented on the present local authorities?—They are fairly represented on the

boards of guardians, and these bodies levy the principal rate.

18,871. As owners they would become members of these boards?—No, they would be elected as they are now.

18,872. But if they are elected now they would be able to exercise their influence in preventing the increase of taxation?—My experience is, that the elected guardians are the most extravagant; more extravagant than the ex-officio guardians who are always anxious to keep down the rates.

18,873. Who are the ex-officio guardians?—The magistrates of the districts.

18,874. The magistrates are usually landlords?—They are.

18,875. But would not these owners be eligible for the magistracy?—The ex-officio guardians are the highest rated magistrates in the districts, and they are the same number as the elected guardians.

18,876. Half and half?—Yes, there are thirty of the highest rated magistrates in the district, and then there are thirty elected members on the board.

18,877. And is it not the interest of the thirty ex-officio magistrates to keep down taxation?—That is the constitution of the board.

18,878. Cannot the ex-officio members exercise the same control over taxation as the elected guardians?—They try to do it.

18,879. Lord Milnes. The numbers are equal as far as the constitution of the board goes, but the attendance of the ex-officio guardians is not equal to the attendance of the elected guardians?—Well, in our union, my Lord, the attendance of the ex-officio guardians is very good.

18,880. Your union is exceptional then?—I think so.

18,881. It was proved before me in another place that though the numbers of elected and ex-officio guardians were equal, yet as a rule the attendance of the elected guardians largely exceeds that of the ex-officio. You say that if the tenants were made ratepayers they would probably be more sparing in their expenditure, when the whole of the rates would have to be paid by themselves, and that they are not so sparing at present when the rates are mainly contributed by other people?—Yes.

18,882. Then you think the conversion of the tenants into owners would induce them when they become members of these boards of guardians to be more economical in the expenditure, which would largely fall upon themselves?—Yes, I have a letter here from a friend, who is far better acquainted with these matters than I am, and it contains some valuable suggestions if you will allow me to read it. He says:—“First, as to why tenants cannot pay present rates.”

“When those rents were fixed during the higher prices for stock they cannot now be enforced; but there is no reason why rents fixed when prices were so low, and for some things lower than at present

“should not be paid, I think. Why they are not is that Irish farmers take more than they have capital to farm, and that of late years they are living and dressing beyond their means. They are therefore unable to bear the sudden fall in the price of cattle. If the late importations of cattle from foreign countries continue, with free trade as at present, land must fall in value. What I would consider fair would be a judicial letting at rents to be fixed every third year instead of every 15 years. To meet the present difficulty several things are required. Landlord and tenant should have the law between them. The farmer by giving fair statements to meet each case on its merits, and allowing time to enable the tenant to realise. Railway and road rates should be lowered, and home stock carried at a much lower rate than foreign importations, a small protection duty should be put on the latter so as to give the home tax payer a fair field. Butcherine should be sold as such and not as butter. Government should assist landlords by an advance of money at a low rate, say 3½ or 4 per cent. to pay off mortgages. What the Irish farmer wants more than anything else is peace, freedom from agitation, and not to be handicapped by the foreigner in the English market, with some encouragement for manufactures.”

18,883. Mr. Neligan.—Do you agree with all that is in that letter?—Yes. There is something about the security, the giving of a guarantee, on which I would wish to speak. I find that when I have tried to come to terms myself with the tenants and to avail of Lord Ashbourne's Act which I find to be a wonderfully beneficial Act I find when I speak to the tenants about it that they are very shy about it and say that they cannot see their way to adopting it. Though they think it a very good Act still they think they will be able to get better terms later on, and they are very much afraid of an increase in the rates when they will have to pay the whole of the rates themselves. I think from the fact of the Act requiring the local body to go security for the repayment of the instalments will make the tenants still more coy about purchasing, for they will say if we are getting such a good bargain and if we are to be so well able to repay the money which is advanced to us, where is the necessity for a local guarantee. I think therefore the very fact of requiring a local body to go security makes the tenants mistrust the Act altogether.

18,884. Then you are opposed to the system of guarantee altogether?—I am entirely opposed to a guarantee on that ground.

18,885. I suppose you agree with the three years' system of fixing rents according to prices?—That gentlemen says that in his letter.

18,886. The President.—Have you considered the question at all?—No; but I generally approve of that letter.

MR. JAMES BIRD, of Carrigrohilly, examined.

Mr. J. Bird

18,887. The President.—I believe you hold a large farm in this county?—Yes.

18,888. How many acres do you hold?—A hundred and eighty-eight acres.

18,889. Where do you live?—Near Carrigrohilly.

18,890. Have you paid your rent this year?—I paid the last March rent.

18,891. Did you make that rent out of the farm last year?—Not last year.

18,892. Then you have been drawing upon your resources?—Yes.

18,893. If you had not the capital to fall back upon you would be in a difficult position?—Oh, certainly.

18,894. I suppose a good many of the farmers in your neighbourhood have not been able to pay the full rent this year?—I know a good many of them to be in arrears.

18,895. You think that is owing to the fall in prices?—To the fall in prices, and to the increase in the rate of wages, both skilled and unskilled.

18,896. What wages are you giving now?—I give on an average 7s. a week, a house free, a half an acre of garden measured, a ton of coals, and the free grass of two sheep each year.

18,897. That is to an ordinary labourer?—To an ordinary farm labourer.

18,898. Have you any experience of land purchase, or have you thought of it at all?—No; my landlord made me no offer with regard to it.

18,899. Would you wish to buy?—Oh, yes; I would wish to buy.

18,900. You have not made any offer?—No; as a rule the number of years' purchase spoken of is rather too high. Certainly it would be so if the rates are increasing.

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Mr. J. Stok.

18,901. What do you say to 20 years' purchase?—20 years' purchase is reasonable enough in some instances, but it is too high in other cases.

18,902. Do you hold under a judicial lease?—Under an agreement for a lease I have been treated fairly and liberally, and my landlord, unsolicited, gives me a reasonable reduction.

18,903. Lord Milnes.—What is the date of the agreement?—1880.

18,904. Do you think that the tenants in general would wish to purchase, but that they would not be willing to give 20 years' purchase?—I think the tenants would be most anxious to purchase if the landlords did not look for too many years' purchase.

18,905. The President.—You consider 20 years' purchase too much?—Yes.

18,906. Is some cases?—In most cases 15 or 16 should be the average.

18,907. Then very few landlords would be willing to sell, as it would reduce their income too much?—Oh, certainly.

Mr. J. Hegarty.

Mr. JEREMIAH HEGARTY examined.

18,910. The President.—Mr. Hegarty, I believe you live at Mill Street?—Yes, my Lord.

18,911. I believe your part of the country is very bad just now, not much better than it used to be?—Well, it is somewhat better.

18,912. You personally suffered very much?—More than any man in my position in Ireland, my Lord.

18,913. Is that still going on?—Well, it is going on in a modified form now, my Lord, but we do not receive so much personal violence and abuse as we did formerly.

18,914. To what do you attribute that; to what does it arise from?—Well, I think it arose originally from the fact that I declined to join the Land League at the time, and that I was industrious and made better use of my time than my neighbours. There was also trade jealousy in it, and I respected the law as it was, and remained a loyal subject, and this was their reason for attacking me.

18,915. They have not succeeded in driving you away?—No. I have not the slightest notion of going away. I always treated their action with the greatest indifference.

18,916. You can give evidence on several points connected with our inquiry?—Yes, my Lord.

18,917. First, as to the sale to the tenants. How there been much sales going on in your part of the country?—The first portion of my evidence has reference to the freedom of the tenants to sell their tenant-right in their farms. Wherever sales have been effected very large sums have been obtained for tenant-right, even in cases where the landlords are giving abatements on their rents. I could state several such cases if you think proper.

18,918. Lord Milnes.—Was this lately?—Some this year and some within the past two years.

18,919. The President.—Give us any instances that have occurred in 1885 and 1886?—In 1886, there is a property in my own neighbourhood with a judicial rent of £18 and it sold for £170, and the tenant had been receiving an abatement from the landlord. There is another case of a leasehold interest where the rent was £36, and the landlord was giving an abatement on that rent, which reduced the rent to £33, and it sold for £450 and auction fees.

18,920. The purchaser paid the fees besides?—Yes.

18,921. Now in the case of evicted farms it is impossible for the landlord to let those farms owing to the action of the National League?—Only for the League. I am personally aware that there are numbers of tenants who would be only too anxious to get possession of those farms and pay large sums for the interest in them.

18,922. As it is now there is a great deal of land lying idle?—A great deal is unused in consequence of

18,908. Have you any suggestions to make as regards land purchase?—I think that the number of years for the repayment of the purchase money is too short, and I would suggest that the number of years would be extended, and that the rate of interest should be reduced. Posterity will derive much benefit from land purchase, but I do not think the present generation or even the next will derive much benefit from it. I am a working farmer myself, and I have no other means of living; I was born and reared to it, and I do every sort of labour that a labourer does, and it gives me enough to do to make it pay.

18,909. You would I suppose be in favour of admitting the leaseholder to the benefits of the Land Act?—Yes, because a good many of them are the most uneducated tenants in the country. I have known many tenants on estates who have leases, who would not think of going into the Land Court, while many others who hold leases would be very anxious to do so.

the tyranny used by the National League which practically is the Government in my part of the country at least. Owners of lands who have recourse to the law to recover their rents have no chance of getting even their domestic land for grazing or meadowing. I have personal cognizance of that fact in my locality owing to the action, as I said before, of this rather irresponsible body.

18,923. Is there any combination against paying rent in your part of the country?—There has been from time to time a good deal of combination against the payment of rents by the tenants, but I am very happy to say that owing to the anxiety of the landlords to meet their tenants in these times of great agricultural depression, these combinations have actually failed, and I think that the good sense and determination of the tenants to not fail by their landlords and meet their obligations has entirely thwarted these gentlemen's intentions who would not be willing to pay their rents, and who have in many parts of the country openly advised and counselled the tenants not to pay their rents.

18,924. Not to pay at all?—Not to pay their rents unless they get their own terms.

18,925. The payment of rent, even where abatements are made, is in spite of the Land League, is it not?—In spite of the Land League; but I am still of opinion that the good sense of the tenants will prevail, and that they will meet their landlords fairly and pay their rents.

18,926. Therefore the League are losing their power?—I think a great many people have learned very sad lessons as the result of following the advice of the League in the past, and that they are not likely to accept it now.

18,927. You think, therefore, that it is a very good thing for the landlords to give these abatements?—I think it is a very prudent policy for them to pursue in their own self-interest. I think it is an excellent stroke of policy for the Government, and it is certainly the saving of the tenants themselves.

18,928. How do you mean an excellent stroke of policy on the part of the Government?—It is a preventative against agrarian crime.

18,929. But what have the Government to do with the landlords giving abatements?—If there is no relief in the country there is so much less difficulty in governing.

18,930. But what have the Government got to say to the landlords giving abatements?—I do not say they have anything to do, but what I want to say is that it is a very good piece of policy for the landlords in their own self-interest to give abatements, and I think it is a very advantageous thing for the Government, for it helps to keep the country quiet.

18,931. I suppose those statements are in a certain degree necessary on account of the fall in the prices of produce?—Notwithstanding that, where the farmers are said to get large sums for their interest in them, still I am of opinion that abatements are necessary this year. Undoubtedly a very great fall has taken place in the prices of agricultural produce and stock, with the exception of sheep.

18,932. Well, then, I suppose, in addition to the fall in the prices of stock and produce, the farmers who had money spent in it in other ways?—Yes, there is another very powerful reason why it is they are not able to pay their rents coupled with the fall in the price of stock. I must say the tenants have spent a very large amount of money in contributions and subscriptions to the National League, in addition to other matters, and I am sorry to say that the habits of idleness and the waste of time in attending meetings, as well as the amount of money spent in drink are terrible.

18,933. Is this worse than it was?—I am sorry to say that it is. A great amount of idleness and want of thrift have sprung up within a few years since the present ruinous agitation commenced.

18,934. Sir James Caird.—Does that apply to the elderly men as well as to the younger men?—Most of the elderly men are well disposed, but they have very little to do with matters now, and the present work is carried on by the juvenile members of the family.

18,935. They take command?—Yes, they take command. I know a great many farmers in my neighbourhood who were once frugal, hardworking, and industrious, and they are completely the reverse at present. They idle their time attending meetings in towns and to several other matters, and they do not take proper care of their farms, and if you speak to them about it they say simply that there was too much uncertainty at present for them to go spending money improving their farms.

18,936. The President.—Do you think the present uncertainty is most mischievous. I am a close observer of these matters, and I see respectable men who were always industrious, and they are doing no industry whatever now, and they would often say to me that they wished the whole thing were settled.

18,937. They have said that to you?—They have frequently said it to me.

18,938. Do you think the tenant farmers and the labourers are anxious for the restoration of quiet?—The tenant farmers are sick of the whole thing. It is only the people of the villages and towns who have no interest in land who are doing all the mischief. A man who is secretary of a National League told me, "We are still with them," he said, "but we have no title to say in the matter now. It is passed out of our hands." It is gone into the hands of people who have no responsibility at all, such as town councillors, labourers, and broken-down farmers.

18,939. And the farmers who join the League are the least solvent of their class?—The farmers are only a very small class in it, and they are people who have no interest in their farms, and who are completely bankrupt. I know several instances of that, for I have largely myself, probably no more than any man in my position in the county of Cork.

18,940. I believe you have purchased land lately under Lord Ashbourne's Act?—I have purchased 600 acres at a sum of £3,728.

18,941. Are those Irish acres?—They are English or Scottish acres. I purchased at 17½ years' but practically it is only 16 years' purchase.

18,942. How do you make that out?—There was a ruling sale on the property, and that will now be finished. We paid no rent last September, that is six months more. Then there is the time for investigating title and everything else, and the whole thing will practically relieve us of about a year and a half's rent.

18,943. No matter how long the investigations continue, you pay no rent?—Until the Government

advance the money we pay no instalments to the Land Commission.

18,944. You are at present liable to the Commission?—Yes. As a matter of fact I am under no rent at all at present. The sale is provisionally sanctioned, the investigation of title is going on, and until this is completed I, and a very large number besides, will be under no rent either to the Commissioners or the landlord.

18,945. Do you think the tenants in general are anxious to become purchasers?—There are some few tenants who have a vague idea that in a short time they will get the land for nothing but the great body of the tenants are anxious to become peasant proprietors. Of course great exertions have been made by the National League to advise these tenants and prevent them from becoming purchasers. I know that occurred on the estate on which I purchased myself, on Mr. Wallis's estate. A very large number purchased on that estate, and I must say that a very creditable statement was made in the Press as to the exertion which had been brought to bear on Mr. Wallis's tenants and the tenants of other landlords to compel them to purchase, whereas I am perfectly well aware as a purchaser that there was no such coercion used. As an instance of that there is one townland on the Drishane estate, and there are six tenants on that townland with a rent of £80 or £82 a year. Three of those tenants actually signed agreements to purchase, but the three others would not do so, and accordingly the agreements of the three tenants who signed were nullified. Speaking to one of the tenants I explained to him in conversation that they were acting against their own interest in not purchasing.

I pointed out the advantages which tenants who purchased derived, and gave him the best advice I could. I went into figures with him and pointed out that he would have no rent to pay for that half year or for six months more. He thought very seriously over the matter, and I said to him, "Why hadn't you made up your mind yourself, like a sensible man, and don't mind the younger members of the family?" "Oh no, sir," he said, "I understood it very well, I understood it pretty well all along, but we wouldn't be allowed in town to purchase." I said to him, "Why don't you act on the advice of people who understand these things, responsible people, and not on the advice of people in town who know nothing about them?" He at once agreed with my statement, thereby giving me to understand that it was these very people at the head of the National League who prevented him purchasing. Consequently those three having refused to purchase the other three were prevented from purchasing.

18,946. Sir James Caird.—You said you suffered more than anyone during the agitation?—I think I suffered more than anyone in my position.

18,947. Was nothing done by the authorities to put a stop to it?—They had a good deal of red-tape about it, and my opinion is that the Government did only very little in the matter, and my further opinion is that the present state of anarchy in the country is due to both Governments in England.

18,948. Was there no person brought up for it?—There was two people brought up for it, but it was by my own private exertions, and they got twelve months in goal and hard labour for it. We did our duty fearlessly, and paid pretty well for it, and received a very steady reward from the Government for it. I know one man like that—perhaps there is no necessity to mention his name—he never cares so long as he does his duty, but he suffered very severely, and that is only a few nights ago, but if the same thing occurred again I would do my duty.

18,949. If you had not acted yourself you would not, as I understand, have got much active assistance from the Government?—No.

18,950. You were in fact obliged to fight it out yourself?—Yes. I think the people who commenced it gave me two months to have the grass growing outside my door, but that is six years ago; the more

Nov. 12, 1895. they were determined to get rid of me the more I was determined to stick to the place, and fight it out.

Mr J Hagerly. 18,931. How long did this last?—It was going on six years on the 23rd of December next.

18,932. For six years you have been treated in this manner in this town, and the only action taken is taken at your own cost?—At my own expense, of course I was offered police protection.

18,933. The President.—Are you under police protection now?—No, I always declined it.

18,934. Sir James Caird.—You never suffered any personal injury?—I was fired at on the 6th April 1895.

18,935. Was the man near who fired at you?—He was on the other side of a mound of earth.

18,936. Was that man ever made amenable?—No, he was not.

18,937. You did not know him?—No, but I think my driver did, and I don't think the police took the most prudent steps with him: in some way there was a misunderstanding about it.

18,938. Can you suggest how the authorities could do their duty better?—That is a very peculiar question to ask me.

18,939. But you have experience now of these matters for such a long time?—Of course, sir, people have their own way of doing things, and possibly if they had the doing of them they would not be able to do them better than other people, but I must say, that I think both Governments have made a great mess of the country, and that the whole anarchy is due to them. I am very much afraid that they used us in Ireland for their own party purposes, and must add, though it may dispense some of my friends on this Commission, that they have treated very badly the law-abiding people in Ireland.

18,940. Do you specify any act of theirs that led to the consequences you speak of?—There are a great many things I could specify, but it would take too long to go over a six years' history to show that I was right. I wish to say, as regards the working of Lord Ashbourne's Act, that I think it is retarded to a considerable extent by the great depression that has prevailed for the past two years. The landlords in my neighbourhood, I am happy to say, have done their duty by giving liberal abatements, and when these liberal abatements are compared with what might be gained by the tenants purchasing under Lord Ashbourne's Act, the difference would be only very little. Most of the tenants are afraid of further depression; they are also afraid of increased taxation by a Home Rule Government, or under an extended form of Local Government in the country, and they say their best chance is to wait to see. They are also afraid that the instalments under the Purchase Act would be exacted with rigor, and they say that if the times go against them the landlords would grant them an extension of time for paying the rent, which would be a great thing in their eyes. The landlords are not as bad as it is stated, and I am myself aware that in a great many cases generous and satisfactory remissions in their rent have been given to the tenants, and these tenants would not expect any mercy from the Government. I think myself that the tenants (and I have explained it to them) do not give due weight to the fact, that by every instalment they paid to the Land Commission or the State the interest in their farms would be increased. That I think is a very important matter for the tenants to consider. It is also an important matter for the State, as it would give the State more security for the advances. The tenants, however, do not wish to look at it in that light. I believe in it myself, and I attach great importance to it. I think, also, it would be very important for the immediate working of Purchase Act that the rate of interest should be somewhat reduced, so that the immediate gains to the tenant would be of some noticeable.

18,951. The rate of interest reduced. You mean the period of repayment extended?—Yes.

18,952. Of course if you reduce the four per cent. you must extend the time for repayment?—Yes, I think the time for the repayment of the money should be extended, and the interest reduced to three-and-a-half per cent. That would be a great inducement to the tenants to purchase, and there would certainly be greater security for the State, in collecting the smaller than the larger sum.

18,953. You would want to make the immediate concessions more beneficial to the present tenants?—Yes, I also think that it would be a great advantage gained by making the period longer, as it would give some control over the tenantry to the State, and that control would be better for the State.

18,954. The President.—You do not look forward, then, to the time when there should be independent proprietors?—I do myself. I am not giving the case from my own point of view, but as the general body of the public argue it, and as to what I think would make the working of the Act more universal.

18,955. Sir James Caird.—You think the longer the Government keep control, the more certain will be letting and subdivision would be avoided?—Yes, and I think a great deal of the poverty of the country has arisen from subdivision.

18,956. The President.—You think that the establishment of peasant proprietors would make the tenants who became proprietors more anxious to attend to their own business?—Yes, I noticed that a great many in my district who purchased have very much changed in their manner and conduct since they became proprietors. I can state that from my own observation. They are undoubtedly more anxious to take care of their own business, and they will not subscribe to the National League funds; and they are very keen that they have no further interest in the matter now, having no more now to expect from anyone. I think that these men will become every day more extremely conservative in their action and talk, and they are very jealous already as to future taxation. I am very hopeful of great things from the workings of the Purchase Act, if it could be universally adopted and extended. On the other hand, I am one of those people that believe that it would not be prudent to sell out the landlords altogether. What I would be most anxious to see would be that every landlord should sell a portion of his property, say a third, and then we would be able to retain the wealth, influence, and intelligence of the landlords who from their position would be a bulwark and a strength to society ably assisted by the peasant proprietors around them.

18,957. What have you to say as to the functions of local authorities?—I am sorry to say from my experience of local authorities that they mismanage and squander the public money, and I am totally opposed to placing the working of this Act in their hands; it would only lead to the greatest injustice, because in the hard-working members of the community would have to pay for the improvidence, the incident, and the drawbacks of every district. These men would not pay their instalments, and they would come upon the rates; it would be the means of every man becoming dishonest again and looking out for some agitation to get rid of his instalments. There is a table here. I do not feel very much interested in it myself; it is a table showing the large sums paid for tenements during the past two or three years; but if you do not wish to receive it I do not feel very strong upon the point myself. There is another matter to which I would wish to refer, it is a matter upon which everyone who looks into the subject must feel very strongly. I think the Government ought to do a good deal in the way of endeavouring to provide sufficient education for the farming communities all over Ireland.

18,958. The President.—Technical education—Technical education of every description as applied to farming. Farming is our only industry, and the question of education is a matter in which with a very small expenditure a great deal of service might be done by the Government. I think if the Government

could see their way to sending trained inspectors through the country, or if they established dairy schools, such as we have here in Cork, I think it would do an immensely of service. I think nothing would be more likely, as regards the improvement of farms, which I am sorry to say are sadly neglected at present, than the teaching of the proper way of milking butter. A small outlay of that kind, would do more to help the country than any amount of abatement of rent. Of course I could give you some figures as regards prices, but I do not think it necessary to do so, as I am not one of those who go in for gaining the judicial rents. I do not think it would be fair to do so. I do not think it is necessary to give statistics as to agricultural prices. I am very happy in farming business myself, and I do not try to worm the judicial rents. I do not think, with prices as they are, that they could be paid.

18,974. Are you in favour of revising over again?—No, I would not; it is clearly proved to my mind that the "final settlement" of the Land Act has signally failed, and that it unsettled everything instead of settling anything. I think it is most foolish to endeavour to fix a rent in that way. It is the prices and the season that settle everything. For instance, the expense of sowing the crops this year was nearly double what it was every other year.

18,975. Mr. Bennett.—That is a matter no legislature could touch?—No.

Mr. THOMAS O. PLUNKET examined.

18,974. The President.—You are, I believe, a divisional magistrate?—Yes.

18,975. Can you tell me anything of the state of the country at present? Is there any improvement in the payment of rents this year compared with last year?

—The agents that I come into communication with tell me that they are fairly well satisfied with the results of their collections. Of course there have been large abatements, larger this year than last year, and landlords who held out last year as to judicial rents and refused to give abatements, are giving abatements now. The consequence is that the rents are very much better paid.

18,976. You say that in general the rents have been better paid and that the landlords are giving abatements?—They have.

18,977. Do you think the power of the League has diminished?—In some places it has. On the whole, however, there is no perceptible change, but, as I say, in some places it is a little weaker than it was.

18,978. Perhaps I should just allude to a matter with regard to which we have got some evidence here. There are reports that the Government have insisted on those abatements being made, and have stated that they will not give the forces of the Crown in carrying out evictions unless the abatements are made. We have evidence also that in a certain district abatements have been very much increased by the landlords, owing to pressure put upon them by Captain Plunket, and also that Captain Plunket withdrew the police from assisting a certain landlord in carrying out an eviction. It is perhaps better that the shorthand notes of this evidence should be read. (The shorthand notes of the evidence of the *Reverend J. Lucy, F.P.,* *Gloucester, were then read for Captain Plunket*.)

18,979. Captain Plunket.—With regard to the statement made that I refused the police to Mr. Bennett for the purpose of getting his land there is no foundation for it. I wrote to Mr. Bennett and informed him that this was a matter that he had nothing to do with, that the proper person to requisition forces was the sheriff, and that Mr. Bennett had nothing whatever to do with it. With regard to the withdrawal of personal police protection, Mr. Bennett never had it. Since the eviction, the time apparently referred to, Mr. Bennett applied for an armed escort when he was leaving home. Mr. Bennett never was refused personal protection, but, in common with other

18,971. Have you any idea of your own as to making rents vary with prices?—Well, of course there could be a plan adopted as regards prices; but if anything were done to increase the judicial rents, I am afraid it would be very difficult.

18,972. Sir James Caird.—You think, perhaps, it would be better for the landlords?—I think it would be fair for the tenants and for the landlords too. At present it is a one-sided contract; the landlord has suffered, and if the tenant gets increased prices the landlord has no chance of an increased rent for 15 years. I have some statistics here as to the state of crime in our district for the last seven years; the murders that took place. It would show you how our community was situated. I do not set any value on the Land Act. I think it would be as well for every person if it had never been passed.

18,973. The President.—The Land Act of 1881?—Yes, a more mischievous piece of English legislation was never passed. It led to all the agitation which has been distracting our minds, since it led to wonderful expectations, and those expectations were not fulfilled. The consequence is that everything is upset. It separated the tenant from the landlord by giving them different interests in the land. I am glad to say, however, that this year and last year the landlords in my district have come forward nobly and generously and helped their tenants, and the consequence is that a better feeling is springing up.

people, who receiving personal protection since the eviction when he asked for it. I wrote to him asking if he would contribute in any way to the expense of the police protection where the exclusive service of the police were for that purpose to the use of individuals, and where consequently their services were lost to the public. This is the only communication that I have had with Mr. Bennett in the matter.

18,980. The President.—The eviction was not carried out?—There is a mill forming part of this holding, my Lord. It has six or eight stories, and on the occasion that the sheriff went there the tenant's friends congregated in the mill in the different stories, and as there was a difficulty about evicting them the sheriff abandoned it, and it is of course a matter for Mr. Bennett and the sheriff whether they will again proceed in the matter.

18,981. In fact you cannot stop the eviction even if you wished?—No. The man himself is now awaiting trial at the winter assizes.

18,982. Well, then I do not think we need further allude to this matter. You have disposed of it. You say that the rents are on the whole being fairly well paid where the landlords are coming forward with reasonable abatements?—Yes.

18,983. Do you think the power of the League is decreasing?—In some places.

18,984. You say the landlords are showing consideration; are there any exceptions?—Mr. Bennett is an exception. He is the only one that I am acquainted with.

18,985. He has never given any abatement whatever?—Never at any time, and this particular eviction was well known to be regarded as a rather harsh eviction, even by his own friends and class.

18,986. Do you see any reason why with these abatements the majority of the tenants should not pay their rent?—No. No doubt some of the tenants in certain parts are not able to pay any rents. Some of them in certain places have holdings which are very small and miserable and the land very bad, and these people at no time made the rents. The rents were paid from other resources. On the whole, where liberal abatements are given I think they are able to pay, and a great many of those who are able to pay the full rent use the lever of the general depression and low prices as a reason for not paying and for

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Plunket.

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Mr. T. O.
Flanagan.

claiming a very large reduction, when really there is no reason for granting their demand.

18,987. As a rule is it because of incompetence or unwillingness?—It is very difficult to say whether tenants can pay or not. I knew a case in Kerry where a man owed three years' rent of £14. The landlord determined to take proceedings against him, but offered at the same time to take one year's rent and forgive the other two years. The man protested that he had not the money, and in this he was supported by the parish priest, a most excellent man, a great supporter of law and order, but he really believed the man was stating the truth. A few nights afterwards his house was visited by moonlighters, and a deposit receipt for £75 was stolen from him and £8 or £10 in cash.

18,988. What was the rest?—The rest was £15 a year. He owed £45, and he said he had not a farthing.

18,989. He must have saved this money off the land?—He had only his farm, and he must have made this £70 on it.

18,990. Is boycotting going on still or is it getting better?—Well, it is not as stringent as it was. In some places it is, and in others it is not. The fact is that in the great majority of cases the people are not and do not like to run the risk of being boycotted.

18,991. Mr. *Nelligan*.—In fact there is no boycotting because there is no necessity for it?—Yes, especially if a man happened to be in trade.

18,992. The *President*.—Boycotting went on under the Crimes Act?—Oh, yes.

18,993. As strongly as before?—It was as strong I think then as it is now. They are getting tired of it now in many places.

18,994. The provisions of the Crimes Act did not happen to meet it?—No.

18,995. Lord *Milltown*.—Do many cases of boycotting come before you sitting as a stipendiary magistrate?—I do not sit as a magistrate. I do not act judicially at all.

18,996. The *President*.—But you have a general idea of the condition of the country?—I direct the prosecutions; I do not try the cases. Under the Crimes Act the prosecutions were directed by the divisional magistrates. A *précis* of the evidence on the case was sent to me as a divisional magistrate to see whether the case could be sustained or not.

18,997. Lord *Milltown*.—But the fact that under the Crimes Act the stipendiary magistrates had summary powers for dealing with cases of intimidation had a very deterring effect?—Oh, yes, it had, but the difficulty of proving that boycotting came within the law against intimidation was very great. For instance, a man is not obliged to sell to another, unless of course the latter was a publican. The consequence was that a great many people had to go long distances for what they required, or they had to get their goods clandestinely.

18,998. If a man warned another man not to sell to a third party he could be got at?—Yes, but how were you to get evidence that the man was warned.

18,999. Mr. *Nelligan*.—I believe a man can publish in the fair that cattle for sale are boycotted, and they can do that with impunity?—Yes, they have done it.

19,000. Sir *James Card*.—Could not the law reach that?—The Crimes Act did.

19,001. Mr. *Nelligan*.—Now since the provisions on the Crimes Act have lapsed there is no way of reaching such men as that?—No; that was an overt act of intimidation which the Crimes Act could reach.

19,002. I believe a great many persons were punished for posting boycotting notices under the Crimes Act?—Oh, yes.

19,003. That seems to be done now with impunity?—Oh, no.

19,004. But it is done?—If there is evidence to sustain a prosecution a man cannot do it with impunity.

19,005. Lord *Milltown*.—But what can be done in such a case?—The man can be brought before a jury.

19,006. Is there any reasonable prospect of a conviction?—None whatever, except, perhaps, in the city of Cork or Dublin.

19,007. There is therefore at present the difficulty of carrying out the law?—Oh, yes.

19,008. Have you thought of anything that might be done to ease that sort of things?—Well, under the Crimes Act there was the power of trying a number of indictable offences summarily. Take the case of retaking possession of a farm. That is an indictable offence, but under the Crimes Act a man charged with retaking possession of a farm could be tried by two resident magistrates, and he was liable for the offence to be sent to goal for six months with hard labour. When there were two or three prosecutions of that kind there were very few cases after that. A man never went near the farm after he was convicted.

19,009. The *President*.—From your knowledge of the country are you in favour of an increase in the number of peasant proprietors? Do you think it would have a tranquillising effect?—It is very hard to say. I have no doubt it would have a good effect wherever it would bring tranquillity to the country, but unquestionably, I think that so long as men are allowed to go about inciting class against class, and bringing the law into contempt and urging people to resist the law, it is difficult to have tranquillity.

19,010. The one thing that you attach most importance to, is the restoration of law and order?—Yes.

19,011. Lord *Milltown*.—It has been stated in St. Captain Phelan, that the Land League is part of the country—in the Mill Street direction—is the government?—There is no doubt that it is in some places, that is to say, many offences can be committed with impunity, because they are only triable by juries.

19,012. As a matter of fact, I suppose, it is a true serious danger for a man to offend against the law of the Land League than against the law of country?—Oh, yes.

19,013. In one case he is sure of conviction and punishment; in the other case he is practically exempt from any danger?—Yes.

19,014. I think you said Mr. Bennett applied for an armed escort?—Yes, that is only recently.

19,015. And you wrote to him asking whether he would contribute towards the expenses of the escort?—Yes.

19,016. Did you consider the armed escort necessary?—I do not think it is necessary on all occasions.

19,017. But supposing that it was necessary, do not you think that it is on the Government the expense of the escort should devolve?—I think on the whole that if a man requires the exclusive use of a certain number of police he should pay for it; he should contribute towards the expense.

19,018. But surely the necessity for the escort arises from the neglect of its duty on the part of the Government, and ought not therefore the Government be bound to make good the defect existing through their own negligence?—I think you should not give more protection to one person than to another. All the taxpayers are entitled to equal protection, and they are entitled equally to the service of the police, and one person is not entitled to the exclusive use of the police force. That is my opinion.

19,019. But suppose one man is infinitely more in danger than another man, do not you think an exception should be made in his favour?—An exception is made in his favour.

19,020. Then he ought not to be asked to pay for it?—Well, inasmuch as the protection had assumed enormous proportions it was considered necessary.

19,021. But where a man pays large taxes for his protection from murder and violence, and where the Government allows murder and violence to prevail,

do you think it is right in your judgment where a man specially requires the protection of an armed escort that he should be asked to pay for it?—They were never asked to pay for it. They were only asked would they pay for it.

19,022. But is it right of the Government to ask a man would he pay for it? Suppose a man could not afford it?—If he is not able to afford it he is never asked to pay for it, but I think myself where he can afford it he ought to contribute towards it.

19,023. Is it a fact that you have given any indication that police protection will not be given to the sheriff for the purpose of enabling him to discharge his duty?—No.

19,024. It has been asserted twice here?—There is no truth in it.

19,025. Mr. Nelson.—Have any new arrangements been made by which the difficulties of carrying out the law in this respect have been increased?—No. What gave rise to that report was this. Frequently the sheriff sent requisitions for police by telegraph, and asked to have a force of police at a place perhaps within a few hours, and it was found impossible to comply with the requisition, having regard to the other duties that the police had to perform, and we found it therefore necessary to require that certain notice should be given, when of course the protection would be afforded. That is what gave rise to the report which has been published that we refused the services of Her Majesty's forces to the sheriff. He was never refused except when he asked that 40 or 50 men should, at a few hours' notice, be in a place which is 10 or 12 miles from the nearest railway station. Of course it was impossible to comply with such a request.

19,026. Lord Millican. You are aware that the impression that the police were refused largely prevails?—Yes.

19,027. Has it been authoritatively contradicted?—It was contradicted.

19,028. Do not you think it should be contradicted in such a way that the largest number of people should hear of the contradiction?—Yes.

19,029. Do not you think it should be brought publicly under the notice of the people that no such decision had been come to by the Government?—Well, I never write to the newspapers myself, but I never lose an opportunity of contradicting it to the people who speak to me on the subject.

19,030. The President.—You say that rent is being paid now better than last year whose statements are made. Is that in spite of the local leagues?—I think in a great many cases the tenants are paying cheerfully.

19,031. In defiance of the League?—Yes, in a great many cases.

19,032. Are they paying openly in defiance of the League?—Well, in very few cases openly. I know nothing about it myself, except what I hear from the agents, and they tell me that on the whole they are fairly satisfied.

19,033. Lord Millican.—As long as the League retains its present influence is the Purchase Act ever likely to have a fair chance of working?—No, I do not think so.

19,034. Or are rents ever likely to be paid without a struggle?—No, I do not think so either.

19,035. One of the first functions of the Government, and its first duty, would be to put the law once more into force in this country and enforce the law of the land?—Do you mean to prohibit the National League?

19,036. I do not say how?—Of course they are enforcing the law at present.

19,037. But that they do not do it is quite evident. I understand you to say that the Land League is practically the Government of the country?—That is the case in some places the people fear the result of disobeying the orders of the League but they should be hoisted. But it is no fault of the Government.

The Commissioners adjourned to the following day

TWENTY-SIXTH DAY.

Tuesday, November 16th, 1886.

The Commissioners met at the "Imperial Hotel," Cork.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILLTOWN.
SIR JAMES CAIRN, K.C.B.

MR. NELIGAN, Q.C., Recorder of Londonderry.
MR. KNIFE.

MR. JOHN A. R. NEWMAN examined.

19,038. The President.—I believe you are a landowner in this county and manage your own estates?—Yes.

19,039. How many acres in your estate?—There are 5,678 statute acres. The valuation is £1,009, and I have £120 a year head rents in Cork city.

19,040. Have you been getting your rents this year?—I have got them better this year than last year, and I think the reason for that is, because the present Government is in power, and the people consider that they would support law and order, and they are therefore more inclined to pay.

19,041. Have you given statements?—Yes, I have; nearly all of them 20 per cent., and in

cases where the tenants hold upwards I have given 25 per cent. In some cases of old houses and low rents I have not given anything at all.

19,042. Did you give the same statements last year?—Yes, but they paid me more cheerfully this year than last year.

19,043. Even though they got the same statements?—Yes, though I consider this year is much worse than last year.

19,044. Mr. Nelson.—For the tenants?—Yes.

19,045. The President.—I suppose some of those who have not paid have failed to pay because of their inability to do so?—Some of them I am afraid are, my Lord.

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Mr. T. O.
Punchet.

Nov. 16, 1886.

Mr. John A. R.
Newman.

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Mr. John A. R.
Newman.

19,046. Those who have not paid are still under the influence of the League, I suppose?—Yes, I think so.

19,047. You have never been obliged to resort to eviction on your property?—No, I had never an eviction on any property, but I was very near it occasionally, and I do not think I would have been able to get my rents if I had not that power in reserve.

19,048. They gave way at the last moment, and did not require the eviction to be carried out?—Yes.

19,049. Is there any other means, except eviction, by which a landlord would be able to compel the payment of his rent?—I really have not considered that question, but I generally think if it is possible that it would be more effective to process the tenants, and it is much more inexpensive.

19,050. Mr. Newman.—To see them before the county court judge for the rent as for an ordinary debt?—Yes, that will enable the landlord to come in and seize, and if the tenant pays before the law is carried out the costs would be very much less than if the proceedings were by eviction.

19,051. The President.—But as regards the actual effect it would be the same?—No.

19,052. Mr. Newman.—The decree of the county court judge gives no right as against the land?—That is so, but you can go on the land and seize as a shopkeeper might for an ordinary debt.

19,053. The President.—But you cannot tell the man out?—Not under the county court decree.

19,054. Are most of your rents judicial rents?—No, I think there are about a fourth of them judicial rents.

19,055. Are the rest from year to year taken or held on lease?—Chiefly yearly, and there are a few leases. I may say I reduced my rents myself, and some of the rents were settled out of court.

19,056. Did the court effect the agreements?—In some cases there were judicial terms given, and others remained as they were.

19,057. I suppose those who remained out of court would have gone into it if they thought they would benefit themselves?—Quite so.

19,058. What are your views about the judicial rents. On the whole, do you think they were too high or too low?—I think they were pretty fair on the whole, but I am of opinion that you cannot fix rent, you cannot foresee a bad year, and that sort of thing. You must allow for supply and demand, and you must allow for the landlord occasionally, when the tenant has a very bad year, giving an allowance, as I say it is impossible to fix rents, and it would be unfair to the landlords to fix them at present prices.

19,059. If things improved the rent would be too low?—Yes.

19,060. Except for being fixed for a long time, you think the judicial rents were on the whole fair?—Well, I think they are rather low, but on the whole fair. I do not think that is very strange, because I think it is very hard for anybody to judge land in winter, especially in the three months of December, January, and February, particularly wet land in winter. In my property, I do not know anything about anybody else's, I think the Commissioners certainly reduced it at a lower rate in winter than in summer. I do not blame them, for I think nobody could help doing it. I think it is impossible to judge land that period of the year.

19,061. I suppose they judge very often in a hurry?—Well, my own experience is that they did it very carefully, but I think they were too low when they judged land in winter.

19,062. As things happened since, I suppose the rents were not too low, although they might have been at the time?—Quite so.

19,063. Do you think there is a difficulty on the part of the tenant paying now rents which were fixed then?—I think in the present depression the tenants ought to get an allowance; a temporary allowance.

19,064. It has been represented to us several times that though the prices are very low now, there

were times before, 30 or 20 years ago, when prices were just as low, and when rents were quite as high as the present rents, and were paid without difficulty. Has this, as far as you can say, been the case?—Well, my Lord, my experience does not extend for more than 20 years, but I think there is a great deal of truth in what you say. I think the farmers now live more expensively than they did then, while the exact contrary is the case with the landlords. This might account partially for the present state of things.

19,065. And it is very difficult for the farmer to go back suddenly to their former habits?—Quite so.

19,066. And it is very difficult to drive them to do so?—Quite so.

19,067. I suppose wages are higher?—The wages of the labourers are, I am glad to say, higher, but they do better work than they did formerly. I think the labourers work now much better, though I do not think it is equal to the rise in wages.

19,068. They give more value for the money?—Yes.

19,069. The power of the League is, you think, still formidable?—Certainly.

19,070. They do their very best to prevent the rent being paid, even in cases where reductions are given?—I do not find that.

19,071. Well, is the better payment of rent this year due to the fact that the League have allowed rents to be paid where reductions are given, or to the fact that the League are losing their authority?—I can only give my own experience; I think it is due to the fact that they think there is a Government in power who will support law and order. They are getting tired of the League, in fact, and are more inclined to pay; but the real difficulty that I have, and I have nearly every sort of land, except town parks, is with very small tenants. They are very difficult, and they are, I think, the chief supporters of the League.

19,072. The very small tenants?—Yes; they do not know anything better, and they think their very existence depends on their small holdings. They are very much disinclined to emigrate or go elsewhere, and they are, as I say, the real difficulty of the whole thing.

19,073. But the power of the League is decreasing even with these small tenants?—Even with the small ones, I think so.

19,074. And if it once begins to decline there are hopes, if the decline gets a fair start, that it may move more rapidly?—I hope so.

19,075. Are there any cases in which the rents are paid to the landlords clandestinely?—I know a great many.

19,076. This year?—Not many this year. I can give you some instances. A tenant came to me—

19,077. What year was this?—I think it was in 1884. He came to me, and I asked him when he would pay his rent; he said he would be glad to do so, but he was afraid of the League; but that he would lend me the money if I gave him an I O U for it. He gave me the money, and I gave him the I O U.

19,078. Was that to enable him to swear that he had not paid?—I suppose so. I should be very sorry to give your Lordship the names in the matter. Of course the I O U would enable the man to show that he had paid me the money if I died, in fact it was a real receipt. I have got payments also on promissory that the matter should not be made known, and promising to send the receipt in certain ways.

19,079. Was that this year?—No. The last instance I had of that was in July last, when one man refused not to tell that he had paid.

19,080. Altogether the tenants are more easily dealt with now?—Yes.

19,081. Is there a better feeling with regard to you?—They are getting more cordial now.

19,082. Have you had anything to do with the Purchase Act?—Not myself personally, but there is a case of purchase near me.

19,083. Do you think the tenants as a rule would like to be independent proprietors?—I think they are at the present moment led by public opinion. They think they will be able to get the land cheaper hereafter, and they are not inclined to purchase. I think, however, that they will see the advantage of purchase hereafter. With regard to this matter of purchase, your Lordship, I would wish to suggest an alternative scheme. Suppose a tenant's rent is £100 and that the landlord should agree to sell at 20 years' purchase, that would be £2,000. Now, what I would suggest is that the Government should lend the tenant £1,000 at 2½ per cent. repayable in 60 years, that is £35 a year, that the landlord on receipt of the £1,000 should reduce the rent £50 a year and give the tenant a lease for ever at that rent, the Government advance to be a first charge on the farm. In that way the occupier would eventually secure a reduced rent of £50 a year instead of £100 a year, and a lease for ever, and the advantage would be obtained of having the landlord still residing in the country, while the amount of money advanced by the State would be comparatively small.

19,084. You think it is an advantage that the landlords should still have a certain amount of interest in the country?—Yes.

19,085. You do not think there would be perpetual hostility between the two classes?—The rent being so small I do not think there would. That would be the chief object gained, that the tenant would have a smaller sum to pay.

19,086. Instead of advancing £2,000 to the tenant you would advance £1,000, and he would get a lease for ever of the land at £50 a year?—Yes.

19,087. You think the responsibility and independence would be the same in the case of a perpetual freehold as if the holder were the owner?—Nearly the same. I have known a case of this kind. A landlord bought a property on which a tenant held a farm at a rent of £100 a year. The tenant gave him £1,000 towards buying the property and the landlord then gave him the farm at £50 a year and a lease for ever. That arrangement is found to answer very well.

19,088. Do you think the landlords would be glad to sell a part of their properties?—I would be glad to sell if I got anything at all fair.

19,089. Twenty years' purchase?—Yes.

19,090. Would that induce you to leave the country?—No, I should live in the place where I live now.

19,091. And many other landlords would do the same if they sold part of their properties?—I think so.

19,092. Lord *Milltown*.—I think I understood you to say that it would be unfair to fix rents at present prices?—Certainly, I think so.

19,093. You think it would lower rents a greater per centage than they were lowered at the beginning of the Commission because we have had two bad years in succession?—I think it would certainly. The only possible way of fixing rents is by some sliding scale. I think that is the only way you could meet the matter.

19,094. I understood you to say that it is not an unusual thing for the Land Commission, when they value wheat, to fix a lower rent on some lands than they would fix if they were valued in summer?—That is my opinion.

19,095. From that it follows that it depends very much on the season at which a man's property is valued as what figure his rental is fixed?—I do not think I said very much. It depends a good deal, and I say I do not think the Commissioners are very much to blame for it. I think it is very hard to value land in winter.

19,096. Suppose they are compelled to value your land in winter, that must be one of the consequences, must it not?—Yes, I would suggest that no land should be valued in the months of December, January, and February.

19,097. I understood you to say that wages are higher now?—Yes, I am glad to say so.

19,098. But that the men give better value?—I think they do.

19,099. Do the farmers employ as many labourers now as formerly?—Not so much. They do a great deal themselves.

19,100. Not so many as they used to do before the Act of 1881?—There is not much difference since that time.

19,101. When did they begin to diminish the number of labourers they employed?—About 1875. It has been going on gradually since then.

19,102. The Land Act of 1881 has had no effect in increasing the number of labourers that the farmers employ?—I do not think it has.

19,103. The security they get under the Land Act did not induce them to employ more labourers?—I do not think they have employed a bit more since then.

19,104. Sir *James Caird*.—Is the land sold more in grain now?—Yes.

19,105. That would diminish the number of labourers?—It would. I remember in my boyhood the farmers certainly employed much more labourers than they do at present, but they had a lower rate of wages to pay.

19,106. Lord *Milltown*.—Supposing your suggestion that the landlord should grant free-farm leases at half the present rents on payment of a certain fine were carried out, what interest would the landlord possess in the land so let to the farmers, that would induce him to remain in the country?—Well, he would have the collection of the rent.

19,107. That would not be a pleasant duty?—No. But it would be a reason for his remaining in the country.

19,108. It might compel him to remain, but what inducement would it give him?—It would give him rights of shooting, and so on.

19,109. Then you contemplate reserving all royalties and exclusive rights of shooting?—Yes.

19,110. Sir *James Caird*.—But he could hire it from the tenant if the tenant were the owner?—Yes. The chief recommendation about the scheme which I suggest is that there would be less money borrowed from the Government. I have myself some head rents, and I find them very easy to collect.

19,111. They could be collected by letter?—Yes.

19,112. And you could collect them from London just as easily as you could collect them here?—Yes. I would wish to say that the late Sir Richard Griffith was a relative of mine, that I knew him very well, and I could tell you, if you desire it, how he regarded the valuation of the country made by him. Well, he said that he did not consider the valuation as at all a basis for adjusting rent, because he said it wanted revision very much, and he wished in the last eight years of his life (he died in 1878) that there should be a revision of the valuation. He said that the valuation was to a great extent made as a tillage valuation, and at the time tillage was more valuable than cattle.

19,113. Did he think the valuation too high or too low?—He thought about 25 per cent. ought to be added to it, but things were much higher then than they are now. It was in 1872.

19,114. Did he think it was an equal valuation as regards one district and another?—No, he did not, especially on account of cattle.

19,115. Lord *Milltown*.—Do you think it would be desirable to have a re-valuation of the whole of Ireland on a rental basis?—Yes, if it could be fairly carried out, but it would be very hard to do it.

19,116. That was his wish?—Yes.

19,117. Do you think if it could be carried out in two years, as Mr. Ball Grosse says it could, that it would be desirable?—If it could be thoroughly and efficiently and fairly carried out, I think it would, but I do not know whether in the present state of affairs it could be well done.

19,118. Mr. *Kaizer*.—Speaking of the judicial rents, you think the rents fixed in 1881 and 1882 are too high rents, now taking into account the price of produce?—I think they would be, I think the tenants ought to get an allowance during the present year.

Nov. 14, 1896.

Mr. John A. B. Shawcross.

Nov. 16, 1884.

Mr. John A. B. Newman.

In my own personal experience the rents were fixed higher in 1883 than in 1882.

19,119. Can you assign any reason for that?—I think the Commissioners were rather inclined to take the lands on which the valuation was low first of all, and they were inclined to lower the rents more in proportion than the rents later on.

19,120. Were there more appeals at that time than there were afterwards?—Certainly, both by landlord and tenants.

19,121. The Commissioners were afraid to give a large reduction lest their decision might be reversed?—No, on the contrary. First of all in 1882, when the Commissioners were rather new to the work, they appeared to me to select those lands in which the valuation was rather low. They appeared to lower the rents more in proportion at first.

19,122. You believe the rents fixed in 1881 and 1882 were higher than they were afterwards?—No, I think they were lower. I am only giving my own experience.

19,123. Have the landlords been giving a reduction?—I have given a reduction.

19,124. Are reductions general in your part of the country?—I think so, certainly.

19,125. They are giving reductions on the judicial rents?—Yes.

19,126. You think the judicial rents too high for this year?—Yes, certainly, but not for the past years.

19,127. The Commissioners could not foresee that prices would be so low?—Quite so. It was impossible.

19,128. The rents are high now that were fixed in 1881 and 1882?—I think the Commissioners if anything fixed the rents higher in 1881 than 1882.

19,129. And perhaps 1884?—I have no experience of 1884.

19,130. Can you assign any reason why the farmers do not employ so much labour?—I think partially it is because the wages are higher, and they do more themselves.

19,131. Speaking generally, are the farmers as well off now as they were six years ago?—I think this present year not, but I think in the past years they were a great deal better.

19,132. Is there a desire on the part of the tenants in your locality to become owners if they were assisted?—I think they hardly understand it much at present.

19,133. Have you thought of the effect that it would produce?—I think it would be of great use; I think they would become loyal peaceable subjects.

19,134. Do you think they might employ more labour?—I think some of them would.

19,135. And cultivate their land better?—Yes, I think it would mean the survival of the best, if I may use the expression, and that the improvident would be bought out by the prudent men. I do not think that class would find it so easy to live as under the landlords.

19,136. Do you think there should be some court of authority between the tenants and the landlords in fixing the price?—I think it would be a hard thing to do. I think it would be hard on both sides.

19,137. Would you object to the Court having power to make a compulsory order as to prices if the landlord and tenant are not able to agree outside as to the price?—If you give them liberty to go if they wish, nobody could object to that. They have that practically at present, but if you gave the Court arbitrary power to fix the price, I do not think it would do. It is a matter for private bargain.

19,138. Are there many leaseholders in your part of the country?—I think about one fourth of the tenants.

19,139. Have they received a reduction on their rents?—Oh, dear me, yes.

19,140. Do you think the leaseholders should be admitted to the benefit of the Land Act?—If you open

the court to leaseholders—I do not want to do away with old leases for long terms of years—but if you open the court to leaseholders I think a term, say under 50 years, should be fixed by Parliament, and if you give the power to both landlord and tenant to do away with these leases, I think it would be very fair.

19,141. Mr. Neillson.—The condition of the leaseholders socially has improved?—Yes, certainly.

19,142. They are living in more comfort?—Yes, and I think there is no more deserving class in the country.

19,143. You think the operation of the Land Act of 1881 and 1885 has been impeded by the people buying for better things in the future from their own point of view?—Yes.

19,144. Do you think that it would be important that this idea should be removed from their minds, and that it should be impressed upon them that there was no hope of such further legislation?—Certainly, it would be most beneficial.

19,145. It would be desirable that that idea of impression should be conveyed to them?—Undoubtedly.

19,146. Sir James Caird.—I think you told me were in favour, to a certain extent, of a new uniform and general valuation of the country?—If I could understand that it would be fairly and impartially carried out, I would be in favour of it, but I think that is a very hard thing to do. I think the valuer would, to a great extent, be interfered with by the occupiers, and not allowed to go over the matter properly.

19,147. Would it be necessary to bind anybody by such a valuation, either landlord or tenant?—No, sir, but it would be taken up and pointed to.

19,148. But the rents would not be fixed according to that valuation?—No doubt, but I think it would be regarded as a criterion.

19,149. What is the size of your farms. How many tenants have you?—I do not think the number of tenants would be fair test of the size of the holdings. There are two sorts of tenants on the property. I have 2,000 acres of light land, on which there are 70 tenants, all of those very small holdings; and the remaining part of my property is held by about 50 tenants, who have larger holdings.

19,150. Are the small holdings on the best land?—No, on the worst land. The larger holdings are on the best land.

19,151. Which class pays most regularly?—Those on the larger holdings, undoubtedly.

19,152. Have you any knowledge of what are called congested districts?—The 2,000 acres to which I have referred are a congested district, in my opinion.

19,153. Suppose the Government were to advance money to tenants holding land of that low quality for the purposes of purchase, do you think they would have reasonable security for the repayment of the advance?—In some cases they would, and in some cases it would be a rather poor security. It depends on the amount of the purchase money. I may say, I think a great deal of the agrarian crime of the country comes from the occupants of these small holdings. They are the real difficulty, because if they had the land almost for nothing, with their large families, they would hardly be able to live on it.

19,154. Do you think that the land would afford security for the money advanced?—In some cases it would, and the purchase would be a great advantage to the country. It would make these men much more loyal and peaceable inhabitants of the country than at present.

19,155. These men are on the poorest land—I have cases of every sort of land.

19,156. Do you think the poorest men would fulfil their obligations if they got the land?—I think of course the risk would be much greater in their case.

19,157. Much greater?—I would say so, and much greater still if the men are forced to have the land.

There are cases, of course, where it would be quite safe.

19,158. But you would have to sell to the whole lot; you could not select some individuals. How would you get over that difficulty?—I would be inclined to sell to them, but I would not give all the right of purchase. I think it would be a great benefit to the State, as it would make these men peaceable, orderly people.

19,159. Do not you think there would be a great risk that these people may borrow on their security, and get more deeply involved?—Well, yes, and I should say that the Government would insist on turning them out.

19,160. With regard to evicted farms, you have no experience of them, as you never had an eviction?—I never had any.

19,161. Do you know whether it is the case that when a farm is evicted it is impossible to get another tenant for the land?—I would not say impossible. It is rather hard. It depends a great deal on what the people consider the justice of the case.

Mr. PATRICK O'MAHONY, of Kildowry, examined.

19,162. The President.—You are a tenant farmer in the county of Cork?—Yes, I hold about 350 Irish acres.

19,170. How far from Cork?—About 30 Irish miles.

19,171. You are a landholder?—I hold some land under lease and some without lease.

19,172. Is what you hold under lease more highly rated than the other?—It is.

19,173. And you would like to come in to have a fair rent fixed?—I would like it.

19,174. You see no reason why you should not come in?—I think it is a mistake they should be left out of the 1881 Act.

19,175. Had you judicial rents fixed?—Yes.

19,176. What year was your judicial rent fixed?—Immediately after the passing of the Land Act of 1881. I put two farms in the Land Court, and a third that was under lease I put in as well. I knew it was illegal, but I did it just to make the landlord reduce the rent.

19,177. The Court of course dismissed the application?—Well the landlord and myself came to terms. I took that as an accommodation then, and I had a clause of surrender in the lease, and he allowed 30 per cent. He has allowed 20 per cent. off the judicial rent also because I could not pay the rent.

19,178. Was that this year?—This year past, last January.

19,179. You were not able to pay the rent?—No.

19,180. And you got 20 per cent. reduction?—Yes. And I got 20 per cent. again after that, that makes 40 per cent.

19,181. And you paid?—I did, sir, but still if present prices go on 50 per cent. would not make it any, I am still losing. I did not pay the rent out of the farm crop with 40 per cent., and even with that reduction I think I will not keep it.

19,182. Have you ever thought of the question of purchase?—I have sir. I think that compulsory purchase must be brought into the country, there is no living for the tenant and the landlord with the present amount of taxation.

19,183. I suppose the landlords would not be willing to sell at the price that you would like?—I think the ideas of the landlords as regards purchase are too high. They look to the prices of a few years ago when things were high.

19,184. Now what is your idea of a fair purchase as the rents that you are paying?—My idea would be from 8 to 12 years purchase on middle class land.

19,185. That is where you get the 40 per cent. off?—Oh, I have other land that would pay 10 or 15 years. I would pay 15 years for the best land.

19,162. Would it be considered justice to evict a man because he would not pay his rent?—In some cases it would not.

19,163. It depends very much on the district, I suppose?—Yes.

19,164. You are quite ready to make a temporary allowance?—Yes.

19,165. Can you not make a figure that you would consider as a fair allowance?—No, because I do not think the lands are equally let, even by the Land Commission.

19,166. Your proposition that the Government should advance the money to landlord on the condition that he gives certain terms to the tenant would lessen the risk to the Government?—Certainly, it would be the first charge, the money that would be advanced.

19,167. The landlord's position would be very safe also?—Yes.

19,168. And the condition of the tenant would be improved also, because he would be getting a handsome reduction also?—Yes.

19,186. That of course would be a great loss to the landlord?—Well of course it would be a loss to the landlord.

19,187. And if he had incumbrances, mortgages, and jointures he would get nothing at all?—He might not.

19,188. Would you leave the price to be paid to be fixed by Commissioners?—If they were properly skilled, and not like the Commissioners of the Land Act of 1881, who were not skilled agriculturists.

19,189. Did the Commissioners under the Land Act value too high or too low?—They valued to the best of their judgment, they were not skilled men. I myself learned farming at the Model Farm. I am a skilled agriculturist.

19,190. But I ask you did they value too high or too low?—I do not think they were skilled men that knew their business. I have a farm at Owen Court, and I have a good class and a worst class of land, and the Commissioners regarded them as the same class, and they would not do that if they were skilled men.

19,191. Mr. Keble.—Have you found farming profitable for the last few years?—Farming does not pay the labouring man to my knowledge.

19,192. Do you employ many labourers?—I pay 30 regular, but I carry on a shop business and milling as well.

19,193. What do you pay your labourers?—15s. a week for farm work. For the shop and the mill I used to pay 15s. when the milling business was considerable, but for the last two years foreign competition has hurted the local mills.

19,194. Are you employing as much as you did six years ago?—In the farm I am, because I keep a fine kin burning six months of the year. I improved the land, I have done a great deal to it.

19,195. Does farming pay as it did?—Not at all, nor anything like it. The people have not the capital. If I was depending on farming alone I could not get much money in the land, it would hardly pay the servants wages in consequence of the low prices. With oats at 5s. a stone, I would defy any man to grow it at 5s. a stone; it would not pay the labour and the seed, not to mind rent at all.

19,196. And there is no profit to be made on cattle for the last year?—No.

19,197. And butter is also down?—Yes. I keep 20 dairy-cows, and a 100 breeding ones, and I sell 30 or 40 springers in the year, but they do not pay.

19,198. Local Affluence.—But you can always get a good price for springers?—There is a bad sale for them this year. No profit.

19,199. When did you buy the springers?—About March, December, and January.

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19,200. But if you bought them last March, you could buy them pretty cheap?—Not cheap; they were cheaper afterwards.

19,201. But you are sure to make 2*l.* or 3*l.* a head on them?—Well, hardly that, taking the winter's feed into account. I saw sold cattle in Mallow at 10*l.* 10*s.* per head, three-year olds, and I valued them myself at 11*l.*

19,202. Mr. Knipe.—Could you give us an idea of how much they were reduced in price?—I could; I made myself in 1892 an average of 18*l.* a piece on 30 of these three-year olds. I sold four of them at 23*l.* a piece, but the average was 18*l.*

19,203. What would they be worth this year?—I saw as good cattle sold for 3*l.* or 10*l.* a piece, and I valued some of them at 12*l.* myself. They were chosen cattle from the county Limerick; some of them from the Golden Vale. Mr. Duvelling, of Ashford, got four of mine, and he keeps the best.

19,204. Is there a general desire on the part of the people to become owners of their farms?—I say the agitation in this country will never be settled until you have in the whole country the tenant farmers owners in fee, and the more the Government settle that, the sooner everything will be right, and the tenants will become as big Conservatives as even the men in England or Scotland.

19,205. Mr. Neligan.—How soon would you expect to have a new race of landlords springing upon the country?—Re-letting, you mean.

19,206. Yes.—I would not allow re-letting at all. I would allow them to amalgamate farms, but I would not have any re-letting.

19,207. But how would you manage if the father or mother died and the children were not of age to manage the place?—Legislation could provide for that. I think there should be a tariff put on imported manufactures, such as flour. I would put an imported flour half-a-crown per sack.

19,208. Lord Millicom.—The making of flour in Ireland has nearly come to an end?—Nearly come to an end.

19,209. And that is a great loss to the farmers?—A great loss to the farmers who grow wheat that there should be this flour from America. Even as low as six *s.* is often met now coming from Canada.

19,210. You do not advocate putting it on the raw articles?—No, I would put it on the manufactured article half-a-crown on a sack of flour.

19,211. Do not you think that would be very much opposed by the consumers?—I say that half-a-crown would only bring it to the same level as the flour at home. We would still have competition with half-a-crown on each sack, and it would give a large revenue to the country and reduce the taxes in other ways.

19,212. But it would not give a large revenue if it stopped the importation?—I do not think it would stop the importation. I do not think half-a-crown would stop it. There is another matter that I would say I think the repayment of the purchase money should be extended to over 100 years.

19,213. You had better propose at once that it should be a perpetual tax?—The country I anticipate has-and-hye will become more prosperous, and the farmers' rent in that way might be reduced, because he will smoke more than now and consume more, and if he does there may be a surplus.

19,214. And he may drink more?—No, the poor farmers at my place cannot afford to drink a glass of

whisky in six months, but when the times become more prosperous you will have from the inland Revenue a surplus that may go to liquidate portion of the farmers' debt.

19,215. What would those people say who do not own any land?—The farmers contribute the bulk of the revenue, and they would be entitled to it.

19,216. Mr. Neligan.—Has the consumption of whisky in the country increased?—The consumption is reduced in the spirits trade by one half.

19,217. We have been told that in some districts it is more than the poor law valuation and the rents put together?—It is more in the towns and cities than in the country.

19,218. Lord Millicom.—Are you a retail dealer yourself?—Yes, perhaps I sell more whisky than all in the village; I am wholesale agent also.

19,219. Is this a small village?—There are only four or five hundred people in it, but it stands in a rich district.

19,220. How many public-houses in it?—Thirteen.

19,221. There are 13 public-houses in this village where the farmers do not drink a glass of whisky in six months. What keeps them going?—Well, the village stands in a district of 7 or 8 miles, and there are farms attached to the public-houses. The people are not living on the public-houses place. They have farms attached to them and dairy cows.

19,222. Lord Millicom.—Would it meet your view if the landlords were able to reduce the present rent by one-half or one-fourth, and if the Government advanced money to carry out that arrangement? Would that satisfy the feelings of the people in their desire to become owners?—I do not think it would, sir.

19,223. They would be owners in this case, subject to the payment of a small head rent?—I do not think they would retain the landlords at all, and the landlords would have no power to collect the head rent. You must hear in mind I am not a member of the National League, and that I have been publicly boycotted because I would not give them my support.

19,224. In the case I suggest the landlord would have no power whatever over the property, he would merely collect a fixed head rent. That is a suggestion made to us.

19,225. Sir James Caird.—You think the Government should advance the money to buy up the whole land of the country?—Yes.

19,226. Do you know the extent of the rental of Ireland?—No.

19,227. Do you know that it is stated to be 17,000,000?—I suppose so, but my idea is that we should have the tenants in possession, and that we should have no landlords.

19,228. But supposing the English and Scotch farmers desired to get rid of the landlords whom would the money come from to carry out that immense operation?—I would have it done for all that.

19,229. But where is the money to be got?—Oh, British credit is very good. We have no objection to be connected with Britain.

19,230. Particularly if Britain would give you her money?—Well of course we would pay it back. We do not want a present of it. We would pay it back with interest. I think we should be proud to be connected with such an empire as Great Britain.

19,231. Lord Millicom.—And to have an equal share in it?—Yes.

Mr. ROBERT UNLACKED PENNOCK FITZGERALD, M.P., examined.

19,232. The President.—Can you tell us about the size of your property in this country?—Between 3,000 and 4,000 acres.

19,233. Have you got your rent this year?—Up to March last, yes. The other gals is not due yet.

19,234. Do you expect to get them this?—I think so.

19,235. Have you given abatements?—Well, we are taking every case into consideration and trying what is to be said between landlord and tenant.

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may say I interfere very little with my agent, but there are my instructions, and I believe he is carrying them out as hitherto he has done.

19,236. This time last year did you get your rents as well?—I would hope to get them better this year.

19,237. Is there an improvement? Had you any difficulty in collecting your rents last?—Well I cannot swear that question in such a way as to be satisfactory to the Commission.

19,238. My object merely is to see whether the circumstances of the country are improved this year, and whether rents are more easily paid this year than last year. I think from what I can see that they are somewhat more easily paid this year than last year.

19,239. The power of the League is still formidable?—The power of the League is still formidable in many places.

19,240. You do not take much personal part in the management of your property. Now what evidence would you be willing to give which you would consider useful to us?—I would rather answer any questions put to me. If I were to go into details, and give the prices now and the prices at the time of Griffith's valuation, and at the time of the passing of the Land Act, I would be merely repeating in my evidence what practically I stated on Mr. Parnell's Bill, all of which figures were collected from the Poor Law Unions, from Chambers of Agriculture, and from other such sources, from Mr. Valence Stewart's book, and which were fully verified, and to go over such matters again would be taking up a great deal of your time.

19,241. As far as I remember you showed that there should not be any difficulty in paying rents now?—I established that there was no case for interference by law with the judicial rents fixed by the Land Act. I do not wish to be understood that I say that there is no case in which bad weather has interfered with the maturity of the crops, and that opens up the question how far this country is adapted for the growing of such a crop as barley.

19,242. If the tenant farmers will grow these things, and have not got any money in their pockets in consequence, the only recourse is to make an abatement?—Yes, and try and make them improve their farming.

19,243. What are your views with regard to the question of purchase? Do you think it would be a good thing to establish a number of peasant proprietors?—I think that having regard to past legislation that it is absolutely the only way out of the difficulty. Of course it is not far me to say anything about legislation that is past, but I say that having done what you have done in the last Act you will have to take a further step, and make the tenant owner of the soil. You cannot have a divided jurisdiction over the land.

19,244. You would encourage the tenant to buy?—Yes.

19,245. But you would not make the purchase compulsory only on one side?—If at all it should be on both.

19,246. We have had a recommendation that it should be compulsory on one side. You think it should be compulsory on both?—No, I do not think there is any necessity to make it compulsory, and I strongly object to again interfering with the laws of political economy and forcing people to do what they do not wish to do.

19,247. You would have the master develop itself under the principle of Lord Ashbourne's Act, and if it does not develop itself in a certain number of years it will be then time enough to consider the question of compulsory purchase?—It will develop itself if there is a chance of peace and quietness in the country.

19,248. It is suggested in favour of compulsion does here that it might have the effect of breaking the opposition of the League, and that the tenants would buy and would not mind being compelled. That is the principal argument in favour of compulsion, I do not know if this is your view?—There is a great deal in that, but I do not think that argument goes far enough to justify the Act being made compulsory. There is one thing in Lord Ash-

bourne's Act that I cannot help thinking is very unfair and opposed to the ordinary principles of sale and purchase. I do not think the seller of the property should be asked to be the giver of the guarantee of one fifth. Now, as it is infinitely more for the tenant's advantage to buy, I should propose that in case of a sale, say for 100*l*., that there should be a 100*l*. lease as a guarantee, and at the end of 15 years when there is sufficient security for the Government in the land I should propose that this 100*l*. should be handed back to the tenant. In that case you will have the guarantee from the right man.

19,249. The tenant should put down one fifth at the moment of purchase?—No. Let 400*l*. be paid and keep back 100*l*. and let the tenant give a number of years purchase to cover it, and then at the end of 15 years let the 100*l*. be handed to him. It will be very convenient for him to have the money then. You will in this way be getting the guarantee from the man who is going into the land, and not from the man who is leasing it, and selling it to another. It would, no doubt, be difficult to explain to the tenant that he was not giving a greater number of years purchase at the outset.

19,250. He will give the same price and advance a certain amount besides which he will get back in 15 years?—Yes.

19,251. Sir James Caird.—You would be taking the guarantee off the landlord and placing it on the tenant?—Yes.

19,252. The one fifth is now covered by the landlord in the shape of an increased price?—Yes.

19,253. But would not that reduce the immediate advantage to the tenant. He would not have the inducement to buy of an immediate substantial reduction in his rent?—It would come to about the same.

19,254. Lord Milnes.—No, surely. There would be a higher purchase money, and therefore a higher instalment. Would you extend the period of repayment and in that way restore the equilibrium?—Yes, but not very much. If he gives a higher purchase money it would be given back to him in 15 years.

19,255. The President.—Do you think there is a willingness on the part of the tenants to purchase if they were let alone by the League?—It is a difficult question to answer. I think there are a great many of them, and their minds are so absolutely hounded with the opposite statements made to them by opposite political parties, and by opposite sides in the press, that it is impossible for them to decide what is to their advantage.

19,256. They are holding back in hope of getting better terms?—Yes. That is certainly a very strong feeling in human nature.

19,257. The landlords would be willing to sell?—I think, to a certain extent, to a great extent, they would. I think the majority of the landlords would be willing to sell, and if so, things would come to a more natural basis. Things now are on an unnatural basis. You have done one illegality in banishing political economy, and you must go on now and do another illegality, and tamper with these laws still further.

19,258. By giving undue facilities to the tenants to purchase. What is the illegality in Lord Ashbourne's Act?—You would prevent in one way one man dealing with another in the open market, which is the only way so make a genuine arrangement, and it is illegal to put pressure on a man to sell who might not wish to sell.

19,259. What is the pressure?—Political pressure and the pressure of intimidation.

19,260. Does that pressure exist now?—It is there in the lawless state of the country. It is an unfair state of things for the landlords, and if the landlords are willing to sell now it is because of the undue pressure put upon them. Supposing there were no angry demonstrations and violent speeches, and no intimidation and outrage, I do not think I would give the same answer, but if the landlords are willing

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to sell now, they are willing to sell for the reasons I have stated.

19,201. Do you think the whole of the landlords would leave the country if they sold their properties, or would they continue to reside on their properties?—That is a very difficult question to answer. The ones who would leave the country, the country would be very well rid of. I suppose the drones would go, and the working men would stay behind.

19,202. In fact nothing but unimproved good would come from the extension of the number of peasant proprietors?—I would not say unimproved good more than harm. I need not say I am in favour of the leaseholders being admitted to the Land Act. I always thought they should be admitted. I would not, however, admit holders of town parks, as their land might be used for building purposes.

19,203. You would not admit town parks?—No, I do not think I would.

19,204. But you would admit leaseholds as a rule?—Yes.

19,205. In fact you never heard any reason to the contrary?—I never heard a good reason. One hears a great many reasons for things in one country. I think there should be some lightening of the taxation put on land. There is no question but that the tithe rentcharge is a direct injustice to this country.

19,206. And that it should be abolished?—It should be abolished. There is no excuse for keeping it, except just one, you must keep it. Let me recall exactly what took place about the tithe rentcharge. In former times the tithe rentcharge was entirely collected from the tenants by the State, but the State failing to collect it, owing to violence and outrage, though it was not quite so bad as now, the Government turned round, and said to the landlords, "We will give you authority to collect the whole of the tithe rentcharge by increasing the rent on the tenants, and we will allow you 25 per cent. off for the costs of collection." Therefore the landlord was made responsible for the collection of this tax over his rent. Then comes the Land Act which reduced the landlord's rent a great deal more than the tithe rentcharge, which was put on him, and which the Government had ordered him to collect. Now we have to make bricks out of straw. We are told to collect the tithe rentcharge as landlords, and then comes Mr. Gladstone and he knocks off 25 per cent. of the rent, that is to say, exactly the rent margin that the tenants had to pay to cover the tithe rentcharge. Therefore we cannot collect it. There is further the sentimental reason. There is now no church for which to collect the tithes. The tithe is a direct tax on the land, and though the landlord is forced to pay it, he has not the wherewithal to do because it has been taken from him by the State by Act of Parliament. I may say I feel very strongly the injustice of putting all taxes on real property, and not putting them on personal property. Vaccination, sanitary improvements, every single thing is put upon land because you have a ready means of collecting it.

19,207. Is there any further suggestion that you would wish to make to us?—Well, I have said I am against the admission of town parks. As to altering the judicial term of years, I would say that to make any further alteration that could possibly be avoided would be a fatal thing to the peace of the country. It is the worst of a settlement of any sort that we have been cursed with more than anything else. There will be no permanency if you hold out the chance of further future alterations.

19,208. Do you think the local authorities would be of any use in fulfilling security to the Government for advances made under Lord Ashbourne's Act?—No, sir, I do not think at present such a local authority would be of any use.

19,209. Lord Ashbourne.—Have you considered the desirability of admitting grant lands to the benefits of the Land Act more freely than they were admitted under the Land Act of 1881. It has been suggested to us that conditions under which pasture farms are

admitted might be relaxed?—I do not think I am in a position to judge. In the county of Cork, except to the north of Buttermont, we have very few thoroughly exclusively grass farms except gentlemen's demesnes.

19,270. Has the Land League interfered with the working of the Purchase Act?—I think it has to a very great extent.

19,271. Has it interfered with the payment of rent?—It has to a great extent in parts of Ireland, the south of Ireland.

19,272. I understand that its power is much diminished?—Well, that is a very hard question to answer, as to whether its power has diminished. I think in some parts its power has slightly diminished. I do not think there is the same implicit faith that funds will be supplied to the tenants who obey the orders of the League, and they are afraid that their farms will be taken up and worked by the Land Corporation and that sort of thing. You are all aware of the very typical case of the tenants at Lord Cloncurry's estate at Marrow, who still live in the neighbourhood of the property in houses supplied by the League. When Lord Cloncurry failed to agree with his tenants, the Land Corporation of Ireland, which Mr. Kavanagh, Lord Chesham, and myself founded, took up the property, and the tenants were put into houses around the place, and an allowance made to them by the League and they are there still. A statement was made that these tenants who put their trust in the promises of the League had been disappointed, but I saw a letter in yesterday's paper contradicting this statement, and quoting the success received by the tenants, and saying that the weekly allowance was still paid. If that be the case a would not appear that the power of the League has been very much broken.

19,273. Do you think the Land League is likely to die a natural death in a reasonable time in the present state of the law?—Well, what I would regard a natural death in a reasonable time, probably would not agree to the idea of this body.

19,274. Well, say within 12 months?—I am afraid it will not die within 12 months. If you ask me pointedly whether I am in favour of the immediate suppression of the League by force of law, I should say "No," because I think gradually it is losing its power. But this is a political subject in which it is for those to decide who have the proper information.

19,275. I understand that as long as the League retains its power the Purchase Act is not likely to have a fair chance?—I think as long as the League retains its power it will be able to prevent the Act getting a fair chance of working.

19,276. And the landlord will experience considerable difficulty in paying his rents?—The trading of the League is more and more every day to interfere in every case. It takes up every case good, bad, and indifferent.

19,277. If the tenants were only left to themselves they would get on well enough with their landlords?—I am quite willing to think that in that case if the tenants had the rent they would pay it. Of course the tenant who has not the rent cannot pay it whether there is a Land League or not. One thing I should very much like if it were within the scope of this Commission, that you should get evidence as to the difference in the mode of living of the landlords and the tenants in this district for some years back. You will see how the landlords have given up their yachts, and their carriages, and their servants, and everything else, and you will see whether there has been anything like the same reduction of personal expenditure on the part of the tenants, who have given up most of what I may call personal luxury and who have suffered most by what has taken place.

19,278. The President.—Perhaps the landlords would not like that we should inquire too closely into their impoverished circumstances?—(No answer.)

19,279. Lord Ashbourne.—And the tenants might not like that we should inquire too closely into their

agreeable circumstances?—I think the inquiry could be made, and it would then be seen across the water who have suffered most by these bad times.

19,280. The best witness told us that in his county the poor Irish farmer does not get a glass of whiskey in six months; he has suffered so much from the depression of the times. Is that your experience?—Well, that is exactly contrary to my experience. There are of course such things as the League of the Cross which are doing a great deal of good, but unfortunately I am obliged to admit now, more strongly than I did when I spoke in the House of Commons, that the amount of the reductions of rent in some places bears an extraordinary similarity to the extra amount spent in drink, according to statistics that are transmissible. Another matter to which I would wish to call attention is this: On many estates in this county, when the tenant came in he came without paying a fine of any sort, and the old tenant who might have broken in the places would perhaps carry off with him two or three years' rent and his passage money to America. On certain estates, however, the highest fine, often 1,000*l.* or 800*l.*, was taken. In England it is not called a fine; it is called purchase. No doubt in that case the incoming tenant might very justly complain if he had not the right to sell, but there are a number of estates on which, as I say, no fine was taken, and yet the rent was fixed just the same on these estates as on the land across the fence on which the highest fines were taken, and the man who took a fine from the incoming tenant stood now in exactly the same position as the man whose family for generations took no fines from incoming tenants.

19,281. The President.—When the rent was fixed the Commissioners did not take the fine into account?—No. They both can sell now in every instance, the man who paid the fine and the man who did not pay it, and in one case a man can sell a tenant right that he never paid for.

19,282. Should the landlord who took no fine from the incoming tenant on a farm be compensated by a higher rent being fixed on that farm?—The tenant might should be his property, but now in both aspects of the case alike it is given to the tenant.

19,283. The practical result of the operation of the Land Act of 1881 was to take so much money out of the pocket of the landlord who took no fine?—Yes, and a further result as well that arises is this, that when a man sells what he has not paid for, and sells a possibly for 12 years purchase, that man takes the 12 years purchase in his pocket and goes off to America perhaps with it, while the farm is saddled with that incumbrance for ever. I may say I think that all the people require to enable them to live comfortably and well is to be let alone.

19,284. Do you mean let alone by the Government?—I do not think the Government are altogether blameless in the matter, I do not mean just now of course, and I do not say that at present there is not another body that is more liable to blame, and trying more to compel the tenants away and keep them from minding their farms.

19,285. If they were let alone by the Land League? If meetings were forcibly prevented?—Well, I do not know that you can forcibly prevent people from giving bad advice. It is a very difficult question. I do not think that direct interference with the Land League, such as the passing of exceptional legislation, would be advisable in the immediate present. What may happen and what may become necessary hereafter I am not able now to say. What should be done in those parts of the country where extraordinary violence and outrage occur, of course, I am not capable of offering an opinion, but I do hope that no such measures will be extended over the whole of Ireland.

19,286. Lord Midleton.—You think it just as unfair to treat the whole of Ireland as if it were one, as to treat the whole of the United Kingdom as if it were one, deserving exceptional legislation?—Quite

19,287. There are parts of Ireland as quiet and as well-behaved as any portion of the United Kingdom?—Yes. Many parts more so.

19,288. Mr. Keble.—Did you give evidence before the Beshborough Commission?—Yes.

19,289. I see you recommended the sale of the property of the absentee landlords?—Did I. Did I recommend that they should be forcibly sold out?

19,290. In reply to Baron Downe you say, "The man who never sees his tenants, never sees how they are getting on, and never discharges the real duties of a landlord. There are hundreds of ways in which a country gentleman might use his influence beneficially." "In the case of these men you would be much inclined to compel them to sell their estates?—I would." Is that your opinion still?—Well, if it is not my opinion now it is because I am against any further interference one way or the other. We have been so hampered with interference one way or the other saying a person shall not do this and a person shall do that, that I am against any further interference with the law of purchase and sale.

19,291. Is that the reason of your change of opinion since 1880?—Well, since 1880 I have inquired a great deal into the estates held by absentee landlords, and if such landlords cannot exactly have that private influence that a resident landlord can have, still I find that in many cases on the estates of the large absentees the tenants are treated with so much leniency, if not greater, than by the resident landlords, because the absentee is a rich man. I allude to such men as the Duke of Devonshire and Lord Middleton. I know a good deal about these properties and how they are managed, and I know they are kind and judicious landlords, though of course the country has not the benefit of that personal influence which residence here from day to day would give.

19,292. And you do not think it would be any advantage to the country to compel these landlords to sell now?—Well I would, rather before I would compel a man like the Duke of Devonshire to sell to his tenants, ascertain first whether the tenants would be willing to buy. I rather think they would probably prefer to remain as they are. It is difficult when asked whether you would wish that the property of absent proprietors should be sold to the tenants to at once say "yes," because that would be practically admitting that the properties of these landlords are worse managed than the properties of the resident landlords, and I do not want to admit that because it is not the truth.

19,293. But looking at your evidence in 1880 I see you recommended the establishment of peasant proprietors?—Yes, and I do now. I said then that I thought it was the solution of the question, and now I think there is no other way out of the difficulty. The land must belong to one man to make money out of it, either to the landlord or to the tenant.

19,294. You think the State should not have interfered at all?—It should not have interfered.

19,295. And you do not think it should interfere now?—You did one injustice in preventing an individual doing what he wished with his own property, and came gently you will be compelled to proceed and do a second injustice.

19,296. Lord Midleton.—At any rate whether compensation may eventually become necessary or not you think it is not necessary at present?—It is not.

19,297. Mr. Neill.—Under the working of Lord Ashbourne's Act some landlords sell their property considerably under 20 years purchase, some 16 or 17 years purchase, and the first thing the State does upon the sale is to proceed to charge the landlord, 25 years purchase for the title rentcharge on the property. Do you think that is quite fair?—It is most unjust. It would not hold water for a moment.

19,298. You sell at a small rate of purchase, and the Government takes the highest possible rate of purchase for the title rentcharge?—Yes.

19,299. Do not you think that is a great injustice under the Act of 1881?—It is a tremendous injustice,

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M.P.

and as I said before I think it is most unfair to the landlords as well as the tenants, that the slide rent-charge should be continued at all.

19,359. Does the same observation apply to the quit rent?—No. They did not interfere in that case, but under Stanley's Act you were compelled to collect a large addition to your rent in the shape of tithes, and then came the Act of 1881, which took 25 per cent. off your rent, and still you are compelled to account for the slide rent-charge.

19,360. Sir James Caird.—Have you in consequence of what has taken place since the julkid rents were fixed, considered the question of a produce rent?—I am afraid that in some years to come those bodies whose business it is to make the tenant dis-possessed would prevent them from accepting such an arrangement, and that the result would be that the people would become worse farmers and less producers than at present.

19,361. Then you would prefer to leave the tenants under julkid rents to the consideration of these landlords in times such as the present, when things are considerably depressed?—My opinion is that there are a very few instances in which the tenants would not be gainers by it. You must remember that in every arrangement that is brought about the bargain is always broken through entirely for the tenant, never for the landlord. Every time a new law is passed it is said to be final; it is broken always for the tenant, and never for the landlord's advantage.

The Commission then divided into two Courts.

[Before THE RIGHT HON. EARL COWPER, President, Mr. NEWMAN, Q.C., Recorder of London, and Mr. KERR.]

Mr. THOMAS JOSEPH CLANCY examined.

Mr. T. J.
Clancy.

19,366. The President.—You are a butter exporter?—Yes, and a manufacturer of preserved butter for consumption in foreign countries.

19,367. We have had a good many returns as to the price of butter. Have you any good information that you could give us on the subject?—I have made a useful table here, my lord, showing the prices paid to the farmers in 1883 and 1886 respectively in the Cork market with the number of firkins sold under

You will, therefore, see that your question is difficult for me to answer.

19,362. But I understand you are against any further alteration of the law?—Yes.

19,363. The position of a tenant who had a judicial rent fixed would not place that tenant outside the consideration of a landlord in any degree more than any tenant on the property. Would it, in your opinion?—It might not, except the landlord and himself were not getting on very well before. I will just mention a letter I had from a tenant. I wrote to him and asked if he would give me honestly his reasons for declining to purchase, and he wrote in reply, "I am at present under a very good landlord, who in bad times always gives me a reduction, and I do not think I would be better off paying 25 years' purchase than I am as your tenant."

19,364. That is, he considers he would be better off with a reduction of rent when a bad year came like the present?—I deny that, although this has been a very bad year, that yet if you go back to the time of Griffiths' valuation, and take the returns of the prices at that time, I deny that there has been such an exceptionally bad year. There is a great fall in certain things, but I deny that there has been a fall on a general average since the time of Griffiths' valuation.

19,365. But there may be during the remaining years of the 15 years term?—Well, I think we cannot see the last point of American competition in this country.

6d. per lb., and at each penny per lb. from 6d. upwards, and at the bottom I bring out the average prices per firkin and per lb. for the two years. I took 1883 as a fairly typical year before the last fall, and as the most recent year before it. If I selected 1881 perhaps I might have made a stronger case, but I have taken what I regard as a fairly typical year.

This is the table:—

TABLES showing the Prices paid to the Farmers for Butter in the Cork Butter Market during the Year 1883, and from 1st January to 12th November in 1886, with the Number of Firkins sold at less than 6d. per lb., and at each 1d. per lb. from 6d. upwards.

PRICES PER LB.	1883.			1886.		
	Number of Firkins.	Approximate Value per Firkin.	Total approximate Value.	Number of Firkins.	Approximate Value per Firkin.	Total approximate Value.
		£ s. d.	£ s. d.		£ s. d.	£ s. d.
Sold at under 6d. per lb.	8,236	1 10 0	4,597 0 0	23,193	1 10 0	26,217 0 0
From 6d. to 7d. per lb.	4,223	1 10 0	3,389 0 0	23,132	1 10 0	15,197 0 0
" 7d. to 8d. "	12,085	2 8 0	25,017 10 0	51,332	2 8 0	34,629 0 0
" 8d. to 9d. "	18,797	3 11 0	47,908 17 0	61,947	3 11 0	106,739 17 0
" 9d. to 10d. "	109,522	2 17 0	232,223 4 0	26,204	2 17 0	20,047 10 0
" 10d. to 11d. "	96,195	3 0 0	289,855 0 0	21,470	3 0 0	64,626 10 0
" 11d. to 12d. "	54,411	3 9 0	187,717 19 0	29,499	3 9 0	75,497 0 0
" 12d. to 1s. 1d. "	17,011	3 10 0	65,191 5 0	5,464	3 10 0	15,920 0 0
" 1s. 1d. to 1s. 2d. "	16,326	4 1 0	78,339 5 0	349	4 1 0	1,417 0 0
" 1s. 2d. to 1s. 3d. "	1,666	4 7 0	7,234 9 0	44	4 7 0	161 0 0
" 1s. 3d. to 1s. 4d. "	120	4 13 0	604 10 0	0	4 13 0	0 0 0
Totals	338,293	- - -	1,046,026 13 0	367,223	- - -	331,690 9 0
Average price per Firkin	- - -	3 1 80	- - -	- - -	3 8 0	- - -
" " " "	- - -	0 0 94	- - -	- - -	0 0 8	- - -

18368. *The President*.—The season of 1883 is not closed yet—Practically, it is. I have made this note up to the 12th November, and the bulk of the butter is sold, and what will now come in will not be of the same quality. At the bottom of the return I have handed in, I state:—"About three freshings per pound should be deducted from the above prices to ascertain the actual amount received by the farmer for his butter. This three freshings will include cost of firing, carriage and expenses of market, and interest of money, but will not include any portion of the maker's expenses, wages, etc., of the dairy or farm." I may say that in addition to being an exporter of butter from the Cork market, I am a purchaser of butter outside of Cork market. My buyers go

to the county of Limerick and the county Kerry, and also to the West of the county Cork, and I find that the falling off in the price of butter in those places corresponds to a remarkable degree with the Cork market. Your secretary has handed to me a return which was prepared some time ago by myself, and which has been given in by Mr. Townsend. It is a return showing the fluctuation in the prices of butter for the past 40 years, but as the tables do not show the quantities sold at each price, and as the tables are made entirely from the prices of first quality butter, they are merely useful for showing the fluctuation of price, and are no indication of the value of the butter generally. This is the table:—

Nov. 16, 1884.

Mr. T. J. Clancy.

"FORTY-YEAR FLUCTUATIONS in the price of BUTTER showing the average PRICE of the FINEST BUTTER each month, year, and ten years—the cheapest and dearest month, and the rise in Prices from the lowest to the highest Price each year, for the 40 years ending in 1881"—

TEN YEARS—1871 TO 1881.

Season.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Average for Season.	Cheapest Month.	Dearest Month.	Rise in Price.
1871-2	120	120	120	120	120	120	120	120	120	120	120	120	120	March	April	1
1872-3	120	120	120	120	120	120	120	120	120	120	120	120	120	April	May	1
1873-4	120	120	120	120	120	120	120	120	120	120	120	120	120	May	June	1
1874-5	120	120	120	120	120	120	120	120	120	120	120	120	120	June	July	1
1875-6	120	120	120	120	120	120	120	120	120	120	120	120	120	July	Aug.	1
1876-7	120	120	120	120	120	120	120	120	120	120	120	120	120	Aug.	Sept.	1
1877-8	120	120	120	120	120	120	120	120	120	120	120	120	120	Sept.	Oct.	1
1878-9	120	120	120	120	120	120	120	120	120	120	120	120	120	Oct.	Nov.	1
1879-80	120	120	120	120	120	120	120	120	120	120	120	120	120	Nov.	Dec.	1
1880-1	120	120	120	120	120	120	120	120	120	120	120	120	120	Dec.	Jan.	1
1881-2	120	120	120	120	120	120	120	120	120	120	120	120	120	Jan.	Feb.	1
Byron's monthly average.	120	120	120	120	120	120	120	120	120	120	120	120	120	Average rise in price from the cheapest to the dearest month.		10

TEN YEARS—1861 TO 1871.

Season.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Average for Season.	Cheapest Month.	Dearest Month.	Rise in Price.
1861-2	120	120	120	120	120	120	120	120	120	120	120	120	120	June	April	1
1862-3	120	120	120	120	120	120	120	120	120	120	120	120	120	June and July	April	1
1863-4	120	120	120	120	120	120	120	120	120	120	120	120	120	June	Jan. Feb. Mar.	1
1864-5	120	120	120	120	120	120	120	120	120	120	120	120	120	June and July	April	1
1865-6	120	120	120	120	120	120	120	120	120	120	120	120	120	July	March	1
1866-7	120	120	120	120	120	120	120	120	120	120	120	120	120	July	April	1
1867-8	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1868-9	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1869-70	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1870-1	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1871-2	120	120	120	120	120	120	120	120	120	120	120	120	120	June	April	1
Byron's monthly average.	120	120	120	120	120	120	120	120	120	120	120	120	120	Average rise in price from the cheapest to the dearest month.		10

TEN YEARS—1851 TO 1871.

Season.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Average for Season.	Cheapest Month.	Dearest Month.	Rise in Price.
1851-2	120	120	120	120	120	120	120	120	120	120	120	120	120	June	Feb. and March	1
1852-3	120	120	120	120	120	120	120	120	120	120	120	120	120	June and July	April	1
1853-4	120	120	120	120	120	120	120	120	120	120	120	120	120	June	Jan. Feb. Mar.	1
1854-5	120	120	120	120	120	120	120	120	120	120	120	120	120	June and July	April	1
1855-6	120	120	120	120	120	120	120	120	120	120	120	120	120	July	March	1
1856-7	120	120	120	120	120	120	120	120	120	120	120	120	120	June	April	1
1857-8	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1858-9	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1859-60	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1860-1	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
1861-2	120	120	120	120	120	120	120	120	120	120	120	120	120	June	March	1
Byron's monthly average.	120	120	120	120	120	120	120	120	120	120	120	120	120	Average rise in price from the cheapest to the dearest month.		10

Nov. 26, 1886.

Mr. T. J. Clancy.

TEN YEARS—1871 TO 1881.

Season.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March.	Average for Season.	Cheapest Month.	Dearest Month.	Price in Pence.
1871-2	145	155	175	175	175	175	175	175	175	175	175	175	175	July	April	4.
1872-3	135	145	155	155	155	155	155	155	155	155	155	155	155	July	March	3.
1873-4	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1874-5	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1875-6	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1876-7	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1877-8	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1878-9	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1879-80	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1880-1	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
1881-2	145	155	175	175	175	175	175	175	175	175	175	175	175	July	March	4.
30 years' average	145	155	175	175	175	175	175	175	175	175	175	175	175	Average for 30 years, 1871-1881.	Average price in pence from the cheapest to the dearest month.	4.

SIX YEARS—1881 TO 1886.

Season.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March.	Average.
1881-2	145	155	175	175	175	175	175	175	175	175	175	175	175
1882-3	145	155	175	175	175	175	175	175	175	175	175	175	175
1883-4	145	155	175	175	175	175	175	175	175	175	175	175	175
1884-5	145	155	175	175	175	175	175	175	175	175	175	175	175
1885-6	145	155	175	175	175	175	175	175	175	175	175	175	175
1886-7	145	155	175	175	175	175	175	175	175	175	175	175	175

Cork, 12th November 1886.

T. J. CLANCY.

19,300. Do your figures show an improvement in the make of butter as well as an increase in the quantity of good quality butter sent in?—There has been an improvement, notwithstanding that improvement, and that the classification in the Cork market is higher than it was in 1883, the farmer has got less money for his butter. From my trade experience and knowledge I am of opinion that this fall in price will be permanent. I do a trade with England and some foreign countries and I find that one cause of the fall in Irish butter is, that the area in England in which fresh butter is locally made is gradually extending, and that consequently the area of consumption for all imported butter is narrowing.

19,310. England is your only market?—Well, we send to some foreign countries mostly through English houses; but England is our chief market, and we find that the English farmers are turning their attention more and more to the making of butter, and that they are now not only able to supply their own immediate districts with it, but to send it to London and other centres of population.

19,311. Mr. Neligan.—Then one cause is that more butter is made in England?—Yes; and I look upon that as a permanent cause. The English farmers who were producing corn and driven now to producing provisions that find a ready market at home. I believe that the opening of the Suez Canal, and the opening of the Indian Railway, has had a permanent effect in reducing the price of wheat, and that the refrigerating and other processes for preserving meat is also beginning to be felt to have a like effect as regards stock, and I look forward to this as being not only a permanent effect, but one likely to be progressive; for I feel that there will be a further fall of prices, or at least that the present fall will become fairly fixed as soon as the opening of the Panama Canal enables the Californian wheat, and the whole produce of the Pacific, to be sent in here to compete with the produce of our home farms. For these reasons I regard the present prices, not as a temporary fluctuation, but as a permanent fall.

19,312. Do you show by the first table that the quality of the butter is deteriorated in the last three years?—On the contrary, the quality has improved, but the price has deteriorated.

19,313. The President.—We have ascertained from a previous witness that the quality of the butter has improved, and that the quantity of the best butter

has increased?—The low price is not at all due to any deterioration in the quality of the butter.

19,314. Mr. Neligan.—The price has gone up at present, but it has pulled up too late?—Yes, the price has gone up now, but it has been a most disastrous year for the farmers. I have been speaking to my buyers about the supposed combination amongst the farmers against paying rent, and they say they do not know of the existence of any such combination. They say the farmers are in debt, and that their whole conversation at the country markets is how the bills are to be renewed at the banks, or how they can get money from the banks, or the money lenders, even at heavy interest; they have to pay for it; and under these circumstances they are getting this fearful low price for their butter.

19,315. In his evidence Mr. Cronin made it out that the butter was £3 10s. 3d. in 1863, and in 1885 it was £2 15s. 3d.—Is that for best makes of butter?

19,316. Mr. Cronin called it first quality; and for second quality, the prices averaged in these years £3 4s. 6d. in 1883, and in 1886 the average was £2 7s. 5d.—Well, I brought the matter to an actual test, and I find that the average price in 1883 was £3 1s. 10d., and in 1886 £2 8s. 6d. That is the average over all qualities of butter.

19,317. There is only a shade of difference between the two?—Yes. Foreign butter, I may also say, has come down in price.

19,318. Mr. Cronin in his evidence also showed that by comparing the best quality Normandy butter, and the best quality Irish butter in the London market, there is a corresponding fall in both cases?—Quite so. I may say, one of the Manchester firms, in their circular note this morning, estimate the loss to the Irish farmer this year by the fall in the price of butter at three millions sterling. Messrs. Davitt Brothers, the Manchester firm to which I refer, in their report on the butter trade, say: "It is in rapidly changing conditions of the trade, owing to Continental competition, winter drying, a far more urgent need of Ireland. In winter the butter is scarce, and price dear. It is now estimated by competent authorities, that the loss to Irish farmers this year on butter alone will reach to the enormous sum of close on three millions sterling, owing to the exceptionally low prices ruling during the greater part of the season."

19,319. The President.—Do you see any hope of a further improvement in the quality of the Irish butter?—I do by all means hope for a further improvement. I am entirely for improvement. It will be a matter of life and death with them now at the prices they are getting, for there will be no profit, except on the best quality butter. Unless they pay great attention to the manufacture of butter, it will not pay. The tendency has been to reduce the quantity of the low class butter, but I believe that no matter how they improve the butter, the day of high-priced butter is over.

19,320. As of everything else?—I fear so. It is of course an imperial question. It arises from the increased cost of production, and from the competition of the whole world.

19,321. Still, you get a very good price for some butter this year?—Yes, but the number of firkins was diminished. We have only a total of 340, at 1s. 1½d.

19,322. In 1842 and 1853 the figures we have here show the average price was 82s. 6d.—Yes; but these figures were merely made out for trade purposes, as showing the average prices for the best quality butter. It is a curious thing that the average from 1841 to 1861 was 86s.; that from 1851 to 1861 it was 104s.; from 1861 to 1871 116s.; and from 1871 to 1881 131s.; but, as I said before, this table is misleading, because it is calculated merely on the first quality butter, and it includes the winter months from November until March, during which there is an extremely small quantity of butter, and a high price. These figures, therefore, are of no use, except for ascertaining the high value of the best butter during those years. Also, I need hardly say, that since that time there is a great change in the manner of living, and in the prices of labour. People now take better food I am glad to say, and they will not live on the food they used to live upon, and they cannot feed their labourers so cheaply.

19,323. This is largely a better country?—Yes, it is the staple produce. It is what the climate and the soil of the country is best suited for. We cannot compete with warm countries as the growth of grain; and now that they have taken to refrigerating foreign markets, the Irish and the English farmers must give their attention to better.

19,324. It is what the farmers for the last 20 or 30 years have been almost exclusively depending upon?—I would not say for 20 or 30 years; when there was more tillage than now, but I am not an authority on that point, and I am sure you will get better evidence upon it than mine.

19,325. Mr. Nelligan.—Have you a return about you showing the value of the butter that passed through the market during the past six years?—I have not.

19,326. You have only been giving us the value of exports that passed through the Cork market alone?—Yes. I am only talking about this port.

19,327. And the value of the exports in 1885 was only—£1,044,026 13s. as against £739,030 6d., there was therefore be a lesser quantity of butter passed through?—The amount of the money value is less.

19,328. Have you looked at the number of firkins in 1886?—They are less also than in 1883?—Yes.

19,329. Have you any information with regard to the country markets?—Yes. I do a good deal of butter buying to the west of the county of Cork. I also buy in Limerick and other places, and have paid an extremely low price.

19,330. As between 1885 and 1886 the value of the exports here has been £1,000,000 in 1885, as against £700,000 in 1886. Is it not a fact that during this

time several country markets began to do a large business in the butter way?—Not began, that is not a fact. There are a good many markets in the country which were always doing a large butter trade.

19,331. Were there any new markets started since 1883?—I do not think there are any new markets since 1883.

19,332. Rightly or wrongly there was some little feeling about this time with reference to the Cork market?—I may tell you that I buy not only in Cork, but in the country markets, and I am able to say that if there was any increase in the butter going into the country markets it would not be very large. I would also remind you that we have nearly two months of this year yet to run in the Cork market, which will of course increase the quantity which will pass through the market this year.

19,333. In order to render the returns you have handed in more reliable, as statistics of the butter produce of the south of Ireland, it would be necessary for us to ascertain how the local markets have been doing during the same periods?—As regards price or quantity, which.

19,334. As regards both?—Well, as regards price, there is the same fall, or nearly the same.

19,335. With reference to the fall your figures may be perfect, but what I want to try to come at is whether there has been a falling off in the exports of Munster?—Well, my figures are confined strictly to Cork. It is the only place where we have means of getting reliable figures. If you would wish to ascertain about the Limerick market for instance, I think if you wrote to Lord Lisdown, who is the proprietor, you would get all the information you require as to quantity, and if you sent a circular to the other markets you would get all the information you want.

19,336. Could you mention the names of some of the markets?—Yes. Tralee, Lisdown, Newmarket, West Wicklow, Limerick, Tipperary, Dungarvan, Waterford city, Castledock, Kilmallock, Bruff, Kilmacomen, Leamore, Clonsilla, Mitchelstown, Nenagh, Ennis, Kesh, Ennistymon, Killybeg, Killybeg, Abbeyside, Cahirciveen, Killybeg, Dingle, Cahir, Killybeg, Peshaw, Curragh-on-Sail, and Cashel. If you will have a letter addressed to the toll-keeper, or manager of the market, I am sure he will send you any information you may desire.

19,337. Mr. Knipe.—You have a general knowledge of the position of the tenant farmers in this part of the country?—No; but undoubtedly my buyers, who go amongst them, have a good knowledge of their position. I have no personal knowledge myself.

19,338. Speaking of their financial position, how do they stand, as compared with four years since?—I think they are poorer. In 1879 there was a sudden fall, and the farmers suffered; but it was not noticed, and some of them may have probably recovered from its effect the next year; this year, however, was a disastrous year for the farmers, and I have every reason to think, from inquiries I have made from my buyers, that now the farmers are poorer and more in debt.

19,339. This is principally a dairy country?—Principally, it is our staple produce, we are more suited to producing butter than any other article.

19,340. And there is a considerable fall in it?—A very great fall indeed.

19,341. Have there been reductions given on judicial rents in this part of the country?—I cannot answer that question; I am not in a position to answer it.

Mr. JAMES BRENN, of Wallstown Castle, Co. Cork, examined.

19,342. The President.—You are a tenant farmer in this county?—Yes.

19,343. What is the nature of your holding? Is it a large one?—About 400 acres.

19,344. Is it one take?—It is practically one take, I have two takes under the one landlord, but they are united.

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19,345. Is it a judicial rent?—No, I am a leaseholder.

19,346. What is the date of your lease?—One lease is for 51 years, and will expire in three years more; the other lease is for 21 years, and it has 25 years to run.

New 18, 18 8. 19,347. Are they higher rented than the judicial rents?—Considerably.

Mr. J. Byrne. 19,348. You would like as a leaseholder to be admitted to the Land Court?—I would.

19,349. And you see no reason why you should not?—No.

19,350. Is it chiefly a pasture farm?—No; in the olden time it was considered a good tillage farm, but it is a good pasture farm now. It is better than the generality of land in the county Cork, some of the best land in the county of Cork.

19,351. But it is chiefly pasturage now?—Nearly all pasture now; at one time, nearly 20 years ago, I used to till a good deal of it, but I had to give up tillage, I found it did not pay, in short, nothing in the way of farming pays now. The landlord is giving us a considerable abatement, however, we are getting 40 per cent abatement.

19,352. What is the chief product of the farm?—Butter.

19,353. You have received an abatement?—Yes.

19,354. Is your part of the country disturbed at present?—No, and never was.

19,355. Have you considered the subject of purchase at all?—The landlord proposed purchase from time to time, but we considered the price he was talking about altogether out of question, and would not entertain it. About a month ago he said he would send Mr. Fottrell down there to see if we would come to terms, and I believe he is coming.

19,356. Mr. Neffigan.—That is Mr. George Fottrell?—Yes.

19,357. The President.—In point of fact the matter is still in course of negotiation. What are the terms mentioned on either side?—No terms lately, but in the olden times four or five years ago, a short time before the passing of the Purchase Act, I think he wanted 20 years purchase.

19,358. Was he willing to take that?—Yes.

19,359. And what did you offer?—We offered 16 years then.

19,360. Would you give that now?—No.

19,361. Was that on your lease rent?—That was the lease rent.

19,362. If that were refused of course you would give 16 years purchase?—My rent is very nearly double the Government valuation, and what he asked was 20 years, and he wanted it afterwards to 19, but we considered it an exorbitant charge, and we would not entertain it.

19,363. On the judicial rents would you agree to 20 years purchase?—I do not suppose I would agree to that figure on the judicial rents. Just now perhaps we would, but according to the judicial rents fixed a few years ago we would not because, as you are aware, there is considerable difference between the abatements given by the Commissioners a few years ago, and those that are given at present.

19,364. Have you any suggestion to make about the Purchase Act?—My idea all along has been that if rents were fairly fixed, and that a body sat in Dublin, that the rent should not be fixed for any period of years, but should be open to revision at any time either upwards or downwards, a sort of sliding scale. That would be in my opinion a good settlement. There should be a general assessment at first, and then a sliding scale afterwards, that sliding scale to be governed by the prices.

19,365. On such a re-arrangement the judicial rent might be applied as a standard?—If fixed at certain times it would not be.

19,366. But of course you would have some standard to start with?—Yes.

19,367. And after the judicial rent has been fixed you would then establish a produce rent?—Yes, I must say that we farmers were dissatisfied with the operation of the Land Commission, because we considered there should be somebody on the Commission to represent the tenant farmers.

19,368. On the Head Commission?—Yes. We thought the farmers as interested in the settlement of

the land question as the landlords, and we thought we were entitled to an equal representation on the Commission.

19,369. You have farmers amongst the Sub-Commissioners?—We have had, but if we farmers had any voice in the selection of the Sub-Commissioners we would have very different men.

19,370. The Head Commission consists of two lawyers, Judge O'Hagan and Mr. Little, and the other member is a land agent?—Yes, and we would have wished to have a farmer on the body as well.

19,371. You would make it a body of four?—Yes. We were not satisfied either with the information which the Court valuers supplied to the Commission. There is an instance in my neighbourhood where the judicial rent was fixed at 45s. the Irish acre. I was engaged as valuer for the tenant in the case when it came before the Sub-Commission, and the old rent was confirmed. The tenant appealed, and the rent fixed by the Sub-Commissioners was confirmed by the Chief Commissioners: the tenant then threw up the farm. The property was sold about seven or eight months ago, and another tenant went into the place without having any rent fixed. The landlord came to me and asked would I interfere, and said he would be satisfied with 34s. an acre, that is, 11s. an acre under the rent fixed by the Land Court.

19,372. What time was the first rent fixed?—I suppose about 1881. I may say I would be in favour of a compulsory sale of the properties. If we were to have an extended system of purchase for Ireland it will be necessary to have a compulsory sale when two-thirds of the tenants on the estate agree to buy.

19,373. How would you fix the price?—I would have the price fixed by a Court, but I would have the Court as constituted that the tenant farmers would have men on the Court in whom they would have thorough confidence, and then I think the people would be satisfied.

19,374. Would you make it optional; that is, when the landlord wished it, the tenant should buy?—Yes.

19,375. Mr. Neffigan.—Suppose the landlord wished to sell, and that he got the price fixed by the Court, how would the Court act in case the tenants refused to accept the price which the Court fixed? Would you close out the whole of that estate?—I fancy that case would not arise.

19,376. But the Legislature must provide for such a case?—Well, I do not think that there would be any difficulty. Let them continue as they were before.

19,377. But in that case the compulsory would be all on one side. You would compel the landlord, whether he liked the decision of the Court or whether he did not, to sell if the tenants generally wished, but you would place no such compulsion on the tenants to buy if they did not like the price?—I suppose they should be compelled. If the tenants on other estates were satisfied with the price, I would consider the tenants who refused to buy very unreasonable.

19,378. What would you do with them? would you hand them over to the State and let them fight it out with the Government?—Yes.

19,379. Do you think it would be a good thing to establish all the tenants as present proprietors by compulsory purchase of their holdings, would you wish to get rid of all the landlords, or have you any strong feeling one way or the other?—For my part, if fair rents were fixed as I stated, on a sliding scale, I would not wish for my part to get rid of the landlords. I would just as soon they should remain in the country as go away as they would keep capital in the country.

19,380. If you have good sliding scale rents on a fair basis you would not wish for compulsory purchase?—I do not think there would be any reason for it, but supposing we did not get that, I think the other would be the better solution: both systems could work side by side.

19,381. Mr. Keefe.—With reference to this Court you have spoken of, to interfere between landlord and

tenant, would you recommend that before the case would be submitted to the Court both parties should bind themselves to be satisfied with whatever price was fixed?—I think it would be a good idea, but then there would be no compulsion if it depended on one of the contracting parties to say whether he would bind himself or not.

19,362. But if both parties signed an agreement before they went into Court?—If they did there would be no compulsion to do so. It would be just the same as settling a fair rent by arbitrators out of Court.

19,363. But did not the Court interfere compulsorily in the fixing of rents?—No: the tenants need not have gone into Court unless they liked. There was no compulsion on them. Until you went in you were a free agent, and a great many have power to go into Court, and have not gone in yet.

19,364. Have reductions on the judicial rents been given in your part of the country?—Oh, yes; in most cases Mr. Neple, who is known to Mr. Neligan, has settled out of Court with his tenants, and gave them more sweeping reductions than they would get in Court, and yet he has given his tenants 20 per cent. abatement this year.

19,365. Is that on a judicial rent?—It is equivalent to a judicial rent. The tenants issued originating notices, and he settled with them out of court, leaving the fixing of the rent to two neighbours as arbitrators, and they were all perfectly satisfied with the rent that was fixed, and yet he has given 20 per cent. this year, and 25 per cent. the last half year.

19,366. Mr. Neligan.—To meet the present depressed state of the times?—Yes.

Mr. JAMES HOGAN examined.

19,367. The President.—You have got a farm in this country?—Yes, I have 120 acres of land in this country.

19,368. Is it a pasture farm?—Well, I have been breeding it, and tilling it in every way, trying to make the rent out of it.

19,369. Do you hold under lease?—I hold under a lease for ever unfortunately.

19,370. What is the date of the lease?—I bought it from other tenants. It was a very old lease—a hundred years old. The rent is high, and I cannot get rid of the land, and the place is altogether unworkable now, and I can never go into the Land Court; and if I was able to go into the Land Court the rent would be reduced by one half. I paid £250 for the place, and it was considered cheap then.

19,371. When did you buy it?—About 11 years ago.

19,372. And you cannot make the rent owing to the fall in prices?—No, and I cannot go into the Land Court either with it.

19,373. And you think that you should be allowed to come into Court?—Yes, I could get nothing at all for the farm now, and at the time I got it I could have sold it next year for a good profit. I put the lease with the tenants, who allowed me to draw on it up to the full amount, £250, if I liked; but I got word the other day that I must put in some other security if I wanted to draw up to that amount.

19,374. What part of the country is this?—Near Duncraig.

19,375. What estate is it?—It is not any estate that you would know. It is a small offer of 120 acres. Who the head landlord is I do not know. I pay a gentleman named Trevelyan, of Bandon, a clergyman, and there are two or three middlemen, I believe. In fact, my chief wish is to come into Court. I would give anything to get rid of the place. Four or five years ago I was offered £50 of an increase of rent on the place, but unfortunately I did not take it. If I did I would not be here now.

19,376. This is your only holding?—I have no other.

19,387. I suppose the farmers, you find, raise the money this year in order to pay their rents?—Well, I was speaking to a widow who holds a valuable farm near Glenworth, and she has five sons, who work on the farm the same as labourers, and she told me that although she got £50 for a three-year-old cart, and £25 for another, she had still to draw £200, to meet this year's rent, although she was getting an abatement of 20% per cent.

19,388. That is good land?—It is a bit of good land.

19,389. Mr. Keane.—Is that a fair representation of the people of the locality?—It is.

19,390. You have an accurate knowledge of the people. Would you be afraid that there would be a danger that the people would object to pay the rents when they began to rise?—I do not think so. The farmers are very anxious to meet their liabilities when they can do so. Their fault was undertaking to pay more than the land was worth.

19,391. Would you make the adjustment an annual one?—Well, in Mr. Butt's time, when I was preparing the heads of a Land Bill, I proposed that the rents were to hold good until the parties went into court to alter them, and then, if they went to law and did not succeed in altering the rents by a certain percentage, that the party who commenced the litigation should pay the costs. That would prevent people rushing into court to alter the existing rents.

19,392. Mr. Neligan.—Would it be necessary for the thorough working of this system, that official averages of the prices should be taken at various centres through the country?—Yes, that is what I meant.

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Mr J. Hynde

Mr J. Hynde

19,403. Is there any other matter that you would wish to refer to?—I will answer any question you may wish to ask me.

19,404. I suppose you are not able to pay your rent off the place this year?—It is paid out of capital altogether. It is very wet land, and we had a very wet season.

19,405. Your capital is gradually dwindling away?—Unfortunately it is indeed.

19,406. Are there many leases such as yours?—I know no other. It was a great thing some years ago to have a lease.

19,407. It would not be possible to find a case there like yours?—I know one or two more. It used to be considered a great thing to have a lease for ever, but now it is the worst thing you could have.

19,408. Mr. Keane.—Did you apply to the landlord for a reduction?—I have not applied. I do not know who to apply to. The man I pay only gets £3 a year, and I applied to him, but he could not give me any relief. He pays somebody else who pays a few pounds to another person.

19,409. And you find it impossible to pay the rent reserved on the lease?—Impossible.

19,410. Is there a residence on the place?—Yes, a good residence.

19,411. Did you build it yourself?—I found it a ruin and I made it a respectable building. I laid out a deal more than I could tell you.

19,412. What is the difference in the rent between your land and the rent on the adjoining farms?—Well they are paying the same as my own, but their land is dearer than mine a great deal.

19,413. Have they got judicial rents?—They have old rents too, not so old as mine.

19,414. Is there any land in your immediate neighbourhood on which there are judicial rents fixed?—I cannot say, for four or five miles there are leaseholders, 21 and 31 year leases, and so on.

19,415. There are a number of leases with as high a rent as your own?—Yes, they are all about the country.

19,416. Just as highly rented as your own?—Yes. At the time I paid for the place it was not considered

Nov. 16, 1844. a high rent then at all. But you know the times have changed so much and the land has so deteriorated owing to the wet seasons, that if I went into the Land Court to-morrow half the rent would not be put on the place.

19,417. You endeavour to pay as much attention as possible to the farm?—I pay my whole attention to it, to try to stay out of the workhouse.

19,418. You do not see any reason why you should not be admitted to the Land Court?—No, I do not.

19,419. Mr. Nelson.—Supposing you reduced the rent by a half, would you not think it rather hard on the man to whom you pay the rent, and who gets 50

out of it, that he should pay the full rent to the head landlord?—I think there should be a progressive reduction.

19,420. That you should reduce each interest as you went up the ladder?—Yes. The same should be done with the reductions under the Land Act. At present the landlords have to pay their full jointure to their sisters and their mothers, just the same as ever, and that is how the landlords have suffered, and if they were all reduced the landlords would not scream as much as they have screamed.

19,421. You think that all concerned in land should be prepared to lose a little?—Yes, I think so.

Two Brothers who requested that their names should not be published were then examined.

19,422. The President.—You hold a farm together?—(No. 1.) Yes.

19,423. This farm you purchased in 1878?—(No. 1.) Yes, your honour.

19,424. And you paid £— for the interest of it?—(No. 1.) Yes, my lord.

19,425. What is the size of the farm?—(No. 1.) Irish acres at £— an acre.

19,426. And you remained in possession of that farm until 1894?—(No. 1.) Yes, your honour.

19,427. What happened then?—(No. 1.) It seems our neighbours put the parties, that we paid for the land, up to go to law with us and take our land from us.

19,428. Who did you buy from?—(No. 2.) One — your honour. (No. 1.) The first of it was your honour, the bit of land was joining our farm, and we paid for leaving our cattle on it, and we did so, and we had a gap to leave our cattle into the place and they came and put up a fence there before us, and when we came to throw it down and be at ease opposite us, and he said we should have no more to do with it, but we threw down the gap. (No. 2.) And we left — in possession of the house your honour, and a small portion of ground after buying the land, though we were not bound to do so, and a small bit of the haggard for a quiet life. (No. 1.) In order to befriend him. (No. 2.) And we left him the crops during the time. Then when we saw how he was getting on we brought an ejectment against him before the Recorder of Cork for the possession of the house and haggard, and we got a decree for the possession. Then, it seems, the Land League gave him money to carry us further into law, and we were served with a writ of the High Court of Justice before the Master of the Rolls, and the case was tried by the Master of the Rolls, and he gave judgment in our favour, and we did not get a penny costs, and I can show you the bill of costs that we paid to our attorney. It is small costs, and he could not pay a penny of them. (No. 1.) He put us to any amount of expense, your honour. (No. 2.) For amusement to themselves. (No. 1.) That is our bill of costs for the attorney, £—, besides what we had to pay before. We lost £900 in costs, and we have to pay £2 an acre for the land. (No. 2.) They put us to all that costs, your honour, all through their blackguarding.

19,429. The Land League interfered in the case?—(No. 1.) They were at the bottom of all that was going on in the case. It seems the Crimes Act was in being then, and it just went out when we gained the law, and when we gained the land they turned round and called upon us to give up the land, and when we refused they boycotted us severely on the two farms, and we were persecuted by them.

19,430. Mr. Nelson.—You appeared before the Land League Court?—(No. 1.) No, sir, I did not go until I was going to surrender the farm. I would not go as long as I could. They had the case several times in the papers, and I could see how it was going on. I met a few of the principal men in the League when I was boycotted. They were neighbours, and I thought I ought to have confidence in them, and I spoke to one of them, a high man in the League, and he told me that he had no control, that I should give

up the land, and that we would get no compensation. I told him we would give up the land if we were paid our money, but he said we would be paid no money, and that how could I expect to do what the Government of England could not do.

19,431. The President.—What is that?—(No. 1.) To stand up against boycotting and public opinion, and be said the Government will not protect you any longer.

19,432. You gave up the land then?—No, that was only the commencement of it.

19,433. How long did you hold the land?—(No. 1.) Well, we were thoroughly boycotted about the last of —, and we gave it up on the 5th or 6th of —.

19,434. What did the boycotting consist of?—(No. 2.) Everything that was bad. (No. 1.) Everybody left us, and we could not go out but at night. We did not go out for the rest of the week after the last of August, and our land and our crops were going waste.

19,435. Who was the man who spoke of what the Government could not do?—(No. 1.) He was the treasurer of the Land League. He said, "How can you expect to do what the Government of England cannot do?" "What is that?" I says. "To stand up," says he, "in defiance of public opinion and good boycotting."

19,436. Were you in danger, in actual personal danger?—(No. 1.) Certainly. A valuable horse of mine was poisoned in the field, and I never got a penny for it. The cattle also went dry about the fields, and we could not get a bit to eat for any money. Though we had the money in our pockets, we could not get it, and even in the chapel were posted near us, and the clothes were torn off my sides.

19,437. Inside the chapel?—(No. 1.) It was not. It was in the chapel yard, but I knew persons to sit near us in the chapel.

19,438. Had you any difficulty in getting food?—(No. 1.) We could get nothing except through our friends, and then losing double for it.

19,439. Where is this place?—(No. 1.) At S—.

19,440. And who is the president of the League?—(No. 1.) One —.

19,441. What is he?—(No. 1.) We do not know. He is about the place.

19,442. What position in life has he?—(No. 1.) He has nothing. He is the brother of a small farmer. (No. 2.) He stays a night here and there, but he has not a bit of land. He stays with his friends. (No. 1.) He has no house or land.

19,443. And he sat there as president of this Court?—(No. 1.) He gets money for this. (No. 2.) We cannot say where he gets money.

19,444. He is paid for this work?—(No. 1.) We expect so.

19,445. Who were present at this Court?—(No. 1.) The farmers round.

19,446. What are their names? What are the names of the principal men in it?—(No. 1.) They are — and — and —.

19,447. Are they farmers?—(No. 1.) There are men especially who carried on this occupation. One

of there is a poor, low guardian, named—, the other is —. There is gravel and sand in this farm, and — had three labourers' cottages to build, and he knew well that as long as we were in the farm he would not be able to get any material out of it, and so he boycotted us, and when we gave it up he was kindled and tenant himself, and he turned in his men and horses there, and took away hundreds of loads of the sand without any cost, and so did the other man —. These two men worked night and day to boycott us. (No. 2.) And we do not know any other motive for it except they wanted the material for their own interest.

18,448. You held it up to —, and then gave up the place?—(No. 1.) Yes.

18,449. What year was this?—(No. 1.) This was in 1885, last year, and we had no Defence Union or anything to assist us then.

18,450. Did you go to the resident magistrate?—(No. 1.) We did, sir, and the police used to visit us, but they did nothing for us.

18,451. Do you say the resident magistrate gave you no assistance?—(No. 1.) Not the least in the world. The police used to visit us, and no more. What was the use of that when we could not get any person to bring us anything.

18,452. And was there no authority in the country to come between you and the treatment?—(No. 1.) We did not see it. They said they had nothing to do for us, and our servants were harried; even people would not be allowed to speak to ourselves.

18,453. Did you receive a summons to appear before the Land League Court?—(No. 1.) We did. (No. 2.) If we were to tell you all about it it would make a whole history; we lost all our honest earnings and honest industry in it.

18,454. Who has the place now?—(No. 1.) — has it.

18,455. Is that the man who sold it to you?—(No. 1.) Yes.

18,456. And you lost your £180?—(No. 1.) Yes.

18,457. And I understand that after the Master of the Rolls in Dublin decided in your favour, this Land League Court tried the whole case over again and decided against you?—(No. 2.) That is it, your honour. They took it up again, and tried it all over; at the first meeting they held the rule was that we were to give up the place, and pay £100. We have two letters to show from the courts.

18,458. Did he take part with the League?—(No. 1.) No, sir; but he advised us to give up the place. There was a meeting in — to establish a branch of the National League there, and as I was stopping there since my sister's husband died, I went to the meeting; the platform was erected in the village, and I am well known there; we were boycotted at this time, and I went to the meeting, and I went on the platform to tell my story to the farmers to show how we got this place, and that it was no case of hard-grabbing, but as soon as I went on the platform I was caught and thrown off by —.

Mr. Neffyn.—Here is a remarkable paragraph in the paper dealing with this matter:—"A most enthusiastic and orderly meeting of the above branch of the League was convened on Sunday, 3rd instant. The meeting was called upon by the secretary (Mr. —) to protest against the savage assault made by mobsters, and their aides and abettors, on the peaceable and law-abiding meeting held at the 'old walls of historic —' for the purpose of establishing a branch of the League in their town. Close on 200 persons were present. The Michael Burke Pife and Drum Band, under the auspices of this branch of the League, animated the entire proceedings with national airs. The League rooms were insufficient to contain one half of the number present. A large number of persons were present in attendance from the Milford parish. On the motion of Mr. —, seconded by Mr. —, that Mr. — take the chair, Mr. — took the chair. Others present were — Messrs. —"

"[Here followed the names of those who attended.] Nov. 16, 1886.

"The chairman, on rising, returned thanks after making some remarks for the great honour they had conferred on him in voting him to take the chair on the occasion. (Hear, hear.) The secretary (Mr. M—), on rising, said, he had to read for the meeting the entire matters dealing with the case of —, a poor and helpless man, against —, his uncle in question, who is holding his farm against public opinion. He (the secretary) perused a file of affidavits on the side of —'s question, also the affidavit of — on the other hand. The affidavits of the valenters who inspected —'s farm were also laid before the meeting, in which it was clearly decided the farm, if put up for sale at that date, would realise close on £300. The one made by — valenter stated that the land was not at that time worth £100. Mr. M. P— said he valued this farm of —'s along with Mr. M. R—, and he could positively describe to this meeting that his farm at that date would, he really believed, realise close on £300. This farm was, in its nature, one of a very good quality; its depth of surface was close on 18 inches. Mr. —, P.L.G., said he made a total of all farms produce concerning this case of —, and he found, by his experience of such business, that the — were inclined to poor — for £150. (Hear, hear.) The following resolutions were passed and carried unanimously: Resolved, 'That nothing less than the unconditional surrender of —'s farm at N— S—, along with £300 to compensate him for the net value of his farm, which the — have gained during their term of settlement, will meet the wishes of this branch, and we pledge ourselves to stand constitutionally at his back; and we call on all the surrounding branches to aid us in our fight against such parties who are holding his farm against public opinion.' (Hear, hear.) 'That we emphatically condemn the cowardly and wanton attack made by a clique of hard-grabbers, aided by a drunken set of pseudo-Irishmen, on the law-abiding meeting held at —. That we pledge ourselves to stand shoulder to shoulder at the back of Ireland's leader, C. S. Parnell, and his indefatigable band of noble representatives, who have conquered against Dublin Castle Bolton, French and Company, until we hail with delight the return to our land of our native parliament once more to College Green.' (Applause.) (No. 1.) If you read on your worship there is more about it.

Mr. Neffyn continuing to read—

"The chairman said he felt it his duty to describe to this meeting here to day the savage row-dyism made at the meeting held at the old walls of —, on Sunday last. The chairman (Mr. M—) in giving a clear account of the assault made, said:—I remember attending the meeting at —. I was on the platform when — was addressing them, — and a band of ruffians of that town booed the speakers at several intervals. For some time the speakers on the platform were unable to address the meeting, owing to — and his gang. — ascended the platform and expressed at some length epithets at several members of this branch of the League. I took on myself the responsibility of throwing him from the platform. (Applause.) The meeting soon after dissolved. The grabbers and company concocted several intrigues in order to have sufficient revenge on several members of this branch. Myself along with the secretary (Mr. —) were going home through the town when an assault was again made. The secretary and myself received some rough handling for some time, but in a short time were forced to retreat. This shows that but for the manly efforts made by the members of this branch the entire meeting would be broken up. I say they are dealing with a spirit in — that will not retreat from their manly efforts until poor — and his helpless family be once more restored to his farm. (Hear, hear.) Mrs.

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— said, Gentlemen, I beg leave to say a few words to this meeting. I have been working for some time to the —, and now come to this meeting to pledge myself that henceforward I will not do so. There is one other fact which I feel it my duty to make known to all present—that there are two members of this branch whom I have seen talking to —. The chairman—Let us know who these parties are. (Several voices—speak up.) I have seen — speaking to — some days ago.

"Mr. — explained that the affair referred to was the closing of a transaction with — with who he had been in partnership in the ownership of a bull. "The meeting accepted the explanation as satisfactory. Mr. — also complained that Mr. — had loaded a gun for —.

"Mr. — said he would not repeat his connection with —, and he was retained in membership on this condition.

"Mr. — gave an interesting review of the great progress made by the national cause under Mr. Patroll's leadership. It was decided to hold a demonstration in condemnation of land-grabbing."

19,459. The President.—Well, it is a curious story. Where are you living now?—(No. 1.) Oh, we have more land, and we are living on it. We never lived in this place at all. (No. 2.) It is the chairman of the meeting that is carrying on all the hounding, and he often comes begging to our house, and now he is the man that robbed us of everything. (No. 1.) And we often gave him charity at our door.

19,460. You had no idea that anybody had a claim on this farm?—(No. 2.) No, your honour. We had the whole thing registered in Dublin, but the Land League broke through it all again.

19,461. Whereabouts is the place?—(No. 1.) It is near —. (No. 2.) It would take us until to-morrow to tell you all they done. (No. 1.) Our sister was boycotted too in L—. The hay was scattered about the fields, and horses were turned in off the road into the place, and they poisoned, and the police were notified of it, but as we could not get any vet. to inspect the horse, it was gone 50d. to him, we never got a penny for that fine horse, and we are robbed and beggared by them. (No. 2.) And the whole of it was that we would not go with them in the beginning. (No. 1.) And that we paid our rent. (No. 2.) They would be shooting at us when we would go into a fair, and they would give the town rascals drink to shoot a booby at us. I was coming home one night on horseback and a shower of stones were thrown at me, and I would be killed on the road only for the horse.

19,462. Were there any other parties in the district who were injured under the same circumstances?—(No. 1.) Well, no, sir. We tried to keep up ourselves, but we had to give up altogether. (No. 2.) What harm had to loose all our money in the place, and 40 fine cows to run dry, and without one servant. (No. 1.) If we talked about it for another month we would not be done. The cows run dry about the fields. There is no knowing what we suffered for it. They had several haggards for miles around blackguarding us. (No. 2.) Tell about the cage. (No. 1.) When we we could not keep the head I went to the Land League and waited until the case was called.

19,463. Mr. Nelson.—Where did you go?—(No. 1.) Into the League rooms.

19,464. Into their court?—(No. 1.) Yes. I think there were three cases before mine, and I said who were they going to do. Went they going to rob me entirely. They said there was a rule of a £100 against me, the best, and that I should give up the land; but that if I gave up the land now I would be charged nothing. I said it was a cruel shame, and that they knew very well that we had no money then we did not make honestly by the sweat of our brow. They said that I should give up the land, that I was in an iron cage, and that they would squeeze it as me. (No. 2.) That was the boycotting, your honour. We were afraid that our people would be boycotted in the same way, and we gave up the land.

19,465. Where exactly is this place?—(No. 1.) It is three miles from C—.

19,466. And who is the parish priest?—(No. 1.) He is a Father B—; but he is not a sensible man, and he did not give us any assistance.

19,467. And who is the curate?—(No. 1.) He is Father M— B—. He is an respectable man.

19,468. He took your part?—He advised us to give up the land. He could do nothing for us.

19,469. Did he join with the others?—(No. 1.) No, sir. No, he did not take any part in it, and he would be in dread to speak of it off the shore. Who shall we do about the malicious injury.

19,470. You had better consult a solicitor?—(No. 2.) We have enough of costs already. We would not like our names to come out, as they would be at us again, if they knew we made this complaint.

19,471. The President.—Very well, the names will not be published. (No. 2.) Make it a malicious injury on them, your honour, and they will drop it as a hurry.

Mr. John E. Barrett.

Mr. JOHN EDWARD BARRETT, of Carrigrohane, examined.

19,472. The President.—You are a landlord and agent, and a farmer also?—Yes.

19,473. You farm your own land?—I do.

19,474. And you act as agent for yourself and other people?—I do.

19,475. First of all as to the judicial rents, most of your farms have judicial rents?—Most of them. A great number were fixed as judicial rents by the Commissioners, and in another class the rents were fixed by myself, making the rest on the whole what I would consider to be a judicial rent.

19,476. And these agreements were afterwards confirmed by the Court?—In some cases yes, and in some cases no; but they all may be confirmed at any moment.

19,477. They are judicial agreements?—Yes.

19,478. Have the rents been paid on these judicial agreements?—I am sorry to say they have not been paid.

19,479. Not paid at all?—They have not been paid for the current year, or for the past 12 months.

19,480. They are resisting still?—Yes, and evictions must be resorted to in some cases. They are holding out for a very large reduction on the judicial rents, which in some cases we are not disposed to give.

19,481. Are you giving any reduction at all?—I am giving from 15 to 25 per cent.; but consider my own discretion in each case, and we give 20 per cent more or less according to the respective merits of each case.

19,482. With those statements, is there any reason why they should not pay?—No reason whatever.

19,483. You have not proved them?—If they do not pay I must proceed against them.

19,484. What part of the country is this?—The West Riding of the county of Cork, the West country.

19,485. Have you reason to think there is a general combination against paying the rent?—There is a general combination against it. They are instigated by the agitators not to pay, and they are following that instruction.

19,486. Even though you offered this statement?—Yes, even though I offered these reductions.

19,487. Then the only thing you can do is to try and meet the difficulty by way of ejectment, and see whether they will come in and pay?—If they do not pay within a reasonable time this Christmas, or the last March rents, and for the arrears of the September rents, if they do not pay within a reasonable time, I

will have no other alternative but to proceed against them for the recovery of the rent.

18,488. Have you any recommendation to make with regard to any change in the proceedings for the recovery of the rent?—I think we are in a great difficulty in regard to the execution of decrees of the county court judges, or of the superior courts, in this way, that the tenants have got into the habit immediately after the evictions has taken place to return to the possession of the farms again, unless a caretaker is put in to mind the farm, and the expense of putting in a caretaker after the evictions is very great, so that it cannot be adapted without great expense to the estate. The result of that is that the tenant re-enters, and it is a very tedious process to put him out a second time. What occurs, therefore, to my mind would be that the proper remedy for this state of things, and one that would lead to great economy, and great safety in dealing with evicted tenants, is that once a decree is obtained, either from the county court or the superior court, where all the facts will be brought out in a proper manner, that once the decree is obtained from either of these sources it should be handed to the sheriff for execution, and after the receipt of that document by the sheriff that he should at once give notice to the tenant to quit the premises within a month, and that at the end of a month after receiving that notice from the sheriff, if the tenant does not leave, I would have him brought before a summary court of jurisdiction consisting of two stipendiary magistrates, who would have the power of inflicting a severe punishment on the man as a trespasser, and so prevent his return. I may not have made myself understood. After the lapse of a month, notice to leave having been duly served by the sheriff, I would require the man to leave the premises, and if the man does not leave the premises at the end of that month, I would have him brought before a court of summary jurisdiction, and I would make his punishment a severe one. I think that would lead to a great saving of expense in the first place, and there would be no necessity for having police and military at these evictions; their presence would not be required, and then it would be a great saving to the estate, and it would also secure that the tenant should not be treated with harshness, because he would have a month to provide himself with other quarters. This, it strikes me, would be the simplest way to get rid of the annoyance and tedious attendance on evictions.

18,489. After the month's notice the sheriff would put the man out?—No; the moment the man gets that notice he would be liable to punishment if he did not leave within a month from date of notice. I would do away with all the present processes, as I think that this simple process would meet the case, and I would take the case out of the hands of the local magistrates, and provide that two stipendiary magistrates should deal with it.

18,490. Have you many evicted farms?—I have none at present.

18,491. Are there many now?—There are two that I know of, and six evicted since 1882 or 1883, which are under suit.

18,492. Then in fact the Land League is now very much the same as ever in your part of the country?—It is master of the position altogether, only each rent is paid as they sometimes, only such rent as the tenants themselves think they should pay, and such rent as the Land League allow them to pay.

18,493. Is there much boycotting going on in your part of the country?—In my immediate neighbourhood there are nine boycotted farms.

18,494. And is the boycotting successful, completely successful until the Defence Union came into operation, and this union enables them to hold out?—They have held out. I am a very active member of the Defence Union, and through me these men received any assistance that they might require.

18,495. Is this at great expense and great difficulty the assistance which you have given?—It is difficult and easy, but it is no expense to me. I am merely

the person through whom they send their cattle and other produce to market. The Defence Union purchases all sorts of produce from these boycotted men through the country.

18,496. You send the produce to market?—Yes; we have a large farm near this city; a sort of depot for these cattle, where the cattle are kept until a market is secured for them in England or elsewhere.

18,497. And this you say is done at a good deal of danger?—It is simply because it is done in defiance of the orders of the Land League, who direct that no one should buy those cattle, and any person acting in that way in defiance of the Land League would, I consider, be in danger.

18,498. Are you under police protection?—No. I was under police protection; but I defied myself now.

18,499. But you go about with a certain amount of risk?—Certainly.

18,500. Do you find it necessary to carry arms?—I never go without a revolver aimed with me, and myself well armed also.

18,501. The Defence Union have done an immense amount of good?—Immense. I will tell you now the position these men occupied. These men boycotted farmers. Long before the agitation commenced these men took farms from which other tenants were evicted since 1873, none of them took farms from which tenants were evicted for non-payment of rent. The consequence was that these men were denounced from the different Land League platforms, and their names were held up to public scorn, and the people were publicly directed to have no dealings with them. They could not sell a beast of any sort, they could not get their horses shed they could not get provisions for themselves or their families, and they were in a deplorable position until the Defence Union was established, and took up their case, and then I got down furs and special smiters, and purchased their cattle, and purchased everything else they had to sell, and enabled the men to live in comparative independence.

18,502. And you were able to pay the farmers the market prices, and the organisation was carried on and no subscription was necessary?—Of course we have to subscribe. The members of the defence union subscribe, and there is a common fund which amounts to a large sum now, and that fund is utilised in the way that I have described. In some of the purchases we lose; but I believe not much.

18,503. Mr. Nelson.—You nearly pay your way?—Very nearly. We have done enormous benefit to these men in enabling them to sell their produce.

18,504. The President.—You do the shoeing of the horses?—Yes, we have a special smith now for the purpose.

18,505. You have a portable forge?—Yes, and it is sent about wherever it is wanted.

18,506. At this moment it is necessary in your part of the country to have such an institution as this?—Oh, it is. It is as necessary an institution as possibly could be supposed to exist for these men, and it is not alone necessary, but it is indispensable.

18,507. If the protection of the Defence Union were withdrawn from these men, practically they would be worse than ever?—Yes.

18,508. Practically they would be outside the pale of civilisation?—Yes, outside the pale of civilisation.

18,509. No law to protect them?—No law.

18,510. The Government have done nothing for them?—The Government have done nothing whatever. I do not think the Government have given any assistance whatever to these men, or to the cause for which they are suffering. You will have one of them before you by and bye, and he will tell you a deplorable tale. We only brought up one of the men.

18,511. Mr. Nelson.—Only you buy from them. Their position would be one of utter isolation?—Quite so.

18,512. Are these men near one another, or are they isolated?—Well, I instituted some sort of associa-

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Gen between the stone men. They live within a circuit of three square miles, and when we could not provide them with labour I suggested that they should assist one another, and now they have an arrangement for going to each man's farm to cut his corn if necessary, in little bodies of five or eight together, so that they might assist each other in their farming operations.

19,513. The President.—How do they manage to attend their places of worship?—Most of them do not go at all. If they did they would be booted at, and hooded, and mistreated.

19,514. And the result is they do not go at all?—Quite so. I know that as a matter of fact, as I go to the same chapel as some of the men go to.

19,515. You are yourself a Roman Catholic?—I am. I go to the same chapel as these men attended, and they tell me they will not go now to be insulted and hooded, and they actually do not go. Some of them go, but the majority do not. The mothers and the children of the family are equally isolated.

19,516. Can the children attend the national schools?—They will not go, because, in one instance I know from personal knowledge, one of these men sent his children to school, and the schoolmaster was notified not to continue teaching these children, and he persevered in teaching them, and the result was that all the other children left the school.

19,517. What happened to these children; how did they get their education?—The children of the man who was boycotted were kept at home, and then the other children returned again.

19,518. The children had to go away from the school?—Yes.

19,519. Well, you seem to have done an immense amount of good?—It is the Defence Union that has done good; it is the most valuable institution of the day. My district was the first that really took energetic action in the matter, and since then it has spread around through the different parts of the county of Cork.

19,520. It is confined to the county of Cork?—Yes, at present, but it is intended to extend its branches into Kerry.

19,521. Where is it so much required as in the county of Cork?—I should say so much.

19,522. There is an immense quantity of land lying idle at present?—I do not say that. What I say is, that owing to want of cultivation the land is reverting to a prairie state.

19,523. You mean those farms from which the tenants have been evicted?—No. I apply that observation to the country generally. All through the whole country there is a decided curiomania in the cultivation now compared to what it was some years ago. It is the most important thing that we have to deal with at present. There are some statistics on this point which perhaps it would be desirable that I should say before you. It is my opinion the most important point in the whole investigation. There are two reasons why I have come to the conclusion that the land is steadily deteriorating for want of proper cultivation. The first reason is this. The great lime depot for the whole west of Cork, which is an enormous country in itself, is the Bycourt Lime Kiln that is kept by Captain Ewe. I take a great deal of lime from that place myself, and the whole West Riding of the county is supplied from that source with lime, which is an indispensable manure for the class of land that we have to deal with in the West Riding of Cork. Up to 1883 there were four enormous lime kilns in these lime works kept constantly going, and they could hardly supply the demand. One by one these kilns have ceased working, and at present there is only one kiln going, and not half demand enough for the produce of that one kiln. Now that proves beyond all question that the cheap valuable manure supplied from these lime kilns is completely neglected, and is to be noticed clearly by anyone travelling through the country. Consequently the land is not properly manured, and therefore it must be going

back. Another reason why I am of opinion that the land is not properly cultivated is, that another great depot for the supply of manure to West Cork is the Bantry Bay sea sand. The coral sand of Bantry Bay is peculiar to that bay. It contains 80 or 90 per cent. of lime. An enormous district in that part of the country was supplied with this manure up to 1883. In that year we had 25 large sand boats at work. These boats fell off by degrees in number, until we have now only 10, and the demand for this sea sand has fallen so low now that scarcely any sand has been drawn for the year 1886, and it is lying there at present in enormous heaps at the depôts on the beach.

19,524. Mr. Neilson.—The large boats bring in the sand and discharge it on the strand for the purpose of sale?—Yes, and it is lying there now where the boats left it. It is lying on the quays and piers for sale, as it was carried in from the vessels. This proves in my opinion that the land is going out of cultivation.

19,525. To what do you ascribe all that?—It is evident that the people are not so industrious as they were.

19,526. Do you mean to convey that they are so demoralised by recent events that they are become careless about it?—Yes.

19,527. It is all the result of demoralisation?—The pure result of demoralisation.

19,528. From the agitation we are passing through?—Precisely. I have some further statistics to show that though there is money circulating in the country, it is not applied to the payment of rent. We have a monthly fair in the town of Bantry, and as I am a director of the railway between Cork and Bantry, I have had access to the books of the railway, and can give you approximately an accurate and authentic account of the number of cattle and other things, and the prices paid at the fair held in Bantry on the 21st August 1885, those statistics having been taken by me from the railway books. At that fair there were 467 cows carried by our railway, average price £2 each, making £1,868; there were 118 calves at £2 each, £236; we carried 1,908 pigs at £3 each, £5,724; and 1,141 sheep at £1 each, £1,141.

19,529. You are giving the approximate prices?—I am under the prices. I am giving the average price at what I consider a low figure, not what I paid myself. There were 500 cows driven to Macroom and Kerry by drovers, at an average of £4 each, making £2,000; 200 fat pigs brought by local drovers at £3, making £600; 1,000 young pigs at £1, making £1,000; showing that there was money distributed in the town of Bantry at that fair amounting to £14,151. Now the valuation of the Bantry Union is about £21,000. Therefore on that very day there was stock sold at Bantry valued at half the valuation of the whole union. My reason for calling your attention to this matter is to show that there is money paid in the county, although it does not come to the landlords.

19,530. The President.—But some of the things sold in Bantry that they must have come from distant places outside the union?—Well, I should say three-fourths of the money remained in Bantry Union, and one-fourth went outside it.

19,531. Mr. Neilson.—We have had evidence that the deposits in the banks in Ireland are increasing. Do you think this money would find its way in there?—I am quite satisfied some of it would find its way in there. These are the only statistics I will trouble you with. I have been engaged since 1881, perhaps more than any man in the county, as a valuer under the Land Act, on behalf of the landlords, and it was necessary for me, in order to guide myself on every point, and have proper information, that I should have statistics of everything, for I could not arrive possibly at the value of a farm or an estate unless I had statistics, not only of modern years, but of years gone by. The rents on several large estates were adjusted on my valuation. I adjusted the rents on part of Colonel Sturlin's estate.

19,532. The President.—Is that a large estate?—It is a large estate. I adjusted the rents on part of

Lord Bandon's estate by mutual consent. I adjusted the rents on part of Lord Bandon's estate by mutual consent. Numbers also were not satisfied with my decision, and had the option of going into Court.

18,533. With regard to the Purchase Act what have you got to say?—At the present moment I am engaged in a very important case under the Purchase Act. I was appointed lately agent over an estate, on which there are 39 tenants. It is situate in the Barony of Bentry. The tenants own two and a half year's rent up to September 1885. I was instructed by the owners to sell to these tenants, and last Saturday week I met the whole of the tenants by previous arrangement, and I was dressed to offer them, on getting a year's rent in full, their respective farms at 15 years purchase. This, with a year and a half's arrears, would bring down the purchase to 16½ years.

18,534. By that the landlord must have suffered a great loss of income?—Of course. Well, I offered these terms, and they were unanimously refused.

18,535. I suppose they are hoping for better terms. There was a Land League meeting in the neighbourhood on the previous Sunday, and they were told not to give more than 12 years purchase, and they are settling on that.

18,536. From your knowledge of the men would they be afraid to give more than 12 years purchase in consequence of the warning of the Land League?—I think so. I think the reign of terror exists so strongly in that part of the country that anybody displaying the laws of the Land League will incur very serious risks.

18,537. Then your only remedy for this state of things is the restoration of law and order, and confidence?—What I intend to do is this: I have moved next Saturday, the 20th of this month, for there to give me a final answer; I have no authority to go faster than the offer I have made them, and on Saturday next, if they do not agree to my terms, I will institute law proceedings against every one of them for the non-payment of two and a half years' rent.

You may note that most of these tenants have judicial rents, and very few of them are householders or moderate rents. Now, I am not certain whether the owners would like to give their names or not; I got no instructions in the matter.

18,538. Perhaps it would be safer not to mention the names if you see in any doubt about it?—I will not mention them. I had the Act of Parliament, and I showed them the reduction the purchase money would make in their rents, that it would be equivalent to 15 years of the reduced rent.

18,539. Mr. Nelson.—The rate of purchase you proposed would make an abatement of 40 per cent. in their rents?—Yes.

18,540. A tenant paying £100 would pay £20, and a tenant paying £10 would pay £2.—Yes. The tenants on this property would get their lands at something like 15 years purchase. I am taking in the year and a half's rent, that would bring it down to 16½ years, and take from that the fact of having the money at 4 per cent, it would bring it down to 15 years purchase.

18,541. The President.—I suppose if the tenants were left to themselves they would be only too glad to take the offer?—Well, some of the men in private to me before the general meeting expressed themselves only too delighted at the offer, that it was a most liberal offer.

18,542. But they were prevented by the League?—On consultation with some parties, I do not know who they changed their minds.

18,543. Have you been giving temporary reductions; do you think the tenants require them?—There are some tenants I would not think of giving a reduction to, and who could pay their rents just as well as I could myself; others, I think, would require it.

18,544. On judicial rents?—On judicial rents.

18,545. After that the rents ought to be paid?—I think there is no excuse for them at all.

A deposition of better exporters, consisting of Sir DANIEL V. SULLIVAN, MR. HENRY DALE, and MR. HENRY HICKLE, waited on the Commissioners.

Deposition of Better Exporters.

18,546. Sir D. V. Sullivan.—I beg to introduce to your lordship and the other Commissioners Mr. Hickie, of the firm of James Connell and Company; Mr. Henry Dale of the firm of Richard Clew and Son; and myself, of the firm of C. and J. Sullivan. Well, my lord and gentlemen, we are desirous of having a few words with you as to the butter industry of the South of Ireland. I may say we represent between us a third of the butter exported from Cork, and we believe, though there is a slight improvement in the make of Irish butter, that there is room for a very considerable improvement still, and it is our opinion that that improvement is only to be effected by increased instruction. We ship from this port of Cork as good butter as there is made in any country, some of the finest butter that could possibly be made in any country, but I am sorry to say that the quality is not so much as it ought to be. I believe a very large percentage, the larger percentage, of butter exported from the port of Cork is not at all well made, and we would respectfully suggest to your lordship and the Commission to recommend to the Government to either appoint travelling instructors, who would go through the country and teach the people how to make good butter, or to subsidize dairy schools, such as the one we have now our city. I am a member of the committee of that school since its establishment, and I can say that it has done inestimable good; it has educated a large number of girls in the making of butter, and it turns out on an average 70 or 80 girls, but of course that number is comparatively small, and what we would respectfully suggest to you would be that you should recommend the Government either to send out instructors to the different districts to visit several large centres of dairy industry, and that such instruction should be given by

these instructors to the farmers so would enable them to improve the make of their butter and so get a remunerative price for it, or else such schools as I have suggested should be established. Mr. Hickie will explain to you that already buttermilk, especially in foreign countries, is seriously interfering with Irish trade. We find that when the butter is really fine, and where we ship ourselves on the reputation of our own selection, we get a very high price. One own firm have got this past week 125s. per cwt. for butter from our own dairies.

18,547. The President.—The market statistics will give us information on that point?

18,548. Sir D. V. Sullivan.—No; this is our own butter. Since the passing of the Butter Market Bill two or three years ago, merchants can receive butter direct into their own places from the dairies.

18,549. The President.—These prices were got on the credit of a private firm?

18,550. Sir D. V. Sullivan.—Yes; but what we want to call attention to is, that the supply of really fine butter is very limited, and we say, that if you recommend the Government to give increased instruction, 50 or 60 per cent. of the butter would be so improved that the people would get very much more remunerative prices.

18,551. Mr. Nelson.—What would you suggest? Do you suggest that we strengthen the institution that you have already in Cork, or that you should send smaller small institutions through the country.

18,552. Sir D. V. Sullivan.—For this district I am sure the institution in Cork will do, but I do not believe our school is sufficient. I would be very much more inclined to think that it would do more good if you sent a few competent instructors through the country. I believe that they are doing a great deal in

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that way in Denmark, by sending out instructors. I think that would be very effectual. The dairy school is doing a good deal, but the numbers turned out are few, and that process would be comparatively slow. The dairy farms, and the trustees of the Cork Market, go to considerable expense, and we would do anything we could.

19,553. Mr. Neffigan.—Could your institution provide the instructors?—Dr. Sullivan, and the other gentlemen forming the committee of the school, would, I am sure, do what they could to the matter; but what we think would be most effectual would be to send out travelling instructors to see the people themselves.

19,554. The President.—Do not the Agricultural Society send out portable dairies for the purpose of giving instruction?—Yes, but so slowly. There is an improvement in the make of butter undoubtedly; but I am ashamed to say that at least 50 per cent. of the butter is not properly made. We are getting a considerable quantity of really magnificent butter from certain dairies, not to be excelled in any country; but there is still a large quantity sent in which is not a good quality, and consequently the industry is not remunerative.

19,555. Mr. Henry Dale.—I agree, my lord, with what Sir D. V. Sullivan has said, that our prime want is better instruction in the making of butter. We have opportunities of seeing, as he has stated, the necessity of that want of better instruction. There is no doubt that a better class of butter is being at present produced, and with regard to the question of instruction that there is no person who is more capable as an instructor than Professor Cartell, who was here when the Cork School was founded; he has given a great deal of attention to the subject; he was a long time to the Cork School, and it was while he was there that it attained, to a great extent, its present position. I am aware that the make of butter is in many instances improved, and of course we are all aware that there has been a considerable falling off in the value of butter. I believe you have already received some statistics as to the falling off in the value of butter in Cork Market, and this morning it occurred to me that statistics of a different class of butter might be of some interest. My firm has for a good many years been engaged in clearing butter for export for that purpose. We buy butter in the west of this country. Our principal market is Skibbereen, and I looked over our books to-day and took the price per pound that we paid in the months of May, June, July, August, September, and October from 1880 to the present year, as I was anxious to see how the falls compared from year to year. Those months I may say are the best producing months, and those which pay best, referring to the year 1880 I find that the average price in the months of May was 10½d. per lb., June, 11½d., July, 11½d., August, 11½d., September, 12½d., October, 12½d. I now find that in 1886 the average price was, May, 9½d., June, 9½d., July, 7d., August, 7½d., September, 8d., October, 9d., that shows a falling off of 40 per cent. on this year's value compared with 1880. Of course there may have been in the intermediate years prices which may not have been as high as 1880, my figures indicate a decline generally through several years which has culminated in the extremely low price this year, and that decline has certainly not been owing to any deterioration in the quality of the butter as compared with previous years, because we always instructed the farmers as to what we wanted, and if they sent their butter to us in a dirty condition we simply returned it to them. During the period in which we have been buying in this district, we found no improvement in the make of butter, and notwithstanding that there has been this large falling off in the price; no doubt in the Cork market and at other markets the best makers still get a very high price owing to improved care in the manufacture, but the figures I have given may be fairly taken as a representative average of the value of butter in Skibbereen which is the principal market in that district. We paid ourselves about the average price.

From the knowledge I have obtained in dealing with many dairies I feel quite satisfied that with better instruction much good could be done, and a better system of making butter introduced than prevails at the present moment. Another point of very great advantage would be the extension of winter dairying. This is what gives the foreigner the great pull over the Irish producers. The Danish and the French farmers produce their butter all the year round and supply the markets with the finest butter all through the year, while the Irish butter is not continued through the winter, consequently the buyers in England will pay a higher price for that which they can get all through the year.

19,556. Mr. Neffigan.—What would you suggest with the view of giving the farmers better instruction?—It was suggested at the Agricultural Society a short time ago that the Government ought to send out and get accurate information as to the winter dairying in Normandy and other countries. Normandy is not so favourably situated as Ireland for winter dairying, and if they produce butter in the winter I do not see why it should not be done here, and it would be of enormous advantage to the Irish butter trade.

19,557. Suppose technical education was given, would you be of opinion that it should be given gratuitously, or that it should be given for small remuneration?—I think the people should pay for it.

19,558. Something small?—What would suit their means.

19,559. As a rule elementary education does not command itself to well-to-do people?—No, and as a rule the Irish are a self-respecting people, and they would not like the idea of it.

19,560. You would recommend some limited examination, you think it would be an advantage?—I should think so.

19,561. Sir D. V. Sullivan.—Mr. Hickie will use his experience with regard to the trade in Irish butter with foreign countries, and with regard to the matter generally.

19,562. Mr. Henry Dale.—I have but very little to add to what has been already stated. I know as a fact, from my own experience, that Irish butter has improved; but it has not improved sufficiently, and it will need more improvement before we can compare with other countries. The improvement in Irish butter has been slow as compared with the improvement in the butter of other countries, and our foreign markets are being closed up against us. London is the only market which has been left to Cork, and that is being closed up year by year by the great improvement in the make of butter, which is now being taken by the bulk of the people, and except for four or five months of the year ordinary-class butter will not compete with butterine, and that is in the winter.

19,563. Mr. Neffigan.—Is that sold as butter, or as butterine?—Well, it is originally shipped as butterine, but I am afraid it is sold as butter.

19,564. Of course you cannot control its sale in those countries?—No; you cannot control it. It is so uniform and so well made that to compete with it butter must be improved proportionately. Every salted butter would not do it. I also think that winter dairying should be introduced into Ireland. Orders will remain where they went in the winter.

19,565. Winter dairying is a great want in Ireland?—They should go in for it at once.

19,566. In Denmark, where they have not the same facilities as in Ireland, they carry it on?—They do not carry it on to the same extent as in other places, but they carry it on to a considerable extent.

19,567. Denmark is, I believe, a formidable competitor to Ireland?—Danish butter is the best; but I do not think it interferes much with the bulk of Irish butter. Butterine competes with it more than anything else.

19,568. Denmark would seem to be the place to study?—I certainly think so.

19,569. Sir D. V. Sullivan.—Danish butter is also lately sold in Cork. I got it myself at my own place.

I do not see when we can produce as fine butter as any country in the world, why we should not do what is done in other countries. The only difficulty is that the farmers will want capital to go in for winter dairying, and I would suggest that in any scheme of land purchase, that the repayment of the purchase money should be made so easy to the farmers that they would be able to save capital to go in for such things as winter dairying.

19,570. *Mr. Duke.*—One of the things that tell very heavily against the Irish farmer is, that butterine is sold in England in enormous quantities as butter, and unfortunately the present laws are not put in force

sufficiently rigorously to put a stop to it. If that could be remedied, it would be a great benefit.

19,571. *Sir D. F. Sullivan.*—The fact is that really butterine, I am sorry to say, contrasts very favourably with a large proportion of Irish butter, made as it is at present.

19,572. *Mr. Nelson.*—Is it not an offence to sell butterine as butter?

Mr. Duke.—I would suggest that a bill should be passed making it illegal for the word butter to be used as an affix, or as any part of the name of the article. That would go a long way to remedy the present state of affairs in regard to this unfair competition.

The deputation then withdrew.

Mr. EUGENE MCCARTHY examined.

19,573. *The President.*—You are a tenant-farmer living near Bantry?—Yes, sir.

19,574. You took a farm from which a man was evicted?—Yes, sir.

19,575. What has happened to you since? Have you been boycotted?—I am boycotted, sir, since. They came in a short time afterwards and they cut the tails off two cows and a bull, and they used to come along the road asking, "Did you eat much of it?" and they knocked down a rack on me and scattered it about, and whenever the children would go along the road, they would shout hand-grabber, and that they should not go along the road at all.

19,576. Did you send your children to school?—I could not send them there for they would be murdered.

19,577. Do you go to mass?—I do, sir; but I did not go mostly about three weeks, but the children cannot go because of the greening and the cutting names. I have a little gorse, and I sent him to the village for a message, and when the schoolboys were coming out he was coming along the road, and they were flashing at him with turnips and potatoes, and there was one that was worse than the rest, and he threw him on the road and his head was bruised, and there was a pain in his head for a fortnight.

19,578. They threw him down on the roadside?—When they got to the end of the cross this morning

that was against him tumbled him. He is called one Sweeney.

19,579. Are you under police protection?—I am, sir. When Sweeney was convicted, the sergeant told me that he was half-an-hour with him, and when he came to me, he said, "You are the man that most stands in danger that I know. If you hadn't police protection I would not trust that man from what he said to me three now inside."

19,580. Can you tell your stock in the fair and markets?—I cannot. If I had cows there they would go around the place and pulling one another, and pointing to the cows, and saying he was a boycotted man, and that there was the smell of the hand-grabber about him, and everybody in Bantry would be calling me names. There was a man four or five miles away from me, and he was talking to one of my sons, and he did not know it, and he said to the little boy, "Strike three strokes on that hall there." "If you do," says the boy, "take care of me."

19,581. Can you get your horses shod?—No, sir; I must go to Michael Hegarty, of Dunmore.

19,582. You are protected by the Defence Union?—Yes, sir.

19,583. And you are better off since you got the assistance of the Defence Union?—Oh, we are, sir, for I am a stranger in this country. I am from near Macroom. We left Macroom 35 years ago, and we have no friends there at all.

The Commissioners adjourned to the following day.

(Before THE EARL OF MILTOWN and Sir JAMES CANN, K.C.B.)

Mr. RICHARD CREED examined.

19,584. *Lord Milborne.*—You are a landowner in the district?—I am, my Lord, near Cloyne. In this document I have prepared a short statement of the facts of the case. It is part of the Church lands.

19,585. *Sir James Caird.*—Did you buy under the Church Act?—I did, part of the glebe lands, and I am paying interest on the purchase money.

19,586. *Lord Milborne.*—When did you buy?—I purchased the tenant's interest in 1837.

19,587. Did that make you a tenant of the Church? I was the tenant then of the Ecclesiastical Commissioners for a part of the domestic lands of Cloyne.

19,588. *Sir James Caird.*—That was before the disestablishment of the Church?—Yes.

19,589. *Lord Milborne.*—What was the rental you paid?—The rental of the whole townland was £260 6s. 10d.

19,590. What was the acreage?—The acreage was about 370 statute acres.

19,591. And the poor law valuation?—I have not that. I purchased the tenant's interest from a man named Wilkinson, but I did not take the whole townland from him. This is a statement I have made of the matter:—I agreed to purchase from Mr. John

"Wilkinson portion of the lands of Cloyne, which he held from the Ecclesiastical Commissioners at a rent of £260 6s. 10d. It was agreed between us that the portion I agreed to buy and which is now in my possession, was to bear £185 11s. 3d. of the rent, and that the residue, which comprised the larger portion of the land and which he was to retain in his own hands, was to bear £75 2s. 7d., and that an application was to be made to the Ecclesiastical Commissioners to make separate leases of the two divisions on the rent stated. They refused to do so. Mr. John Wilkinson then proposed that he would convey to me the whole townland, and that I should lease back to him his portion at the rent already named. Mr. Wilkinson having satisfied me that his portion of the land was worth considerably more than the rent, I accepted his proposal, thereupon his lease was assigned to me, with the consent of the Commissioners, and I made a sub-lease to Mr. Wilkinson with like sanction. That has something over 800 years to run. Mr. Wilkinson ultimately sold his interest in the lease to Mr. Murphy, who is at present in possession, and he is the gentleman that has boycotted me for a

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of Estate
Reporters.

Mr. Eugene
McCarthy.

Mr. R. Creed.

Nov. 16, 1886. "considerable time past. Mr. John Murphy paid to "Mr. Wilkinson for this farm over £1,000." That is an extract from a letter I had written to the "Cork Examiner," and if it would not take up too much of your time, I will explain why I wrote that letter. A meeting of the Land League was held in Clonra, and this case was brought before them. As I explained to your Lordship, I had to pay Mr. Murphy's rent for him to the Commissioners, and I did not profit in any way by it; I was simply an unpaid agent of the Commissioners. He claimed 20 per cent reduction.

19,592. Lord *Millsom*.—He held under you by lease?—Yes, he did by his purchase of Mr. Wilkinson's sub-lease; I hold the whole landward.

19,593. He asked you to give him an statement and you refused, having to pay the full sum to the head landlord?—That is so, my Lord.

19,594. In consequence of that you were boycotted? I was, my Lord.

19,595. Is Mr. Murphy a member of the Land League?—Oh, yes, he is.

19,596. And the Land League at his suggestion boycotted you?—Well, some members did. There was rather a dispute among them; they considered that as I had no profit out of the farm, I was not called on to give Mr. Murphy a reduction.

19,597. Sir *James Caird*.—Were you boycotted for refusing a reduction?—For refusing a reduction.

19,598. Lord *Millsom*.—You did not purchase your interest from the Land Commissioners—from the Church Commissioners?—Afterwards, in 1874, I bought under the terms one-fourth cash and three-fourths mortgage, but the only result of that was to reduce my own annual payment about £80 or £70 a year. It turned Mr. Murphy's rent; what I formerly paid as rent it turned into interest, and I lost by the transaction, inasmuch as I had to pay full interest, whereas I had to allow Mr. Murphy poor rates.

19,599. Sir *James Caird*.—What did you purchase in 1874?—This head rent.

19,600. Both Mr. Murphy's and your own?—It was offered to me, and I took the offer.

19,601. Lord *Millsom*.—You were entitled to the offer, being the tenant?—Well, my Lord, it is an offer which I certainly would not accept again.

19,602. But as a matter of fact you were entitled to it by the conditions of the Act?—I believe so.

19,603. How many years' purchase did you give for it?—25 years' purchase.

19,604. It was considered then a head rent?—They chose to call it a head rent; it never was; it was an agricultural holding.

19,605. But they refused to take less than 25 years' purchase?—That was the minimum they put on it.

19,606. Fixed by the Land Commissioners of the Government?—Fixed by the Church Commissioners; they have since become the Land Commission. Twenty-five years' purchase, you know, produces exactly four per cent. interest.

19,607. Then you were paying 25 years' purchase for a full rent paid or payable to you by Mr. Murphy, upon which he demanded a reduction of 20 per cent., and on your refusing that reduction, he succeeded in having you boycotted by the Land League?—Quite so, my Lord.

19,608. Has he paid his rent since?—I took proceedings against him, and in the month of October I had very considerable difficulty in getting it, but I got the whole amount of the rent that was due then. Since then I had to take proceedings against him, and I received a telegram this morning to say he had paid again. He does not owe me anything at this present moment. I was going to say, indeed, that my principal case for coming here has broken down, for I have no claim against the man at the present time.

19,609. He gave £1,000 for the right to pay you this rent?—Yes.

19,610. When was that?—About '69 or '68. I can't state exactly, but if it is of any importance, I can find it for you.

19,611. Sir *James Caird*.—What did he give you £1,000 for?—He did not give it to me; he gave it to his predecessor, Mr. Wilkinson, for the right to pay this rent.

19,612. Did you get any consideration for undertaking that responsibility to the Commissioners?—None whatever; I did it to convenience Mr. Wilkinson.

19,613. Lord *Millsom*.—Supposing permission was given to landlords and tenants alike having leases to go into court, should you avail yourself of that right?—I would if I could, but I don't suppose I could.

19,614. But I am putting it to you: supposing such a change were made in the law as to enable you to do it, would you avail yourself of it?—I certainly would. If there were a change made in the law that leaseholders should go into court, I suppose everyone would avail of it.

19,615. Sir *James Caird*.—Is yours a lease?—It is not now a lease; I bought it from the Commissioners subject to the mortgage of three-fourths of its value.

19,616. Which runs on for ever?—Which runs on for ever.

19,617. There is no termination to it as in the case of a purchase under the Land Act?—No.

19,618. Lord *Millsom*.—Then you could not get a reduction?—No, I could not.

19,619. But Mr. Murphy is able to?—If he got a reduction I think it would be altogether very unfair, as far as I am concerned. I think it would be a gross hardship on me, because I never profited by the law in any way.

19,620. Sir *James Caird*.—But you see you undertook this responsibility?—Well, I think it is best that I should be ground to powder between the Commissioners, who require me to pay rent, and Mr. Murphy, who wants me to give him a reduction.

19,621. It does seem hard, no doubt, but it appears to be a responsibility you undertook altogether voluntarily. You desire to bring your case before us as one that might be remedied in some way by legislation?

19,622. Lord *Millsom*.—What do you suggest should be done?—I suggest that the Land Commissioners should look to Mr. Murphy for his share of the mortgage as represented by his rent.

19,623. Sir *James Caird*.—That you should be released, in short, from that part of the tenancy?—Quite so.

19,624. Lord *Millsom*.—Are rents fairly paid in your district?—Well, this man refused to pay anything at all up to the day before yesterday.

19,625. But in the main; that is an exception?—I think they are fairly paid.

19,626. Is there a good feeling between the landlords and tenants?—I think, very fair.

19,627. Are the tenants anxious to swell themselves of the Purchase Act?—I think they fancy they will get better terms.

19,628. Are the landlords disposed to sell on reasonable terms?—I have not heard of anyone willing to sell. I wanted Mr. Murphy to buy this farm from me, because he could do so on terms that would not increase his rent, and free me from responsibility altogether, and he refused to do so because he thinks that by keeping up this agitation he will vary us into taking lower terms.

19,629. Sir *James Caird*.—Are you still boycotted?—Up to quite a recent period I was. What saved me was that the labourers called on the principal leaders of the Land League, and said that they would not have me boycotted any longer; that I was the only one that gave employment.

19,630. Did the boycotting make the labourers come to you to work?—They were rather afraid to come to me; but as I told you, they afterwards waited on the heads of the Land League, and said they would not have me boycotted.

19,631. Lord *Millsom*.—Then the influence of the labourers has a deterrent effect on the sentences of ostracism passed by the Land League?—Most certainly.

19,632. And were it not for that, I may take it, the tyranny of the League would be still greater?—I suppose only for that Mr. Murphy would not have put it all, and I would have had to leave the country.

19,643. And you have to thank the labouring class more than the Government?—Much more than the Government.

19,634. Government, I presume, has done nothing for you?—It has done nothing for me.

19,635. Sir James Caird.—How long were you boycotted?—Well, it began about the 1st March last, and went on all through the summer.

19,636. Lord Milnes.—What classes now compose the Land League in your neighbourhood?—Primarily large farmers.

19,637. Do they make use of their power to promote their own personal objects, as a rule?—Certainly; altogether their own objects.

19,638. Do tradesmen belong to it?—Well, I don't know, I think they do. I think, as a matter of fact, almost everyone around there is a subscriber.

19,639. Are there instances of men subscribing as one would subscribe to a fire insurance, to save them from misfortune?—Professely; that is what I want to say.

19,640. It is, in fact, a necessity?—Everyone would be better off by subscribing.

Mr. GEORGE JONES examined.

19,641. Lord Milnes.—You are a valuer?—Yes; professional valuer.

19,642. Did you value estates under the Land Act?—Yes, very considerably indeed. Since the passing of the Act of 1881 I have valued upwards of 2,000 acres; under the Act of 1870 I valued between 100 and 300. That has been extended over every county in Munster. I have been examined by every Commission that has sat in Munster in different periods.

19,643. Well, what points do you wish to give evidence on. Is the value of land now pretty much as it was when you valued first in 1881?—No, my Lord.

19,644. You think it is less?—It is less.

19,645. On what grounds?—On the grounds of considerable decrease in the value of produce and stock.

19,646. Is that, looking on the present prices of produce and stock, as likely to be permanent?—That is a point, my Lord. I can only take the past as guidance for the future. I have gone to some little trouble in comparing relative values. I have taken 1882, and compared it with the five previous years, and with the four succeeding. The reason I have done that is, that in 1882 the great majority of the judicial rents were fixed. Comparing the average prices from 1877 to 1881 as against the average prices in 1882, there was an increase of 154 per cent. in 1882 over the preceding five years—taking all the leading articles, wheat, oats, barley, butter, beef, mutton, pork, cows, two-year old cattle, lambs, and potatoes.

19,647. Sir James Caird.—But these must be very different quantities; how could you get an average at all out of them?—Taking the price per hundred weight of each except as to live stock.

19,648. But you would not have nearly as many 100 lbs. of one thing as another. I can easily understand how you get an average of one article, but how you get an average of the whole of them I don't see.

19,649. Suppose you sold one-fifth of wheat and two-fifths of oats and three-fifths of butter, you would not take two-fifths as the average of the whole?—Oh, I follow you. Of course the difference would be considerably greater on some articles than on others; but taking them all and taking everything into consideration, I arrived at 154 per cent. as the increase in 1882 on the average prices of the preceding five years. Taking up since 1882 and comparing the

19,641. Government having apparently abdicated their functions, you have no resource but to apply for protection to the Land League itself; is that so?—I would say that is the view a great many take of it. Only for the labourers I would be very badly off indeed, and the Land League would have pressed the matter very much more on me. My farm is a grazing farm altogether, and at a meeting of the League it was "further resolved that since the case presents 'features of importance, copies of the foregoing resolutions be sent to the neighbouring branches, and to 'the Cattle Dealers Association.' You are aware at that time there was the well-known boycotting of the Cork Steamship Company, and the Cattle Dealers Association was principally engaged in it.

19,642. Sir James Caird.—Did you say that Murphy boycotted you?—He did as far as he could. His friends refused to hire me their steen threshers. There was one man that I hired a corn drill from to sow a wheat field I had, and he came to me and told me that he was going to take it away. I said to him, "You had better take care what you are doing." "Oh," said he, "the whole public opinion is against 'you about this business of Mr. Murphy's.'" I said, "I cannot pay Mr. Murphy's debts for him; I must 'only do without your corn drill.'"

19,643. Have you any further observations to offer?—That is about all I have to say.

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years 1883, 1884, 1885, and 1886 with 1882, I find there is a difference of 44 per cent. That would make a difference of 12 per cent. between the average of the past four years and the average of the previous five years. Now, comparing 1886 with 1882 I find a difference, a decrease of 35 per cent. as against 1882. Then again taking the years from 1877 to 1883, that is nine years, and comparing their averages, it would show a difference of 30 per cent. as against 1886.

19,644. Do you mean 30 per cent. higher?—The previous nine years is 30 per cent. higher.

19,645. Do you mean to say that 1886 is 30 per cent. lower than the nine years preceding?—Exactly. Then taking the judicial rents; the reduction in judicial rents at an average of about 30 per cent. below the previously existing rents, which, I believe, is the average about Cork and the south here, as far as I could get it, and adding to that 12 per cent., the difference in prices, you get a difference of 32 per cent. I want to show the position of the tenants now as compared with the five years before judicial rents were fixed.

19,646. Lord Milnes.—I understood you to say that prices were 12 per cent. higher?—Yes, and the rents are 30 per cent. lower.

19,647. The reduction, then, is 12 per cent. too much. If the prices were 12 per cent. higher than in the previous five years it would be an argument that the rent should be higher?—It was simply, my Lord, to compare the position of the tenants with regard to their position previous to 1882 and since.

19,648. You do not propose to fix rents on the prices of our year. Of course not; it would be a manifest injustice, this being a year of exceptionally low prices. My principle in value is to take a series of the previous 10 years as a basis.

19,649. Taking the previous 10 years, do you say that rents should be valued lower now than in 1881?—Yes, my Lord.

19,650. Why? You have shown that the four years subsequent to 1881, were better than the five previous; then why in the world is the value of the rent less?—Because of bad seasons and harvests.

19,651. Sir James Caird.—You mean that in 1886 the prices are 50 per cent. lower than the nine preceding years' average, and you would not, because of that great fall in prices, extend that this would be a safe year to take for fixing rents?—Not upon the basis of

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prices for this year. I would include this year with the preceding ones in fixing rents.

19,650. You would bring this year to count in the average?—Yes.

19,651. Lord Midleton.—Well, you are doing the very thing you say it would not be fair to do; you are allowing the prices of this year to drag down the whole average?—It would only affect the average of prices. I would take this year into account with others. I have lately sent a return of the working of the different Sub-Commissions for the past three months, and the average reduction of the judicial rents on the previously existing rents was 33½ per cent.

19,652. Sir James Caird.—That is 38 per cent. instead of 20 per cent.; they began with a reduction of 13 per cent. below the first and second years' rents?—Yes, that is it.

19,653. Lord Midleton.—How much do you say the value of land had deteriorated since 1881?—About 15 per cent. of rent.

19,654. On account of the prices of the various products of the farm?—Yes, my Lord, and also, unfortunately, we have been suffering very much from climatic influences, as well as from the effects of foreign competition.

19,655. Supposing next year was a prosperous year, you would hold a totally different opinion?—I would then bring next year into consideration.

19,656. That might completely alter your judgment?—It might, of course to some extent, as it would reduce or increase the average.

19,657. Sir James Caird.—It would be an element in your consideration; that is to say, each year as it comes you would add it to the previous years, whether it was up or down, so as to bring your average to that point?—Exactly so.

19,658. Lord Midleton.—About leaseholders. You are of opinion that they should be admitted to the benefits of the Act?—Undoubtedly. I have valued many leasehold farms during the last 18 months, in fact more than others. My experience of leaseholders in this is: that they require to be admitted to the benefits of the Act even more than yearly tenants for this reason: that previous to the Act of 1870 a lease was the only security the tenant held for any improvements he made and that being so, it was the object of every tenant, who possibly could do so, to obtain a lease. Unfortunately as I know in many instances where a tenant has gone to the landlord, or the agent and asked for a lease for his farm, either owner or agent has said, "Well, we will grant you a lease, but you must pay me £200 or £300, or you must give me an increased rent of 6s. or 7s. per acre." That being so, it places the leaseholder in a position worse than his adjoining tenant.

19,659. Would you be in favour of admitting both landlord and tenant to the court in case of leaseholders?—Well, my Lord, that would require a little consideration.

19,670. Would you give them equal rights to have a fair rent fixed?—Yes, provided it were limited to a certain time.

19,671. What time would you limit it to?—The Head Land Commission fixed a period beyond which they would not hear evidence as to the value of tenants' improvements with regard to agricultural buildings they fixed that at the year 1882, in the celebrated case of Adams v. Darnest.

19,672. And you think that ought to be the limit to admitting landlords?—There are a great many old existing leases which the ancestors of the present occupiers paid a large sum to obtain, or, as it was called "ding down the rent." Well, the rents of these lands now are low and always have been low in consequence of that money having been paid; they are below the fair letting value. Therefore I don't think it would be fair in many cases to allow the landlord, to come in and get an increased rent from me by virtue of an Act of Parliament which would destroy my interest.

19,673. But don't you think that difficulty might be met by enabling you to give evidence of that the having been paid, which would prevent the raising of your rent?—There are in our own case some £3,000 worth of buildings on the place even which the landlord has no right whatever, because at the granting of the lease, which is for 270 years, in 1784, that is 189 years ago, there were no buildings on it.

19,674. Lord Midleton.—But the rent would be a very low rent now, apart from every other consideration on account of the change in the value of money.

19,675. Sir James Caird.—Would you limit it to 1842 the period to enable the landlord go into court?—I would.

19,676. And that you think would admit all purely agricultural leases?—I think so.

19,677. Lord Midleton.—You would not restrict to 1842 the right of household tenants to go into court?—I would not. In our own case we held 220 acres; it would not be admitted under the Act of 1881, because it would be excluded as domestic land or as a residential holding. We have still about 175 years to run under the lease. If we could take advantage, or if the landlord could take advantage, of any future Act admitting leaseholders, we would be in a position to prove by documentary evidence and personal evidence the increased improvement in the value of the land since the original letting, and that would be to the landlord from any right to increase, as otherwise he would be renting as on our own improvements.

19,678. Still it is possible to conceive a case, in fact, it is notorious there are many cases where the rent, owing to the change in the value of money, no longer bears any proportion to the value of the land, quite apart from the tenant's improvements, and where no fine was paid on the admission of the tenant. Do you consider that such a lease ought to be brought into court by the landlord to have a fair rent fixed?—That would be more a matter for the consideration of Parliament.

19,679. But if we allow leases to be brought into court at all, it is difficult to see why these should not be admitted?—I recognise the difficulty, my Lord, fully, and have for years been thinking over it, and endeavouring to elucidate it. I certainly think leaseholders should be admitted to the benefits of the Act; that is, purely agricultural holdings, not domestic or residential holdings. About the other two, I have to say I look upon it as one of the blots of the Land Act of 1881, that there was no provision made for the abolition or reduction of the title rent in proportion with the reduction all over an estate. The Government bring in an Act reducing the owner's income and still demand their pound of flesh in the shape of title rent. Then with regard to family charges, I think it is a blot on the Act that there was no provision made.

19,680. What provision ought to have been made?—I think provision should be made that family charges on an estate should be reduced pro rata with the general reduction on the estates made by the Land Act of 1881.

19,681. Do you include mortgages in that?—No; because it would not be easy to deal with mortgages. I refer to provision made for younger children and matters of that kind.

19,682. Do you think there would be any hardship in compelling mortgages to take 4 per cent.?—I do not; I think they should be compelled to take 4 per cent. instead of 5 per cent. where the reductions on an estate have been equivalent to that, and taking into account the general depression.

19,683. And the fact that they could not possibly get more in a safe investment?—No; in fact, there are very few investments in which they could get more than 3½ or 4 per cent.

19,684. Sir James Caird.—Do you suppose mortgages would be willing to compromise in order to be paid off. Would they take less?—Personally speaking, if I were a mortgagee I think I would be very willing to accept at the rate of 4 per cent. off a gentleman's income from an estate in Ireland now.

19,685. You would be willing to accept a reduction from 5 to 4 per cent. in annual interest?—I think they would have greater security at 4 per cent. than at 5; because there are many estates in this country that I know of myself that would not, if sold to-morrow, realise the amount of mortgage on them.

19,686. And do you think that mortgages would be willing to meet matters by accepting some reduction in the capital sum?—That is a question I could not answer; I am merely giving my own idea. I have not heard of any mortgages being willing to adopt such a course.

19,687. What is the common rate of interest charged?—From 5 to 6 per cent.

19,688. Not below 5 as a rule?—I do not know of any case below 5; there may be where the amounts are large, but I am not aware of any.

19,689. Lord Milnes—Have you had any experience of the working of the Purchase Act?—Yes. There is another point which I am very strong upon, and that is the admission of agricultural produce into England free. I say there should be a tax on all manufactured material, such as flour, imported into England. For while nearly everything that we can produce here is allowed to come into England from all parts of the world free of duty at a lower price than we could produce it here, I see very little hope for any large amendment in our prospects here. Foreign competition would of course be a very great factor in our condition and also the revival of trade in England. A revival of trade would mean the circulation of money, and the prices of agricultural produce would go up.

19,690. You would have 36 million people eating more than now?—Yes, and you would have 36 millions sterling more circulating in the year.

19,691. What is your experience of the Purchase Act?—I have been called on to negotiate the purchase of several farms in this county under the Act of 1865, and my idea is that the interest should be reduced from 4 per cent. to 3½ per cent.

19,692. Sir James Caird.—By lengthening the term of payment?—Yes; or I would make it a charge in perpetuity. Under the 4 per cent. scheme I do not think the working of the Act will ever be general. Constantly travelling through the country as I am, and mingling with persons of all ranks, I find that on the part of the tenants there is not a general desire to purchase; that as in the south here, I am not speaking of the north, because I have no practical knowledge up there. One argument that some gentlemen with the tenants down here is this; they say,

"If we purchase our holdings under Lord Ashbourne's Act, we then become tenants of the Government, and under the Government we would get no time for the payment of a guinea when due; whereas under the present system, if we are not able to pay up to the day we will get an extension of time, some little indulgence from the agent or 'landlord.' Is that why they argue against purchase, whereas if the interest were reduced it would enable them to give the owner a larger number of years' purchase and they would at the same time have a less natural inclination to pay. There also ought to be some facilities for conveying title different from what there are now. I know some cases I was in last March where the titles were perfectly clear; their was nothing to prevent their being conveyed to the tenants within a very moderate period, and they are still uncompleted.

19,693. That is the investigation by the Land Court, that you think is more severe than is necessary?—Oh, it is most tedious. I could give you an instance of a farm, one of the first bought under the Incumbered Estates Act. The conveyance was from the Incumbered Estates Court—or the Incumbered Estates Court as it was at that time—to the landlord. There never had been an incumbrance of one shilling put on it, his title was perfectly clear, and the final conveyance to the tenant has not been made yet, and that is seven months ago.

19,694. You have been examining a good many farms lately, under lease?—Yes.

19,695. Was that with a view to any change in the tenancy?—With a view to making new leases; in some cases the old leases were broken and the tenants entered in as judicial tenants.

19,696. There was no longer a lease and you were fixing what should be the fair rent?—Yes.

19,697. Do you know anything of the congested districts in Ireland?—No, we have none of them down here.

19,698. You have a great deal of experience both with small tenants and large tenants in the country?—Yes.

19,699. Is there any clear line now between smaller and larger tenants in their desire to meet their engagements?—Well, personally speaking, I could give you very little information on that, but in my opinion, and from what I have heard, I believe the smaller tenants are more ready to pay than the larger ones. I was engaged in the valuation of all the largest farms that came before the Sub-Commissioners here in the month. The largest was one of £400 a year; that was on the estate of the Earl of Donoughmore. The next largest was a matter of £220 a year.

19,700. These are quite exceptional; but taking £10 to £20, and £20 to £50, and you have the great majority of rents in Ireland. Would your answer be equally applicable; would you say that tenants under £20 are better payers of rent than tenants over £20?—I believe so.

19,701. Are they more industrious and thrifty?—No, not that; but these smaller tenants employ but little labour; themselves and their children do the work. Unfortunately for themselves, in this country the tenant-farmers as a rule make very little more than half of what they ought to make of their holdings.

19,702. They don't farm well; is that want of capital?—Not so much want of capital as of necessary skill and industry, a better system, and better knowledge. They do everything in a careless, slovenly way. They neglect their crops. I know hay that was cut for six and seven weeks this summer, while we had ours cut and in a barn within a week. Fortunately for myself, I had the advantage of being brought up on a farm where, during the existence of the Agricultural Society of Waterford, we every year took the prize for the best managed farm. I was brought up to make the most of everything on the farm, and see that nothing went to waste.

19,703. Is there any distinction now in the quality of the land occupied by the smaller and the larger tenants, have the smallest tenants the inferior quality of land?—Well, that would depend very much upon the district.

19,704. Well, take a district in which you have both good and bad land?—Smaller tenants as a rule work their land to more advantage than those holding something more; but I think, taking good and bad alike, I do not see that there is much difference between them.

19,705. Suppose a man had an estate, part of which was very good and part very moderate, what class of tenants would he put on the good land?—I think he would put the better tenants.

19,706. So you generally find the smaller tenants on the poorer land?—I think so, as a rule; but as I said a moment ago, I think smaller tenants holding under 20 acres make more of their farms; they have less expenditure, and they do the work more by themselves and their own families.

19,707. Is it mostly dairy farming?—Yes, in the County Cork.

19,708. And I suppose there is a large proportion of the land under grass?—Yes, but they do a great deal of land that is totally unfit for carrying, land such as they would in England and Scotland use for sheep, and improve by stiling and stiling sheep upon, prepare for dairying by manuring and sheepfolding.

19,709. Do they manure that land?—Manure is carried out on it to some extent. Formerly they used

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to make large quantities of manure by sowing the ditcher, &c., but now they prefer attending National League meetings to doing those things.

19,710. Is there a clear falling off in the industry of the farmers?—I think so.

19,711. Can you point to any date when that began?—I know for a fact that since the agitation of 1870-80 they have not shown the industry they did before.

19,712. Are they living in expectation of getting something more?—They are living in expectation of getting a considerable reduction in their rents.

19,713. The agitation has not promoted industry?—Certainly not, and I think any honest-minded man will tell you the same. The great majority of them sell off their hay, straw, and roots which they ought to keep, for they have not got sufficient manure to keep their land in proper till. They rely too much on artificial manure altogether, and that has impoverished the land and themselves.

19,714. There must have been an increased demand for hay and straw?—Yes, a great deal has been

shipped away to England and Scotland during the past few years and there is less tillage.

19,715. Lord Millicoma.—Do you think that in the event of their becoming owners they would do more justice to the land?—I am afraid not, my Lord. I am afraid it is inherent in them. Of course there are bright exceptions, but I have argued that if many of the present tenants had their lands presented to them they would be no better off.

19,716. But suppose they had to pay a pretty severe rent?—My experience in general has been that the highest rents have been the best off. I could point out instances where tenants have been paying very high rents indeed, and there is no comparison between their farms and the adjoining ones. That was because they had to put forth some energy and work their farms in order to pay their rents.

19,717. Sir James Caird.—And you think if they became owners the call for energy would be lost?—It would partly disappear; they would let the land look after itself to a great extent.

Mr J. Hagerty.

MR. JAMES HENAGERTY examined.

19,718. Lord Millicoma.—I think you are a tenant farmer, are you not?—Yes.

19,719. In this county?—Yes.

19,720. In which district?—In South Douglas. I have land also in Whitechurch, on the north side.

19,721. How do you hold your land?—Under lease.

19,722. Are you highly rented?—I am, very high.

19,723. I suppose you wish the law to be altered so as to have a fair rent fixed?—I think lessors should be abolished now; the rents are too high for the state of the country.

19,724. Are you desirous of purchasing your holding at a fair price?—I would not care about that if I got a fair rent fixed. I would be very anxious to pay what I could to the landlord too.

19,725. Is that the general feeling of the people in your neighbourhood, do you think?—Indeed it is.

19,726. They are more anxious to have a fair rent fixed than to purchase their holdings?—Yes, if there were fair rents fixed, but in the way prices are now, the rents cannot be paid at all. Outside are half down. I got 28 two years ago for yearlings that I would not get 28 for now.

19,727. Well, if these times are to last the fair rent would be a very low rent?—Oh, yes.

19,728. But you would not say that because we have one or two bad years; the rent should be fixed very low for 15 years to come?—I certainly would not; if they were fixed at the end of five years, say.

19,729. You would like to have the rent rise and fall with the prices?—Yes, I would be anxious to pay the landlord always what I could pay.

19,730. The idea of a fair rent, as I understand it, is that it should be such a rent as a man could pay in good and bad years; one with another; that is to say, he would not make much or anything in a bad year, whereas he would make a great deal in a good year?—I commenced myself on a farm of very poor land, there was not a building on it. I had £1,500 on the land, and now for the past 15 years I am paying £2 an acre for it.

19,731. What was the date of your lease?—I think 1878.

19,732. Times were pretty good then?—They were good then. I could pay £2 an acre for it at that time, and I could not pay £1 an acre now.

19,733. Do you employ much labour?—I have about 14 men and I have some sons.

19,734. The price of labour is much higher?—Yes, and the labour is not as good as it was.

19,735. We had a witness who said the price of labour was higher, but that the labour was better. Is

that your experience?—No, it is not. It is impossible to get labourers to work now.

19,736. Is that your experience?—No, it is not; it is impossible to get labourers to work now.

19,737. They are too independent of you?—Yes.

19,738. Are there many labourers seeking employment?—Well, yes, that is so. We come to Cork to employ labour; but in Cork we have to pay them 10s. a week and their support.

19,739. But that is only when you engage a man for a short time; it would not be all the year round?—I think about 12s. is the average for the year round without any support, but with their house and fire. I am giving my men their support and 6s. a week, and the grass of a sheep.

19,740. But that would not come up to 12s. a week?—It would, and to something more too.

19,741. What do you give them for their support?—Bread and boiled milk twice a day, potatoes and fat and a bit of meal now and then.

19,742. Pretty much as you would have yourselves?—Yes.

19,743. Is there plenty of employment for the labourers in your district?—There are some idle, but they could get work if they wished.

19,744. Your chief object is to have a fair rent fixed for your land?—That would be my object.

19,745. And with that you think that many of your neighbours would be satisfied?—I think that all the leaseholders in the country will be satisfied if there is not some change made in the law to allow them to court to have a fair rent fixed.

19,746. Are not the landlords giving any reductions?—No; I got no reduction last July. I had promised to be in on a Friday to pay rent to one of my agents, but I was making a risk of hay, and when I came in next day there was a writ against me, and I had to pay the costs.

19,747. That was hard enough. Who is your landlord?—It is not the landlord that is to blame so much; there are mortgages.

19,748. Is such sharp practice as that common?—Oh, it is.

19,749. Has the Land League much influence in your neighbourhood?—They have not, sir.

19,750. There is no interference with the people?—I am a member of the Land League.

19,751. I dare say so are a great many people. What I mean is, is there much influence in the way of preventing people from doing what they wish; a man free to do what he thinks fit?—Yes, is a fair way.

19,752. Sir James Caird.—No boycotting?—That is not.

19,713. Lord Malmesbury.—Is there anything farther you would wish to state?—Prices for everything are down to nearly half; the cattle that some time ago I would get from £15 to £17 for, I now would not get more than £7 or £8 for.

19,714. How long are you a farmer?—Over 28 years.

19,715. You were a farmer in 1863, when prices were the same as they are now?—I could make more money then than now.

19,716. But as a matter of fact prices at that time were the same as now?—I do not know that. I remember since 1845, and I never remember anything lower than the present.

19,717. Did you know that everything is 50 per cent. higher now than in 1852, when Griffith's valuation was made?—I did not.

19,718. That is the fact; wheat was then 7s. 6d. for 112 lbs., milk cows from £8 to £14, two-year-olds £4 to £8 10s., one-year-olds £2 10s. to £5 10s., lambs 18s. to 25s. 7d.—But then you had better produce at that time is everything than you have now; there is no dew now. There was heat and dew then, making the grass more productive.

19,719. Was not this a good year for grass?—It was rather soft.

19,720. Did not your stock do well on it?—They did not.

19,721. I only tell you that you need not be disappointed about it, that in 1852 prices were 50 per cent. lower than now, and yet we managed to scramble through?—Well, I took a very bad farm 28 years ago; I worked it, ensured it, made money and paid my landlord his rent, and this year I could not pay it.

19,722. Sir James Caird.—Is your rent higher now than it was then?—I took a lease and paid a fine on each farm. I have got a lease on 51 years of the farm I am living on now, and am after laying out £1,500, as it is in distress.

19,723. What is the extent of the farm you have the 15 labourers on?—400 acres.

19,724. How much of that is in grass?—I have had about 70 acres sown under corn and about 30 under green crops.

19,725. And you say that land is not so productive now as it used to be?—It is not.

19,726. Do you keep fewer cows?—I keep 50 milk cows.

19,727. Did you ever keep more than 50?—Yes, I kept about 80.

19,728. Did you bring up the young stock?—I have the young stock on another farm.

19,729. Do you mean to say that the decrease in the productive capacity of the land may be reckoned as between 60 and 80?—I kept about 80; I have about 50 this year; I had to sell them to pay the rent; it was not because of want of food for them. I always buy guineas for my cattle; now we have to give them barley, because there is no market for it. I live

within three miles of Cork, and send my butter and milk to here.

19,730. Do you say that the land and the seasons are not so productive as they were?—They are not.

19,731. Do you find that you have not so much butter from each cow now as you had?—I am short now something like 2 lbs. a week in the produce.

19,732. But better seasons may come round again?—At all events we would want it.

19,733. And the land is not permanently injured, and it would be all right with better seasons?—If we got them.

19,734. You say that the wages have increased considerably?—Not a great deal these last few years. When I commenced farming I was only paying labourers 7s. a week, garden at the rate of £8 an acre, some firing and the grass of a few sheep, and now it is very tight on double that.

19,735. And you do not think that the labour itself has improved?—No, at that time when I was living in the south side I was steward to Mr. Newenham. I had a farm at the north side, and when I used to go out there at five o'clock in the morning I used to find the men at work before me; now you would not find them at work at six. I have two farms and lease for 100 years. It was in 1800 I got the lease from Lord Fermoy, and 15 years ago I got the lease from George Bond Leane. I improved the land considerably.

19,736. Have you got any reduction of rent?—I have been offered 15 per cent., but I would not get anything on the farm I am living on. I would get 15 per cent. from the Court.

19,737. Lord Malmesbury.—I understand you to say that barley does not pay now to grow?—It did, not pay this year.

19,738. Why do you continue to grow it?—I did not grow it this year.

19,739. We have had considerable evidence to show that the price of barley is very unremunerative, and it seems odd that farmers continue to grow it?—It was not so bad every year, and we farmers like to have a change of every sort, oats and barley. I had as good a sample of what this time two years as ever was handled, and I could not get a buyer for four weeks' until a local trader, Mr. Harry, bought it at 4s. per cwt.

19,740. Have you wheat now?—I have "set" some since I have put in Black Tartary oats.

19,741. Does that pay you better?—All I got for it was 4s. 1d. per cwt. this year.

19,742. The straw is better fodder?—We never use it for that; I make manure of the straw.

19,743. You sold this year's crop of oats for 4s. 1d. per cwt?—Yes.

19,744. Well, in two or three months that oats would be worth 5s. or 6s. per cwt.?—Yes; but you must store it up in a loft in the meantime, and the moisture goes out of it, and in two or three months it is greatly reduced in weight.

MR. JAMES FINCHER FITZGERALD examined.

19,745. Lord Malmesbury.—I believe you are a land agent?—I am.

19,746. In this county?—Yes, in the east of this county.

19,747. On what points do you wish to give evidence especially?—Well, unless anything I can say may be of use as to the working of the Act.

19,748. Do you consider this a very difficult year for farmers to pay rent?—In my district it is exceptionally difficult; it is a rather peculiar district, and they depend chiefly on barley for the autumn rent.

19,749. Is there any necessity for them to grow barley?—It has always been a paying crop hitherto.

19,750. But it does not appear to be this year?—I look on this year as wholly exceptional; this year, this autumn is the worst in my district that I can remember.

19,751. To what do you attribute that?—To the wet in August and September. Very little wet will

injure barley at that period, and just at the critical time we had incessant wet.

19,752. Farms vary very much?—I have to farm a great deal; I farm between two and three thousand acres, and I do not grow any barley, so that it does not affect me personally.

19,753. Do you find that you are able to make the rent on that land this year?—Well, it has been an exceptionally good year for grass, and on account of the low price of barley we have been enabled to buy much winter food for winter dairying, and the low price of food for winter dairying is a great source of profit.

19,754. How would you describe the year?—I say that for the ordinary farmers of my district who depend for their autumn rent on barley, that it is the most disastrous year since 1847, and for dairy farmers and others it has not been a bad year. Butter sent to the Cork market has got low prices this year, but

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for high quality better the price has been fairly up to the average.

19,750. Except for those who, as you say, make their rent by growing barley, is there a great difficulty of paying rents this year?—Oats have also been at a very low price; the crop has been a good one, but the price has been very low. But otherwise I should say not. The profits on sheep have been rather better than usual, and the profits on young stock quite as good as for the last five or six years.

19,756. Do you see any reason, from low prices or otherwise, why the judicial rents fixed by the Land Commissioners should be reduced?—Not permanently, but I should advise the landlords for whom I act to make some allowance out of the judicial rents for the present year to barley growing farmers certainly.

19,757. These are circumstances in the year, then, which, though they call for a temporary abatement, do not call for a revision of the judicial rent?—No; I think the judicial rent is at present prices a fair rent; at the time when it was fixed I think it was too low a rent.

19,758. Was there general satisfaction at the judicial rents when they were fixed?—I think so; they were all quite satisfied. I do not think that the landlords considered that justice was done them at first.

19,759. Do they now think so?—I believe they think the judicial rents are up to the present prices; there has been a steady fall in prices since the rents began to be fixed.

19,800. Do they think that they were fixed on an intelligible principle?—No, I think not.

19,801. Have you considered whether it would be desirable to have a re-valuation of the whole country on a rental instead of a rating basis?—I think it would be very desirable.

19,802. And that that should be the standard of rent?—I do not believe in any standard of rent being fixed by Act of Parliament.

19,803. But as we seem to have got into that, do you suggest any mode of altering the present system?—I think that they had better leave us alone, that is the one thing we want in this country. Things will find their level.

19,804. No matter what the fixed rent, there will come years when it must be unfair to one party or other?—Certainly; if prices rise it is unfair to the landlord, and if they fall to a certain extent, they simply will not be paid.

19,805. Is there any desire among tenants whom you are acquainted with to purchase their holdings?—No; I have offered a number of tenants their holdings to buy, and their answer was that they did not care to do so.

19,806. Is that the answer of a number of tenants besides those whom you are agent over?—I am connected with the estates of landlords who are not mortgaged or encumbered in any way, or bound to mortgage their estates, and the offer made to the tenants has been 20 years' purchase on the judicial rent. That offer has been made to a great many and not accepted by any. By accepting that the tenant would have to pay the whole of the poor rate. The land would be sold at that rate, free of taxes, free of quit rent. The tenant has at present to pay the whole of the county cess.

19,807. The only difference would be that he would have to pay the whole instead of half the poor rate?—Yes; I have not any case under the 24 a year valuation.

19,808. Do they give any reasons for not desiring to purchase?—They have given no reasons. I have always asked their reasons, and tried to explain to them the advantages of purchase. One reason is the falling market; men do not like to buy on a falling market. Another reason is, that they are afraid of the rates increasing, and the rates are increasing rapidly. Then they do not know that this will be a final settlement of the question that has been made. I think they look upon this Commission, whether rightly or

wrongly, as having been issued to inquire into the fairness of judicial rents. If those rents are to be lowered, it is not wise for a tenant to buy on that basis of course.

19,809. Supposing an improvement in the price of produce, and supposing a confidence that they had reached a facility in legislation of a successful character, do you think that the tenants would be anxious to purchase?—I think so, freely.

19,810. And that there would be no necessity for compulsory powers?—None whatever.

19,811. And do you think that it would be to the advantage of the Commonwealth that such a purchase should take place?—I do.

19,812. Do you think it would tend to the preservation of law and order?—Yes, most certainly.

19,813. And supply satisfactory persons to occupy the position of jurors?—I do not know about that; their object would be to maintain order, I should suppose.

19,814. And to diminish the rates, if they had to pay them themselves?—If they had to pay the whole rate themselves, possibly; they have to pay half the rate at present, and they do not show any tendency to diminish them.

19,815. Has the Land League much influence in the district with which you are acquainted?—Well, less than in most districts of the county Cork, I believe.

19,816. Does it interfere with purchase?—Well, they have given advice to the tenants, but I do not believe it has been much regarded.

19,817. Have they interfered with the payment of rent?—Not in anything that I have had to do with; they have endeavored to do so, but it has been a failure.

19,818. Then the rents have been fairly well paid?—The rents up to this spring were fairly well paid, but this autumn there has been a great deal of difficulty.

19,819. Is that in consequence of the tenants not having the rents made?—I do not think they have made the full rents out of the present harvest, but they do not like to draw on the bank. The great bulk of our district is a tillage district, and I do not think they have made the rents.

19,820. And to that you attribute the difficulty in collecting the rents?—Yes.

19,821. Not to any combination?—There is no combination on any estate that I have to do with. I collect about £33,000 a year in the county Cork.

19,822. Is there much employment for labourers?—Yes, they are well employed, and get good wages; the town of Midleton, where my office is, and where I live, is perhaps the best centre for labour in the south of Ireland.

19,823. And where do they live?—Chiefly in and around the town.

19,824. Have they got decent dwellings?—Yes.

19,825. And do they pay high rents?—They pay fair rents; we have built a large number of new cottages; from 250 to 300, old and new, being in List Midleton, whose agent I am.

19,826. What rent do they pay?—The lowest rent is 1s. a week; that is in the case of one man occupied by a man and his wife. They go up to 3s. a week; the average would be about 1s. 10d.

19,827. What are the wages of agricultural labourers?—My men get 3s. a week, and have a potato ground free, which is measured by the husband and filled; they get coals, and if they believe themselves they get a certain allowance of clothes. That is higher than the usual rate. The usual average most between the farmer and his labourer is 4s. 6d. a week, two meals a day for the man, coals, and potato ground free; in some cases they have to pay for the quarter of an acre of potato ground, and also the grass of a sheep.

19,828. What is the value of the grass of a sheep?—I should think about 12s. a year, say from 1s. 1s. 6d. a month.

19,829. Are the cottages that they have to live in generally decent?—No, they are in very bad order as a rule.

19,830. Have any steps been taken to remedy that state of things?—There is a scheme for building a large number of labourers' cottages in the union at present, but I have opposed the scheme, because I do not believe it is the proper remedy.

19,831. Have any steps been taken under the Sanitary Acts to remedy it?—No; and that is exactly my ground of opposition. The doctors have reported, and the sanitary officers have done their duty, I believe, but the guardians, who are the sanitary authority, have not done so.

19,832. You find that they have not fulfilled their duties under the Sanitary Act?—Certainly not.

19,833. Have you ever considered the possibility of a sliding scale for the adjustment of rents?—I have; but I am certain that in my district it would be the conflict of all; it would not be practicable.

19,834. For what reasons?—Take two farms; one with a large amount of dairy stock depends on winter dairying, and has been fairly successful this year. Another adjoining it is a tillage farm, depending on its barley crop, and for that this has been a disastrous year; how could a sliding scale apply to them?

19,835. Would it not be possible to adjust it so as to apply to the articles of produce on each farm?—You would have to consider every case by itself in the end.

19,836. At any rate you see great obstacles in the way of the sliding scale being adopted?—I am satisfied that it is quite impossible.

19,837. And you think there is nothing for it but that the landlord and tenant should agree on the rent to be paid?—Yes.

19,838. Sir James Caird.—And do you see any reason to doubt that that agreement will be come to?—No reason at all.

19,839. Just as before when a fair rent was fixed?—No landlord desires to get rid of a good tenant.

19,840. Has winter dairying been extensively introduced into this country?—It is beginning to be introduced; it has not been extensively introduced. I have about 250 winter cows myself in three or four farms.

19,841. Having so large a stock of cows, I suppose you use machinery in some way in the manufacture of butter?—I have formed an association of landlords and the more intelligent farmers, and we have established a central dairy, where the whole of the milk is manufactured into butter.

19,842. Has the system become at all common in the county?—I have heard of its extending as the Greenery system.

19,843. I suppose that has also proved successful?—I think it has.

19,844. You can do better by it, and have the same uniform quality of butter?—Yes; certainly.

19,845. Would you say from your experience whether within the last two or three years farmers have been making or losing money?—This year they have not made money, certainly, but I think that two and three years ago they did fairly.

19,846. But they do not like to draw from money laid by to meet the call of the current harvest?—That is so.

19,847. So they think that the rent should be met out of every harvest?—Yes, or a little saved, if possible.

19,848. Are the rents judicial on your estates?—They have been either judicially fixed or they were settled and not fixed in court.

19,849. Was there a considerable reduction?—Yes, about 19 or 20 per cent. on an average.

19,850. And have the tenants on the whole been satisfied?—I think so; they were very well satisfied as long as prices were kept up.

19,851. Have you had any reduction on the judicial rents?—I have said I would advise landlords to make a temporary reduction for this half year.

19,852. Are the farms on Lord Middleton's estate large or small, or mixed?—They average about 60 or 70 acres. We have nothing scarcely under 20 acres, and a good many over 100 acres.

19,853. Have you yourself come to any opinion as to the extent, the fair quantity of land a tenant should have in order to live by his farm as a farmer, having no other source of income?—My own impression is that the land will go into large farms. Land at present is in a very exhausted state, in consequence of tillage farming for years without sufficient manure; the land has decidedly run down.

19,854. Then how can it run into large farms without farmers losing their holdings?—They will lose them because they will not be able to stay. If they were proprietors to-morrow, a great number of them would be bought out.

19,855. And in that way it would lead to a consolidation of farms, then the very small farms would be bought up by the large farmers?—Yes; near a town a very small farm would probably succeed, but through the country the only way to make farming pay would be by large farming and winter dairying. The sale of milk and butter, &c. to town buyers would make a small farm pay when near a town.

19,856. As to the industry of the farmers, is there any noticeable difference between those who are large farmers and those who are small farmers?—No, I don't think so.

19,857. Are they industrious?—They work hard, but their work is desultory; they like a holiday, and may take it at a busy time. They are hard-working people, certainly; I would not call them thifty as the Scotch or English people in saving little things, but they certainly work hard.

19,858. And you do not think that the farmers generally are desirous of purchasing?—I think not. At present we have got an undue proportion of broken landlords and broken tenants from the operation of the Land Act, and also from the operations of the National League and the Land League, which has made estates unworkable and which have kept broken men in their holdings because others would not take them through being afraid of being made landlords of, and the effect is that considerable estates are being sold below their value. In my own district mortgages are selling them at 17 and 16 years' purchase.

19,859. These are sales under Lord Ashbourne's Act?—Yes.

19,860. Would you from your own information give us an idea of the proportion of rent that goes to the landlord after all payments are made to mortgages, family settlements, &c.?—I have not a mortgaged landlord. The landlord, as a rule, derives about 75 per cent. of the gross rents from an unmortgaged estate. Of course in a mortgaged estate the mortgages may absorb the remainder or any proportion of it.

19,861. Lord Ashbourne.—Do you mean to say there is a reduction of 25 per cent. off the landlord's income in an ordinary estate?—Yes, for good-will, taxes, quit-rent, tithes, agency, and the ordinary outgoings.

19,862. What poor-rate are you calculating that on?—The average in the Middleton Union was about 1s. 6d. or 1s. 10d. in the pound; it has gone up considerably. An estate must be wholly encumbered for landlords to get 75 per cent. of the rents.

19,863. Sir James Caird. I suppose as a matter of fact a great many estates are heavily encumbered?—They are.

19,864. But at present it is very difficult to sell them except to the tenants?—Impossible; the tenants are the only possible purchasers.

19,865. Lord Ashbourne.—Have there been many encroachments on the properties with which you have been connected?—Very few; I have had only one this year.

19,866. Have you ever considered whether it would be desirable to alter the law with regard to the time

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that the period of redemption commences to run so as to run from the date of the decree instead of from the date of the execution of the decree. Do you think that would do away with the necessity for the landlord existing in many cases?—I think it would be a very wise alteration in the law. At present when a tenant is evicted he is usually put in as a caretaker.

Mr. John
O'Mahoney

Mr. JOHN O'MAHONEY, of Kilderrery, examined.

19,866. Lord Mullines.—Are you a tenant farmer?—Yes.

19,869. Where?—Near Kilderrery, near the boundary of the county Limerick.

19,870. How do you hold your land?—By two leases, one of 999 years, and the other of 900 years.

19,871. Are they old leases?—About 20 years; since 1871.

19,872. Do you pay a high rent?—I pay over three times the valuation for one farm, and about double it for the other.

19,873. Would you tell me why you consented to pay such a high rent?—Land was more valuable then than it is to-day.

19,874. Was it worth it then?—It was worth it then, but that was the extreme letting value of it at the time. This was some time after the Crimean war, and from 1855 to 1870 or 1875 land was very valuable. Since then it has been reducing down in value. Tenants paid any price for land at that time or would pay it.

19,875. Were you the tenant before of this land?—No; I was not. I took it from the purchaser of the land then; he bought the land in the Encumbered Estates Court.

19,876. Who was the previous tenant, and what was he paying, do you know?—He was not paying that rent for it at the time.

19,877. What became of him?—He left the place altogether.

19,878. Did you give him anything?—There were three or four tenants on it, and I gave them something, a very trifling thing, for their tenant right.

19,879. Then there was no pressure put on you to take this lease?—No, not at that time, but land is not so valuable now as then, and the great thing to look to is this—that rent paid then on the leases made at that time were too high. There were gentlemen, merchants, and other people, who travelled through the country in order to find any land that they could put a rise on it. They were then looked upon as gentlemen that could put any increase they liked upon the tenant, and claim any fees they required.

19,880. But that was not your case?—No, it was not, but I took it at a figure that I would not take it at to-day, owing to the change in the times, the advance in labour, the great fall in the price of cattle caused by American competition, the facilities afforded by steam and other discoveries; these have pulled down prices so that rent is not now worth more than 50 per cent. Labour is now double what it was then.

19,881. How many acres have you?—I have about 1,000 acres; my land is mountain land, and it is that and such farms that are most affected by the present times. You cannot fatten a beast on such land, and you can only grow and rear store cattle there.

19,882. Did not you graze there this year?—There was no nutriment on it to fatten a beast.

19,883. Do you employ much labour?—I do employ a pretty large staff, but not so large as formerly. I have expended £3,000 on this place and it is not worth the money. My landlord has 18 per cent. on his outlay, though the Prime Minister says that no man has more than two per cent.

19,884. I suppose you are beginning to see that you were rather sunk in 1883?—Understandably.

19,885. But five years before, in 1883, prices were just the same as they are now, so we have been told by some witnesses, and these tables (produced) seem to

19,887. Does not that involve a considerable amount of hardship on the tenant, and immense expense on the landlord?—Yes; I think if the tenant knew that the time was running from the date of the decree, he would make his arrangements to return within six months, and there would be no eviction at all. If he intended to remain he would settle.

he proof?—From my experience I would say that prices were never so low as they are just at present, except in 1863.

19,886. Do not you know that the prices in 1863, which were the basis of Griffiths' valuation, were 30 per cent. lower than at present?—About the time I took this land I sold my oats in Cork at 8s. 9d. per ewt., this was about 15 years ago. On the same rent I have oats this season, and I am only getting 4s. and 3s. 10d. a cwt. for it.

19,887. No doubt the price of oats is low now, but in 1863 it was from 5s. to 7s. 8d. a cwt. I got 8s. 9d. a cwt. here in Cork for it.

19,888. In 1862 it was 4s. 10d. per ewt.?—Well now in Cork we only get 4s. and 3s. 10d. per ewt. for it.

19,889. At any rate, what you want now is to be relieved of these leases, no far as having a fair rent fixed?—I may tell you again that I am no member of the Land League or of any other society, any more than the Agricultural Society, and my immediate landlord, who is making reductions to other tenants who hold under leases, to me he is giving no reduction, because for me there is no sympathy in the country, and he might sell me out or do anything he likes with me.

19,890. So then you are a fit object for persecution?—Yes.

19,891. Sir James Caird.—Is your landlord a member of the League?—No.

19,892. Lord Mullines.—But he takes advantage of the fact that Mr. Mahoney is not a member to treat him with greater severity?—Yes, and there are other tenants somewhat similarly situated that he is making no reduction to, though they are paying £3 an acre and £1,000 fine. I think the great thing that would be required would be to allow all to go into the Land Court.

19,893. Are you anxious to purchase your holding if you could do so?—If I got it at a fair value I would have no objection, but otherwise, if a fair rent was fixed I would just as soon have it that way as to purchase it. I would like that we should have the landlords among us still if they would deal fairly with us.

19,894. Have the landlords, the old landlords, in your neighbourhood been dealing fairly with their tenants?—On the whole they are not so unreasonable except where there is a needy case. I know men who went around through the country and bought up any land that there was any interest in, no matter what improvements the tenant might have made on it, and after buying the property came to the tenant and told him they should get so much rent for it. It was, "if you do not give me the rent I fix you must give me 'my land.' The result was that if he did not agree a notice to quit was served and the tenant had to move forward and pay the rent and any fine that could possibly be extracted from him. I have known the case of landlords extracting from one tenant to one third of the purchase money by fines, and at the same time advancing the rents from one third to one half as what they were. I have travelled about myself as a land valuer in the counties of Cork, Tipperary, and Waterford from 1856 to 1872.

19,895. Do you consider the judicial rents were fairly fixed?—They were fixed rather high at first; I consider at present that they are fair. I do not consider that there was sufficient intelligence shown by the land valuers that went out, and I think that is

great extent they fixed the rents at the difference between the tenants and the landlord.

18,886. But I suppose no matter how unreasonably low the rents may have been fixed, that during the ensuing year, it will be incumbent on the landlords to give an abatement?—Quite so.

18,887. So that is rather an argument against a fixed rent, is it not?—I would fix rents according to a sliding scale.

18,888. You think that is possible to do?—I do, and I look upon it as a very fair thing, and it bears on my view with regard to keeping the landlord in the country. There would then be no occasion for a general purchase.

18,889. You think that the sliding scale might be used to set in such cases?—I do.

18,890. Do you think that the tenants would like it?—I think as a whole they would.

18,891. I can quite understand that they would like it when it slides down, but would they like it when it slid up?—Well, of course everyone would best like it to stop at the point that would suit themselves.

18,892. Do you think there would be any difficulty whenever tenants saw that the scale was going up. Would they pay the increased rent?—I think they would be inclined to pay what was fair. I have found so a farmer that tenants, when they found the rents fair, paid them most honourably. This was my experience 10 years ago, and from that to 24 years back.

18,893. Arguing from the fact they were willing to pay a fair rent then, they would now be willing to pay on a sliding scale even if it went up?—Quite so; it is my present view from the state of the times, labour shortening, foreign competition, and so on, I do not see how rents are to be advanced if things go on as at present. It is my view that we are not at the bottom as yet, and I would not be anxious to buy at the present time. I think we will go down lower than at present. Another thing I would be for is for putting a small duty on imported goods coming into the country.

18,894. Do you mean on raw material?—On material in general.

18,895. Would you put a tax on food?—I would, for this reason, that it would encourage us to grow more at home, and would increase the producing power of the country much more. If rents are properly fixed, and that there is a plain understanding between landlord and tenant, you will see land much more improving in the future than it has been; it has been deteriorating lately, and then by having a small tax on imported goods it would cause us to be industrious, and put us in a position that we could compete with our neighbours, who have free land, and pay no rates at the same time.

18,896. Sir James Caird.—When you talk of "our neighbours," you mean America, I suppose?—Yes.

18,897. Are you aware that the taxes in America are heavier than ours?—Yes; but I am aware that our taxes are increasing considerably in this country.

18,898. Lord Milnes.—Is not that your own fault?—No, the laws of the land are changing, and we must change with the times. The cost of living is not very much more than what it was years ago.

18,899. Surely all articles of food are much cheaper than they were then?—The cost of provisions is much cheaper than when I was a boy; but you will not find the working classes now to take to the food they did formerly. They live better now than they did formerly, the hours of labour were more formerly, and they had to work harder than they have to do now. There was much more value given then for the money paid for labour than at present.

18,900. But although a tax on imported articles of food might be a benefit to the farmer, and perhaps, to a certain extent, to the landlord, do you think that the community at large, who are neither landlords nor farmers, would look on it with complacency?—Well, of

course you can never get all parties to agree to such a proposal.

18,901. But they form the majority of the population, and they have got votes now-a-days?—Well, I think it would increase trade.

18,902. Do you think that in famine times they would argue that way when they found staple articles of food taxed?—I would only put on a nominal tax of 5s. or 10s. a ton.

18,903. The question is whether people would be prepared to pay higher prices for articles of food in order to enable you to pay a better rent?—I think that on the whole our people would. I am convinced that England would not be satisfied with that, because the cheaper England gets her food, the better she can manufacture her goods through the country. But Ireland, to some extent, is different from England in that respect, and what I think would be a benefit for Ireland in this case, might be injurious to England.

18,904. Do you think the labouring classes in Ireland would like to see a tax on wheat and other articles of food?—I do, for this reason, that there is no use in giving a man a loaf of bread for 2d. if he has not the 2d. to pay; it would be better for him to have 6d. in his pocket, and pay 4d. for his loaf.

18,905. Sir James Caird.—Surely that does not agree with what you have said about the labourer; his condition is greatly improved?—His condition is, so far as the amount of labour.

18,906. You have not the same amount of labour as formerly?—I want to keep the labouring man at home to work in the country. At present he goes to America to compete with us, whereas his labour should be kept at home to develop the resources of the country.

18,907. You, but taking the labourer's position entirely from what you have said yourself—his position is infinitely better than it was—better wages, better clothed, better fed, and his hours of labour are not so hard as they used to be. These are circumstances altogether in his favour, and owing to the favourable legislation that has prevailed for years. It is free trade legislation that has brought about these results?—With regard to the legislation of the country, I do not think it has anything to do with it. I think the application of steam, that now takes us to America in seven days, has more to do with the condition of the country. I remember when I took eleven weeks to go to America.

18,908. Do you think it is better for a man to take eleven weeks to go to America than to take seven days?—Oh, not at all, but I think that is what has changed the labour in this country, and advanced the prices of those things, quick travelling between here and America.

18,909. Lord Milnes.—Do you mean to say that exchange and emigration has been the cause of the rise in wages?—Yes, to a great extent; people can now go so quickly and cheaply to America. The supply of labour has been diminished, and has become scarce.

18,910. Sir James Caird.—Have you had any experience in the cultivation of flax?—Yes.

18,911. Is it much cultivated in this district?—Not lately, but from 1864 to 1869-70 it was grown pretty extensively.

18,912. Was it a paying crop?—Yes. I grew 20 acres at that time, and made on an average £20 on acre of it. To-day it would not pay perhaps more than 27 an acre.

18,913. Then it has fallen off in consequence of the lowness of prices?—Yes, for the last 14 or 15 years it has fallen off in this country. I had a small flax mill myself, and worked it for some time.

18,914. Are there any circumstances likely to prevent its recovery, its successful cultivation?—The low prices at present would not pay for its growth, and the scarcity of labour would be against it too.

18,915. Did it demand a great deal of labour?—A pretty fair share of labour.

Nov. 16, 1886. 19,926. That was only at a certain period of its growth?—At a certain period.
 19,927. The harvest was not much heavier than a corn harvest?—There was no great difference.
 19,928. But then it was a very profitable crop?—So long as it grows well and there is a fair price for it, it is.

Witness
 C. Redmond.

AMERICAN COUNSELLOR REDMOND, Waterford, examined.

19,932. Lord Milltown.—I understand you are one of the managers of the Corporation estates of Waterford?—Yes, I am.

19,933. How much do they amount to?—Over £6,000 a year.

19,934. On what points do you wish to give evidence before this Commission?—Chiefly with regard to the Land Purchase Act.

19,935. Is there an anxiety among the tenants of the Corporation to purchase their property?—I cannot say there is a great anxiety among the tenants of the Corporation, because they have always been so liberally treated by the Corporation who are resident proprietors. The anxiety is not so much amongst them as the farmers whom I met occasionally over three or four counties. I believe that among the farmers of Waterford, Kilkenny, Tipperary, and Waterford there was great anxiety to purchase their farms if they can get them on fair terms. I would say according to present prices in the markets of the day.

19,936. But would it not be rather hard to fix them on the prices of this particular year?—I am very much afraid that the past year will be no guide for the present or future, because things appear to be gradually and steadily going down. I thought two or three years ago when wheat was 90s. a barrel it was very low, but now I find that in Waterford it ranges from 10s. to 14s. a barrel. I was speaking to a merchant in Waterford a couple of days ago, and he stated to me that he purchased more at 10s. than at 14s. a barrel; oats are selling from 4s. to 7s. and 7s. 6d. a barrel, and I was told it even went as low as 3s. a barrel. I was in Danganree on Thursday last, and I have in my pocket a sample of oats given to me by a man who had a large load of it and who said he had not got an offer for it all that day, and that he would sell it at any price. Prices are going so low that I do not think that those of past years will be any guide at all.

19,937. You think that the prices which obtain now will rule in the future?—I am afraid they will.

19,938. And it is from that assumption you give your evidence to-day?—Well, I was speaking a short time ago to the captain of a ship, a steam vessel, sailing from Liverpool to several ports of America, and he has told me that he has brought corn and flour from America as ballast. That is Captain Cadogan, and he has done it frequently. The owner of it put it on board in the ports in America, and it is discharged in Liverpool free, for it is carried as ballast. So that I think with the foreign importations it will be very hard to get up prices in this country, almost impossible.

19,939. Sir James Caird.—This is not a good time to try hard then?—I think the prices will always rule low, but I believe there is a great disposition to avail of Lord Ashbourne's Act, and I think he deserves great credit for what he has done in connexion with the matter. I believe if the farmers had the land, they would make it produce by great toil and industry twice or three times more than at present.

19,940. Lord Milltown.—Why do not they do it now?—They are afraid to do it.

19,941. But have they not ample security under the Act of 1881?

19,942. Sir James Caird.—Do you know of any country where there is greater security for the farmer than there is in this country under the Act of 1881?—No; but the prices have gone down so considerably here.

19,929. And the land in this part of the country and the climate suited it very well?—The climate was very good and suitable for it.

19,930. Have you ever heard of any attempt made at growing sugar beet here?—Yes.

19,931. Do they grow mangel-wurzel here?—Yes, it grows very good.

19,943. But if they were unable to pay the rent, they might be equally unable to pay the instalments of the loan?—If they got the land at a low price they would produce more, and then it would do away with bailiffs, gelicomen, sheriffs, and a great many such officials. I know that to be the opinion in the south of Ireland, meeting so many farmers as I do and going to different unions about my business. I believe that having got rid of trials and difficulties, police and sheriffs, and all such people, that they would stick to their work and get on very well.

19,944. Lord Milltown.—You say that these valuations you describe come on their land now?—Yes, when they owe a little rent.

19,945. Yes, but if they owe a little instalment by-and-by it will be the same?—If they owe it of course they will be put out by-and-by by the Government, but I say they should get the land at a lower figure than at present from the landlords, and that will be a lowering of the rent. If they buy it at a far reasonable figure, they will be able to pay. I have no doubt of it, and when once they have got four or five years' instalments paid, they will pay the remainder. The only danger about the matter is as to the payments for the first couple of years. That a Mr. Sexton's opinion about the matter, I may tell you, for I have been speaking to him on it.

19,946. And you think that the fact of their being really owners of the land will have a stirring effect on them, and induce them to do more for their own property than if it were that of another man?—Decidedly. Referring back to the Waterford Corporation, and why the property was so secure, it is because the tenants believe that once they get a plot of Corporation property they have it for ever. And lately to a large auctioneer in Waterford, "What property sells best?" and he said, "The Corporation tenements." The tenants would be able to pay the rent.

19,947. But if they did not pay the rent they would not have it any more than any other property?—Certainly not.

19,948. Sir James Caird.—Is the rent now changed?—We never change the rent; we never raised the rents except on the expiration of leases. If a man made any improvements in his house, land, or buildings, we never raised the rent on him. I mention one case. There was a man having a broken-down house dwelling in Waterford close to the bridge; he could not pay his rent, and he said, "I must sell." Well, he sold. He was a shopkeeper and he got £350 or £400 for his place. He paid the Corporation what was due; the man who came in built up the place anew, and the Corporation did not lose a shilling by it. If we speared that man we would have to build up the place ourselves, have a row getting him out by the sheriff. The man going out would be at a loss, the whole property would be ruined, and we would lose about 2000 guineas a year. We seldom put out any one. The property is perfectly good. I was speaking over it to the treasurer, and I asked him if he had any occasion to get any bailiffs or drivers or sheriffs. "Only once during the last six years," was his answer. "Are they paying their rents fairly?" I asked. "Yes," he said.

19,949. Lord Milltown.—But those rights you are allowing your tenants now are the essence of property of all Irish tenants under the Land Act?—Yes, but

the difference is, that our land is well measured and our the city.

19,950. Did any of your tenants take you into the Land Court?—Some of them complained. We said, "We will break your leases and let you go into the Land Court."

19,951. They had leases?—Yes, for seventy-five years; they are all leaseholders. We said, "We will break your leases if you like; we will let you go into the Land Court." All the rents are about Griffiths valuation, or a little under if anything. We said, "Go into the Land Court if you choose." One got an abatement of 20s a year. The others did not go into Court.

19,952. Sir James Caird.—What was the length of the lease?—Seventy-five years.

19,953. In the case in which you say the tenant was in, had the lease been running a long time?—There were about forty years in it to run.

19,954. Lord Milnes.—I suppose you are of opinion that leaseholders ought to be allowed to obtain access to the Land Court?—If they wish it, certainly.

19,955. Should you be of opinion that the landlord should have a right to go the Court to have a fair rent fixed too?—I should say so, certainly. I believe from my knowledge of the farmers of four or five counties that the bulk of these leaseholders will be smashed, if not allowed to go into Court.

19,956. And they are the bulk of the most respectable men?—Yes, really respectable men, who would pay their rent if they could.

19,957. Many of them had their rents raised or paid high for at the time when security was the great want of the Irish farmer?—Yes; I know a farmer who paid 2,000 to pay as a fine for his farm. He regrets it now, and he told me he would be smashed. "For goodness sake," said he to me, "if you can say a word in breaking the leases down, because otherwise we will be ruined." He is a thoroughly straight, honest fellow, and he showed me the way that things have gone down with him.

19,958. But they do not want to break the leases altogether; one of the most important covenants of a lease has been already done away with, that is for the quiet surrender at the end of the term, and they see no reason why the other clauses should not be altered also?—Yes, they want to have access to the Court if they please, to put themselves in a position of equality with their neighbours.

19,959. I understand that the tenants of the Corporation estates are not anxious to purchase?—I have not heard them express any wish to purchase.

19,960. Do not you think it desirable that a corporate body should cease to own property?—I think myself that the tenants should be entire owners of their properties, and come with all the other tenants of the country into the Land Purchase scheme. I think it would be thoroughly successful and I believe too, from my knowledge of the country, that by the Land Purchase scheme the Government would save nearly three quarters of a million sterling a year in the cost of police alone, because half the police of the country would be quite sufficient. I put the question to several people and they agreed with me, £1,000,000 is the cost of the police every year, and I think three quarters of a million could be easily saved out of that, and that would cover any loss to the Government arising from the land purchase.

19,961. Are you in favour of reducing the instalments and prolonging the period for repayment?—I am decidedly.

19,962. Do you think that would be the wish of the tenants?—Decidedly; certainly if it could be reduced to 3 per cent. it would be a great advantage, in order to make it easier for the tenants, and if desirable extend it over a longer period. It would be most desirable to reduce it, as to make the Land Purchase Act work effectively. I do not see why the present generation should pay altogether for a future generation. It is my conviction that the Act will never thoroughly work unless it is made compulsory, because the landlords usually ask too much for the purchase, and the tenants

may offer too little, and it may take generations before the Act works through the country. See the landlords I know are anxious to sell; others are not; I believe that by-and-by a great many of them will be more anxious to sell. Then there are the middle landlords also who are in such a position that they cannot well sell at present. I know a small landlord in the county Waterford who is very anxious to sell at present, but he says, "I cannot sell because there is Mr. Villiers Stuart asking 23 years purchase, and I cannot sell with him over my back." So that these middle men and small landlords and others anxious to sell are prevented from so doing by the land landlords.

19,963. Should you be in favour of making it compulsory at once, or waiting for a year or two to see if it could be amended, for you will admit that compulsion in any case, and, except in the last resort, is odious?—It may look odious, but the case is something like that of the tithes, when the Government told the ministers that they should arrange the matter or that they should collect the tithes themselves. Then they put compulsion on the ministers to settle the question, and I believe there is no Protestant minister that would willingly go back to the old system now. And there is not the slightest dispute between the ministers and the population of the country now.

19,964. But the ministers get nothing out of it now?—Do not they get their annual stipend out of it now?

19,965. Not a farthing. Since the Church Act the Protestant clergy get nothing whatever from the State?—Well, they were quite satisfied, and they would not now go back to the old tithes system.

19,966. But they are now supported by the voluntary contributions of their flock?—Well, all I can say is the sooner you make the Purchase Act compulsory the better it will be for all parties.

19,967. Have you considered the enormous sum of money that would require to be advanced by the State?—Yes; but it would be coming back every year.

19,968. Sir James Caird.—How many years would it take, have you calculated, at 3 per cent.?—I have not calculated that. I think the Government should be very cautious about allowing landlords to ask too much from their poor tenants in making arrangements for land purchase. I know a landlord at the present time in the county Waterford, Mr. John Power O'Shea, of Gardamorris, who says to some of his tenants, "Out you must go, unless you give me twenty years' purchase."

19,969. Lord Milnes.—But he cannot say that unless they owe him a considerable amount of arrears?—Some of them owed him a certain amount; one or two tenants told me that he said that to them, and it is poor, thin, miserable land.

19,970. I suppose what he says is, "I will withhold my legal remedy for the recovery of my rent." If you consent to purchase at twenty years?—You are aware that the Land Commission carefully examines every property sold under the Land Purchase Act, to see it is quite adequate security to the Government for the money advanced, and that they have rejected several of them because they considered the prices fixed too high?—I believe the tenants will break down under the strain, if the figure be fixed too high.

19,971. Supposing poor land is set at a fair rent, surely 20 years purchase would be exactly the same thing as of the fair rent of good land?—The tenants told me it was entirely too much, and they would be obliged to submit to it, although they knew and felt it would be too much; and they are really industrious poor tenants. I put the question to them, "Would you like to purchase your land?" and they said, "We would no doubt, if we got it at a fair price." I believe they would make it pay by industry.

19,972. Then you wish to say something on the subject of mortgages?—I think the mortgages are insuring on too much under the circumstances; I think they ought to suffer quite as much as the landlords and the tenants. They have been getting their mortgages

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for several years now, and some of them have got as much as or more than the principal. I think they should suffer quite as much as the landlords and the tenants; they are bound to go in the same boat, and it is not fair that they should get out of everything, while the landlords and tenants suffer all. With regard to the statutory leases, I consider them too long, I believe a five years' term would be sufficient.

19,973. Do you consider the tenants are of that opinion?—I believe they are, because even now with the statutory leases, the landlords are reducing the rents.

19,974. But they may be raising them in five years; do not you think a threat of that would be an annoyance to the tenant?—No, I do not believe they would raise them. Those who have got the statutory leases for 15 years are very sorry for it. But, of course, land purchase would put an end to all that, and all the trouble connected with it. I am so firmly convinced of the wisdom of land purchase, that I am sure there is nothing at all like it, because it will settle the question in a great measure, and also settle the country.

19,975. Do you think it would be likely to lead to the consolidation of small holdings?—I would be very sorry to see holdings so large.

19,976. But I mean very small holdings, where a man could not possibly live on the land?—It might possibly do it in that case, but those large farmers might possibly be able to give employment to the small holders.

19,977. They would get good prices?—Land purchase would infuse a new spirit into the country, and into the working classes, for, as a rule, I believe there should be no one between the State and the working farmer; and I believe also that too large farms will not do at present. Small farmers about cities, get on very well, being near the market, and having plenty of manure and other advantages like that. The small farmers about Waterford city, are very comfortable indeed, more so than the larger farmers outside. But of course people with very small farms, it is hard for them to live on them at present. I dare say if it could be so arranged that they would get a portion of the land added it would be an improvement. I do not go at all for having too much grazing or having too large farms, because I believe that too much grazing would do away with labour, and grazing now is not paying so well as it used to do at all. Besides, it does not give employment, and I believe a great deal of the large farms will ultimately be broken up into smaller farms, and I imagine that landlords will have to break up a great deal of demesnes and estates, in order to make them pay.

19,978. Do you mean that they would think of breaking them up and letting them?—Yes.

19,979. Then you contemplate a continuance of landlordism after the Purchase Act?—Yes; I do not want to drive the landlords out at all. I wish that they would live in the country on their own demesnes, and would like that they should get the power to sell

portion of their demesnes, if they so wished it, under Lord Ashbourne's Act.

19,980. But they could not sell it under Lord Ashbourne's Act, could they, unless it was in the hands of the occupying tenant?—They could sell it to the tenants adjoining.

19,981. Not under Lord Ashbourne's Act?—Well, they might dispose of it otherwise.

19,982. But would you allow them, if they liked, to live in peace on their own demesnes?—Certainly; I believe they could live cheaper on their own demesnes than they can in England, and I believe if the country was settled down and in peace, as I believe it will be by-and-by, they will return to their demesnes and live quietly at home. I confidently expect that, because they cannot live so cheap in other lands as at home. It will cost more for servants, houses, and living in every respect in any other country than it will at home. The cost will be greater in London or elsewhere. Of course the big landlords, like Lord Waterford, need not be affected by that, but the majority of Irish landlords will.

19,983. Why did not Lord Waterford live at home as long as he was allowed to?—I do not think he was prevented; he got some little interruption about hunting, but there was no compulsion about his leaving the country. His house is occupied by servants, he has not given it up yet, and I believe will return to his own home again. I heard him say in the city of Waterford a few years ago that he would far rather hunt in Ireland than in England.

19,984. You have no reason to doubt that he spoke from his heart?—I have no doubt about it at all.

19,985. But he was not allowed to hunt?—He had some dispute with his tenants, which stopped the hunting.

19,986. Not with his own tenants?—Yes, I believe it was, with a few of them.

19,987. But at all events they stopped his hunting?—Yes, I believe so.

19,988. The absence of Lord Waterford, so thorough an Irishman, and so anxious to live among his own people, must be a great loss to the country round about?—Of course it is; I trust he will return again, and I believe he will. When the land question is settled, I believe the landlords who have gone away will return, and live in peace with their neighbours at home.

19,989. He is, as you know, extremely anxious to help the Purchase Act in every way he can—I believe he is. Whatever Government settles this land question, will deserve the gratitude of the country. I know the question is a difficult one, but if they set about it in a proper spirit, I think it can be done before very long.

19,990. And the only settlement which you think is likely to be permanent or efficacious, is the establishment of a peasant proprietary, on fair and equitable terms?—That is my decided opinion.

Mr. William
Beckett.

Mr. WILLIAM BECKETT continued.

19,991. Lord Milfords.—You are a tenant farmer?—I hold a farm under lease.

19,992. Where is it?—Near Clonsilla in this county.

19,993. What is the date of your lease?—1877.

19,994. Were you the tenant of the land before the lease?—No, I came in in 1877.

19,995. Is your rent too high?—I have lost £1,420 on it within the last 10 years.

19,996. What is your rent?—My rent is £145.

19,997. For how many acres?—115 English acres.

19,998. And the poor law valuation?—The valuation of the land is £40 7s. and with buildings it comes to £46 5s.

19,999. What in the world made you take land at such a rent as that?—I did not know what the valuation of it was; the person I got it from had been all his life holding farms second, dairy farms. It was a place that I saw wanted a great deal of improvement, but I believed there would be a fair return for money

invested in improving the land. I understood that the number of tenants it would feed would pay the rent. Eighteen cows I was told it would feed.

20,000. Was it by the previous tenant you were told that?—Yes.

20,001. What did you find out?—I found out it would feed 18 cows, but owing to the poverty of the land the cows would only produce 160 lbs. of butter in the season. I had a Scotch working steered, and I put over £300 worth of manure into it for the first four years. I tilled sixty acres of it, sowed it, and put the best seed I could get into it. The gross produce of the land altogether, after deducting seed, manure, cattle feeding, and ordinary repairs was £1,315 7s. 6d. I paid in rent and rates £1,261 10s. That was, in the nine years I paid in wages and improvements on the land £1,379 8s. 11d. For the last four years I have not been under the expense of a steved, I laid down a grass land what I had in tillage, seeing the way that prices have been going, so

but the expense for the last four years has been at the rate of only £79 a year. Part of this expenditure was incurred in laying down the land in grass. I had to drain and subsoil it, and put up buildings, a stall for 30 cows, a stable for three horses, a lease box, and a bull's house. The Land Commission that was going about only allowed about £250 for these buildings, and they would not allow me for what I had laid out in manure.

20,002. Did not you get credit for unexhausted manure?—Very little; it is not worth speaking of. For the last four years after what I laid out in improving it it would not admit of Griffith's valuation, with the ordinary wages of labourers, without allowing me anything for interest. In 1873 the gross produce was £211 14s. 6d., out of which I had to pay the labour bill and rent; in 1884 it was £78 13s. 6d.; in 1885 it was £113, and this year it is only £75 2s. 6d., as far as I can make out.

20,003. Sir James Caird.—Do you wish to put it before us that, as a leaseholder you desire to be at liberty to enter Court?—Yes, that is one point. I was asked to say whether there was anything in the bill of prices to interfere with the payment of judicial rents, and I have got extracts here from a large stone, of average prices for years. There would also want to be a change in the Act in this way—that a man's improvements are at present confiscated. My land at present will feed 10 cows more in the year than when I got it first.

20,004. But do you expect not to pay for that improved effect on the land?—I think it should be taken into account when fixing a fair rent. I think anything that adds to the letting value or productive power of the land should be taken into account when fixing a fair rent.

20,005. Lord Milnes.—Do you mean to say that your rent should be lowered because you are an improving tenant? By law you are entitled to be free from rent on your improvements?—If I were evicted for non-payment of rent I would get compensation for improvements, but if my interest was sold I would get no compensation. I tested it twice by putting the place up for auction, and I would get nothing for it.

20,006. If a man cannot get a good purchaser for his estate he has to sell it at a loss?—But if he falls away to selling prices?

20,007. Well, who is to make it up to him?—The landlord is entitled to take over his land and make no allowance to him; the tenant is allowed out of his improvements.

20,008. You are putting the case of being ejected for non-payment of rent?—I mean to say that my interest could be sold, and I would receive no compensation for my improvements.

20,009. Sir James Caird.—You took this lease yourself, and whose fault is this?

20,010. Lord Milnes.—You were not even a person tenant; you came in there as a stranger, and attempted to take this land. You made a bad bargain as you think. Do you think the State should compensate you for having made a bad bargain?—I think I should be compensated.

20,011. Sir James Caird.—Who do you think should compensate you, or how do you mean to get back your money?—I think that the landlord who has made no statement should do so. If I had joined the Land League I would have got an absentee long ago; he has given an statement to other tenants who are members of the League.

20,012. You say your landlord has refused you an statement because you have not joined the Land League?—I knew if I were to join the Land League I would get an statement; he has given it to Land Leaguers being afraid that he would be persecuted from having.

20,013. Sir James Caird.—Do you know if your neighbours who have got reductions can sell their

interest with facility?—I do not think so; there has been great dissatisfaction with the decisions of the sub-Commissioners around there; they have fixed the rents from 25 per cent. over the valuation up to double the valuations. What I want to show is that the land of the country is not worth the rent this last season; I am perfectly satisfied to lose all that I have lost by this land and give it up. The country is not at present able to pay the rents, and that is my main object here to-day. I have lost a great deal of money there and am satisfied if necessary to be at the loss of it, but I am positive that the land has been valued too highly by the Commissioners in the south-west of the county Cork. Griffith's valuation was as much as the land was worth.

20,014. Lord Milnes.—What a very rash man you must have been to give in 1877 £145 rent for land valued by Griffith at £60, and now you say that the best land is hardly worth Griffith's valuation?—I say for the last five years it has not been worth it, and this year it is not worth half Griffith's.

20,015. Sir James Caird.—Supposing you got a judicial lease, would that satisfy you?—If the rent would be reduced to the fair value. The fall of butter has affected us very considerably. In our little town there are 200 tons of butter brought into our local market every year besides what is sent on to Cork market. The oats crop, the barley crop, and wheat are a perfect loss this year; great part of it would not be bought at all. Hay at the time it was cut in July was selling at £1 per ton freely instead of £2 5s. or £2 10s. a ton as in former years. Butter has fallen from 1s. per lb. on the average down to 8½d. per lb. I am taking the average price of butter for the whole season, and think the result; in 1880 it averaged 1s. per lb.; in 1881 I got 11½d. per lb.; in 1882, 11½d.; in 1883, 10½d.; in 1884, 10½d.; in 1885, 9½d. The most part of the season is over now, and 8½d. it has made up to this. There are 280 tons pass through the little factory in the town, and the larger farmers send their butter on to the Cork market. That fall in the price of butter affects us very considerably. I calculated that it represents a loss of £10,000 to the district around Clonakilty. In the same way, in the price of cattle there has been a great fall. I sold 14 yearlings in the month of August and got only £2 17s. 6d. a piece for them, whereas I got £5 for the same class of yearlings in previous years. This year is far and away the worst from every point of view. At the time judicial rents were fixed in 1881 I was getting from £2 to £8 for yearling calves and at the end of the season I used to get £3 10s. whereas I would get £2 at the last fair for the same class of calf. Every single thing that a farmer could sell is down except sheep.

20,016. Lord Milnes.—There is a rise of 2s. a head on wethers since last year, is there not?—They are up as compared with what they were two years ago, but not up to what they were when the judicial rents were fixed.

20,017. Are you a breeder of sheep?—Yes; I get breeding ewes for 30s. I do not believe there is any combination amongst farmers in one part of the country to refrain from paying rent, if they were able to pay it.

20,018. You think it is want of ability?—I am sure of it. I may say I am not purely a farmer. I am a dispensary doctor of the district. I am not depending on the farm; if I were I would be bankrupt long ago. Small farmers in general there did; it is for the past four years they have suffered.

20,019. Sir James Caird.—The farmers have got poorer you think, both on account of bad seasons and bad prices?—Yes; my father holds a huge milling concern, but I do not know that he ever had to take proceedings against any people to recover debts, and I think that speaks well for the honesty of the people. The debts due to me for the past three or four years are three or four times as much as they used to be, and it is purely through inability to pay.

The Commissioners adjourned to the following day.

Nov. 16, 1898.

Mr William Bennett.

TWENTY-SEVENTH DAY.

Wednesday, November 17th, 1886.

The Commissioners met at the Imperial Hotel, Cork, at 11 o'clock a.m.

PRESENT.

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILLTOWN.
SIR JAMES CAIRN, K.C.B.MR. NIELSEN, Q.C., Recorder of Londonderry.
MR. KNIFE.

DOMENICK R. P. SARRIEN, D.L., examined.

Nov. 17, 1886.

Domenick R. P.
Sarrien, D.L.

20,020. The President.—Your estate, I believe, lies in this county?—In this county altogether, but it is situate in two or three districts. It is a rather divided estate.

20,021. Do you act as your own agent?—I do, my Lord, and my father before me. We always managed the estate. I had little experience of farming originally until the bad times, but now I farm 1,000 acres.

20,022. Sir James Cairn.—Is it your own land?—It is all my own land.

20,023. The President.—What have you to say on the subject of judicial rents?—I have but little experience of judicial rents, having myself only four notices served. One was withdrawn, one dismissed, the holding being under a promise of a lease; one I settled out of court, and one was decided in court, a reduction from 25s. to 23s., the judge saying he thought my rent a very fair one, but the Commissioner thought it a pity not to give the tenant something.

20,024. Do you mean to say that the judge said that in court?—Yes, Mr. McDowell, the legal Commissioner. He said he thought the rent very fair, but that it was a pity not to give something.

20,025. At your expense?—Well, the tenant and myself were always on extremely good terms, and I think there was some chaffing going on in court.

20,026. Were the other tenants induced by that statement to go into court?—No, they were all satisfied. There are some leaseholders, and their rent is rather high.

20,027. The rent of the tenants are ordinary year-to-year tenants without any agreement at all?—Yes, my Lord.

20,028. Are they satisfied?—I think they are perfectly satisfied. They and I are on very good terms. I have been living amongst them all my life, and we know each other very well. I get on very well with them except in one place, a new place I got near Middleton and Carrigrohilly. The tenants there are strange to me, and unfortunately we do not get on as well as I would possibly wish. I think the average rents of the country could very well be paid if the general run of the farmers took the least trouble to learn even a smattering of farming.

20,029. Do you consider there is any difficulty in paying now the rents fixed judicially two or three years ago?—No difficulty if the land is farmed properly, but, furnished as it is, I believe there is difficulty. I believe the land is farmed shockingly.

20,030. Have you been giving statements?—I have given statements this year more than any other. Last year I gave statements, not very much, and they were accepted. To some I gave no statement. They never asked for it.

20,031. How did you give the statements; according to the circumstances of each case?—I know the circumstances of every tenant on my estate, and in some cases I have given pretty large statements. To one man who lost a valuable horse I gave a pretty large statement. I took 108s. instead of 159s.

20,032. Some of the tenants are leaseholders?—Yes.

20,033. Do they hold on old leases?—As a rule not. They were mostly given by my father. He was rather fond of giving leases. He thought the security of tenure was absolutely necessary.

20,034. Lord Milltown.—What would be the rate of the leases?—For the last 50 years. The general run of the leases was for a life and 31 years.

20,035. Are they higher rented than the other tenants?—In many cases they are lower rented, but in this new property they are higher rented. No doubt the land is extremely good, but a good deal of it is let at 2s. an acre. It is splendid soil, but it is high rent, I think.

20,036. Do you see any objection to the leaseholders being admitted to the Land Court?—I really cannot see how they are to be kept out of Court. It seems a very great hardship to a man who was industrious and wished to take a lease that he should be kept out of the Court while another man who had no lease should be allowed to come into Court. I will still give the fullest power to the landlord to restrict on the lands at the expiration of the term for the best *vide* purpose of turning such land himself or giving them to their sons to farm. I think as far as fixing rent is concerned that it would be very hard to keep the leaseholder out of Court, but if the landlord or his son wanted to take up the business of farming I think it would be very hard to keep a man them.

20,037. With the consent of the Land Commission?—I think under certain circumstances, if it is a *de* meuse land or if it is wanted for the best *vide* purpose of farming, that the landlord should have the facility I suggest of getting it.

20,038. What is your view with regard to town parks?—Town parks, I think, should be excluded, as they may become extremely valuable for housing purposes.

20,039. Mr. Nielsen.—You would give the leaseholder the facility of having his rent adjusted and so more?—Quite so.

20,040. The President.—You have no expense of town parks on your estate?—No, my Lord, I do not care enough to town for that.

20,041. Are your rents being paid now?—My rents are very punctually paid with the exception of the rents of this one unfortunate place to which I have referred.

20,042. There they are not so well paid?—They have not, and I have been obliged to evict some people. One man I evicted had adopted the *McDonnell* Manifesto. He was a leader of the Land League between Middleton and Carrigrohilly. I thought it necessary to evict him. Another farmer took the land on lease held by that man, but they made his life such a burden to him that he came to me and asked me for God's sake to take it off his hands, and I did so.

20,043. Is there a combination against the payment of rent?—Yes, in that part of the country. It is the only place I have suffered at all.

20,014. Have you many farms on your own lands?—Wherever I visit I take up the land myself, and I am very much pleased with the result, as I think I can make more money out of it.

20,015. Do the League try to prevent the labourers working for you?—I have got unlimited labourers.

20,016. They do not interfere?—They do, my lord. They boycott very heavily in this Carriagewell district. Labourers are intimidated from working on farms of absentee persons, and I become obnoxious because I visited this leader of the Land League. He was so much a leader that he was put in prison as a "suspect" by Mr. Fowler. He went smoking cigars about the streets of Middleton at that time, but I think he is particularly sorry now, for the Land League never stood to him as he expected. He was not supported by them. He supports himself now by a threshing machine, and he manages to get something by that.

20,017. Do you think the power of the League is on the decline?—I think it is very much on the decline. I think some of those tenants who got into difficulties have been very much disappointed that the League did not support them afterwards, and they are extremely strong language about the leaders of the League. I think that boycotting would be very much worse if it were not for the action of the Cork Defence Union. They have checked it very considerably, in fact I may say altogether. We can now get plenty of labourers.

20,018. They have been very successful in controlling the League?—Yes, I think they have done a enormous deal of good. The Defence Union has given courage to many small farmers, and they can get plenty of labourers. A meeting was held lately at a place called Douglas to intimidate the labourers, but the labourers told the farmers that if they got the wages or were employed by them they would work for them, but that at present they were getting the rate of the country wages from the Defence Union, and that they would work with them. This tenant who took the boycotted farm was a very respectable and industrious man, but after struggling against the whole county for a couple of years he came to me and begged of me to take up the farm as he could no longer fight against it. Every sort of annoyance was heaped on him. His fences were burned, his gates broken, and no one would work for him. I then took up the farm and worked it myself. No shop in Middleton or Carriagewell would sell to my steward or labourers. I should say that I found no difficulty in getting labour. I can get as many workmen as I wish, for I believe I have the name of being rather despised, and labourers feel that no pressure would make me yield, and therefore they know that they will not be despised, and so are sure of their place. They would not work for a man who would not stand by them. They would get no more employment after working for an absentee man. The neighbouring blacksmith was compelled to cease working for me. All the Land League farmers took their work away from him till he promised to give up my work. He came to me to apologise for his conduct, saying that it was not his fault. I know that he brought the matter more than once before the Local Land League, but they would not hear him; it was, of course, a great loss to a poor country blacksmith to lose the shoeing of six plough horses and the repairs of farm implements in proportion. I then got my shoeing done by my friend Mr. Smith Bony, who has a smithy of his own near the place. As to my steward and labourers, I gave orders that a car should be sent up to Cork once a week for their weekly supplies; the village shopkeepers regretted much the loss of £1 a week, and secretly supplied my men with bread, &c. by night, afraid of the farmers withdrawing their custom if they were seen. Farmers who owned threshing machines refused to hire them to me. That was their loss, not mine; and if it annoys them, it does not hurt me.

20,019. I suppose the smith if he worked for you

would be in positive danger?—He would be boycotted.

20,020. And he suffered by the withdrawal of your custom?—Yes, I may say I have not used the Defence Union. I have found labourers to come to me at the ordinary rate of the country wages. I pay, however, a little higher than most people. I pay generally 10s. or 11s. a week, a house, a half acre of ground, and there are other perquisites.

20,021. Is the operation of the Defence Union confined to Cork county?—Hitherto it has been, but now we have taken in Kerry. They have come to an arrangement with us and we are working together.

20,022. In this part of the country where the rents are not paid it is strictly on account of intimidation, and the reduced price of produce has nothing to do with the nonpayment of it?—I think this year it has, but I think the bad state of farming is the real difficulty they labour under in making their rents.

20,023. Yours is chiefly a better country. Well, a great deal of my land is tillage land, but my tenants do not grow wheat though a great many other tenants in the neighbourhood do. It is simple folly to grow wheat in this climate.

20,024. Bad farming is the cause of the great inability to pay rent where such inability exists coupled with bad prices?—Yes. This very day if you went from my house to Kinsale there are hundreds of acres in which you will see small badly made field stacks of corn still out in the fields, with a sprouting green crop on them left there rotting, and what you see from my house to Kinsale you will see repeated all over the country. Now my corn has been in large baggard stacks more than a month ago, all topped and sold, but the farmers will allow it to remain out in this way.

20,025. Lord Mallow.—Had they an opportunity of saving it?—They had the same opportunity as I had.

20,026. You farm yourself largely?—Yes, 1,000 acres. In one farm I made an extremely high rent, but that is an undue criterion. It is 3 miles from Cork, and I sell now milk. I make no coarsetext rent. On the second farm that I have taken into cultivation I find that with the labour that I employ the improvement of the land and the levelling of fences and draining I have made about what I would get from the tenants. I have been improving the land steadily.

20,027. The President.—That is, you made about your rent?—About my rent.

20,028. If you had forced for a livelihood and to pay rent you could have done it?—I could have done it unquestionably.

20,029. But your knowledge and experience give you an advantage over an ordinary tenant?—My sole knowledge and experience of farming I may say is this, I never took up farming until 10 years ago, and when I took it up I had no experience of it, but there are two Irish newspapers that I steadily read, the "English Agricultural Gazette" and the "Irish Farming Gazette," one for 2d. and the other for 3d., I find that they are of enormous assistance to me in making my land valuable. The farmers will not read these papers. They all read "United Ireland" or any other paper, but they will not read these papers, I have got some of those agricultural papers and I have given them to farmers, but they do not seem to the same extent to care for them as for the other papers. They would not read their daughters to the Munster Dairy School, but now they are beginning to see the benefit of it and they are coming.

20,030. Do you think the people would be anxious to learn if they had sufficient opportunity, and that more could be done in that way?—I think more could be done by the Government establishing more of these schools. To a certain extent they would be self-supporting, but I think they should be established on different classes and descriptions of soil. We have one here near Cork, and it would be a great advantage if your Lordship and the Commissioners had time to visit it, and this school is established on perhaps the

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best bit of land in the county of Cork, a splendid limestone soil, rich, and requiring nothing to be done to it. I would rather see a school established on some average land, the sort of land that is to be met with in different parts of the country, and that the farmers were taught how to work that sort of land. Anyone can work a splendid limestone soil. I often wonder how any rent is made at all by the miserably careless farming I see around me. The land is a prey to weeds; clearing the ground is almost unknown. As you pass through the country now and see the potatoes being dug out you will see a thick skin of weeds and grass adding immensely to the labour of digging. The potatoes are planted in large beds, and most of the valuable constituents of the soil go to enrich weeds. The corn crop after this will of course be full of weeds and bear not more than half a crop in consequence; a small, poor, and unproductive head. The grass seeds will simply be the dirty sweepings from turn hay lifts brought very cheap and will still more add to the dirt on the farm. Examine the manure heap in the early spring, it is principally composed of scrapings of the roads, ditches, and headlands, spread over the whole extent of the farmyard, full of weeds, and all the run in this wet climate washing out any little ammonia that may be in it, but with few winter fed cattle to add to the heap. Most of the straw is sold. I would suggest that a good Scotch or English agriculturist should be brought over here to examine the condition of the agriculture here amongst small and middle class farmers and show all the mistakes made. Then again as to grass lands as laid down by them, the seed used cannot produce nutritious grass; farmers complain to me that there is not the same butter produce as there was formerly. No doubt they have been making butter for generations and selling off their young stock, doing nothing whatever to return to the soil the phosphates it has been deprived of. A very intelligent man, a tenant of mine, was speaking to me once, and I said to him, "You must be getting capital prices for your butter these times," "Well," he said, "I am perfectly satisfied with the price, but there is not half the produce in the milk that I used to get, I do not get half the quantity of butter." I tried to make him understand that they had been dairying the land for generations and exhausting it and never putting anything in it, and that therefore there was not the same amount of butter in the milk. I believe the same thing occurred in Cheshire, and that they had to cover the land there with half-inch bones, but good phosphatic manures will do just as well.

20,061. *Lord Milnes.*—Have the people always farmed in that manner in this part of the country?—Yes.

20,062. Is there any tradition of the farmers having done better in the past?—No. I live amongst them, and I know in my youth potatoes and wheat were the alternate crops. That was before the introduction of the turnip root. I remember very well the general introduction of the turnip, and the alternative before that was potatoes and wheat. Of course there was a better price for wheat then than there is now.

20,063. They never thought of giving back to the soil that which had been abstracted from it?—I do not think they ever did. Then again there is no such thing as deep ploughing. On the farm that I took up at Carrigrohilly I found that there had been three or four corn crops in succession, and it looked a most exhausted farm. On examining it I found that the farm had never been properly ploughed. I had the place ploughed deep, and the man when he did so said he turned up a virgin soil, that he knew by the smell of it; and on an exhausted field on that farm I had a crop of Triticum oats that the farmers around could hardly believe it, and said I must have manured the place, but I did not put a morsel of manure on the land. It was all the result of deep ploughing. At present the land is not ploughed; it is only scratched, and a great deal of the ground requires to be turned up.

20,064. The land is hide bound?—It is hide bound. It is never touched underneath.

20,065. *The President.*—Then they are careless about the breed of cattle?—Very large farmers even do not care what sort of bull they have provided, the bull will get the cow in calf. They never think of clubbing together to get a well-bred if not a pedigree bull. They use mine. I have two of the very best pedigree bulls, and after my cattle are served I give them to tenants and neighbours.

20,066. Free?—Oh, yes. They would not pay for it, but they are very much obliged to get it.

20,067. I suppose they would be equally obliged if it were a bad bull?—That is so. Of course a small farmer cannot keep a bull. Then, as regards pigs there is the same carelessness. You cannot persuade them that a large Yorkshire boar is better than the long-headed, long-eared, big-footed boar so often kept for hire in the country. A short time since I bought a fine Yorkshire sow, and my labouring men did not like her at all, they said her head was ugly. Many other industries are much neglected by the farmers and thought rather beneath them. Boas, that in my younger days were largely kept by farmers, are almost quite given up, and the geese and turkeys they keep are of most inferior breeds, when with the same care they could have American or Cambridge turkeys and Toulouse geese. I myself have for some few weeks past made it a week by my poultry on one of my farms, with scarcely an extra labourer, the dairy women attending them; but little bought food, small potatoes, small corn from the barn, and waste of the larder stacks, with a little sour skin milk. For the most part the farmers are listless and lazy; they live holy days, which are numerous, and on these days they crowd into the villages and towns and drink a good deal. They leave going where there is a crowd, and I fear spend too much time in politics, at boards of guardians, and consequently business is neglected. This very day you will find the corn in small field stacks over hundreds of acres, green with sprouting, and the huts of sheaves quite black. No doubt the weather has been wet, but all energetic farmers here had their corn safe in haggard long up. A few farmers still grow wheat because their fathers did. This climate is not fit for wheat. I know a field of wheat now we cut still in field stacks; of course it will be found to be worthless. Farmers' sons and daughters literally are ashamed to work in many cases. In all this I am speaking chiefly of the smaller farmers in the South of Ireland, men whose farms are so small that to make a comfortable living out of them, even if they had them for nothing, would require industry.

20,068. Do you think there is any desire to purchase on the part of the tenants?—I think they are afraid to purchase. To a great many of my tenants I offered to sell them the farms, but only three accepted. That was at twenty years' purchase. Three agreed to give this, but I think it was rather as a compliment to me, they said they would buy because they thought I was anxious to sell. The principal difficulty they raised was that if a less or bad price came no allowance would be made to them nor time given for the payment of the instalment. They reminded me that I was always ready to lend them a horse or a plough, or such thing, "and now to 'whom can we look.' I always gave them as much time as they wished, and so on. To that last objection I could make no answer, but to the first, that I hoped as we are such good friends now, so I hoped we would always continue.

20,069. *Lord Milnes.*—They were afraid to purchase?—They were afraid to purchase for that reason.

20,070. They were not so easily prevented from purchasing?—I do not think my people were, but they were afraid of the Government. I farm in a place which is exceptionally well circumstanced, and at that place there is a parish priest who is an extremely good man, an honest man, and he keeps the peace there; he said I am on the best terms, I am

happy to say, and there is no disturbance in that district, and that is owing chiefly, I believe, to his good example and good teaching.

20,071. Do you think the landlords as a rule would be willing to sell?—I think they are entirely too willing to sell, because I think it would be ruinous to the country if the landlords sold and went away. It would be a fearful state of absenteeism, because they would go away and spend their money in England, France, or elsewhere.

20,072. Do you think the landlords would stay and live in their demesnes if they sold their properties?—I do not suppose they would.

20,073. Would you reside here if you sold your property?—Well, I do not think that I would like to go away from the country. One thing that would prevent me wishing to have is the many loyal people and friends that I would leave behind, and I would not like to go away and leave them behind to the mercy of everybody else. What would be the inducement to stay here, except as a matter of duty. You would have no sport.

20,074. Could you not agree with the tenants for shooting?—I doubt it.

20,075. Do not you think they would preserve their plans better if a rent depended upon it than they are now preserved when they get nothing for it?—I have great doubts that they would be able to preserve it. The landlord can preserve it himself, but I very much doubt whether the small tenant farmer would be able to prohibit any person shooting over his land.

20,076. You farm 1,000 acres and upwards?—Yes. I farm 1,000 acres, but the land is situated in different districts, otherwise I would be able to work it much less expensively. At present it is necessary to have three fell staffs, whereas if the land were together one steved and one staff would be able to work it all.

20,077. With regard to compulsory sale, there are many landlords who would be rather glad of it?—Very glad of it, decidedly. It would be for their advantage, but it would be to the grievous disadvantage of the country.

20,078. The President.—When you say that it would be to the grievous disadvantage of the country, I suppose you say that it would be undesirable to drive the landlords out?—That is exactly my view. In driving out the landlords you will be making them take away their income and spend it elsewhere. Absenteeism is one of the grievous misfortunes of Ireland; large sums of money that are taken out of the country and spent elsewhere. I do not refer to the absenteeism of the Duke of Devonshire, who is one of the very best landlords in Ireland. I know the Duke of Devonshire has some land near my own place, and I do not think there is a better landlord in the world. I think if more landlords had originally taken up their lands and farmed them themselves, it would be a far greater advantage to the country. I think these small farmers would be very much better off as labourers. I am sure my labourers at 10s. or 12s. a week are better off, but the small farms are now persecuted by the Land Acts. Until the Land Act of 1870 there was going on a steady consolidation of small farms, the owners either emigrating or becoming labourers at good wages. Two sons of one of my tenants are now in my employment at 10s. a week each and pequoish, and are far better off than their father, who has been trying to pay his rent for 10 or 15 years and has never been able to do it. No doubt prices have fallen much for the last two or three years, but they were inflated to a very moderate extent. A few years ago I sold a lot of two-year-old medium quality bullocks and before for 14s. 10s. each, and I then said people are going mad; they could not make them pay at the then price of beef. Butter was low this summer, but now it is quite high enough, and for really good butter it was not so low all the year as people said. I sold my butter for 10d. a lb. all the summer; now I get 1s. 2d. Oats are very low in

price now, because every one is trying to sell, and so the buyers have it as they like. It will be higher after Christmas. Farmers here will not go for winter dairies, as they should; it would be better to have a winter dairy, and to feed these oats to cattle than to throw them away for present prices. And above all, they must learn to make butter and observe cleanliness, then they can pay rent. Munster Dairy School has done much good, and I hope will do more. For some time farmers' daughters refused to avail of it, but by greatest pressure we got a few to go; now more offer than we have room for. A cooking class was attached, and for some time most of the farmers' daughters absolutely refused to join, because it was *infra dig.* Now I believe all join. I begged of one of my tenants a couple of years ago to send one of his daughters to the school; he told me he thought she could learn more from himself. Early this year he changed his mind, or rather she decided herself to go. She came to me about it and went. That is Mary Connell; and now she is known all over England as the butter instructor of the Cheshire Dairy School. I think, therefore, that had farming ceased the difficulty in paying judicial and other rent, and nothing else.

20,079. Where do you sell your butter?—In Cork. I may say the farmers will not take the trouble to make good butter. Before Mary Connell went to the dairy school her people were under the impression that they knew as much about making butter as they did in the school; but when she was sent she learned the difference, and now they sell four times the quantity of butter, and there is a great demand for it, as it is particularly good. I may say that I think 10d. per lb. is a very good price for summer butter.

20,080. Is the butter worse now than it used to be?—No, certainly not; it is improved, but people now require a better class of butter than formerly.

20,081. Is it rather better made?—I think it is, but there are a great many things against it; it is dirty, with finger marks and hairs in it.

20,082. Lord Althorpe.—Human hairs?—No, cow hairs. There is no reason why it should not be better made up, or why there should be finger marks. I have my butter wrapped up in muslin. You can get 20 yards of the stuff for 2s. 3d. Then as regards winter dairying, my experience is that if you get the cows to calve in October, and keep them carefully in the winter, you can make your butter then, and you will find that the cows will give their full milk through the whole summer. That is a matter of practical experience and personal knowledge with me. As I said, I knew nothing of farming until 10 years ago, but I have been picking it up ever since. People study for other things—the bar, the church, the army, and such professions; and I do not see why they should not study for farming, which requires a great deal more attention than any other business. I take the agricultural papers and I study them, and I am a member of the Sussex Agricultural Society; for I think it is my duty to learn, and I think it is the farmer's duty to learn.

20,083. I understand from your evidence that the pecuniary value of the land would be considerably higher than its value in its present condition?—I think it would; yes, quite so.

20,084. So that the landlords would be considerably better off if they sold the land at the present valuation?—Unquestionably they would in many places.

20,085. Has there been any increase of fairs in your neighbourhood?—No, I do not think so, but I think they are trying to establish more monthly fairs.

20,086. These fairs are got up principally by the whisky houses?—Yes, they are.

20,087. Do you think they are an advantage to the district?—I think on the contrary they are a disadvantage. I think too many fairs are a disadvantage to a place. A few good monthly fairs would be a great advantage. There are monthly fairs in Middleton, but now they are trying to establish monthly

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fairly at Castlemartyr, at Cloyne, and they have them also at Youghal and Killebegh.

20,088. If there is a fair going on in his neighbourhood the Irish farmer thinks it his bounden duty to attend it?—Yes.

20,089. And this sometimes results in a large consumption of whisky?—Yes. At the same time I would be sorry if a farmer did not attend a fair occasionally, even though he had nothing to sell or buy, because I think he would want to learn the prices. I think every farmer ought to keep himself informed of the prices, and the fair is the best place to get them. Of course, as I said a while ago, there is a great deal of idling at meetings and on holidays, and at fairs, and fairs, and of course when a man goes out at all it relieves the whole day, as once a man goes away he will finish his day probably in the alehouse.

20,090. (Mr. Keble.) You say you have a very large farm in your own hands?—Pretty large, 1,000 acres.

20,091. Was it in consequence of the tenants not paying the rent that you took up the land?—In most cases; in a few cases the tenants voluntarily surrendered their farms and went away and got a larger farm, and the others wanted to go somewhere else, and I have paid something to another who was in extreme difficulties, and he gave up the farm, and I think it was the wisest thing he could do, both for his own sake and for the sake of the country.

20,092. Was there an application for a reduction in the case of the evicted farms?—In no case, I think.

20,093. Did you take possession of these farms since the passing of the Land Act?—Yes, most of them.

20,094. And they never made an application for a reduction of rent?—No, I do not think so. I do not recollect that they did. One man adopted Mr. Parnell's manifesto, he said he would pay no rent for the land.

20,095. Are the landlords giving reductions on the judicial rents?—Yes, this year they are in consequence of the wetness of the season and the lowness of prices.

20,096. Was there any reduction given last year?—Yes, some. I can only speak from hearsay. The landlords told me that they gave reductions.

20,097. On the judicial rents?—Yes.

20,098. Was that because of the low price of produce?—Well, the landlords told me that it was because of the continued application of the tenants, and because they did not like to quarrel with their tenants and they yielded.

20,099. Speaking as a practical farmer, what is the difference between the price of oats last year and this year as compared with what it was in 1881?—Well I have not paid so much attention to the matter as would enable me to tell you, but last year we got from 3s 6d. to 7s. per cwt. for oats, and I do not sell that a bad price.

20,100. What is the price now?—It is from 3s. 6d. to 4s. 6d. per cwt., but you will find it a great advantage to keep the oats until after Christmas. In the Cork market I may say it is the habit for the tenants to thrash their oats at once and sell it, the result is that there is an enormous glut in the market and the buyers have to exactly all their own way.

20,101. Are they not obliged to sell it to pay their rents?—Not in my experience. With my own tenants I tell them to keep the oats in the haggard and they would get a better price for it after Christmas and that I would not press them for their rents.

20,102. Was not the price of butter exceedingly low during the summer months?—Well, I have given you my own experience, 10d. per lb.

20,103. Do you mean to say that was the average price during the summer months?—It was not, because some butter was extremely bad; people are very glad to get good butter; at the Millerton Dairy they get 1s. 6d. per lb. now.

20,104. But the farmers have not the same facilities of selling as you?—Exactly the same. I churn twice a week and sell the butter at once.

20,105. Have small farmers the same facility of making good butter as you have?—Yes. All they have to do is to pay 3s. for a daughter at the dairy school for two months' board and instruction. I do not think there is a farmer in the country who could not afford to pay 3s. for two months' board and instruction for his daughter, and after two months' instruction they would be able to make good butter. The teaching there is quite sensible for the butter making in small farms.

20,106. There are only a couple of cows on these small holdings?—Well, there is a tenant of mine, and he has but three cows, and he makes a great amount by his good butter. No doubt some of the holdings are so small that the tenant cannot make anything out of them. It must be misery living on five or six or ten acres; how can he live on it except by spade husbandry, making the place a market garden.

20,107. Looking at what the working of your farm costs you, what did you make this year?—Well, calculating the amount spent in labour and putting down the amount the tenants originally paid for the farms I made as much as if the tenants paid their rents in full.

20,108. That was in one instance?—I made four times as much in that instance. I took to selling new milk three years ago. I found new milk wanted in Cork of a good quality, and I have been supplying milk in Cork, and find it very profitable, and what I have done every farmer living near Cork could do.

20,109. But if every man living near Cork took to supplying milk the price might come down?—I have been doing nothing that every farmer within three miles of could not do in his own dairy.

20,110. Is their much desire on the part of the tenants to become owners of their land?—I have not seen much of it. They think that having to pay the instalments for 49 years they would never see the end of it in their time, and that they would be tenant farmers for ever so far as they are aware.

20,111. But are they not aware that they would get a reduction of rent at once?—They are aware of that.

20,112. And notwithstanding they would prefer to remain at the old rents?—Well, there are a great many reasons for it. Several landlords have offered to sell; Captain Rye, who was before you to-day, amongst others.

20,113. I think your evidence is to the effect that there is no difficulty in paying rents at all at the present time?—If there was proper farming I say none distinctly.

20,114. The fact that the landlords have given reductions this year and last year is no proof that the land is too highly rented?—I do not think so. I think it proves that there is bad farming.

20,115. You would not attribute it to the low price of produce?—That must add to the difficulty, but I think the judicial rent would be easily paid if the land was properly cultivated. How can they pay rent when they allow the corn to be out in small field marks rotting in the ground?

20,116. Some farmers have not the means to cultivate their land properly?—I think they have not the means and therefore should not farm. A small farm cannot support two houses, and it is impossible for him to plough properly without two horses.

20,117. You have no idea as to the price of barley this year?—I never grow barley.

20,118. Is not barley grown generally in your part of the country?—No, very little.

20,119. From your experience there is no difficulty in paying rents owing to the low price of produce?—There is no difficulty but the difficulty arising from bad cultivation. That is my evidence and that is my practical experience.

ROBERT M. D. SANDERS EXAMINED.

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ROBERT M. D. SANDERS.

20,120. The President.—You are a land agent in the counties of Cork, Limerick, Tipperary, and Galway?—Yes. I am in partnership with my father, Mr. Thomas Sanders, of Charleville, and collect a net roll of about 20,000*l.* a year.

20,121. I believe 1880 was the first time that rent ceased to be paid?—My experience only goes back to that time, but I believe before then rents were very well paid. It was at that time the Land League was first organised in that part of the country.

20,122. Are many of the holdings on the estates that your firm manage held under judicial leases?—Only a small minority of tenants actually went into the Land Court. A large number settled with the landlords out of court or upon valuations made by valuers.

20,123. Have rents been well paid lately?—On most estates which we have to do with, rents have been fairly well paid, but on some estates there was a determined combination against the payment of it, and generally there was a demand made for 25 per cent. reduction, and more in most cases on judicial rents.

20,124. Was that acceded to?—No, it was refused as a rule.

20,125. Were the rents obtained in spite of the combination?—In many cases they came and settled. On one estate, however, they refused to come to a settlement, and acting on the advice of "United Ireland," they backed their rents in the names of trustees.

20,126. What happened then?—We were obliged to take steps for the recovery of the rent. Some of the tenants were served with writs, being advised that it would be possible to have the money transferred from the bank to the landlord as trustee, we proceeded in the superior courts in Dublin, and we succeeded in getting purchase orders against the parties holding the rents, and in that way we had power to recover the money. The tenants had been previously offered by their landlord the option of buying their farms under the Land Purchase Act, but they refused to buy unless they got their farms at 12 years' purchase. They then offered 18 years' purchase, which the landlord accepted, and an arrangement was then come to between the parties.

20,127. And that was the end of the dispute?—Yes.

20,128. And the tenants have bought at 18 years' purchase?—Yes.

20,129. You had the power to transfer the whole sum of money held by the bank to the landlord?—Yes, the trustees to the landlord. The tenants were advised that they had the law on their side, and they were told to fight it out.

20,130. Lord Recess.—They have cured that one, as they will not give the names of the trustees?—I think still it is possible to procure the money, for, as a rule, the tenants would find it impossible to conceal the names.

20,131. But you would have to prove the trusts?—I think it was only necessary to prove that they held the money.

20,132. In that case, anyway, you succeeded?—Yes. It was lodged in the names of the trustees in the bank.

20,133. They are not likely to make the same mistake again?—No. Some of the tenants who did not back their rents were in danger of their lives at the time. While on this subject I may as well read a letter which a landlord received from his tenant in reference to backing the rent on the estate.

Respected Sir, January 15, 1886.

"I HAVE backed my rent for you, less 20 per cent, and must remain there until an arrangement is made with your honour, as it would be given into *Yours* hands to be backed with the rest of the tenants' rent and defence fund. Besides, now, Sir, I

should do this, my family held at me until I should yield, saying we would be murdered within our own house if I would not go with the rest of the tenants.

"— is a big ruffian, that is all I can say. I would not join their National League at all, no more than their Land League, and they are death down on me on account of it. Now, sir, I will remit you your rent by bank order by your communicating with me and sending your address. It is a matter of life and death struggle. Don't you pretend it to —, or myself and *tenants'* lives will be taken away.

"Your faithful humble servant,

"To —, Esq."

Mr. — adds, "This tenant did send in his full rent a few days afterwards, he leaving at the time a second rent in the bank in the priest's name. Another tenant likewise paid me, telling me that he was obliged to back his rent with the rent. A third tenant wrote, apologising for not paying me as he had also been compelled to lodge his rent along with the others. Nov. 13, 1886."

20,134. The President.—Do you think the power of the League is at all broken on the estates that you have to do with?—It is. I do not think the tenants are acting as much with the League at present as they did this time last year, they are inclined to come to fair terms with their landlords, who are acting generously.

20,135. Are they giving statements?—Yes.

20,136. What sort of statements do you give?—They vary in different parts. On some estates we do not give general statements, in other estates we do, it depends entirely on the wishes of the landlord. On the estates of the Governors of Erasmus Smith's Schools the landlords have refused to give general statements on judicial rents. The rents were fixed in 1882 and 1883 upon a valuation made by Mr. Hunt, of Limerick.

20,137. Are the rents paid in spite of the refusal to give statements?—They were fairly well paid last year; this year the authorities have thought it necessary to grant an abatement to the tenants. They consented to give certain allowances according to the circumstances of each tenant. The whole allowances would average 10 per cent., and I think the tenants are probably fairly well satisfied with them, and I have no doubt that we shall get the rent in most cases. There are some tenants on this as on other estates who have not sufficient stock and who are badly off, and they will require a considerable amount of indulgence even in good years. As a rule the landlords are not willing to give reductions where the rents are settled by the sub-commissioners. There each party has done his best, the tenant to reduce his rent, and the landlord of course to keep it at what it was; and it is to be presumed that a fair decision has been come to between the parties by the sub-commissioners, and in my opinion the tenants in most cases, certainly in the counties of Limerick and Tipperary, are able to pay the rents fixed by the Land Court, except in cases where they are utterly insubstantial, and of course no amount of reduction in rent will help these people.

20,138. I suppose the tenants are less able to pay now than two years ago?—Certainly, but I think the rents were fixed at a low standard so that they can be paid now.

20,139. A great many of the landlords are unwilling to give abatements on judicial rents?—Yes, where the rents were fixed by the Land Court, but they are more inclined to do so where they come to a settlement with their tenants out of court.

20,140. Where the tenant has taken them into court they are less willing to give abatements?—Precisely.

Nov. 17, 1888.

Robert M. D.
Sanders.

20,141. As to the question of purchase, you told us of one arrangement made with a landlord. Are there many other landlords who are anxious to sell?—I think as a rule the landlords are anxious to sell, but there are great difficulties in the way of selling. I think the tenants are willing to buy, and I have no doubt the Land Purchase Act will effect a permanent settlement if it is extended.

20,142. What are the obstacles in the way of the landlord?—Well, the unsatisfactory state of the law. Even where they succeed in making an arrangement with their tenants they find it is difficult afterwards to arrange with their encumbrancers and mortgagees, and even when a sale is effected a guarantee of one-fifth of the purchase money has to be deposited. At present the mortgagees have practically power to stop the sale.

20,143. No mortgagee has power to stop a sale?—Well, as agents having been engaged to negotiate sales to tenants on several estates we find a great deal of hindrance in the way of the landlords selling. We have been advised by a great many landlords to sell and to try and arrange with the tenants, and we thought there would be no difficulty in trying to carry out a sale, but our experience now is otherwise. There are two ways of selling, one is by encumbrances where the landlord is the sole owner unencumbered, and in that case there is not much difficulty in selling; but if the estate is at all encumbered, and the investigation has to be fully gone into it is very difficult to carry out a sale.

20,144. Does the deposit of one-fifth of the purchase money interfere with the working of the Act?—Very much so, I think it is unnecessary, I think there would be sufficient security without it. I know one landlord who owns an estate in the county of Tipperary and who agreed with a number of his tenants to sell for 18 years' purchase, but as he is obliged to have one-fifth of the money retained by the Land Commission, unless he can arrange with a sufficient number of tenants to buy so that the capital sum would be sufficient to pay an encumbrance of 50,000*l.*, else of the guarantee deposit he cannot sell at all, and not being able to do so he has been obliged to stop the negotiations with his tenants.

20,145. Because he could not get a sufficient number to buy?—Yes. To show that tenants are anxious to buy I have a letter here which I will read for you on the subject. I do not want the name given, however. His says: "October 30th, 1888. Robert Sanders, Esq. Sir,—I was expecting to hear from you as regards the purchase under Lord Ashbourne's Act of which we were speaking of. I was speaking to some of my neighbouring tenants over the water, and my opinion is that they would purchase if they see one or two to begin it. I for one will meet you on fair reasonable terms, and as far as one or two years' purchase is concerned I would willingly sacrifice it, and so should every tenant of Mr. ——— if they have gratitude in them. These are words I have told them personally, as you promised to come and see over my farm, for as I told you I will point out everything to you and judge for yourself, and allow me for what you see I merit. When you intend to come I will thank you to let me know a few days before so that I will be able to be at home. I remain your obedient servant, ———." This shows that the tenants are willing to buy as a rule, but that there are obstacles in the way.

20,146. Do the National League oppose purchase?—They oppose it as much as they can.

20,147. Do you think they oppose purchase altogether, or only purchase above a certain price?—I do not think they actually oppose it altogether, but they tell the tenants not to buy unless they get reasonable terms, but their reasonable terms would be seven years, or 10 years, or 12 years' purchase. Naturally the tenants wish to get better terms?—Quite so.

20,148. Have you thought of the idea of compulsory purchase?—I have, my lord, but I do not think it would

succeed at all, I think there might be repulsion hereafter on the part of the tenants if they were converted into peasant proprietors by a stroke of the pen, as it were. Also they would make it a grievance. They would say that they were compelled to buy at too high a price, even though the price might be very low indeed. I think a peasant proprietary can best be established by a purchase under Lord Ashbourne's Act. Tenants acknowledge the right that they have to pay for the land, and they appear to be very well satisfied with the arrangements they make with their landlords. I know no one who purchases who afterwards regretted that he did so.

20,149. At 18 years' purchase the landlord makes a sacrifice, does he not?—It is a sacrifice.

20,150. Are you personally in favour of establishing a certain number of peasant proprietors?—Yes; I think they would settle the country. They would become very conservative, and their influence would be very great in support of law and order.

20,151. With the landlords willing to sell, and the tenants willing to buy, and certain obstacles removed, we may hope that in process of time a certain number of peasant proprietors may be established without any compulsion?—I think so. If law and order were established the tenants would be most anxious to buy if the landlords were free to sell, but, as I say, there are great obstacles in the way of selling, the landlords have to arrange with encumbrancers and to arrange the charges on the estate. I would suggest that power should be given to every landlord in possession to sell all holdings let to tenants, the Land Commission to be satisfied that the price is fair, and at once rent the lands to the tenant, the purchase money to be retained in cash, and interest to be paid to the persons now entitled to the rent and the parties to whom the money should be paid have been ascertained.

20,152. Mr. Netteson.—But supposing there was not money enough to pay the debts the debtors would suffer?—I think that might be left to the decision of the landlord, who is the person who is last entitled, and would not be likely to sacrifice the property.

20,153. What discretion would he have if the first mortgagee absorbed all the money?—When possessing a leasehold interest in his estate he might exercise this power. But if the estate be mortgaged beyond its value, the owner having no real interest should not have this power. I think in these cases it would only be fair to the estate to reduce the mortgagee's claim so that the landlord should not be the sole loser.

20,154. Lord Ashbourne.—Why? If a man lends another man 10,000*l.* why is his encumbrance to be reduced, and why should he lose money for that other man's advantage?—Well, in this case the State stepped in and reduced the rents and reduced the margin on which the landlord had to live, and it seems an injustice that the landlord should be the only one who would have to suffer.

20,155. Mr. Netteson.—But why should a first mortgagee reduce his claim in favour of a poorer encumbrance?—If the poorer encumbrance lost his money previous to the passing of the Land Act the same argument would apply. Now as to the question of tenant-right I have list of sales of tenant-right here. Since January 1886 I have 11 cases. There is one case in which the farm was sold last Saturday, average 83 shillings acre, rent 38*l.* 5*s.*

20,156. Sir James Christ.—Is that a judicial sale?—I think it was a reduced rent. The tenant had it at an old rent under lease of 50*l.* 7*s.*, and it was reduced to 38*l.* 5*s.*

20,157. Voluntarily reduced?—Yes, it appears so. The tenant-right in that case was sold for 35*l.* It was sold by public auction. There were no buildings on the farm and there was a charge of 3*l.* 5*s.* and 6*d.* to the board of works for drainage loans which increased the rent. There was another case that occurred in the same neighbourhood. The landowner was Mrs. Carroll, and the tenant James Brown. There was a

judicial rent in that case of 80*l.* and the place was purchased for 400*l.* In the case of this farm it was leased down on the 17th July 1886 to another person for 140*l.*, but the place was in bankruptcy and the Bankruptcy Court would not accept the offer, and it was afterwards sold for 400*l.* Another matter to which I would wish to direct the attention of the Commission is to the fact that it appears to me that if the farmers only took the trouble to improve their butter and make it on a new system, they would increase the price of it by 20 or 25 per cent. That would be done by the introduction of better factories and creameries. In 1884 efforts were made to start two better factories in my neighbourhood, which is a noted dairy district in the Golden Vein. A meeting in support of this object was called in Charleville, but

members of the National League warned the farmers not to attend it, saying that would enable the landlords to get their rents. A meeting was also called at Kinnelock, which is a great centre of dairy farms, for the purpose of having a better factory established; Mr. W. H. O'Sullivan, then M.P., presided, and it was decided to send a deputation to the hospital factory to inquire into the working of the factory there, but when a second meeting was held the proposition to establish a better factory in Kinnelock was opposed by Father Shooch and others on the ground of political expediency, and the voting being equal, the chairman seeing that it was a political matter gave his casting vote against the project, and butter is now sold at a low price when these co-operative dairies would bring 3*d.* or 4*d.* per pound more.

Nov. 17, 1886.

Robert M. D.
Sunderland

MR. HENRY LONGFIELD EXAMINED.

Mr. Henry
Longfield.

30,158. The President.—I believe you see the agent of Lord Doneraile?—Yes.

30,159. Is his property situated in this county?—Is this county and in the county Waterford.

30,160. Are the rents this year being well paid?—Tolerably well.

30,161. With abatements?—I think abatements will have to be given this year.

30,162. Is that because of the lowness of prices?—Clarify the lowness of prices and the bad weather.

30,163. Does that apply to judicial rents as well as to other rents?—I think so. We have hitherto avoided abatements on judicial rents, but I think they will be necessary for the year ending September 1st.

30,164. Is the power of the League strong in your district?—It was strong, but I do not think there is so much combination now against the payment of rent. It is better in that way.

30,165. To what do you attribute this fall in the power of the League?—Well, I declare I am at a loss to know. I think perhaps a good many people are getting tired of it.

30,166. Are the landlords willing to sell?—I think they would be willing to sell.

30,167. At a fair price?—At a fair price. As far as I can see there is no desire on the part of the tenants for it. No tenant on the property has expressed a wish for it.

30,168. That is why nothing has been done?—That is chiefly why.

30,169. Are you personally in favour of tenants being enabled to purchase their holdings?—I certainly would be in favour of it, so far as encumbered estates are concerned.

30,170. That would enable an encumbered landlord to sell as much as would place him in a position to settle with his mortgagees?—It would. I think a great many of the landlords are willing to sell if they can get a fair price.

30,171. You volunteered to give evidence. Are there any other points on which you would desire to be examined?—Well, I cannot say there are. I have some little experience of boycotting in the county of Waterford. There are two farms that are boycotted on the property.

30,172. Are these evicted farms?—One was evicted, and the rent was 30 per cent. under the Government valuation, and the other was surrendered by the tenant who lived on another farm. It was surrendered seven years ago.

30,173. And both farms have been empty for seven years?—Yes.

30,174. Will you give us the particulars of this boycotting?—We let the grazing of the place two years ago, and the cars of a horse were clipped, and no person would venture to have anything to do with it since.

30,175. And now they are lying idle?—Well, the Land Corporation have them now, and they are grazing the places.

30,176. Do they interfere with the Land Corporation cattle?—No.

30,177. How long have the Land Corporation had the places?—About six or eight months.

30,178. Lord Millican.—Did the landlord get compensation for the house?—The owner of the house got 20*l.* from the Grand Jury. I thought with me a valuation of Lord Doneraile's property made in 1825, and I can give you the figures, so that you can compare the valuation of the farms then with the judicial rents now fixed on the same holdings. I took the first four. They are—1825, 53*l.* 15*s.* 5*d.*, judicial rent, 38*l.*; 1825, 41*l.* 17*s.*, judicial rent, 31*l.* 10*s.*; 1825, 71*l.* 8*s.* 10*d.*, judicial rent, 53*l.*; 1825, 74*l.* 17*s.* 8*d.*, judicial rent, 58*l.* Gross total, 1825, 241*l.*, judicial rents, 180*l.* I have here also a list of the prices of produce at the time the rents were fixed in 1825. Wheat, 25*s.* per barrel; barley, 10*d.* per stone; oats, 8*d.* per stone; butter, 72*s.* per cwt.; store pork, 30*s.* per cwt. The price of wheat, of course, was a very important element, as it was a wheat growing country, and now, wheat growing is an almost extinguished industry.

30,179. Is this good land?—It is good land for tillage.

30,180. Is it mostly grass or tillage?—It is going a great deal into grass. It was tillage then, and mostly grass now.

30,181. Is this in the county of Cork?—Yes. Near a market. It is 30 miles from Cork, but near Mallow station.

30,182. There was no railway in 1825, of course?—No. I think to facilitate the working of the Purchase Act you should extend the repayment and reduce the rate of interest. I think that would have a very considerable effect.

30,183. The extension of time would reduce the rate of interest?—It would, of course. I may say that one or two persons who took farms evicted in 1878 were persecuted a good deal, even up to the present time. Very lately one was fined 50*l.* by the Land League, and he paid 30*l.*; at least so he told me.

30,184. Mr. Keane.—Are reductions given on the judicial rents?—Not generally, but they will be; a great many will have to give them this year.

30,185. Do you think these reductions necessary this year?—I think in many cases they will be necessary.

30,186. That is owing to the low price of produce?—Owing chiefly in fact to the low price of produce and the bad weather and the bad season. I think it is owing to the bad weather nearly as much as to the low prices.

30,187. In your experience are the tenant farmers now in poorer circumstances than they were a few years since?—I think generally they are poorer.

30,188. Lord Millican.—Has the agitation anything to do with that?—Well, I cannot say that the agitation has very much to do with it.

Nov 17, 1886.

Mr. Henry
Langford.

20,189. Mr. Kempt.—Are the landlords willing to sell in your part of the country?—I think many would be willing to sell.

20,190. Have there been some sales there already?—Yes.

20,191. How many years' purchase?—I heard one landlord sold for 20 years' purchase of the Government valuation which was a great deal under the rent.

20,192. Do you think it would produce a good effect if the farmers were assisted to become owners?—I think so.

20,193. It would make them more industrious?—I think they would care very little about agitation if they were owners. I think it would be a good thing if the owners could make leases for ever to the tenants through the Land Act where properties are settled.

20,194. At a reduced rent?—At such reduced rent no could be agreed upon instead of selling the place altogether. I would reduce the rent, but not abolish it altogether.

Mr. Francis
Power.

Mr. FRANCIS POWER CHAIRING.

20,199. Lord Millicown.—You are a tenant farmer and a magistrate?—Yes.

20,200. How do you hold your land?—By lease; I have two large farms.

20,201. What is the date of the lease?—One is nearly expired, the other since 1876.

20,202. You consider your rent too high?—Under the 1875 lease I do.

20,203. You wish to be enabled to enter the court to fix a fair rent?—Yes, that is what I principally complain of. Leaseholders want to be placed on an equality with other tenants, and to be allowed to come into court to have a fair rent fixed.

20,204. These tenants are enabled to compete with you on unfair terms?—Yes. The leaseholders under a bad landlord is being rebuffed while the other is supposed to have protection.

20,205. With regard to purchase, are you anxious to purchase?—Of all things I would be anxious to purchase.

20,206. Have you made any request to purchase?—I have been implying an statement, but I did not get it. I went some time ago also to a gentleman to implore him to ask the landlord to sell, but the landlord would not sell, and I am going through my capital. I made something up to the time I took this farm, but I am going through my capital now. My capital, my time, and labour, up to 4,000*l.* is sunk in the land. The rent is 4,600*l.* a year. I am satisfied with the rent on one farm, as I hold it at a fair rent, and I have been fairly treated by the landlord, but I have been abominably harshly treated by the other landlord.

20,207. You do not hold both farms under the same landlord?—No. I have been allowed 20 per cent. on the last year's rent on the reconverted farm, and the agent would give 25 if allowed.

20,208. What did the landlord say with reference to purchase?—He said distinctly that I was a mark for his rent, and that as long as he had a mark for his rent that he had no idea of selling his property.

20,209. In your judgment if you are enabled to get a fair rent fixed the landlord will be disposed to sell?—I cannot say, he distinctly refused to sell when I applied to him; his answer was, as long as I have a mark for the rent and get it why should I sell my property. He distinctly refused to sell.

20,210. Do you consider that he ought to be compelled?—In case where the rent is exorbitant and no concession is made on the part of the landlord, I think that would be a class of landlord that should be forced out. There is another class that I have sympathy for.

20,211. But it is somewhat difficult to draw the line when it comes to legislation?—I am sure it is, but I think where the rent is excessive the landlord should be forced.

20,195. You would give a judicial lease for ever instead of for 15 years wherever there would be a difficulty in proving title to enable matters to be completed for the purchase?—Yes.

20,196. If the tenants got long leases at a nominal rent on paying a large fine to the tenants for life that might completely deprive the remainder man of what he would be entitled to?—I do not think it was done at a reduced rent that would defraud the remainder man. Some arrangement could be made for the purchase of encumbered land and part of the money could be applied to the payment of encumbrances so that the remainder man would not suffer.

20,197. In trust?—Yes.

20,198. Following the lines of the Settled Land Act?—

[The Right Hon. Earl Cowper, President, and Sir James Card, Bart., then withdrew, and the Right Hon. Earl of Mifflin presided.]

20,212. But you force the landlord if you compel him to go into court?—That is the principal thing I complain of, if I was allowed to go into court to fix a fair rent I think I would be about satisfied.

20,213. Is it your opinion as a general rule that the farmers are anxious to have the Purchase Act carried out. Is there a general desire amongst the farmers to purchase?—Yes, but they consider the terms the landlords are disposed to accept too high, they would purchase at a certain rate; perhaps their ideas are unreasonable, very likely they are unreasonable. It is the general opinion that the number of years' purchase is the difficulty of the whole question. As to domestic lands I would be sorry to see them sold.

20,214. Have you any idea as to what the tenants are prepared to offer?—Well, I know the case of a man who gave 24 years' purchase.

20,215. On the judicial rent?—No, on the original old rent, it was on Mr. Leader's property.

20,216. It must have been a low rent?—No, the tenant complains very much that he had been very much pressed to do it.

20,217. How could he be pressed to do it unless he was in arrears?—Exactly. Proceedings to recover the arrears were instituted, and the landlord and tenant mutually agreed to this number of years under the Purchase Act.

20,218. Were the arrears included in the bargain?—That I do not know.

20,219. From your knowledge what would you say the tenants are prepared to offer?—On a fair rent 20 years' purchase.

20,220. Would not the landlords be willing to sell if they got that?—I do not think they would, in my rackrent I would not be inclined to give 20 years' purchase, the rent is so heavy, but at the same time I would rather do that than continue as I am. The agent told me that he put it as strongly as he could to the landlord about the purchase, and that the landlord said, as long as he had a mark for his rent he would not sell.

20,221. Do you think as a general rule the agents are anxious to forward the working of the Purchase Act?—I think on the contrary they are opposed to it.

20,222. They put obstacles in the way?—Yes.

20,223. It is their obvious interest to be opposed to it?—Yes, in most cases.

20,224. With the successful working of the Purchase Act their business would come to an end?—Yes. In this case the agent promised to put it as strongly as he could, but the answer of the landlord was, that so long as he had a mark for his rent, that he would not sell.

20,225. In your opinion the tenant would give 20 years' purchase on a fair rent?—Yes.

20,226. And would be anxious to do so?—As a rule if a fair was fixed the tenants would give 20 years' purchase, I myself would be inclined to give it. To give you an idea of what it is like the poor law valuation is 1871, and the rent 285*l*.

20,227. Do you think the Government would have a reasonable chance that the instalments would be regularly paid?—Yes, in this matter things could not be very much worse than they are now, prices are very low and I think the men would attend to their work and endeavour to pay what they undertook punctually, I believe they are a very honourable, practical, and upright class in their dealings.

20,228. You do not think that it is probable that a successful agitation would be got up against the payment of the instalment as it was against the payment of rent?—I do not believe there would be. I think whatever agitation there is about rent is very much forced upon the people by the conduct of some of the landlords. I think they were forced into it as self-defence and they were obliged to undertake it.

20,229. The good landlords suffered with the bad?—That is exactly so, the good landlords have suffered with the bad, and I often think that the good landlords do not get the credit they deserve.

20,230. Is there any suggestion you would like to make with regard to the Purchase Act?—Well, the only thing that strikes me is that I would like to see a certain class of landlords forced into court to sell. I think where the landlord is not satisfied with reasonable rent that he should be forced to sell, so that the tenant would have something for his capital and his life.

20,231. Supposing the leaseholder was admitted to court, he would be satisfied with a reasonable rent fixed by the court?—That is what I have been at. What I want is, that I should get a chance with the rent, that is what I complain of.

20,232. Compulsion would have to be applied to both parties, landlords and tenants, and if the price were fixed by an impartial tribunal, would the tenants have any objection?—No, I do not think one out of every hundred would object. I think, if a fair rent were fixed, or a fair price fixed by an impartial tribunal there could be no objection.

20,233. I suppose the Purchase Act works fairly enough, and that it is rather soon for compulsion?—I do not think at present it is likely to work very well, it is not working.

20,234. But an enormous amount of land has changed hands under the Act?—I do not think the landlords are anxious to sell. I hold at a rack rent, but because the landlord has security in my case, and the money of my wife and children is sunk in the farm, he will not sell. The landlord will give no concession, and I get nothing but the greatest tyranny and the greatest insult. Nothing could be more harsh or more exacting.

20,235. If he is compelled to go into court to have a fair rent fixed you will be satisfied. That is the principal thing that I complain of.

20,236. Mr. Kaye.—Have you found farming profitable these late years?—Previous to 1875 I paid 800*l* a year, improved one farm, and saved money. I held four or five farms under different landlords, but I surrendered these farms, as I found business unprofitable, and I refused to take a lease of them, because I found farming most unprofitable. I am losing money rapidly since 1875, I give the greatest attention to farming, I am skiving at the farm always, and, I am as industrious as anybody connected with land.

20,237. Where are your farms situate?—Between Mallow and Kanturk, in the Barony of Ortery.

20,238. Is yours a village farm?—One is near a poor village.

20,239. Do you grow much barley?—I do some. I grow wheat, barley, and oats.

20,240. Can you give us any idea of the price of barley this year?—It is almost unobtainable I did not sell either the oats or barley, but I heard that barley was being sold for 8*l*. 6*l*. per cwt., and I believe in the Middleton district it is rotting, and altogether unobtainable.

20,241. Are the landlords giving reductions?—I believe a great many are.

20,242. On the judicial rents?—Yes, a great many are, I have heard of very few refusing it.

20,243. What per-centage?—15 is the average percentage.

20,244. On judicial rents?—Yes.

20,245. That is in consequence of the depression?—Yes.

20,246. And the low price of produce?—Yes.

20,247. Do you rear cattle yourself?—Yes, I rear cattle and buy them and sell them.

20,248. Is there a reduction in the price of young stock?—Yes, the price has been falling for the last four years.

20,249. Do you sell a quantity of butter?—Yes.

20,250. Have you any idea of the difference in the price between this year and last year?—It is less this year, by about 6*l*. a firkin.

20,251. At the end of the summer months?—In the beginning it averaged about the same. I sell in the Cork market.

20,252. What time do you generally sell?—From April to Christmas.

20,253. In speaking of the desire of the tenants to purchase, you spoke of some fair tribunal to fix the price. Do you think it would be necessary to have a court for that purpose?—I think it would.

20,254. What is your reason for thinking so?—Some of the landlords will ask an exorbitant price, and some of the tenants will endeavour to buy at a ridiculous price, they will both be unreasonable.

20,255. Then the Chief Land Court might interfere with advantage, the Chief Commissioners?—Well, I have heard some complaints about them. I may say I refused for the tenants, and I was before the Chief Commissioners when they were here this time 12 months, and I found them very reasonable, and I found that they took great pains. As far as I could form an opinion, they were very reasonable and fair to both parties; of course it is very hard to satisfy a great many people. They complained of the Chief Commissioners and they complained of the sub-commissioners, but for the last 12 months I think the tenants are satisfied.

20,256. When the landlords are complaining and the tenants are complaining it is very difficult to settle between them and to satisfy both?—Yes.

20,257. Do you think that the Commission could be used with great advantage in arranging fairly between the parties?—Yes.

20,258. I suppose the great difficulty is in fixing the fair rent, but when a fair rent is fixed it would be very easy to regulate the number of years' purchase?—Yes, but I believe myself that some of the landlords are very exorbitant in their ideas and would not like to sell at all, and some of the tenants may be very unreasonable too, and I therefore think that some impartial tribunal should be appointed that would be competent to arrange and fix the price.

TIMOTHY DORRAN examined.

Timothy Dorran.

20,259. Lord Milltown.—You are a tenant farmer?—Yes, my lord.

20,260. Whereabouts?—In the Liberties of Cork I hold one farm, and the other four miles outside it.

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20,261. How do you hold?—Under a judicial lease for the two years.

20,262. When were the rents fixed?—One three years ago, and in the other case only last year.

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Timothy
Dorgan.

20,263. One in 1863 and the other in 1883?—Yes.
20,264. On what point do you wish to give evidence?—If I were asked certain questions I would be proud to give evidence. We have a critical year to go through, and I will be quite unable to meet the demands. I find one farm very much injured by the railway going through it in such a way that one-third of the farm is worthless.

20,265. Was not that the case when you had the judicial rent fixed?—Yes.

20,266. Was not that brought under the notice of the commissioners?—It was, and on the strength of it I got 30*l.* of a reduction on the old rent.

20,267. And you do not think that enough?—No, because the farm has suffered very much by the railway, and a third of the farm is now like a basin from the way that the culvert was made.

20,268. Mr. Nelson.—I think your remedy for that (if any) must be against the railway company?—I did try them, sir, but when it came before the commissioners it was decided that the landlord and myself should proceed collectively against the company, but my landlord is encumbered, and he had not the means to go on. I made an application, but the landlord did not support it, and the result was that he was a loser, and my land was never the same as it was before the railway was made.

20,269. It is a simple case of not carrying out their plans and specifications on the part of the railway company?—Yes.

20,270. Well, you must compel them by law to do what you want, we have no power to interfere in the matter?—I know that.

20,271. Lord Almonck.—You have great difficulty in making your rent this year?—Yes.

20,272. And that is the case with a great many farmers?—Yes, this is a most exceptional year. I have been farming for 30 years, and I never knew anything like it. With the waste of our crops, the expense of sowing them, and the prices, selling three barrels of oats to make 1*l.*, when we used to get it for two barrels. It is the average price even at the present day in the Cook market.

20,273. There is a glut in the market?—Well, a commercial man in Cook, Mr. Brown, says the quantity is less this year than ever it was.

20,274. As a rule the oats are sold early?—Yes. The condition of the cere was such that they were not able to keep it out of the market, and there is a depreciation in prices in consequence. The market price is 4*s.* the cwt., and then there is the cost of inspection and storage, 3*d.* or 4*d.* off that.

20,275. If you had held the oats until Christmas you would have got better prices?—It is not so keeping conditions, we would want a good quality of cere imported into this country, but we have not the means to get it.

20,276. Have you got a reduction in rent?—No, I did not get it, and we are liable to very heavy taxation, 3*s.* 9*d.* or 4*s.* 2*d.* in the *£*.

20,277. That was taken into consideration when the Commissioners fixed your rent?—I dare say.

20,278. It ought have been?—Yes.

20,279. Should you be anxious to purchase your holding?—I would be very glad of anything that would relieve me of the rent. The landlord has run through his means and he is going to the Lord Chancellor for protection so he could not meet his liability, and we are very awkwardly placed.

20,280. You would be glad to become owner of your own holding?—Yes.

20,281. How many years' purchase would you give?—I know in a great many cases I would give 17 or 18 years' purchase, which would be a reduction in the present rent any way.

20,282. Twenty years' purchase would mean 30 per cent. reduction?—Well, it is the reduction we want to carry us through.

20,283. Would you prefer 20 years' purchase of the judicial rent if the landlord sells to a reduction of 30 per cent. on judicial rent?—I think I would, sir.

20,284. Well, when you buy at 20 years' purchase of a fair rent you immediately get a reduction of 30 per cent. on your rent?—Well, my lord, 30 per cent. would be a great thing. I did not get a shilling from my landlords. The land got into the Encumbered Estates Court, and we are in a worse position now than ever we were, for a class of men have got hold of the land who have no sympathy or feelings for the tenants. They look on the tenants as if they were saleable goods. They got the land when money was flush with them and they aspire to the position of the other landlords and try to get the money out of the land in order to support that position. The only commercial man who became a purchaser in that way was a real good landlord in Mr. Young, of Cook. He is the only exception I know, and he is a man who stood by his tenants through all the bad times.

20,285. Where did he buy?—At Carrigrohilly. He spent money in getting the tenants seed potatoes when the potatoes failed a few years ago. He got over tons of seed potatoes for them. In my case the poor landlord is to be sold in the Encumbered Estates Court, and I cannot get any reduction, but I have 32 per cent. under Mr. Newnham where the tenants held under old leases.

20,286. If the leaseholders are admitted to the Land Court they can get a fair rent fixed?—But the landlords will not have it.

20,287. But an Act of Parliament can make them do it?—Well, as I said already, the Encumbered Estates Court imported a class of landlords into the country and they took away a good deal of the sympathy that the old landlords had for the tenants. There was never any ill feeling between me and the poor man who is now in the Landlord Estates Court. He used always relieve his tenants, and when I lost some cows by a distemper he allowed me a half year's rent and gave us every help and encouragement. But he is not able to do it now. He is away in England.

20,288. You would not wish the gentry to leave the country?—Oh! no, I would not; but the establishment of the Landlord Estates Court brought in another class of landlords, and the children of the old landlords who ought to have the old traditions, now regard the people the same as the children of the men who purchased these properties at the time when land was of enormous value, and who got it to gratify their pride as well as to make a profitable percentage out of it, and the sons of the old landlords from association with these men are now taking up their ideas and they have no sympathy with their tenants owing to their bad association with these new men.

20,289. You think sentimentalism a great curse?—Certainly.

20,290. And you would be sorry to see anything that would increase it?—I would.

20,291. And you think it would be an advantage if a large number of tenants purchased their holdings?—I would. I would like it myself. I think it is the only hope of the country to have small proprietors. I think they would give a good deal of employment, and I see the small tenants are struggling better against the bad times than the men who have large holdings.

20,292. They are getting on better than the bigger men?—They are. At one time I could get labourers for 4*s.* a week, and now I must pay 13*s.* a week. I give some of the labourers 8*s.* a week, a house rent free and a garden free, and he gets so much coal and he gets the grass of a sheep. We are paying 150 per cent. more for labour more than we used to pay.

20,293. Do you find the labour given now better than it used to be?—Rather worse; a good deal of it has to be supplemented by machinery.

20,294. Mr. Knipe.—Do you find it possible to pay your rent out of the produce of the farm?—I do find it very difficult at present, and I never get a reduction. I cannot see how I am to meet my liability, and I may be served with a writ before I go home.

20,295. Did you make money in former years?—I cannot say I did. I had a large family growing up, and I spread myself into land, and I got a second farm further out of town than the first farm and less liable to city taxation and twice the extent of the first farm and at the same yearly rent.

20,296. Are the landlords giving reductions in your immediate neighbourhood?—I think they would, but I think they are prejudiced against the judicial rents. The landlords there are giving reductions. There is Mr. Joseph Coghlan, he is a man who sympathises with his tenants.

20,297. What reduction is he giving?—He gave

20 per cent. last year and 25 per cent. this year. He went with the people and tried to help them out of their difficulties.

20,298. As regards the Purchase Bill you would be satisfied if it gave you a little reduction on your present rent?—Yes, I think 30 per cent. would be a great relief.

20,299. Do you think the people would be desirous to buy?—Yes, I know a man, and he was a commissioner himself, and the landlord and himself mutually agreed as to the purchase, but when the Government Inspector came down he did not certify the agreement.

Captain R. TONSON BEN examined.

Captain R.
Tonson Ben.

20,300. Lord Maltbaw. — You are a landowner in this country?—Yes, a large landowner.

20,301. Have you experienced any difficulty in collecting your rents?—Not the smallest difficulty until the last half year.

20,302. And what was that difficulty caused by?—It was caused certainly by agitation in the country against the payment of rent.

20,303. You do not think the difficulty arose from any inability on the part of the tenants to pay; you think they are able to pay?—As well as I am.

20,304. Are there many judicial rents on your property?—Only one plough land went into court.

20,305. How are the other rents fixed?—The other rents have been fixed for hundreds of years. There was a great number under Griffiths' valuation, and several a very little over it.

20,306. They do not hold under lease?—Some under lease and some not.

20,307. The great majority do not hold under lease?—That is so.

20,308. The rents up to the last half-year were punctually paid?—Yes. I may say I was my own agent for 30 years. My father died in 1843; from that date to 1850 my property was managed by my late father's agent who died in 1850; from that year to 1879 I managed my estate myself. I forgave all arrears, so that my tenants from that out would pay one half-year's rent before the other became due. I did away with the running or hanging pale, and it was understood amongst my tenants that they should pay one half-year's rent before the other half-year became due. That was better for them, and it was better for myself; and in 1879, when I handed over my property to a firm of agents, there were no arrears on my property.

20,309. At present you have last half-year's rent uncollected?—Oh, no; but there was difficulty in collecting the rent that became due on the 25th of September. The rent that fell due on the 25th of September was payable before the following 25th of March. At the time I say I handed over my property to the Messrs. Carroll, and since that date there is great difficulty in collecting the rents each year, principally from a combination entered into by the judicial renters to whom I refused to give any abatement.

20,310. You did give abatements?—I offered abatements, but I did not give them to the judicial renters. They were all willing to pay, but some of the judicial renters got up a combination, and prevented the other tenants paying by intimidation, which I can show you, and these tenants otherwise would pay. Some of my tenants came to me and said they dare not pay their rents until I gave a reduction to the other tenants.

20,311. When was that?—Last year. The half-year's collection before the 28th. Now they are collecting the 25th of March rent.

20,312. Do the agents experience the same difficulty now?—They are going on the same principle now, trying to get a reduction.

20,313. Has there been any boycotting in consequence of the payment of rent?—I have been very heavily boycotted.

20,314. Is that in consequence of having asked for your rents?—No.

20,315. Why?—I never evicted a tenant in my life, nor my father before me, and it was a most extraordinary thing that I should be boycotted. A poor law guardian for my division was to be elected, and the only reason I can give for the boycotting was that the chairman of the National League in the district was the candidate, and he was opposed by a tenant of mine, who had been for many years a poor law guardian, and he was deputy-vice-chairman of the poor law board in the Brandon Union. He came to me and I gave him my votes and interest, and I asked my tenants to vote for him, but he was thrown out by the present chairman of the Land League, and from the opposition I gave that man I think I was boycotted, that is the only reason I can assign for it. There was no difference between me and my tenants. I was in the habit of letting my land in grazing, and letting my meadowing by auction, and it was a great recommendation to the people and to the farming class there. But the last time I was letting my land, my auctioneer was Mr. Marsh, they gathered a crowd of 50 or 60 people from the different Land League branches and they compelled the people at the auction to come out of the fields, and they came up looking to my place, and the consequence was that it was a very serious loss to me, for I was not prepared for it, and I think I have been boycotted ever since.

20,316. Is there any diminution in the power of the League?—I think there is.

20,317. What is the nearest town to this place which you refer to?—The nearest big town is Cork, it is near Mallow and Brandon too.

20,318. What branches?—The Kilmurry and the Farran branches. I believe the police are about to prosecute this very Land League for holding a court on a large tenant of mine. He was a very active member of the Land League, and he was charged with having paid his rent to me, and the Land League found great fault with him, and also for having done something for a boycotted man a tenant of Sir Augustus Warren. They held a court on him, and he was expelled from the League, and he wants me now to forgive him his rent as he cannot pay it.

20,319. You said that they were talking about instituting a prosecution against the League for holding a court; have they done so yet?—No, but I am sending up a letter now to the Chief Secretary telling him all about the activity of the League in my district, but the police say they cannot get this man to swear as information.

20,320. Well, if he will not swear an information, what can the Chief Secretary do?—Well, the man acknowledges in his letter to me having been censured by the Land League for having paid his rent to me, and also for having spoken to Mr. Kingston, a tenant living near Kilmurry, who was boycotted, and that he was expelled from the League.

20,321. Is there any anxiety on the part of the tenants to purchase under the Land Purchase Act?—Not in my district generally, but I should say that if the rate of interest were reduced, and the time extended, that a great number of tenants would be glad to purchase their land.

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Captain B.
Tanner Rye.

20,332. Are you in favour of extending the time for repayment?—Yes, and lowering the rate of interest; the longer you make the period, the greater the number of people who will take advantage of the Act.

20,333. But have they been taking advantage of it so it is?—There are some. One tenant of mine the other day told me that he was in negotiation with the landlord of his second farm, Mr. Collins, who lives close to here, and he told me that the landlord had offered him his land. I do not know the exact figures, but I think for £900, and that the man was willing to give £600, and the man said Mr. Collins was a very good landlord, that he gave 25 per cent, and that he could not afford to give more than 500, but that Mr. Collins wanted £1,000. Mr. Collins, said the man, is a very good landlord, and he gives me an allowance of 25 per cent, and when all the rates and taxes are to be paid by me after I purchase it would not be worth my while to buy.

20,334. Still the Purchase Act is extremely favourable to the tenants?—Yes, extremely favourable, but I think if the interest was lowered and the time extended, it would bring more people into the market.

20,335. Do you think that is desirable?—I think it would, there is very little money in the country.

20,336. Mr. Neligan.—They are not required to pay the money down?—Yes, but they are afraid to incur any responsibility.

20,337. Lord Millican.—But you are in favour of a large increase in the number of small proprietors?—Well, I may say I always considered that the making of farmers proprietors in their own right would go a great way towards doing away with agitation.

20,338. Are you in favour of compulsory purchase?—I am very much against it. I think it would be great injury to the commercial interests of the country if the landlords were compelled to sell, they are the chief support of the shopkeepers, and expend more money than would be expended under any other system.

20,339. Do you know whether the landlords would be willing to sell?—I should say they would be willing to sell if they got a fair price, but of course a fair price depends very much on various circumstances, the quality of the land and other matters.

20,340. Mr. Neligan.—The situation?—Yes, certainly to markets, but I say that compulsory purchase would do a great deal of injury to the commercial interests of the country.

20,341. Lord Millican.—Do you think the landlords would leave the country if they sold out?—Yes, decidedly, they would never be able to pull with the people on account of these agitations. I am an old fox-hunter myself, perhaps the oldest master of fox-hounds in the country, and I was always a great favourite. I always lived here, and spent my income upon it, I always kept a pack of hounds, and spent a lot of money, but I sold them off in 1879, and as I wanted to clear off some heavy charges, I sold a portion of my property. I was perhaps the last man who sold part of his estate. I sold a portion of the property for 25 and 27 years' purchase, and I paid off the charges, but if I sold out the whole thing I should clear away.

20,342. If you sold you would leave the country?—Most decidedly, what inducement would there be to stay.

20,343. There is no reason why fox-hunting should not go on as usual?—It would not.

20,344. Is it stopped now?—It is stopped in a way. The Twenty-first Hussars have the country.

20,345. But you could agree with the farmers if they were the owners of the land?—The farmers, generally speaking, would not object if they were let alone. But have you read the speeches made by our honourable members of Parliament. Have you read the speeches made by Dr. Tanner and Mr. Lane and Mr. Flynn and others. They are making the farmers the greatest enemies of us. You people living in

England do not understand it at all; before this the farmers would touch their hats for us, they would always touch their hats for me and salute me, but now if I met one of them he would not look at me, he would pass me by.

20,346. That is because you are a landowner?—Yes.

20,347. But if you ceased to be a landowner you might be able to get on better with them?—I doubt that. It will be a long time before Ireland will be as it was a few years ago.

20,348. Well, we have got evidence if the landlords disposed of a portion of their property in the occupation of the tenants, they might still continue to reside on their demesnes and house farms and enjoy the sports of the field pretty much as in former days?—Well, I cannot say that I agree with you.

20,349. Then you think that the consequence of the general use of the Purchase Act would be that the landlords would leave the country?—Leave the country, and invest the money they got in foreign security or some other security, that is what I would do.

20,350. That would be a great misfortune to Ireland?—Decidedly.

20,351. Still you see in favour of the Land Purchase Act?—I am not altogether individually in favour of it.

20,352. I thought that was your evidence?—No, my evidence is that in the majority of cases it would be more freely used if the rate of interest was lowered and the time for repayment extended. I think that would be an inducement to the parties who are driven to use it by the speeches of these people here. I would sell it I got the value for the land.

20,348. And then you would leave the country?—I fancy I would, decidedly. I know a great many people who would leave the country.

20,344. Is there any other point on which you would like to give evidence?—Not unless you wish to ask me.

20,345. Then it is in consequence of the agitation of the rent question the landlords would be willing to sell?—Yes, it shows you that it is almost altogether from this agitation that the people are ready to leave the country.

20,346. Mr. Neligan.—It shows very little freedom of action?—Why, sir, we are not allowed to do anything.

20,347. Because you do not vote for a certain poor law guardians you cannot set the grass of your own demesne?—Yes, the Land League made that the excuse. It shows the arbitrary power they use.

20,348. Have you good crops this year?—In my country they are generally very good. My potatoes were a very fine crop, speaking individually, and they were very plenty, and some of my of them black, which is a very remarkable thing, but the weather was very wet, and we have certainly had a very bad season.

20,349. As compared with last year was the crop better or worse?—Last year's crop was more plentiful.

20,350. Last year was an exceptionally good year?—An exceptionally good year.

20,351. Mr. Knipe.—Speaking about non-resident landlords, do you think it would be any hardship to compel them to sell?—I do not.

20,352. They have not done much to encourage the industries of the country by spending money here?—Well, I had better not say anything about non-resident landlords. I always resided here, and enjoyed myself in my own country. No doubt at present it is not very pleasant living in the country.

20,353. As a rule non-resident landlords have not as much sympathy for the people?—Well, a good number of them spend a good deal of money through their agents and other means.

20,354. But they take a great deal of money out of the country and spend it elsewhere?—Yes, they spend it in other countries.

20,335. And it would not be a very great hardship to compel these landlords to sell, that would not be an injury to the country?—It would be an advantage to the country, but I do not think the other landlords would remain here if they were compelled to sell. The state of the country is very dreadful, and I would not live in the country if I could live elsewhere. I have as good land as any in England or Ireland, and it is a beautiful country, without a single acre of waste, and I assure you I would gladly sell it sooner than live here. You have never known anything of the agitation, and of the dreadful feeling that has got up. I have drained my land for my tenants and they were never charged a single farthing for it.

20,336. The farmers have a great deal more difficulty in paying now than they had six years ago?—Decidedly they have; and I may say, individually, that if my tenants and myself were left to settle it ourselves there would be plenty of time given them to pay, and their rents would be reduced, and allowances made for the bad years, and it would have been very easy to have arranged it, but the agitation is such now that one tenant will not pay if another objects to his paying.

20,337. Is it a fact that a number of landlords have been giving reductions?—Yes; I have been giving a reduction of 15 per cent. myself.

20,338. Was that on the judicial rents?—No; I did not give any reduction on the judicial rents. I gave it on the others.

20,339. Have you heard that some landlords have been giving it on the judicial rents?—I believe so. You must know that reductions on some lands is absolutely necessary, greater or less; there are some mesne lands in this country with such bad soil that I do not know how they pay any rent on it; there are other lands like that, and if they were assured they would work very well. I must tell you that I am a large lime-burner myself. I gave a return about the kilns to Mr. John Barrett. I think he gave them to you. I have taken the returns for the months of June, July, August, September, and October, and there is a great falling off in the purchases; and I am afraid that a great deal of this is owing to the agitation and to other measures, and that they are neglecting their farms.

20,340. Do you think that it is owing to want of money that they do not purchase the lime?—No, certainly not; the young farmers do not attend to their business in the country. They are now hunting, and shooting, and fishing, and cooing, and neglecting their business.

20,341. Is it your experience that the farmers are poorer now than six years ago?—Well, they are able to hunt, and to shoot, and to amuse themselves; they are well able to do that. I may say I was always delighted to have the farmers' sons hunting with me when I kept the lands; if they are poorer they are well able to do as I say, and I say they are neglecting their business, and I say it was remarked by me as a hunting man in several districts lately, the neglect of the farmers in leaving their land go waste, and fall into weeds, and all through the country ditches are flowing and poisoning the whole land.

20,342. But the farmers would be able to pay their rent better if they cultivated their land better?—Yes; but there is an object in their neglecting their farms. They try to reduce the value of their farms by neglect to see if they can possibly get them cheaper. It is impossible to go through the country without

seeing how they neglect their farms; the neglect has been very great amongst the farmers for the past few years.

20,343. Is it your experience that farming is very profitable at the present time?—It is not profitable; the season down here has been very bad, its witness was against the corn being sown in a proper way, and of course men cannot meet their demands as well as if they had a plentiful and well sown harvest. Unfortunately, I believe that something about the Gulf Stream has destroyed our corn, and made it moist and poor, and very hard to save.

20,344. And consequently there is a very low price?—A very low price, but I must say cattle are not so low as they were; I got a very fair price indeed for cattle. Some years ago they went up very high, and then there came a sudden depression in prices, but when the cattle have come to their proper level again they will make as much profit as formerly.

20,345. But the farmers suffered severely?—Decidedly they did, everybody who had cattle suffered at the time, but if they buy the stock low they will get a fair price for them and they will make as much profit on the stock as when they were getting fabulous prices for them. I do not think they will get those fabulous prices again, and, in my opinion, cattle are now coming to their proper level.

20,346. Lord Millicom.—The price that was reached a few years ago was an abnormal price?—Yes, a fabulous price.

20,347. Now there is a reaction?—Yes, there is a reaction set in, and I am in great hopes that if we could get rid of this agitation, and if we could get into the same groove as formerly, we would get on very pleasantly. If we had a good harvest I think we would get on very well.

20,348. Mr. Keape.—Looking at the quantity of foreign cattle imported, do you expect a very much higher price for cattle than at present?—I think we will get a good fair average price. America will not interfere so much with us in future.

20,349. Mr. Neligan.—The return of importations from America is steadily coming down, and some of the carrying companies are going into liquidation? I think that is so. If the people were allowed to go on their own way everything would come round.

20,350. The tendency of facility of communication is to equalise prices over the whole world?—I suppose so. Ireland has suffered very much from the want of some small tax upon imported manufactured goods. Imported flour, for instance, has destroyed the growth of wheat in this country.

20,351. Lord Millicom.—Do you think a tax on flour would increase the price of wheat?—There is a very low price for it now.

20,352. But how would you increase the price of wheat by taxing flour?—It would increase the growth of wheat.

20,353. Why?—Because if you put a small tax on flour the makers would manufacture it here, and the farmers would send it into them in large quantities.

20,354. But the wheat would come in just the same as at present?—I do not know that the wheat would come in as at present in such quantities, and the tax would be a great help to the manufacturers of the country, and it would bring in a large revenue; you will find that the artisans and workmen of England will abolish fair trade yet. That will be one of the problems of the future, and you will find that the manufacturers and the artisans of England will abolish fair trade yet.

Mr. JOHN McDONNELL examined.

Mr. John McDonnell.

20,375. Lord Millicom.—You are a tenant farmer, I believe, in this county?—Yes.

20,376. At what place?—At Waterpark Carrigillane in the county of Cork.

20,377. How do you hold your land?—By lease.

20,378. Is your lease of old date?—Yes.

20,379. What is the date of it?—I think it is a lease of 31 years and lives, and the lives are living yet.

20,380. What is the date of it?—I think it is about 25 years ago.

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McDonnell.

20,381. 1860?—About that.

20,382. Were you a tenant of the land previously?
—I bought the interest of the previous tenant.

20,383. Was he a leaseholder?—Yes.

20,384. You bought the leasehold?—Yes, I am
only in the farm 17 years.20,385. How many acres are there?—Close on
300 acres.20,386. What is the rent?—400*l.* a year.20,387. Are the acres Irish acres?—No, statute
acres.20,388. What is the poor law valuation?—455*l.*
It is more than the rent.20,389. Do you consider your rent too high?—
I do.20,390. Although it is under the poor law valuation?—Yes, even so. I expended 1,000*l.* on it myself
and I gave 1,200*l.* for the place.20,391. That does not affect the question. The
rent you pay now you consider too high?—I think it
is, I bought the place more as a commercial speculation
than anything else, close by the farm is Spike
Island Convict Prison where they used to consume
a large quantity of milk, and I was a large dairy
farmer and it was only a large dairy farmer that could
supply the place, and they used to give a very good
price for milk, and this farm was near the island and
I took it for its good situation close to Spike, and
for the facility it gave me for supplying the new
milk.20,392. Mr. Neilson.—Now the convict establish-
ment there is closed up?—Yes.20,393. And the speculation turned out a bad one?
—Yes.20,394. You have not the same facilities now for
selling your milk?—No, the party who was supplying
the place before I took the farm he reduced the price
of his milk from 10*d.* to 6*d.* and 5*d.* so that my
speculation turned out a poor one.20,395. Lord Milnes.—You would like to be able
to go into court to have a fair rent fixed?—I would
like to have my lease broken.20,396. You would wish to be able to have your
lease broken so that you could go into court to have a
fair rent fixed?—Yes.20,397. Have you any wish to purchase your
holding?—I would like it very much.20,398. How many years' purchase would you be
willing to give on a fair rent?—That would depend
on the valuation.20,399. But supposing a fair rent were fixed?—
Well, if a fair rent were fixed, I should say 15 years'
purchase of that fair rent.20,400. You know that of course that would be a
great loss to your landlord?—I do, but it is a great
loss to me too.20,401. Do you think the landlord is likely to de-
prive himself of so much of his income to please you
or anybody else. Do you know how much purchasing
at 15 years' purchase would reduce your fair rent?—
I know that I pay 400*l.* a year, that I paid 1,200*l.*
for the place, that I expended 1,000*l.* on it, and that
the rates in the Cork Union are tremendous. The
poor law rates and income tax come to 108*l.* a year
and that is a rent in itself.20,402. Mr. Neilson.—Purchasing at 15 years'
purchase of your rent would reduce your rent by
40 per cent. ?—Well, it is impossible for any man to
pay the present rent.20,403. I am assuming that the present rent is a
high rent, and I am pointing out to you that by 15
years' purchase you would reduce that fair rent by
40 per cent. ?—Well, I think I would be entitled to
that.20,404. Lord Milnes.—And the landlord would
have to make up his mind to lose that much?—Well,
look at the present state of affairs, when I got this
farm barely was 21*l.* the barrel in Cork market, and
now it is only 3*l.* 6*s.* the cwt.20,405. All that would be considered in fixing the
fair rent. It is assumed that a fair rent has beenfixed, and to purchase you would want to reduce that
fair rent by 40 per cent. or by nearly half the fair
rent?—Well, for 25 years the landlord has been
getting 400*l.* a year out of the place. A further re-
duction of 40 per cent. on a fair rent would be
necessary in order to bear the additional burden
which would lie on me after purchase; these burdens
are the landlord's portion of rates and taxes, the in-
creasing claims of labourers, and the probable setting
of considerable taxes on land in the near future.20,406. Do you mean to say that is sufficient, that
he should be content with that and go?—I did not
say that.20,407. Have you ever lent money. Suppose you
lent a man 100*l.* and that he paid you 5 per cent. on
it for 20 years, do you think that man would be
entitled to say at the end of 20 years, I have given
you 100*l.*, and I will give you no more?—I don't say a
man would be entitled to a per cent. for ever, and
he had back the money, but that hardly bears any
analogy to land.20,408. What is the difference?—Land is different
from commercial business.20,409. But you took the farm as a commercial
business, and you treated it as a commercial transac-
tion more or less in which you did not succeed, and
now unless the landlord takes a sum which very
possibly, he may not be pleased to regard as adequate
you are not prepared to buy?—I would like to buy at
15 years' purchase.20,410. That is what you consider fair?—Yes, in
the present state of prices, I am dealing with the pre-
sent state of affairs, I cannot continue to pay the
present rent.20,411. If you have so much difficulty in paying
the rent of the place why do not you give it up. Look
at the amount of money I have expended on the
place. I am sure I have laid out 2,000*l.* on it, and
then there is the chance of having a good Bill to deal
with the land question.20,412. What sort of Bill do you expect the
Government to bring forward?—Some Bill that will
compensate the tenant for his expenditure and his
industry. Something should be done to make the
landlord to deal fairly with the tenant.20,413. Has not Parliament done that much
already?—I do not think so. I look upon the Bill of
1861 as a farce.20,414. Speaking of the Purchase Act of 1861, do
you think it should be made compulsory on tenant
and landlord alike?—I think so, for as long as the landlord
has got a good goose to pluck, he will not have a
feather on his back.20,415. I suppose that is what you would do if you
were a landlord?—No, I would not.20,416. Then why do you say that as long as the
landlord has a good goose to pluck he would not have
a feather on his back?—Because I think so.20,417. Why do you say that of other men that you
would not say of yourself?—I beg your pardon.20,418. Why do you say that if these men, that you
would not say of yourself?—Because the landlords
are doing it. It is valid before the whole world.20,419. Supposing there was compulsory purchase,
and the court decided that you should pay 20 years'
purchase, would you be very well pleased?—I do not
know that. Well perhaps if the land were to my
satisfaction I might.20,420. But supposing the court decided that you
were to pay whether you liked it or not?—I would
buy under the Act, if the court decided fairly.20,421. Do not the courts generally decide fairly?—
Well, I valued several farms for the tenants, and I
sincerely found any cases in which the Land Courts
valued the farms at fair rents. The valuers used
to run through them, and try to pick up hints after-
wards.20,422. You were not satisfied with the valuations?
—I was quite dissatisfied.

20,423. What alterations would you suggest in the Land Act of 1881?—There should be a general revaluation.

20,424. Begin it all over again, and re-value the whole of Ireland?—Yes; the Act of 1881 was simply a farce.

20,425. The way it was administered?—Yes.

20,426. The complaint is that the Commission fixed the rents too high. Is the present valuation too high?—In places, yes.

20,427. Would you fix the rents in future by the prices at the present time?—I would.

20,428. On the prices of the present bad year you would fix the landlord's rent for the future?—Well, we thought the years we had before the worst we could have, but we got a worse one.

20,429. It would be in favour of the establishment of a court to fix the number of years purchase, and then you would make the tenant buy and the landlord sell whether he liked it or not?—Well, you cannot compel the landlord unless you compel the tenant also.

20,430. If the prices after a few years become worse than they are now, would you seek for a compulsory reduction of the instalments?—No, I would let them take their chance. Things cannot be very much worse than they are at present.

20,431. Mr. Keizer.—Have you found farming profitable these years?—Not lately. I did find it profitable some years ago.

20,432. You have devoted the whole of your attention to farming?—Yes, I held four farms, and I got prices that no other farmer in the country got for his produce. I tried every sort of farming, dairy farming, sheep farming, and tillage farming.

20,433. Are you able to save any money at present?—I am losing plenty of it.

20,434. Seventeen years ago, you said, you got this farm?—Yes, but I was farming before 1869.

20,435. Can you give us an idea of what you have lost during the past 160 years?—I did not make an exact calculation, but I should say 3000.

20,436. That is owing to low prices and foreign competition?—Yes. You must know that barley is now only 3s. 6d., and it cost more than that to save it this inclement season, and no buyers for it even at that price. I have seen it sold at 2s. 6d. the cwt., and oats is the same price in proportion.

20,437. Owing to the low price of produce it is impossible to pay the present rents?—No ordinary farmer could pay the present rents. In a Purchase Bill I think there should be an extension of time so that the instalment money would be reduced, for this reason, that the farmers are reduced in capital and they cannot work the land without capital and make a profit of farming.

20,438. You gave 1,000l. for the farm?—Yes.

20,439. And how much did you expend on it?—1,000l.

20,440. What would you give to be done with it altogether?—I really do not know that. I am looking forward to the prospect of my doing better if there was any Land Bill that would carry me through. Of course I have been brought up to one occupation in life, and I do not see any way to going into any other.

20,441. If it were put in the market would it sell for half the money you gave for it?—It would not fetch half the money in the market.

20,442. Lord Midleton.—Did you ever try?—I did not.

20,443. How can you say what it would sell for if you have not tried?—I know it from the rent, and I have seen several farms sold.

20,444. We have evidence of very high prices for a tenant right, and the rent was not under the poor low valuation as in your case?—Yes, but there is a very large house and demesne on my farm that are included in the valuation.

20,445. How much is the land and how much the buildings?—I did not even notice. I believe they are

all included in the one valuation, and that if you want the particulars you have to write up to Ely Place. There are two valuations, but there is nothing in one but some small labourers' cottages. I do not think the farm buildings are ever separated.

20,446. Mr. Keizer.—Were any farms offered for sale in your part of the country?—There were.

20,447. Was there a purchaser?—No.

20,448. Not one?—No.

20,449. Even the tenants themselves could not find a purchaser?—No.

20,450. Is it your experience that the price of tenant right has gone down during the past six years. It has gone down.

20,451. In your neighbourhood tenants could not sell their interests?—No, and it is a splendid land.

20,452. Mr. Neeson.—Would you be surprised to hear that on Saturday last a farm of 83 acres, at a rent of 39l., sold at 320l. by public auction?—Nothing would surprise me.

20,453. It does not seem quite consistent with your evidence?—No.

20,454. Mr. Keizer.—It all depends on the rent?—Oh, yes.

20,455. Have you known landlords to be giving reductions in your part of the country?—Yes.

20,456. How many?—Very few.

20,457. But there have been reductions?—Yes, very few. I have known also in my locality that the people are so desirous to pay their landlords that they strip their land and borrow and beg and rob their own friends to pay the landlords and keep their holdings and all in consequence of the tenors of writs and law expenses.

20,458. So anxious are they to retain their holdings?—Yes. The landlord must be paid in any case, no matter who suffers.

20,459. Speaking of the Purchase Bill, you would give a fair price to the landlord in order to become the owner of your holding?—Yes.

20,460. Would you leave it to a properly constituted court to fix the price?—I would if it were a properly constituted tribunal.

20,461. What would you call a properly constituted and fair tribunal?—The stamp of men who would have practical and thorough knowledge of land.

20,462. How would you have them selected?—Oh, there are plenty of them in Ireland.

20,463. But who would select them?—I cannot tell you that.

20,464. Would the tribunal enjoy confidence with the people if the members were selected by the Government?—Well, by the Government, provided they were men known to be practical men who would be unbiased, and that they were approved by certain sections of the people.

20,465. Mr. Neeson.—And what section of the people would sit on review of the appointments of the Government?—What would be the court of review on the selections?—Well, parties that would be impartial.

20,466. And who would be the impartial parties?—The boards of guardians would be very competent.

20,467. The Government should be subject to the control of the boards of guardians in the matter of these appointments?—Or to similar boards.

20,468. The guardians would be the proper boards?—Yes.

20,469. In your opinion the court would command the confidence of the people if the members of it were appointed by the Government, and if the appointments were approved of by the boards of guardians throughout the country?—I think the boards of guardians would be a very good body for the purpose. They are a mixed body, and in them you have the landlords and the tenants.

20,470. For the purpose of compulsory purchase you would have the appointment of the court controlled by the boards of guardians?—Yes.

20,471. Mr. Keizer.—Would you be satisfied with the Land Court as it is constituted now?—No.

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Mr. John
McDonnell.

20,472. You do not think they give general satisfaction?—No.

20,473. Do you know that I am referring to the Chief Commission Court, Judge O'Hagan, Mr. Litton, and Mr. Vernon, who have had practical experience now for a number of years, do you think they would give general satisfaction?—They did not, but I believe they are doing better now.

20,474. At present they are giving general satisfaction?—They are giving more satisfaction.

Mr. Henry D.
Smith.

Mr. HENRY D. SMITH examined.

20,475. Lord *Milltown*.—You are a tenant farmer?—Yes.

20,476. In this county?—Yes.

20,477. How do you hold your land?—I hold some under lease and some under judicial rents.

20,478. Is your lease an old one?—Since about 1876.

20,479. Do you think your rent too high?—According to the present times I do.

20,480. And you would like to go into court to have a fair rent fixed on your household?—Yes.

20,481. Are you satisfied with the judicial rent?—No, sir. I am getting a reduction on the judicial rent this year and last year. I think the judicial rents were fixed too high.

20,482. What reduction are you getting?—20 per cent.

20,483. When was the judicial rent fixed?—The judicial rent was fixed about two years ago.

20,484. In 1884?—Yes.

20,485. Did you consider it a fair rent then?—I did, sir.

20,486. Do you consider it an unfair rent now?—I do, most decidedly.

20,487. I suppose you make that statement on the supposition that the prices will remain as they are now, and will not improve?—Yes.

20,488. If the prices became again what they were in 1884 your rent would become a fair rent?—I would be satisfied. Things since then have got very much worse.

20,489. But if prices again improved your rent would become again a fair rent?—Yes, but it was always certainly too high.

20,490. It was a little tight always?—Oh, no mistake about it.

20,491. You would be anxious to go into court to have a fair rent fixed on your household?—Yes, I know on one farm a tenant offered the landlord to take up the land. The valuation was 77*l.*, and the rent 148*l.*

20,492. Would you like to buy your farm at a fair price?—Yes.

20,493. Now, supposing a fair rent were fixed, what would you consider a fair number of years' purchase to give for your farm?—About 16 years.

20,494. You know that would entail a severe loss on the landlord who would sell at that price?—I know it, but I would not give more in the present state of things.

20,495. You would be prepared to give 16 years' purchase if a fair rent?—Yes, 16 years' purchase.

20,496. Having fixed a fair rent you would wish to have that fair rent reduced by 36 per cent., for that would be the result of only paying 16 years' purchase?—Well, I would not give more than 16 years' purchase or 17 years' perhaps.

20,497. Seventeen years' purchase would mean a

20,475. Would you be satisfied with that rent?—They are a fair rent, I think.

20,476. Lord *Milltown*.—But would you be satisfied with that rent?—No, not exactly; I would like to have some practical men with more knowledge of land.

20,477. A court that would be selected by the Government and approved of by the boards of guardians?—Yes.

reduction of 30 per cent. on the fair rent?—I suppose so.

20,501. You do not consider it likely that your landlord would consent to sell on these terms?—No, sir. Another thing, the landlords do not seem inclined to sell at all.

20,502. You would buy if you had the chance?—I certainly would at a fair price.

20,503. But you would be a loser even at present by not buying?—Well, perhaps I might lose more afterwards if I bought.

20,504. How would you lose more afterwards?—If prices got worse. Really, they are getting gradually worse these three years.

20,505. On that supposition you say you would give 16 years' purchase?—Yes.

20,506. Are you disposed to think that your landlord ought to be compelled to sell at that price?—Well, if there was a proper value set upon the land, then I say he should be compelled to sell.

20,507. Your object in buying would be to get a reduction in your rent?—To get a reduction. I would be quite willing not to become a purchaser if I could get my place at a fair rent.

20,508. Your object in purchasing would be to get a reduction in your annual payment?—Yes.

20,509. And if you get that you would be quite satisfied?—Quite so.

20,510. Mr. *Kings*.—Are reductions being given in your neighbourhood?—Yes, on some large properties.

20,511. Do you know how much?—20 per cent. on one property.

20,512. As regards land purchase, would you have the price that you should pay to be fixed by a properly constituted court?—Certainly.

20,513. You would have it taken out of the hands of the landlord and yourself, and allow the price to be fixed by a court that would have a good knowledge of the position both of the landlord and yourself?—Yes, certainly.

20,514. Most of the people in your locality would be perfectly satisfied with that arrangement?—Perfectly satisfied, especially the householders.

20,515. Is there a general desire on the part of the people in your locality to buy their holdings?—Yes, at a fair price; but they are very nervous at present about the prices of agricultural produce.

20,516. Would the landlords be willing to sell at a fair price?—I have great doubts about it. I know some cases where offers have been made, but the landlords do not seem to come to terms.

20,517. Your experience is that the landlords and the tenants cannot agree as to price?—Yes.

20,518. And you would recommend, therefore, that there should be a properly constituted court to interfere and settle matters between them?—That is my recommendation.

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Mr. Laurence
Cotton.

Mr. LAURENCE COTTON examined.

20,519. Lord *Milltown*.—You are a tenant farmer in this county?—Yes.

20,520. How do you hold your land?—I hold it under lease, old leases and judicial leases.

20,521. What is the date of the old leases?—

There are two of them, one in 1851 and the other in 1857.

20,522. Do you consider the rent under the old leases is high?—No, so far as the lease of 1851 is concerned. The other is a lease under Lord *Fenny*.

and I did not consider that I had any interest in it. The lease was granted to my father and assigned to me. Lord Fermoy purchased the property from Lord Midleton. You have heard possibly all about it, about the two bankers in London.

20,533. Lord Fermoy bought some of Lord Midleton's property?—Yes.

20,534. And he leased some of the land to you?—The tenants had to take the leases. There were arrears that accrued from 1847, and he collected all the arrears in two or three years and then served the tenants with notices to quit.

20,535. They owed arrears of rent?—Yes. He told them that he should collect all arrears, and then he decided the rent on some, and he put on a third on some, and altogether he raised the rent from 1,600*l.* to 2,600*l.*, and he told the tenants that if they did not take leases at that amount that they should leave.

20,536. That gave him good interest on his money?—Indeed it did.

20,537. He compelled the tenants to take leases?—Yes.

20,538. How did he compel them?—We were served with notices to quit, and if we did not agree to the leases we should leave the farms.

20,539. What was the length of the leases?—For 31 years; they are near being expired now.

20,540. The rent was raised a good deal above the Poor Law valuation?—It was double it in some cases. There was one farm, and the rent is 47*l.* 10*s.*, and the original rent under Lord Midleton was 35*l.*, and Griffiths' valuation was 35*l.* 1*s.*

20,541. You would be anxious to go into court and get a fair rent fixed?—Well, there is land adjoining Mr. Clarke's, and the Commissioners gave 20 per cent. on it two years ago, and Mr. Clarke is giving 25 per cent., which is more than the judicial reduction on the other side of the road, and I would not like to compel Mr. Clarke to go into court when he is so kind to his tenants.

20,542. Is Mr. Clarke the owner of your land now?—No, Mr. Clarke bought some of the land from Lord Fermoy in the Court of Chancery. You know the Agra Bank gave him the money to buy the land, to be a member of Parliament.

20,543. You need not go into those matters. You say that Mr. Clarke now is behaving so well to his tenants that you would not like to compel him to go into court to have a fair rent fixed?—Certainly, but if a landlord deals unfairly with his tenants, the tenant should be allowed to go into court.

20,544. Generally speaking then, you are of opinion that the leaseholders ought to be allowed to have the same position as other tenants?—Well, I believe leaseholders are more anxious to be able to go into court, but I for one would not like to see it made compulsory on Mr. Clarke, and I do not believe his tenants would like it.

20,545. But they might be given the option?—Yes.

20,546. Would you be anxious to purchase your holding?—Well, I hold on a lease from the Lord Court under one man, and I would be anxious to purchase, but Mr. Clarke would not sell his land at all.

20,547. What do you think would be a fair number of years' purchase to give of a fair rent?—That is according to the fair rent.

20,548. But supposing that a fair rent were fixed here many years' purchase as between man and man would you think *he* to give the landlord for his land?—Well, we have agreed with Lord Fermoy for 18 years' purchase according to Griffiths' valuation, and he has promised to give us a clear receipt for all arrears up to the 1st of February last. There are some lands you know that would not be worth 18 years' purchase, and other land would be worth 18 years' purchase. It would all depend on the rent.

20,549. Well, but if the rent is a fair one?—Well, it is best to say with prices such as they are.

20,550. Well, supposing prices remained as they are now?—Well, I would say 16 years' purchase of a fair rent, in order to live and thrive.

20,551. Do you think a man would be justified in giving more than that in some case?—Well, there may be exceptional cases.

20,552. But that would be the fair price to give?—Yes, of course there may be differences in places, and I might like to give 15 years for one place, 16 years for another, and 18 years for a third. There is one difficulty in the way of buying, that is where there are middlemen. I may say I hold under a judicial lease, and I surrendered the land because it was not worth the rent, and the man I held it from cannot sell the place without the permission of the head landlord. I think there should be an Act passed to make it compulsory on the head landlord to sell where the middlemen consent.

20,553. But the middleman has only a tenant-right interest in the land himself?—Yes, but he is really the owner.

20,554. But he has only a tenant-right to sell, and if you buy his interest, you come under the head landlord at a smaller rent?—That is so, but there is not a good deal of dry land at present, but even if I could raise the money from the State it would be impossible for me to buy the middle landlord's interest.

20,555. You can purchase his interest under the Land Purchase Act?—Yes, if the head landlord consents.

20,556. The middleman can sell his interest irrespective of the consent of the head landlord. He can sell subject to the head rent, and you would come in under the head landlord at the smaller rent?—I was not aware of that. But will the State advance the money without the consent of the head landlord.

20,557. Certainly. Is there any other point on which you would suggest an alteration in the Land Purchase Act?—There is one thing, if the present prices continue a revolution of the country I think would be necessary. I consider with the price of labour and the low rate of prices that Griffiths' valuation is too high.

20,558. You knew it was fixed 25 per cent. under the real value of the land and that prices were 50 per cent. lower than now?—Yes.

20,559. And still you think it is too high?—Undoubtedly. There is one reason for that, we had scarcely any labour rate then, and there was no poor rate, at any rate it was very low, and the county cess was trifling at that time. In fact we had hardly to pay any labour rate then.

20,560. Scarcely the poor rate was very high in those days. That was the commencement of it?—Yes.

20,561. Mr. Nelson.—The country had only just recovered from the famine?—Yes. The farmers were very much in debt in those days. I was very young, I was at school at the time, but I remember my father talking about it and that the farmers went into two or three years' arrears in those days.

20,562. We had evidence that the rents were very fairly paid in those days. Your suggestion at all events is that there should be a revolution now?—Yes.

20,563. And you think the rents ought to be fixed on that valuation?—Yes, undoubtedly, if competent men so refined the land.

20,564. And that the land should be purchased at that valuation?—I think it is very hard to fix what would be a fair rent and a fair number of years' purchase to pay for the land.

20,565. Every case would differ from another?—Yes. According to the markets rent the place a place might rise or fall. We had no railways in the country hardly when Griffiths' valuation was made.

20,566. That would be a reason for Griffiths' valuation being low now?—Yes.

20,567. The land ought to be more valuable now?—Yes. The land ought to be of more value within

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Mr. Lawrence
Cross.

Nov. 17, 1865. two or three miles of Cork than it was at the time of Griffith's valuation.

Mr. Lawrence Foster. 20,558. Re-valuation might add enormously to the income tax of the country?—Well, for purchasing I think there should be a re-valuation according to the present prices.

20,559. Lord Milnesha. — At any rate you think that there should be a re-valuation of the whole country on a fair rent basis, which would also be a rating basis, and that this work should be undertaken by Government officials who understand their business?—I think so, and a great many would say the same.

20,560. Mr. Keble. — Have you found farming profitable these years?—No, indeed I am losing 150*l.* a year by my farms for the last two years, unless the landlord will give me a reduction, and he will not.

20,561. Did you ask for it?—I did.

20,562. You asked for the reduction?—I did, two or three times.

20,563. Did any of the leaseholders in your district get an abatement?—Yes, a great many are getting reductions. From one landlord I am getting myself 25 per cent.

20,564. Is that on the judicial rent?—No, on the lease. There are some tenants who went into Court and they got 20 per cent. reduction, and the landlord is now giving them 25 per cent.

20,565. That is on the judicial rent?—Yes.

20,566. Now, speaking of the Land Purchase Bill, I understand you have purchased one of your farms?

Mr. Barnabas B. Deane.

Mr. BARNABAS B

20,578. Lord Milnesha. — You are a tenant farmer? Yes, a collector of rates and taxes since 1833, and a collector of income tax.

20,574. You a holder of 700 acres of land in this county?—Yes.

20,575. Under what tenure?—Under lease, unfortunately, except one holding.

20,576. What are the dates of the leases?—They are since 1871, after the first Land Act was passed, one was since 1895.

20,577. You consider the rent too high?—Yes, entirely.

20,578. Why did you take your farms at such a high rent?—Well, in 1871 you would get 16*l.* for a milch cow and 12*l.* for a working buller. There were great prices then, and I took more land as I thought the prices would continue. To show how high the rent is, I may on one farm the ordinance valuation is 30*l.* 15*s.* and the rent 110*l.* 10*s.* I took that lease in 1895 for 21 years. I went to the land agent to take up the land and he refused, and I must pay the rent up to the day.

20,579. I suppose you would wish to be admitted to Land Court to have a fair rent fixed?—Yes. I took another farm in 1871 for a rent of 61*l.* 4*s.*, the acreage being 380 acres and the ordinance valuation 269*l.* I took it for granted when I took the place that things would continue as they were, and I continued to work the place, but I find now that I cannot pay the rent. When I went to the landlord to take up the farm he said, "we will keep you to your bargain, you must pay your rent," and I have lost 1,000*l.* on the place.

20,580. Who said that?—The landlord.

20,581. Your grievance would be met by being allowed to go into court to have a fair rent fixed?—Yes, it would.

20,582. Are there any other persons now you in the same position as yourself?—Yes, I have the case of one here, valuation 25*l.*, rent 80*l.*

20,583. They would wish to go into court to have a fair rent fixed?—Yes. This is one of the greatest cases of hardship I have experienced for many years. It is a case in which the valuation is 44*l.* and the rent 221*l.* 10*s.* and the man took the land in 1871. When the man took the lease there was a very high price to be got for dairy cows. They were letting at 11*l.* per cow, and he said I can live on my own farm and if I

—Yes, we have arranged with Lord Fermoy to purchase our farms for 18 years' purchase.

20,587. Did I understand you to say that there were some arrears of rent?—Yes, he is forgiving the arrears. To some tenants it would be two and three years' rent. The average number of years' purchase would be 16 years. It would be 17 years on myself.

Have the tenants accepted the offer?—Yes, they have agreed to it.

20,588. I suppose that is a pretty fair representation of what the tenants in your locality would be prepared to give?—Yes, pretty fair. The rents and Griffith's valuation are about the same. But as I said while ago, 18 years' purchase in one place would be equal to 10 years' purchase in another place.

20,589. I suppose that 18 years' purchase is a fair representation of what the land is worth in your part of the country?—No. Certainly it would not in the next townland, where Lord Fermoy raised the rent. Where the rent is double Griffith's valuation or a third more than it, the land would not be worth more than 10 years' purchase.

20,590. Are the tenants well pleased with the terms they made with their landlord?—As far as I can see they are.

20,591. There is a general desire on the part of the tenants to buy?—Yes.

20,592. They would be well satisfied with the price you gave?—Yes, taking it generally.

DEANE EXAMINED.

can make a little money out of this I will take it, and may be prices will continue as they are increasing. Well, he continued to hold the land for 15 years and the landlord served him with a writ for the money and he paid it, and he was served with a second writ and he surrendered the farm. I asked him why he did not surrender before, and he told me he was hoping that there would be some Land Bill passed.

20,584. The landlord accepted the surrender?—Yes, the landlord took the place off his hands.

20,585. Why did he not do that long ago?—He was hoping that some Land Bill would be passed; he was hoping that Mr. Parnell's Bill would pass theough. My case is the very same.

20,586. Supposing next session a Bill was passed admitting the leaseholders to the Land Court to have a fair rent fixed, you would be satisfied?—Yes.

20,587. You would like to purchase your holdings?—I would be very anxious to do it. Just lately, on the land I hold for 110*l.* rent, my landlord asked me if I would like to purchase, and I said yes; and then she said she would give it to me for 20 years' purchase of the rent of 110*l.*, but I would not take it.

20,588. But you would save 20 per cent. reduction by purchasing?—Yes; but how many years' purchase would that be of my valuation? It would be 22 years' purchase of my valuation.

20,589. Have you made any offer?—Yes.

20,590. Would you give 20 years' purchase of a fair rent?—Yes. I have bought one farm from Mr. Townsend for 25 years' purchase of the ordinance valuation. I offered 26 years' purchase of the valuation on another farm, and it was refused.

20,591. The ordinance valuation is very high on some farms and very low on others?—Well, of course it is made 40 years, and one man may have improved his farm, and another man might not have done so. I know in my townland I spent 700*l.* on improvements, and the man in the next townland did not spend anything; and though his is 34*l.* on the valuation, my land, which is only 27*l.*, is nearly as good. In consequence of that, if there was a revaluation, I might have to buy my own improvements.

20,592. The law does not allow that?—Yes, but it would happen if there was a revaluation.

20,593. Do you want a revaluation?—No, I do not.

20,594. You are afraid your own improvements would be included?—Yes. If there was a valuation my 27s. on acre valuation would be made 40s., and my neighbour's valuation of 31s. would be brought down.

20,595. As I understand, your chief anxiety is to be enabled to take advantage of the Land Act?—Yes. It would settle the matter for me anyway.

20,596. And you are disposed to give a fair amount of purchase for your land if the landlord is disposed to sell?—Yes, 20 or 25 years' purchase on my valuation. I have a list of other cases of hardship here.

20,597. What would be a fair number of years' purchase of a fair rent?—I would like to know the fair rent first.

20,598. Well, on the judicial rents?—Well, the judicial rents are generally a third over the valuation. I have, however, a case here, and the evidence valuation is 36l. 10s. and the rent 65l.; and a second case, in which the evidence valuation is 31l. 6s. and the judicial rent 65l. These rents were fixed in 1882.

20,599. Well, what would be a fair number of years' purchase of the judicial rents?—Well, the judicial rents of 1882 and the judicial rents of 1886 are very different things. For instance, this judicial rent of 65l., where the valuation is 36l., would be fixed at 65l. to-day, so that when you ask me how many years' purchase of a judicial rent I would give I must ask you in return what judicial rent you mean, whether it is 1882 or 1886. If you say 1886 then I say 20 years' purchase; if you say 1882, I say 16 years' purchase.

20,600. Mr. Kaye.—You have a general knowledge of the position of the farmers from your office of rate and cess collector?—Yes.

20,601. What is their financial position?—Oh, very poor. I have only collected 1,000l. now where I ought to get 5,000l.

20,602. That is your experience?—Yes.

20,603. There are a great many applications for reduction of rent this year?—There are.

20,604. The general desire is to pay the rent?—Indeed it is. I may say I am an agent on four properties, and I have written to the landlords, and I have a letter from one of them here in answer to a letter of mine, saying the tenants ought to get an abatement, and he writes that he cannot afford to give it.

20,605. Is this great depression caused by the low price of produce?—It is. The chief thing is the reduction in the prices of cattle and butter. You can send a fat cow from America to London for a shilling more than you can send it from Cork to London, and they have the land almost free in America, and we must pay 2l. an acre for it here.

20,606. If that state of things continues you do not expect that you will have higher prices here?—Indeed we will not.

20,607. Now I want to ask you, in reference to the Purchase Bill, would the landlords, as a rule, be willing to sell?—No. If I am kept to my lease with my landlord.

20,608. You need not mind that. Just answer my questions.

Lord Milnes.—The witness should be allowed to give his answer. It is not fair to interrupt him.

MARTIN FORRESTER examined.

Mr. Martin Forrester.

20,610. Lord Milnes.—You are a tenant farmer in this county?—Yes.

20,611. Where is your holding situated?—Between Malrow and Killybeg. You can see my farm from the railway line.

20,612. How much land do you hold?—500 acres statute.

20,613. Under lease?—Under lease.

20,614. What is the date of your lease?—1871.

20,615. Were you a tenant of the lands before you took the lease?—Yes, since 1845. I got a little embankment in 1870, and my father-in-law had the

The Witness.—The landlords would be willing to sell where a fair rent is fixed, but where the rent is exorbitant and where they can get that rent they will not be willing to sell.

Mr. Kaye.—Well, I am perfectly satisfied with the answer.

Lord Milnes.—But it was only right that he should be allowed to complete his answer.

20,609. Mr. Kaye.—Are the tenants generally willing to buy?—They are most anxious to buy.

20,610. Do you speak from the knowledge that you have of landlords and tenants that they would be able to come to terms, and would you recommend the establishment of an independent court to fix the price between the parties?—Surely without an independent court they would never come to terms.

20,611. You say that having a general knowledge and experience in the matter?—As much as any man in the county of Cork. They will not be able to arrange unless there is a tribunal of some sort established.

20,612. The landlords, I suppose, want to get too much and the tenants to give too little, but you would be satisfied to have the price fixed by an independent tribunal?—Perfectly satisfied. I would give 25 years' purchase on the evidence valuation on my farm. Of course there are some people who would want to rob the landlords altogether, but I would be far giving the landlords what is fair. Tenants like that would never advance, the price and the landlords would never come down and nothing would be done.

20,613. Your idea is that where the rents are well paid and the tenants most industrious the more the landlord will demand?—Oh, it is. That is a fact.

20,614. And where there is a disposition to resist the payment of rent the landlord will accept a lower number of years' purchase?—Yes, and that is simply an encouragement to all that is bad.

20,615. What effect do you think would be produced upon the tenants if they were assisted to become owners?—I think it would make them as loyal as any people in the world. I may say that I was always a pure conservative, and all my class were on the landlord side, but I have learned from my years of experience. I was coming along the road one day and a poor woman ran down to me crying, saying that she had her land at 35l. but her horse had expired and the landlord served her with notice to quit and put her out on the road side and then put her in as cartman until she paid a rent of 50l. and she said, "He came and took away every beast I had, and now I have not a shoe on my feet." You will never add to the Irish question until the land question is settled, and then the Irish people will be as loyal as any people under the Crown.

20,616. Do you think they will be willing to pay the annual instalments for the repayment of the purchase money?—Indeed they will.

20,617. Lord Milnes.—I understand that your evidence is that the true solution of the land question is the purchase by the tenants of their holdings on fair and equitable terms?—Yes.

20,618. And from your experience of the tenants you think they desire to purchase on no other terms than those that are fair and just?—I believe that also.

place, and I got it again in 1873, and I paid off the debt in quarterly payments from 1871 to 1879, 1,200l.

20,620. The lease was not forced on you?—No, sir, but my friend came and rehired me when I was embankment.

20,621. What was your rent?—My rent is 428l., and the Poor Law valuation is 241l., with a little increase for buildings I put up in 1868.

20,622. What was the increase for buildings?—14l. increase.

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20,620. Apparently you consider the rent a high one?—It is a very high rent.

20,621. Why were you willing to take the place at such a high rent?—Times were prosperous then.

20,622. How did you get embarrassed?—Well, I spent 1,300*l.* in buildings and improvements and every sort of accommodation between 1855 and 1870. I did an immense amount. I have a claim for 941*l.* for improvements. That was the time of Sir George Conway, before Sir George Colthurst.

20,623. Prices were not high in 1855?—Oh, yes, it was just after the Russian war.

20,624. I suppose you consider the rent too high?—I consider the Poor Law valuation would be the true value.

20,625. You would like to have your rent fixed in the Land Court like the other tenants?—Yes; I may say I did a great deal since 1873, and I have to pay 60*l.* a year for money borrowed from the Board of Works.

20,626. Would your desires be satisfied if they passed a Bill next session to allow you to go into court?—It is very necessary. That is what I want.

20,627. There is no reason why you should not be admitted into court as well as the other tenants?—No; there is great jealousy about it. It is the more deserving men and the industrious men who get leases from the landlords, and it was considered a great thing to get a lease then. I knew a man who wanted to get a lease then and he would not get it, and he would lose nothing by improvement, and that man could go before the Commission.

20,628. The criticism of the leaseholders from the Land Act caused very great jealousy?—Yes.

20,629. They felt it placed them in an unfair position?—Yes; and they would like to be put on an equality with the other tenants by legislation.

20,630. You would like to purchase your holding?—Certainly.

20,631. How many years' purchase of a fair rent would you give?—Well, taking it on the valuation, I think 16 or 17 years' purchase would be a fair criterion.

20,632. The landlord would suffer terribly by selling at that price?—Well, he wanted in my case 30 years' purchase on the rental.

20,633. And you would give him about 12½ years of the rental?—Well, about 16 or 17 years of the valuation. You know times are very depressed now. They are different times from 1870. There are wretched prices. Things went on smoothly between me and the agent and the landlord, Mr. Hensley, and Sir George Colthurst until the bad times came. I got on very well with them, and I did a power of work on that place those 10 years.

20,634. How many years' purchase would you give if a fair rent were fixed on the farm?—But would I have to pay for my improvements? I reclaimed 90 acres of that land since 1855, and it must have cost me a mine of money. I have been evicted now; I was evicted on the 18th of August, and I expect to get some compensation for these improvements.

20,635. You have six months to run?—I have, and I expect to get compensation for the improvements I made. When I was evicted my wife stopped inside so it was not properly carried out, and I was given to understand that as there was no cucumber put in I might re-enter. Mine was the last of a number of evictions on the same estate that day, and it was 4 o'clock when they came to me.

20,636. What rent did you owe?—A year and a half's rent.

20,637. Did you make an offer to pay it?—Well, it was the hardest time, and I was trying to get the money, but things were in very bad demand, and for hay especially there was a very bad demand.

20,638. Did the landlord try to make a settlement?—Well, I was getting no price for the produce. I was taken up for forcibly re-entering the place, but there was no force at all, and when I came before the grand jury the recorder said they should show that

some force was used, but there was no force at all. My wife and children only went in there in chains. Still I was kept as good for two months waiting my trial, and when I came before the grand jury I was discharged, for no bills would be found against me on the informations. There were three evictions then, for there was a question as to whether the evictions were properly carried out, for some of the younger members of the family managed to remain in the house.

20,639. And you are bringing an action against them?—Well, I think I was very badly treated. I was taken handcuffed through the streets, and I was always industrious, and I reclaimed more land than any man in the county. I always wanted to improve.

20,640. And to discharge your debts?—I never refused to pay my honest debts.

20,641. Mr. Keizer.—Did you purchase the interest in this farm?—No, sir.

20,642. How much did you expend on it?—I drained and reclaimed 2,000 perches, and I made 4,000 perches of new fences. Why, if you took the Ordnance sheets with you you would not know the place now.

20,643. Did you make any buildings?—Yes; there is a fine farmhouse there now and everything that could possibly be required for dairying.

20,644. Was this done by board of works loans?—By board of works loans. There was no dwelling-house nor cattle houses on it, nor a fence that would keep the cattle from off the adjoining mountain, and I lined the place and did everything to improve it.

20,645. Have you lost money on it?—Lost money! I was not able to make the rent these four or five years, and I would be worse off only I picked up some gentlemen at the Kildare show in London. I was one of the four men deputed to attend the show, and I met some gentlemen there with whom I have done business in the butter way. In the year 1862 I may say I got first prize for my butter in three departments in the Limerick show, where there is the best butter making that there is in Ireland, and I got the first prize in each of the classes at the Dublin show a few years ago, and I was publicly complimented by Mr. Excellency Karl Spencer, and I used always to get 2*d.* or 3*d.* a pound for my butter in advance of the price at the Cork butter market.

20,646. And notwithstanding all this, you have lost money by farming?—Yes, owing to the depression of the times.

20,647. It was through no fault of your own?—I do not think so. I was very prosperous until 1878.

20,648. How do the farmers generally stand?—Very badly off.

20,649. They have great difficulty in paying their rents?—Yes. There is no doubt that the condition of the land of the country is going very much back. You have only to go from Cork to Kilmaree, and you will not see a kiln burning, and the land there cannot get on without lime.

20,650. Lord Ashbourne.—You are of opinion that the land is going back?—Yes.

20,651. Is it because of inability to purchase the lime to put on the land?—Certainly.

20,652. If they had the means they would cultivate the land better?—Certainly. You cannot manage that soil down there without lime. You have on the peat a great amount of vegetable matter, and the lime sets on it, and it is a great drawback if the lime is not used.

20,653. Would it be true if it were stated that it was a consequence of the agitation that the farmers are not using lime?—No. Sure it is the farmer's interest to use, and every man takes care to try and grow his own interest. There is nothing so good to reclaim land like a dose of lime. If you do not keep it on you will have the rushes back again.

20,654. Mr. Keizer.—Are reductions being given on the judicial rents?—Very slightly. It is not more than 10 or 15 per cent. on the average.

20,663. Have you thought about the Land Purchase Bill?—Yes; there is a landlord in my neighbourhood thinking about it, Mr. Leader.

20,664. Did he offer to sell to the tenants?—Yes.
20,665. Do you know what he asked?—He wants 30 years' purchase on the judicial rents, and his tenants offered him 17 years' purchase.

20,666. Are they likely to come to terms?—I think so, more of them at least.

20,667. Do you think it would be an advantage to tenants to purchase. Would it stimulate them to industry and to taking a greater interest in their land?—It would undoubtedly. I think if the farmers got the land at a fair price the country would prosper and

you would not have any crime, for it is poverty that makes the people troublesome and brings crime into the country.

20,668. It is the low price of produce that has rendered you unable to meet your present engagements?—Certainly. I did not get one penny of an abatement on my rent, not a copper.

20,669. Did you apply for an abatement?—Oh, indeed, it was not for want of asking, and when times are depressed it ought to be the interest of the landlord to give an abatement.

20,670. Lord Milnesha—You hope to get back into your farm again?—I do, sir.

The Commissioners adjourned their sittings until the 2nd December, at Dublin.

TWENTY-EIGHTH DAY.

Thursday, December 2nd, 1886.

The Commission met at 36, Merrion Square, Dublin, at 11 o'clock.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. EARL OF MELLTOWN
SIR JAMES CAHILL, K.C.B.

MR. NALGIAN, Q.C., Recorder of Londonderry.
MR. KEMP.

Lord CLONCERRY examined.

Dec. 2, 1886.

20,671. The President.—I believe you from your own personal knowledge, Lord Cloncurry, a great deal?—Yes, my lord, I have a considerable quantity of land myself.

20,672. In which county or counties?—In the home counties. I have in Kildare, Dublin, and Monaghan, in my own hands, 2,300 of my own land and 300 acres that I rent from the Count of Cloncurry. I also hold, in connection with that, 1,300 acres of rough mountain land, for winterage, in the county Galway.

20,673. Would you be able to tell us what has been the state of agricultural interests lately?—I suppose your experience is that there has been a large fall in the price of produce during the last few years?—There has been a fall no doubt; that fall has not affected the men in the home counties, who, like myself, fatten cattle for the English and Scotch markets.

20,674. Sir James Caird.—Are the 2,300 acres in your own hand all in grass?—Yes, practically. There is no tillage or plantations or waste of any kind included in the figures I am giving to you. I speak only as to cattle—from personal experience. I have been keeping for the last 10 or 12 years a record of the weight of my cattle, both at the time of buying and selling, and an accurate account of the buying and selling prices, and I can give you such information as these entries afford. They show this, however, that the fall has come upon the men in the western districts who sell store cattle, and that men in the eastern counties, such as myself, have not experienced any fall. The actual profits of this year were within a few shillings the same as the average of the last 10 years, and considerably better than the average of the last two years. Taking, for instance, the years 1876 and 1886, the buying in price of my store cattle—the average on about 1,600 head of bullocks—in 1876 was £11 12s., and the selling price £21 8s.; while this year the buying in price was 28 9s., and the selling price has been £16 10s. Of course, all the figures I have show that the price of store cattle, which I buy in September, October, and November in one year for the purpose of selling off the grass in

the following year, has been steadily going down in the counties where I buy—chiefly in Mayo and Galway, and that the selling price (I sell all in Glasgow, Northampton, Wakefield, and Islington) has gone down too, but not more than the price of the stores. The result is that I am about in *status quo*, for the last ten years, and rather better this year than usual.

20,675. The President.—And really all your farming depends upon that?—Yes.

20,676. Buying stores, fattening them, and selling in the English markets?—Yes.

20,677. And in that particular department of agriculture there has been no loss of late years?—There has been no loss to those who bought stores, as I did, and prepared them for the butcher. All my cattle are sold off the land in a very fair condition for the butcher.

20,678. And would it be the same with sheep?—I would not like to say for certain as to that. My land does not suit sheep very well, and I confine my operations practically to cattle.

20,679. The result of your figures is that your profits have averaged much about the same for the past 10 years?—Yes, and this year I am about £3 a head better than in 1884 and 1885. The year 1882 was a most extraordinary year, and that upon the average somewhat—the prices were beyond reason in that year; I made £13 a head on every beast I sold in 1882. Of course I am speaking of gross profits, my lord; I don't mean these figures as net.

20,680. Is there anything else with regard to your farming experience that you think it would be useful for us to know?—Do you mean on the general question—

20,681. On the question of your own farming. I think, seeing that your experience is confined to the one department, we have pretty well exhausted what you can have to say on that topic?—Yes; but with your permission, I would like to express an opinion upon another subject. As I have already mentioned, I don't only farm my own lands, but I am a tenant of 300 acres under the Count of Cloncurry, on lease; and

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Lord Clon-
cary.

I feel strongly—having that personal experience of the matter—that it would be very desirable under present circumstances that leaseholders should be allowed liberty to surrender; that it should be left optional to them to surrender if they chose.

20,682. Mr. Neligan.—What is the nature of your lease from the Court of Chancery?—I took it for 21 years, of which about 13 have expired. I should like to give you the particulars of that letting, for they are rather curious—the rent reserved is 146 per cent. above the valuation; there are few in Ireland so much out of proportion. The valuation is £285, and the rent is £740.

20,683. The President.—And you would like to be allowed liberty to give up that lease?—Well, that land is so near to my own I don't know that I would surrender, but my knowledge of that shows me that there must be many cases in which leaseholders should be allowed, if they so desire, to get rid of the transaction.

20,684. Do you think it would be fair to allow the leaseholders to go into the Land Court?—No, I think that would be most unfair to the landlord.

20,685. Would it be more unfair to the landlord to allow the tenants to break the leases than to deprive him of the right of free contract?—I feel so strongly that in every case the landlord should have the option of farming the land himself instead of letting it, that I certainly would not contemplate leaseholders allowed to break their leases, permit tenants under the Act, in dealing with leases—with large transactions, such as over £100 a year—it seems to me that the just thing would be to allow each party, landlord and tenant, to go back to their original position at the time the lease was made—that one would be free to give up the land and farming and the other free to retain it.

20,686. Mr. Neligan.—That if the tenant wanted to surrender he might do so, giving up the land?—Yes.

20,687. And that if the landlord then desired to re-let it in his own possession he might do so?—Quite so.

20,688. The President.—That is as regards substantial holdings, as you have said?—Yes.

20,689. Your point against allowing leaseholders to come into the Court is that the landlord ought to have the power of resuming possession, if he so wishes?—Yes. I quite admit that if a landlord insists on a tenant paying rent that the Court should fix what that rent should be; but at the same time, in my opinion, you cannot ascertain the true value of land unless there are considerable tracts available for contract by free letting.

20,690. I believe you have had to carry out a good many evictions, in some other part of the country?—Only in 1882, and that was in the county Limerick. I have not given you any evidence about the county Limerick, because, although I own property there, I farm none, and have no actual or personal experience of it. There were 36 evictions carried out on my Limerick property in 1882.

20,691. I then say you could give us some information on that point—whether you think, for instance, the machinery of eviction, the whole process by which it must be carried out now, could be with advantage simplified?—Yes, I feel that very strongly. I think that the double process of eviction, which must be now followed, is quite unnecessary, and I know that it passes very severely on the public officers—sheriffs, police, and so forth. I think there should be only one transaction instead of two, as at present. I don't say that the ordinary sub-sheriff is the best tribunal, but there should be only one tribunal, where the tenant's interest could be sold, and the sale should be the final transaction.

20,692. And the power of redemption within six months abolished?—I think so. That is, in my judgment, the most mischievous thing that was ever introduced into Ireland. During the six months period of redemption the lands lie idle they are necessarily despoiling, and then at the expiration of the period all the trouble and fuss have to be gone over again.

20,693. Suppose it was thought necessary to give a tenant six months' grace, after it was decided to evict him, do you think it would be better that he should have that time before he was turned out?—Certainly, and I think a tenant should get every protection. Postpone the proceedings of eviction as long as possible, but when they do take place let the transaction be final, and not one that requires to be repeated. I would give the tenant six or even 12 months' grace, but let the one transaction be final then—when at the last moment it is carried out.

20,694. Mr. Neligan.—In other words, the six months for redemption should run, you think, from the date of the decree, and not from the date of its execution?—Yes; and I would not limit it to six months necessarily.

20,695. No, but that the period of redemption, whatever it is to be, should run from the date of the decree, and not from its execution?—Yes; that the law should only be put in force once.

20,696. And you take the two cases—the one of possession after the period of redemption has expired, and the case of possession acquired at a sheriff's sale of the tenant's interest, under an execution?—Quite so.

20,697. Your suggestion being, that the sheriff should—the period of redemption running previously—hand over the possession under the writ of execution?—Yes.

20,698. And in the case of the purchase of a tenant's interest, that instead of the purchaser having to bring an ejectment on his conveyance from the sheriff, the conveyance should *quod facto* give him the right of possession?—Quite so. I had in those Limerick cases to bring action of ejectment at an expense of over £5,000.

20,699. The President.—You don't think the double process, and the consequent delay, is of any advantage to the tenant?—I think the six months' grace is no doubt an advantage to the tenant, and I should be sorry to see that taken away from him.

20,700. No, but the double process of eviction I mean?—Is of no advantage that I can see. Of course it is a rather pleasant thing for the lawyers, however.

20,701. But no real advantage to the tenant?—Not the slightest.

20,702. Mr. Neligan.—As I understand you would put it in this way, Lord Cloncary—that under the writ obtained from the Courts, the sheriff is entitled to seize the tenant's holding, and being so entitled to seize, he should be in a position to hand over possession at once?—Quite so, either the sheriff or the proper officer.

20,703. Or the officer of the Court?—Quite so; and before that was done, let the tenant, by all means, have whatever period of grace may be deemed advisable.

20,704. The President.—Have your rents been fairly well paid this year, Lord Cloncary, or not there being any difficulty about their collection?—As a farmer myself, I would say it is quite extraordinary how well they have been paid. I only know of two men on my property against whom there is any necessity for proceeding. There has been no *eviction writ* yet—no actual proceedings started, but there are only two against whom it may be necessary to proceed. And I have no hanging gale.

20,705. Has there been any attempt on the part of the League to prevent their paying?—There were some speeches made in Limerick the week after the rents were paid, and of course these had no effect—they were too late to have any.

20,706. Do you think the people are less afraid of the League than they were?—That is a matter I would not like to give an opinion upon. Except from reading the newspapers, I have no means of knowing.

20,707. Have you got much land lying idle now—where you had to evict tenants in the troubled times?—As far as I am personally concerned, it is all lying idle, because I handed it over to the Irish Land Corporation. I washed my hands of it altogether.

20,706. Mr. Ashburn.—It is in the County Limerick?—Yes.

20,707. Is that much land?—Yes, 1,300 statute acres. But it is not lying idle; the Irish Land Corporation are making something out of it.

20,710. The President.—But no tenant would take it?—I would not let it to a tenant again, except for the purpose of sale. I would sell it, and have so announced in the locality, but no one offered to come in for that purpose; and I have handed it over to the Land Corporation.

20,711. But you have held out the option of purchase—under Lord Ashbourne's Act I take it—to the tenants?—Yes. Whenever any solicitor from Limerick has written to me on any subject, I have told him that the property is for sale; and I have also informed the parish priest, who takes a very lively interest in these matters, and who has always been on most friendly terms with me, that I would be glad to sell.

20,712. And no tenant offered to come in on such terms?—No.

20,713. Do you think that that was on account of stagnation?—No, I am more inclined to think that they are waiting for better opportunities—that they look forward to the chance of having the money order.

20,714. What would you consider from the landlord's point of view a fair number of years purchase?—That should entirely depend on the quality and situation of the land. Really good land ought to be relatively worth as much as Connemara, while inferior land I could not put any certain value upon. It must necessarily vary with many varying circumstances.

20,715. Then concerning the outgoings, what do you consider the difference between the grass and the wet rental is as a rule on an estate?—That again would depend entirely upon the nature of the estate. On large grazing farms the outgoings are practically nil. If there is a river that will of course have to be kept cleaned out, and there may be a little expense cleaning it up; but upon large grazing farms the outlay is almost nothing, whereas on small holdings it is considerable, and varies according to varying circumstances—buildings have to be kept in repair, and so forth. The outlay, as I have said, is very considerable on small holdings; but I would not like to put any figure upon it without further consideration. The two things however could not be treated upon the same footing, that is to say, large grazing holdings and lands let to small tenants.

20,716. Is there any improvement you could suggest in Lord Ashbourne's Act so as to facilitate its working?—I have a very strong opinion about that; but I am afraid it is not much use expressing it at the present time, however. The great object would be to give every subject of the Queen the same power that the rising tenant has—that the landlord should be free to sell to any man and the purchaser free to have the land. In my opinion, it would go a long way to making peace in Ireland—the doing away of dual ownership.

20,717. But if you sell it to anybody but the tenant, the dual ownership will remain?—No, I would say that the purchaser should occupy it himself. Of course he might sell it again if he chose, but in every re-sale the person purchasing should be the person to occupy.

20,718. Not to let?—Not to let—no land dealt with under that Act should ever again be the subject of a letting contract in my opinion.

20,719. Whoever bought it should become the occupier in your opinion?—Yes, until he wishes to sell it again.

20,720. And would you apply that to large holdings as well as to small?—I would apply it to all lands.

20,721. It would have the same effect in producing peasant proprietors as if you confined the operation of the Act to the rising tenant?—It might have a

greater effect; but beyond all, I would say it a landlord wishes, he should be allowed to be his own tenant in every case, that is to say, he should have the first option, when the land was to be sold he should have the first option.

20,722. I suppose a great number of landlords would sell largely if they were able to without leaving the country—would sell the portions of their properties now let to tenants keeping their demesne and home farms in their own occupation?—My impression is, that every landlord would sell all the outlying portions of his property, retaining as you say the demesne and such parts of the surrounding land as he himself could utilize, at all events I never met any with whom I conversed on the subject who would not do so. Personally, I would gladly sell all outlying properties, and retain only that part of my estate within a day's drive or journey of my residence.

20,723. In your opinion, many other landlords would do the same?—I assume so, and I had conversations with nearly all the large landed proprietors of Ireland, judging from what they said to me, I would say, yes, certainly.

20,724. And those who sold out and left the country would be that class who did not spend much time in it?—Yes, those that are at present called absentees, but those having places of residence in this country and lands in their own hands, would in my opinion, be very glad to sell the outlying portions of their estates, now in the hands of tenants, retaining themselves those portions surrounding their own residences.

20,725. Mr. Knappe.—I think you said, Lord Cloncurry, that cattle have been getting lower in price for the last six years?—Yes, sir, for the last ten years they have been steadily going down in the western counties, where I live.

20,726. And is it in consequence of the lower prices of store cattle that you have had a larger margin this year, than in previous years?—Yes, the price for beef that I sold it, has been steadily falling; but the buying in price has fallen in such a proportion, that it has kept me on about a par for the past ten years, and rather better this year than last.

20,727. Must not that have an injurious effect on the farmers from whom you purchase cattle?—In the western counties, no doubt, they must have felt the fall very much.

20,728. And consequently there would be a greater difficulty in paying rent?—Yes, in Mayo it is a wonder to me how they pay their rents at all. I could buy cattle for £8 a head there, that I could not buy for £14, ten years ago. That effects, of course, the Mayo men, but where I sell in England, the prices have gone correspondingly down.

20,729. Now, what do you attribute that to, Lord Cloncurry?—Chiefly to the fall in wages, and the ensuing power of the English artisans, who eat all our beef. No doubt American competition has something to do with it too, but going to the different markets as I do, and to the fairs, I think that the factor has been very much over-rated, and that the chief cause of the fall is, that the people in the industrial centres of England are not so well off now, as they were ten years ago, when employment was very plentiful, and wages very high.

20,730. But is it not a fact that we are getting a large quantity of foreign beef into the home market?—Yes, a large quantity no doubt, but the proportion of foreign beef imported, is not sufficiently increased to account for the great fall in prices.

20,731. But it must have affected the prices?—Oh, certainly, and materially, I should say.

20,732. And if it was not for the number of foreign cattle, we would have higher prices for stores and all classes of Irish cattle?—Yes, I should suppose so, it is only reasonable to imagine so.

20,733. The tenants were dependent upon those cattle very much for the payment of rents?—Yes, certainly.

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20,734. And consequently, it would be more difficult to pay rents now on account of these low prices?—In districts where they rear stores.

20,735. Yes?—Certainly.

20,736. Have you any idea of the price of other articles, oats, barley, butter, this year, compared with the last five or six years?—No, I have not, I do not grow any oats or barley myself, I confine my operations entirely to cattle—purchasing cattle for the English markets, but I know of course from reading the newspapers, that the prices are down.

20,737. You say the prices of oats and barley and other produce, have gone down, as well as the prices of cattle?—Yes, that is from reading the newspapers and general information.

20,738. And your opinion is, that they are a great deal lower than they were at the time of the passing of the Land Act?—I am sure that that is so.

20,739. Speaking of Lord Ashbourne's Purchase Bill, I think you said that the landowners with whom you conversed, and whose opinions you gathered, would be willing to sell?—Yes.

20,740. And how many years' purchase, do you think they would accept, taking into consideration the great fall in prices?—But that would not be fair to the landlords, that would be taking a time of extreme depression as a place of taking a fair average.

20,741. What would you say would be a fair number of years' purchase to give the landlords?—I should say 22 years' purchase would be a fair price.

20,742. Sir James Caird.—That would not be equal to Consett?—No, not quite.

20,743. You mentioned Consett before?—The chairman asked me that as to very prime land upon which there was little or no outlay, but I am speaking now as to the general question—the selling of land that would not go under the head of very prime land.

20,744. Mr. Knap.—That would not give any reduction to the tenant at the present time—22 years' purchase?—It would make them owners without paying anything for it—the three years would just about represent the landlord's proportion of past rates and tithes, and would leave the tenants in a way to become owners at the end of so many years.

20,745. Have the landlords in your neighbourhood given any reductions upon judicial rents this year?—I do not know of any such, but I should say that the judicial rents are very low in my country. On my property in the best counties only one small tenant went into the courts. His rent was raised a trifle, and his example was not followed. I have no means of telling you who have judicial rents on the adjoining properties, but I rather think that the large majority of the tenants did not go in those counties into the courts.

20,746. And you have no knowledge of landlords who have given a reduction on judicial rents?—No, not in that district.

20,747. Or in any district?—No, except from reading the newspapers.

20,748. If it is a fact that landlords have given reductions upon judicial rents, and that were proved to your satisfaction, would you still say that 22 years' purchase would be a fair rate to impose upon the tenants; or, seeing that a purchase upon such terms would not seem for them any reduction, do you think that many would be inclined to buy at that price?—Apparently not.

20,749. And are you not also aware that tenants would purchase if they could secure their holdings at a fair price?—I have no personal knowledge of the fact, I derived my information as to that from the newspapers only.

20,750. Have you known any landlords who have sold?—Well, I am not able to say whether the only transaction I am cognizant of has been completed. I had a conversation with the largest owner of land in my county who was selling, but whether the transaction has taken place or not I cannot say.

20,751. And would you say what price that landowner has consented to take?—18 years' purchase.

20,752. That is four years less than you think the landlord ought to take?—Yes. I think many people who are pressed by the emergency of the times are selling now in a time of panic, and for very inadequate prices.

20,753. Would ownership lead tenants to put forward greater industry and cultivate their holdings better?—Some might, no doubt, but an immense number would not.

20,754. You do not think it would have a good effect?—Oh, I do, most certainly. I think, provided that the holdings are not too small—if they are large enough for persons to live upon it would have a very good effect indeed that the occupiers should be the owners.

20,755. And do you think that the State should interfere between landlord and tenant to bring that about by some arrangement, or would you allow them to arrange themselves?—Well, as I have said before, I should be very glad to see that of all that the owner should have liberty to become his own tenant, and if he did not wish, or could not work the land with advantage, that then he should sell it, and that the purchaser should become the occupier. First of all I would say the State should assist the landlord to become his own tenant, which he cannot do now.

20,756. Sir James Caird.—Your evidence as to the prices of cattle shows that there has been a fall both in the price of the stores which you purchase for fattening, and in the price of the cattle sold when fattened in the English market?—Quite so.

20,757. And that the fall at both ends has so corresponded that you have been left, as you put it, in stores now?—Almost on the average of the past ten years, and rather better this year than last.

20,758. But the effect upon small farmers in the West from whom you buy the stores has been different—they have suffered the effects of the fall altogether?—Yes, I should say so. As I have mentioned, I could buy now for £8 an animal I could not get for £14 some years ago.

20,759. And your experience, I should say, would be the same as that of the entire class of farmers in this country, who are engaged in fattening cattle for the butcher?—Quite so.

20,760. But the other class of farmers who run these stores, are not they the larger?—In number I am not certain, but I should say certainly not as regards the land they hold.

20,761. You yourself held a farm of 300 acres under the Court of Chancery. You told us so?—Yes.

20,762. Is it a grass farm?—Yes, all the land in my hands are in grass.

20,763. And has it not been paying you as well as your own land?—Oh, certainly not; in fact, if it was not convenient to my own property, I would have worked it at a dead loss. The rent you see is very high.

20,764. Is that the only land you have as tenant?—Except 1,300 acres of mountain winterage in the West.

20,765. At all events, you say it does not pay you?—No.

20,766. And, perhaps, if you were paying rent on your own land, that might not be profitable either?—It depends upon what the rent would be. If I was paying 146 per cent. over Griffiths' valuation on all my land, I would be a pauper.

20,767. Have you much experience of the Irish cattle trade with England?—Yes, I have been to all the great markets across the water, to Glasgow, Northampton, Wakefield, Crews, Tebbagon, and so forth.

20,768. And have you observed any great change in prices on the other side for Irish cattle in the last two years compared with previous years?—Yes, a very decided fall.

20,769. Would you give us an idea of the percentage fall?—I can give you the selling price and

what I buy in at. I have kept these figures very accurately for some years past. In 1886 the selling price was £16 10s. 6d. on an average of about a thousand beasts.

20,770. Before you go further—before you give us these figures, Lord Clonserry—may we take it that in all cases the animals were of an average quality, class, and condition, in each year—each year with another?—Yes, it is most extraordinary how much they are alike. I find the average weight of the beasts very close one year with another—it is remarkable how close. In the past ten years the weight has not been less than 89 stones per beast, and not more than 93 in any one.

20,771. Therefore your figures apply to practically the same class of animals?—Yes.

20,772. Then in that case, Lord Clonserry, your figures would be very useful, and we would be very glad to have them?—In the present year the average was £16 10s., last year it was £16—as I told you previously, I am rather better this year than last.

20,773. Lord Midleton.—What is this?—It is the gross price paid by the English butcher at the markets where I sell, for cattle prepared on Irish lands. In 1884 the average was £17 17s., in 1883, £21 13s., and in the extraordinary year of 1882, £23 4s.

20,774. And what do you say it is now?—This year it is £16 10s.

20,775. Sir James Caird.—Could you go further back, Lord Clonserry?—Yes, I have noted the figures down for as far back as 1876.

20,776. We should be glad to have them. These statistics may be very valuable?—In 1898 it was £16 10s.; in 1895, £16; in 1888, £17 17s.

20,777. In 1893?—£21 13s.

20,778. And in 1882?—£23 4s. Of course, as you are aware, 1882 was a most extraordinary year in the Irish cattle trade. In that year the number of cattle exported from Ireland to England was enormously in excess of any other year according to the printed Government returns it would appear there were no fewer than 722,000 Irish cattle sent into England in 1882.

20,779. Kindly give us the average for 1881?—£18 9s. That was a bad year.

In 1890?—£20 8s.

1879?—£19 9s.

1878?—£21 9s.

1877?—£22 6s.

20,780. And in 1876?—£21 6s.

20,781. It has been mentioned to us that it would be desirable to have store cattle allowed to come from America for the graziers in this country to prepare for the English market. Would you favour us with your opinion upon that subject?—I have formed a very strong opinion upon that subject, but I quite admit that in one sense it is a one-sided opinion, because it would be greatly for the benefit or solely for the benefit of persons situated as I am, and extremely prejudicial to the persons from whom we now buy cattle in the store markets.

20,782. And that would be independent of the risk of introducing disease with these foreign cattle?—Yes.

20,783. Mr. Nelson.—It would make the position of the Western farmers worse?—Yes, and more bitter.

20,784. In addition to which there would be the great risk of introducing cattle disease from abroad?—Yes. Of course proper veterinary examination at the ports would meet that difficulty.

20,785. Lord Midleton.—You stated you had formed a strong opinion upon the subject, but you did not state what that opinion was, Lord Clonserry?—I should like to see store cattle brought in from all parts of the world, so that I might buy cheaper. That may be considered a selfish view, but the question is put to me as a grazier, and I must express an opinion upon it from a grazier's point of view. I do not put it forward from a public point of view at all, but merely answering a general question as a grazier.

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20,786. Sir James Caird.—With regard to the evictions on your property they were in Limerick chiefly, were they not?—Altogether, I would say.

20,787. Was there any combination amongst the tenants, or what led to the evictions?—It was at the time of the strike against rents—the time of the No Rent manifesto of 1887.

20,788. Lord Midleton.—What led to these evictions, Lord Clonserry?—There was no rent paid of any sort or kind.

20,789. Sir James Caird.—Was rent entirely refused?—To the best of my belief rent was refused, and the tenants got notice that the sheriff's sales would take place, and they never attended.

20,790. Was there any interference by the Land League?—Speaking from memory of what took place five years ago, I should say there was tremendous interference, nothing else would have produced the state of affairs which then existed. So far did that interference go that some of the tenants gave me to understand since that they could not possibly appear at the sheriff's sales.

20,791. And how many were evicted?—36.

20,792. Were they small farmers or well-to-do farmers?—Well they all had good farms varying in size.

20,793. The farms were all grass farms?—Yes, all my Limerick land is dairy land.

20,794. Did you attempt to let the land to anybody else after the evictions?—Well, some of the former tenants came to terms with me and have gone back to their holdings.

20,795. Lord Midleton.—How many do you say were evicted altogether?—36.

20,796. Sir James Caird.—And those who have not gone back who did not come to terms with you, they have left the place altogether?—They have left my land altogether.

20,797. And have you taken the whole of these farms into your own hands?—I had them in my own hands for a short time, and then I handed them over, as I have mentioned, to the Irish Land Corporation.

20,798. Do you receive rent from the Irish Land Corporation?—Well, I would ask leave not to answer that question point blank. I have made an arrangement.

20,799. Oh, pardon me, I only wanted to know was the land affecting you any returns. I did not want to get at figures, or anything of that kind. We may take it that the land could not be let to other tenants?—I should fancy not, as I have already stated, I should be glad to let it for the purpose of sale under Lord Ashbourne's Act, but not except to a tenant who would buy.

20,800. It is not possible for any one else to purchase, except the occupier under the Act?—Not at the present moment. That is so.

20,801. Was there any sacrifice on the part of the tenants of their interests in being evicted?—Frightful sacrifice.

20,802. And did they make no complaint?—Not at the time. They took no steps to protect their interests, and those interests were bought in at a very small price.

20,803. Do you know whether any of those evicted had paid anything for the tenant right of their holdings?—I should say not, because every step was taken to prevent the creation of tenant right, both by my father and myself.

20,804. You do not know of anything having been paid for the tenant right of any of those holdings by the persons evicted?—No, I do not.

20,805. Still you say they made great sacrifices in refusing to come to terms?—Yes. Since the evictions, one man told me himself that if he had remained in possession, his interest under the Land Act which came into operation a few months afterwards, would be worth £2,000, and I am sure that is so.

20,806. And he has lost that?—Lost it completely.

20,807. You say there was no competition at all, in what way did you enter into possession of the

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land?—By purchasing in at the sheriff's sale. All the farms were put up for sale by auction in the Limerick Court House, and there were no purchasers—no one was there representing the tenants.

20,806. And any other tenant if he had chosen, might have come forward and offered to buy at the sheriff's sale?—Certainly.

20,807. And would have been allowed to become a tenant under that purchase?—Certainly, the purchaser would have the absolute right to become the tenant. What was sold was the tenant's interest.

20,810. But I suppose in the 'circumstances of the times, any tenant would have been afraid to make an offer?—They evidently felt so. No offer was made.

20,811. Mr. Nelson.—Were they acting under any combination, or under any leader?—Oh, certainly. This was a most notorious case—one which the Land League took up as a test case.

20,812. Oh, this is the Morroe case?—Yes, the Morroe evictions.

20,813. Sir James Caird.—And did the whole of these lands pass into your hands without any competition by the tenants or any offer at all?—There was no competition of any kind, and no appearance for the tenants at the sales. There was a very large profit to the lawyers. All these cases were contested. There were two records tried in Dublin, in each of these 36 holdings, at an expense of over £3,000.

20,814. You were put to that expense?—Yes, I have paid more than £3,000 in costs.

20,815. The President.—Every shilling of which went into the pockets of the lawyers, and was of no benefit to the tenants?—Yes, the tenants have lost all, and the lawyers have been the gainers to that extent.

20,816. Lord Millicom.—I think I understood you to say that the tenants told you they could not possibly attend the sheriff's sales?—Yes, that is the sort of language they used.

20,817. What did that mean to convey, that they were intimidated, that they dare not attend, or that they were prevented by other engagements?—They were afraid to go, what else would prevent them.

20,818. That is what they gave you to understand?—If I express any doubt on the matter, I mean that I do not know whether it was physical dread or dread of social ostracism which operated upon them, but that they were under intimidation of some kind, and were afraid to go, is beyond doubt.

20,819. Quite so there was some outrageous influence which prevented them from doing that which they otherwise would have done?—Certainly.

20,820. And if left free to exercise their own voluntary will they would have attended and bought in, you think?—The best proof I can give of that is that one of the tenants took an action against the secretary of the Land League. It was tried in Dublin, and was brought for the loss the tenant incurred upon that very occasion. The jury disagreed, but the case was tried in Dublin here, and the tenant appeared and proved his loss by the transaction; without result however.

20,821. As matters at present stand they have peacefully lost the very large sum of money for which they

could have sold their tenant right under the Act of 1881?—Most unquestionably.

20,822. Utterly lost it?—Quite.

20,823. And that loss has been occasioned through what, through their own wish or through the influence of the Land League?—Well, I would say through their own cowardice, for they were afraid to do what the Land League told them not to do.

20,824. Quite so—then the loss was occasioned through the action of the Land League?—I should say so.

20,825. Are those tenants still living there in the hope of being readmitted?—I am informed many of them are living in the neighbourhood but none of them are living on my land.

20,826. Is it within your knowledge, that the Land League has told them they were sure of being readmitted if they only persevered and remained on?—I read Mr. Dillon's speech delivered in the locality last Sunday week, and he told them very plainly in it, they would be readmitted if they only did as they were told to do, but I know no more about it than anyone else.

20,827. Of course, if they believed that it would tend to lessen any effect which the Land Act or the Land Purchase Act might have in producing law and order, if they thought they would be put in as good a position as they were before by simply holding out?—I would say so.

20,828. With regard to the terms you entered into with the Irish Land Corporation, you stated you would rather not answer the question as to rent, but I put it to you as my witness you have entered into an arrangement that is satisfactory to you with regard to these lands?—Yes, certainly.

20,829. The President.—Is there any other subject Lord Clarendon on which you would wish to make any suggestion or statement which you think would be of use to us in our inquiry here?—No I think not. The questions I have been asked have travelled over the entire ground I wish to cover. I want particularly to urge that the power should be given to a landlord to farm his own land, and that there should be a simplification of the process of eviction not in the direction of lessening the period of grace given to the tenant, but that there should be one proceeding instead of two as at present before the land can be taken up.

20,830. Lord Millicom.—I understood you to say that the price of cattle this year is rather better than the average of the two previous years?—Yes, the profit has been better this year than on the average of the two previous years.

20,831. Then with regard to barley, oats, and other produce, you say you have no personal experience but from the newspaper reports?—The prices, I believe, have fallen, but I know nothing personally upon that subject only what I have read.

20,832. Sir James Caird.—Have you any experience of what are called the congested districts of Ireland, Lord Clarendon?—I am happy to say none whatever, except travelling through them on the railway occasionally.

20,833. Lord Millicom.—They present a state of things, do they not, that is absolutely distasteful to anything else which exists in Ireland?—I would say so, most certainly.

Mr. Francis J. Joyce.

Mr. FRANCIS J. JOYCE continued.

20,834. The President.—You are the agent over Lord Clarendon's estate and some others, I believe?—Yes, my lord.

20,835. And you can give us some information with respect to the combination against rent now being carried on?—Yes.

20,836. Do you think the combination is as powerful as it was in 1882?—I think considerably more powerful. I think it is much more powerful at the present moment than ever it has been before.

20,837. Lord Millicom.—The combination against paying rent?—Yes, my lord.

20,838. The President.—Do you think the tenants if left to themselves would be willing to pay?—I have no doubt about it.

20,839. Have you any experience of that?—Yes, I have had quite lately. I may say about four weeks ago my meeting was held in the Loughrea district by Mr. Dillon the tenants commenced to pay their rents without any abatement whatever. Immediately

after I brought all this matter before Lord Cairncross, and requested him to give an abatement to the tenants who paid up to May 1885, and he did grant 20 per cent.

20,840. Was that to be granted to all the tenants, or only to a certain class?—To those who had not judicial leases. Those tenants who had paid without abatement I sent word to come into the office and I would return them this money, but they would not go near the place. I was informed they were afraid to be seen near the office.

20,841. Could you say what they were afraid of?—I am quite satisfied that if it were known any one of these tenants paid me they would have their houses barred over their heads. They have told me so, several of them, and they were afraid to come near the office to get back a rebate lest it might be said or supposed they were going to pay the rent, which they had already, in fact, paid.

20,842. Sir James Caird.—They told you that themselves, that they were afraid that the houses would be barred over their heads?—Yes, they have told me so.

20,843. The President.—Has there been any actual outrage in that district lately?—No actual outrage, but there have been hard cases of boycotting against tenants.

20,844. Do you think that if the tenants did act contrary to what they were told by the League there would be actual outrage?—I have no doubt of it, because they have told me so themselves. As showing the power of the League, I may mention that on that portion of the estate called Woodford I have had the tenants served with writs and have sold the interest in their holdings, judgment having gone by default on the writs. The tenants have given in their interests, paying the rent due and the costs of the action, which in some cases amounted to £22 10s. besides the rent. I communicated with one of the tenants who had acted in this way. I said to him, "You say your rent is too high, and yet you can afford to pay not only the rent but costs of an action and the expenses of the sheriff." The answer given to me was it was better to pay costs than have his house barred over his head. I have made out the amount of costs and rent paid by some of the tenants under these circumstances, which I now produce.

20,845. Are these law costs incurred in recovering rent?—Yes. The writ is served for the rent; the tenant puts in an appearance, or does not, as the case may be; final judgment is then made. These costs would come to about £7 10s. Then the sheriff is to get the costs of the sale of the interest in the holding, and then if you buy the interest in you have to proceed by ejectment on the title. It will come before quarter sessions or the superior courts, and the whole thing runs up the costs. In the cases I have mentioned all that had been done, and expenses to the amount of £22 10s. incurred, when the tenant came to it and bought back his interest, paying all arrears of rent and the costs.

20,846. So that anything which would lessen the cost of eviction would lessen the amount that would have to be paid by the tenants in the end?—Yes, if they wished to settle.

20,847. Do you think it would be better for the landlord if the process of eviction was simplified?—Yes, I think so.

20,848. Of course retaining for the tenant the power of redemption before actual eviction. It has been suggested to us here it would be convenient that the process of eviction should be one act instead of two as at present?—I think that would be better.

20,849. And that when the sheriff went on the land he should give up possession to the landlord; or, in the case which has just been put, to the purchaser of the tenant's interest?—Yes.

20,850. To which end the period for redemption, whenever it be, should run before the execution of the decree for possession?—Quite so.

20,851. And do you think that would be better for the landlord and better for the tenant?—I think so. The case comes very heavy under the present system.

20,852. Sir James Caird.—And what has been would lessen the costs to the tenants as well?—Yes, if it could be done.

20,853. The list of costs which you have given me, amounting to £181, could you give us any idea of what originally the rents would be?—Well, I think I could very nearly—I think about £400.

20,854. Mr. Nallyns. These cases were brought to the Matter and?—Certainly, some of these tenants, after I bought the interests of their holdings, came and settled with me. Two came in, in fact, as the interest was selling in the Court House and paid the money and costs in the Court House.

20,855. Sir James Caird. The costs in these cases amounted, I see, to something like 30 per cent. additional to the rent?—Something like that.

20,856. The President. Have you any other suggestion to make with a view at simplification of the process of eviction?—It would be very hard to make any suggestion, but I think it would be well if what has been mentioned here were carried out, that is if the ordinary ejectment decrees are obtained from the quarter sessions courts, that the period of redemption should run before they were put in execution. At present the decree obtained from the quarter sessions courts is levied, and then six months run during which the tenant may redeem. But during that time the lands may be left waste, and that is of advantage neither to the landlord nor to the tenant, whoever ultimately resumes possession. Further, I think that the proceedings at quarter sessions should be sufficient, and it should not be necessary to bring an action in the superior courts at all.

20,857. Mr. Nallyns. As I understand you, the cases which you brought in the superior courts were judgments on the title bought on the sheriff's conveyance?—Certainly.

20,858. I do not think the Commissioners quite understood you, Mr. Joyce, but the procedure which you are referring to is as follows:—An action is brought for rent in arrears; you get judgment for that rent in arrears, put your writ into the hands of the sheriff, who seizes the tenant's interest if a chattel in his barn and puts it up for sale, the tenant, or any one else who likes, being at liberty to buy. No one else purchasing, the landlord does so; he obtains a conveyance from the sheriff, and upon that conveyance he has to bring an action of ejectment and issue a writ for possession before he gets up his lands?—That is so; and even after all that has been done I have settled with parties who came to me.

20,859. Lord Midleton. Were these actions brought in the superior courts?—Yes.

20,860. And did you get your costs?—Yes.

20,861. Mr. Nallyns. If the parties live in the same civil bill jurisdiction the debt must exceed a certain amount before you can get costs in the superior courts?—Yes, over £50.

20,862. And under £50 you must go to the county court or get no costs?—Certainly.

20,863. Sir James Caird. Do you, as representing the landlord, go into possession of all these farms?—Yes, with the exception of those who have settled with me, paying rent and costs.

20,864. The President. Have you any farms lying vacant now?—We have four. I evicted four tenants from their holdings in the Woodford district a short time ago.

20,865. And are they likely to remain vacant?—I should say so.

20,866. Could you work them yourself?—Oh no, but there are emergency men on these farms living in the houses.

20,867. Are many of the rents on Lord Cairncross's estate judicial rents?—A great many judicial rents have been fixed quite lately in the Portman district, but for a large estate the number who went into

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court was very small. As a large estate it is not highly rented comparing it with other properties.

20,868. But those who went into court got reductions?—Well, the first lot who went in got very small reductions indeed, but the last lot, decided quite recently, got larger reductions. The first reductions were not anything like what are given now.

20,869. But they got some reductions even at first?—Yes.

20,870. And in spite of that, the others did not go into the courts?—No.

20,871. Why do you suppose they did not go in?—Well I do not know really. They want to in certain districts. The tenants in the Portmann district, as I have just told you, went in last, 70 or 80 of them, and they got reductions recently. In the Woodford district the tenants did not go in; the land there is set very low.

20,872. And I suppose that they thought they would not reap any benefit by going into the courts. That is what you wish to convey?—Quite so.

20,873. You told us that you had Lord Clarendon's authority to grant an abatement of 20 per cent. to non-judicial tenants who paid to May last?—Yes.

20,874. But not to others?—No, not to those who had judicial rents fixed. Lord Clarendon's letter was to the effect, "You can give a 20 per cent. abatement" to tenants holding under £50 rents, and who have "not got judicial rents."

20,875. You have told us that you think the tenants would be willing to pay if let alone?—Yes.

20,876. And do you think also that they could pay?—I think that the greater portion of them could pay. Of course this agitation has been taking a deal of money from them, and they have not been attending to their business as they used to do, or should do, and the means may have slipped through their hands to some extent.

20,877. But if they paid, would it be out of the profits of their farms for the last year or two?—I think so, but for this agitation, I would have had, I am sure, most of the rent collected now. On all large estates of this kind, of course there are cases where a man would not be able to meet his engagements from some particular season or another; and in those cases I was always prepared to give a certain amount of time to allow him to pull himself together, and make himself right if he could.

20,878. You would not evict a man at once, as the saying is, if you thought he would be able to pay in a short time?—No, certainly not.

20,879. In those cases that you have just been speaking of, where the rents have been withheld, do you intend serving writs?—Certainly, if we see to recover the rents at all that must be done. As I was saying, before this agitation commenced, the tenants seemed inclined to pay, and were, on parts of the estate, actually paying; but all that has changed. At Portmann I held a rent office the other day, and Mr. O'Brien and Mr. Dillon held a meeting in the town the same day. While I sitting in my office waiting in vain for the tenants to come in, a deputation of some 15 attended, who stated that they represented the whole of the tenantry on the estate, and that they had been deputed to inform me that they must have 40 per cent. reduction all round on Lord Clarendon's estate, and that his lordship must reimburse the four tenants who had been evicted in the Woodford district, or that he would not get a shilling more. I said, "I cannot grant you either of those concessions," to which the spokesman replied, "That means war;" and I said, "I suppose it does." They said, "Well, these are our terms, and we are determined to accept nothing less;" and I said, "Very well, I suppose the less time we lose about the matter the better." But just as they were going out of the door a thought struck me, and I said, "Suppose I took it on myself now to grant this concession of 40 per cent. abatement; there are 700 or 800 tenants on the estate, will you guarantee they will all come in and pay the rent with that reduction?"

They said they could do nothing of the kind. It was perfectly obvious what they meant.

20,880. In the neighbourhood have landlords been giving abatements?—Yes, and in some cases they have offered abatements which were not accepted. I know a certain gentleman who granted a reduction of 15 per cent. last year, and he offered the same this year. They refused to accept it. A deputation visited upon his agent, and they only asked for in the £ off, stating that they were bound to stand by the tenants on the neighbouring estate, meaning clearly Lord Clarendon's.

20,881. Is there any authority for the statement that Lord Clarendon has offered less abatements than the bulk of his neighbours?—Well, this time last year he gave none.

20,882. Though the other proprietors around were doing so?—Yes. This year he has offered the abatement I have mentioned to you.

20,883. And is that the same amount as his neighbours, or is it less or more?—Well, more in fact, because some are only offering 15 per cent. The (document produced) is "The Plan of Campaign," which I thought well to bring and hand in.

20,884. Is that document much circulated round the country?—Yes, all over the country, and the worst point of it is—I think I know the Irish character very well, and I thought the tenants would never be so foolish as to pay this money into the hands of trustees, but they are doing so. Mr. Dillon and Mr. O'Brien are actually collecting Lord Clarendon's rents.

20,885. Lord Milltown.—The tenants really are paying?—Yes; they collected a considerable sum in Portmann the other day, and they have announced another day for Leaghrea some time next week to collect the rents there also. I said to a respectable man in Portmann the other day, "How is it that you, a 'shopman'—he happened to hold some land as well—'pay your money for rent in this way.' " "Well," he said, "the shopkeepers are quite satisfied to fulfil a half year's rent to keep time with these men, because if they did not do so they would be boycotted."

20,886. To keep time with them?—Yes, to keep pace with the movement. That is the way the shopkeepers are going in and paying half a year's rent. They do so simply because if they did not they would lose by the association, in fact they would be boycotted. They are prepared to forfeit half a year's rent, as this man told me.

20,887. In fact, it was regarded as a new means of raising the wind?—Certainly.

20,888. The President.—I suppose as the rents have not been paid to you, your next step will be to carry out further evictions?—Yes, I have now commenced to issue writs again, and I am going in some instances to distrain for rent.

20,889. You intend, I presume, to adopt the same process as before?—Yes, I have nothing else for it.

20,890. Lord Milltown.—Do you know if the Government are able to protect the tenants in fulfilling their legal obligations?—Well, I don't see really any steps taken for the purpose. There was a man who became a bankrupt at Leaghrea last May. I got his name up from him. It was not because the man was evicted or anything else. Several people applied for the farm, and I thought the best I could do was to advertise the farm. It was paying 50s. an acre, and I had several people offering to take it at 25s.—all looking Lord Leaghrea farmers bid for it. I gave it to a man outside Leaghrea who dealt in sheep. I said, "I will give you this farm, but you must pay a year's rent in advance. I will only let it to you for one year to see how you get on. You must pay the rent 'down in hand.' " "Oh, certainly, sir," he said, "I am delighted to pay it down," and he put his hand in his pocket and paid me £135. The moment he paid the money he was boycotted. No man in Leaghrea would speak to him. He went to several neighbouring farms to buy stock, but no one would sell to him. If he attempted to sell to anyone,

They would stop the man in the fair and say, "Don't attempt to buy from him." He came to me in a terrible state, and asked me, "Will the Government put a stop to this?" I said, "I don't know; perhaps they would." He said, "The farm belongs, and I will never get it up." He stood out down to the middle of last October, when he went into the League room. He said he could not stand it any longer, and said he would give up his farm. There was a tremendous loud cheer over him. He had a few cattle on his farm, and they went and tied green ribbons on their horns, and drove them through the town of Loughrea in the most prominent way. The fellow never came near me since. He had paid for the farm up to next May. He actually forfeited a year's rent.

20,891. The existence of the circumstances which you have just related is not likely to induce other men to fulfil their legal obligations in that district?—Oh no.

20,892. In fact the state of the country which you describe seems to indicate a total absence of any civilised government?—A total absence.

20,893. And the law is really now obsolete there?—(Objection.) There is no doubt at all about it. A man in Portlanna the other day came to me and said, "I declare to God no respectable man can live in this country if this sort of thing goes on."

20,894. Would the people be glad to see the Government do their duty, and put down this business?—No doubt of it. And certainly more than half the tenantry in my part of the country would be only too glad to be allowed to come in and pay their rents.

20,895. Do they ever express any surprise at the inaction of the Government?—Constantly.

20,896. The President.—Do you suppose that if famine for eviction were given, it would do an immense amount of good?—I think so.

20,897. Are you in a position to offer any practical recommendation with regard to what should be done?—Well, I don't know. It is really very hard to know.

20,898. The six months' time for redemption stands as the way of applying any ordinary means?—Yes. If you want to break down combinations, nothing superior to court proceedings is much more powerful over men's minds.

20,899. But if the other proceedings were altered, perhaps they would be more effective?—Oh, yes. There might be some changes made with advantage.

20,900. Lord Milnes.—Supposing, for instance, the six months began to run from the date of the decree, instead of from the date of the eviction?—Yes, that might be effected.

20,901. It would do away with the necessity for eviction, and putting in caretakers?—Yes. That is, pending redemption.

20,902. Mr. Newman.—If it ran from the date of the decree?—Yes. I think that would be a very useful thing.

20,903. Lord Milnes.—Has it come under your notice that tenants have expressed a desire to be served with writs?—Yes. On one or two occasions tenants have asked me to have them served with writs, and then they would be allowed to settle.

20,904. The President.—Was that lately—this year?—Well, yes, this year.

20,905. After having paid you privately?—After having paid me privately. Fellows came to me in the most secret possible way and paid their rents, and asked me for goodness sake not to let it out.

20,906. Lord Milnes.—Do you think there is any chance of the Land League dying itself, without steps being taken by the Executive Government to protect the people from its intimidation?—I am afraid not. Seeing how things are, I think it is more formidable this moment than ever it was. Every single man is associated in it. It is not worth a man's life not to be involved in this business. He is looked upon as a black sheep.

20,907. The President.—I suppose it is the worst part of the country now?—It is very bad indeed.

Exceptional in itself?—No doubt.

20,908. Lord Milnes.—Has there been no time during last summer when his power appeared a little more on the wane?—I thought about two months ago it was losing power a good deal, but its power revived all of a sudden.

20,909. Do you know anything to account for its sudden revival?—I could not make out. I thought for a time—I had an idea—I knew the country myself was sick of the whole thing, and I thought myself that it was losing power a bit, but now I am fully satisfied that it never was stronger than it is this moment.

20,910. What class of persons now form the chief organisers?—All the shopkeepers. I know in Loughrea there are three or four respectable men who never mixed themselves up with this thing till lately, and they made them come in. One most respectable man, who does a lot of business, and is a very worthy tradesman in the town, kept clear of them till three months ago. They made him come in.

20,911. But who are the moving spirits—what class of tenants or peasants?—Oh, the moving spirits are the shopkeepers in the small towns all round. They seem to me to take the most prominent part in it. They have all the country coming in to them. Then they have their meetings every Sunday, and they have their committee meetings during the week. They seem to have all the respectable men with them. Any man who does not wish to go with them is bound to go. He cannot keep out of it.

20,912. Are the most solvent of the tenants the most prominent in these matters?—In a good many cases they are, and in other cases all those fellows who have either lost their money, or have nothing to lose, they keep the solvent men going.

20,913. But we have had evidence to the effect that that is the case generally?—No doubt of it.

Is that your experience?—Yes. No doubt of it.

20,914. And on the whole you are of opinion that the people would look to a deliverance from this iron tyranny with the greatest possible thankfulness and relief?—No doubt of it. They think the present state of things themselves something frightful. The National School teacher in Portlanna came to me. He is boycotted now, because during the Woodford row he supplied the police with something. They have taken a number of children from his school; he cannot buy a loaf of bread in the town; he cannot get his horses shod; they won't speak to him. He is in a most frightful state.

20,915. And for all you see there might as well be no nominal government of the Queen in the country at all?—I never saw anything like it.

20,916. Mr. Newman.—Is there government?—I never saw anything like it.

20,917. Mr. Knap.—I think you said you refused to give any reduction to the tenants last year?—Yes.

Were you applied to for a reduction?—Yes. They applied for a reduction.

20,918. Do you remember how much they demanded?—They demanded 50 per cent.

20,919. You did not think that they were entitled to any?—No, I did not think that the Woodford district was entitled to any, because it is the very cheapest portion of Lord Clarendon's estate, that demanded this 50 per cent. But I thought at the time that a small abatement might be granted. However, Lord Clarendon did not do so.

20,920. You were inclined to give them a little abatement?—Yes.

20,921. Were adjoining landlords giving a reduction?—They were.

Upon the judicial rents?—I don't know upon the judicial rents. Yes, some abatements were given on the judicial rents in other districts—down in the Athlone and Loughrea districts. I don't know of any abatements on the judicial rents in that district recently.

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20,922. But you recommended Lord Clarendon to give a little reduction?—Yes. I said he might as well grant a small reduction.

20,923. And it was in consequence of that refusal you attribute the very bad feeling that has existed there for some time past?—Yes, I think it was wholly.

20,924. Have the rents been very well paid to the adjoining landlords who gave reductions last year and this year?—I think they have been fairly well paid. Not this year, as they are adopting the same tactics all round.

20,925. And they are getting on fairly well with their tenants?—Not well at all since this new agitation commenced. I know a certain landlord who settled with his tenants last year. He gave them an abatement, and now they won't pay unless they get six shillings in the pound this year.

20,926. You have a number of farms on your lands out of which the tenants were evicted?—Yes, four.

20,927. Are they paying? Are you taking any profit out of them?—No.

20,928. Did the tenants receive any compensation for these?—From the League, do you mean?

20,929. No, from yourselves—from the landlord?—No. In what way?

20,930. As tenant right, what we know of in the North?—No.

20,931. Hadn't they an interest in those farms?—I would consider they had.

20,932. Mr. Nelken.—You put them up for sale?—I put them up for sale, and I bought the interest in them. I consider they had a very valuable interest in them.

20,933. Mr. Knappe.—But they never received anything?—No, they were directed to go out.

20,934. But I understood you to say it was not for nonpayment of rent they were put out?—Certainly, it was for nonpayment of rent.

20,935. Mr. Nelken.—I understood you brought an action for rent, got a judgment for rent, and got a Sheriff's execution. That was not an agreement for nonpayment of rent; it was an agreement on title?—Yes, and the proceedings commenced for nonpayment of rent.

20,936. An action for rent. Mr. Knappe means quite a different thing.

20,937. Mr. Knappe.—Would you be able to tell us what, in your opinion, is the financial position of the tenants all round, not on your own property, but on properties all round?—I think they are better able to pay their rent this year than last year. I tell you honestly.

20,938. And how do you account for that?—I will tell you; because in the districts I represent, they got a great deal on sheep, and this year they got a particularly good price for their sheep. And those men who came in with two, or three, or four sheep, for the purpose of making their rent, every one of them sold at good prices.

20,939. That was only a temporary rise in the price of sheep this year. Last year they were not able to sell their sheep so well. During the summer months were not butter and barley exceedingly low?—No doubt.

20,940. Do you ever remember butter so low as it was this year?—I don't suppose I do; but you are not to suppose that any of the tenants on the Clarendon Estate, make any of their rents by butter.

20,941. But they have small cattle, and depend upon these for making their rents?—They do, in certain parts, depend a little on their cattle no doubt; yet, as a rule, they depend very much on their sheep.

20,942. Isn't it your experience that cattle are considerably reduced in price?—Yes.

20,943. Wouldn't that have the effect of making money very scarce in the country, and the tenants have greater difficulty in paying their rents all over Ireland?—But there is a good price for other things.

20,944. There is a temporary rise in the price of sheep, certainly—in the price of sheep intended for

breeding purposes—but taking the low price of butter and cattle and the price of oats and barley, would you say that the tenants are in as good a position to pay their rents this year, as they were during the last three or four years?—Oh, barley and butter are out of the question. They do nothing in that way; and in those mountain districts they have several ways of making money. They have from turf, and sell say amount of turf, and make a lot of money in that way. I know tenants who have made the rent of their holdings by selling turf, and nothing else.

20,945. That is confined to a few tenants? It is not general?—It is not general, but still there is a good deal of money made in that district with turf.

20,946. Isn't there a good deal of labour connected with it?—Yes, but they have it free of rent.

20,947. This was not a favourable season?—Most favourable in the Woodford district. They commenced to fight out this battle on this land, because it is well known that it is the very cheapest land all round. Up to 1879 they never hesitated about paying their rents. They always paid their rents till this business began.

20,948. According to the evidence here, both by landlords and tenants, it has been admitted that it has been very difficult for tenants to find the money this year, and you think there is no reason why tenants should not pay their rents in full?—My own idea is that grass-farmers have a good deal more to complain of than others.

20,949. Those who hold large tracts of land are able to buy cattle cheaper in spring, and consequently have a larger margin in selling them off fat, and they have not so much to complain of as the small farmers?—I think the grass-farmers have suffered most.

20,950. Taking everything into account, do you think that had you given reductions you would have saved all this feeling?—Of course there are exceptions. But I think that giving general abatements is a bad plan, because there may be a large number of holdings cheap and others not so cheap, and those who receive abatements don't get sufficient abatements. I think giving general abatements last year would be committing a mistake, especially when those men came and said they would not pay unless we gave 50 per cent abatement.

20,951. How much did you offer to give?—20 per cent on the non-judicial rents and on tenancies under 50s. a year.

20,952. You didn't offer any last year?—None last year.

20,953. And if you had given 20 per cent last year might they not have paid their rent?—Probably they might have done it. They asked 50 per cent. I said, why not make an offer and buy their holdings. The parish priest was present, and he said, "Oh, they" would not be allowed to give more than 10 years' purchase for their holdings."

20,954. Do you know any landlords who sold to their tenants?—I only heard of one.

20,955. Have you any idea of the number of years' purchase?—I think it was 18.

20,956. Are you aware that there is a general desire on the part of tenants to buy their holdings?—No, I am aware of landlords most anxious to sell and to meet their tenants in every possible way. The estate is mortgaged, and I said, you must either buy your holdings or pay the rent due, because the mortgage has to be paid. They said they were quite satisfied in their present state.

20,957. Are the landlords, as a rule, willing to sell?—I think they are, as a general rule. And I know on this estate we are most anxious to sell and we cannot get them to buy; and I explained to them the advantage it would be to have a reduction on their yearly rents and after a certain number of years to become the owners of their holdings. I don't think they are allowed to think over it at all.

20,958. If they were willing to give 15 years' purchase would you consider yourself justified in recommending his lordship to accept it?—I don't

think I would be justified. The land is too low already for that.

20,950. I think you said that, at the commencement of the Land Act, a number of tenants went into Court, and that, in consequence of the low reduction they got, it deterred the other tenants from going in?—Well, I think it might have done that. I know the shareholders were not much.

20,951. Is it your experience that the Land Commissioners are giving much more substantial reductions now than they did at the commencement?—I think there is no doubt of it.

20,952. Have you thought why they do that?—The prices I fancy would be a farther cause of it.

20,953. Did you give the tenants a reduction that did not go into Court?—Not on Lord Clarendon's estate, or other properties.

20,954. Something similar to what they got in the Land Court?—Yes.

20,955. And were they satisfied with it?—They were.

20,956. But your experience is that if they go into Court now they would get a more substantial reduction?—Yes, on every estate I see in the county Galway they would.

20,957. Are there many leaseholders on Lord Clarendon's estate?—Yes.

20,958. Have they any desire to go into Court?—Not that I know of.

20,959. Are the rents much the same as the rents of the tenants at will?—I think they are, indeed. There is only one outlier of the estate: there are a few leaseholders on.

20,960. If they were to apply, would you allow them to go into Court?—Well, I don't know. That is a thing I would have to bring before Lord Clarendon's notice. I don't know whether he would prevent them from going into Court or not.

20,961. Sir James Chief.—Have you any experience of what we call congested districts?—No, I don't know of it on any estate I represent. I think that is more the West.

20,962. You spoke of an estate where you are anxious to sell?—Yes.

20,963. And the tenants don't show any disposition to buy?—None, whatever; from my own experience of the tenants of small farms.

20,964. Suppose if they did buy, would that not increase their credit, and perhaps lead them to borrow more freely than they do now?—Well, I don't know, but I think it would be a great advantage to those men to buy.

20,965. If they got a lower rent by buying?—Yes. It would be satisfactory to a man to know that after a number of years his holding would become his own.

20,966. But they don't seem to see it?—No.

20,967. Do you think that is from the advice they get?—Yes. I don't think it would suit "The Plan of Campaign" to let these fellows buy their holdings. Mr. Dillon, in his speech at Loughrea, said, "Don't attempt to buy your holdings. Don't buy in a falling market."

20,968. He supposed that the rents would be cut down to a lower figure?—Yes; he said they were not cut down to the proper level, and he said, "Never buy in a falling market." That was his advice to them.

20,969. As you are not acquainted with the congested districts, perhaps you cannot offer any opinion as to emigration or migration?—No.

20,970. You have not looked into that, or had occasion to do so?—No.

20,971. With regard to any of the estates with which you have to do, has your experience caused you to know what proportion of the rental goes to the landlords themselves, and how much of it goes to the mortgage and family settlements?—All I know is that on an estate that I am agent over there is a charge of £50,000 and on a rental of over £4,000 a year, I find it impossible to keep the interest paid. Up to two years ago the interest was regularly paid.

20,981. What is the rate of interest?—4½ per cent. 20,982. And it cannot be fully paid now?—I cannot get the rent of the land to pay it.

20,983. What about any family considerations on these estates besides family payments?—There are family payments on this estate too; but the way things are going, it would be almost as well for the owner of the estate to stand aside, and hand it over to the mortgagees.

20,984. There is so little left for himself?—There is so little left for himself. In fact nothing.

20,985. What would the mortgagees do with it if he got it?—I don't know.

20,986. Could he sell it?—I don't think he could.

20,987. If the tenants don't buy it, what should he do?—I don't see what should be done.

20,988. The mortgagee would be stranded with it?—The mortgagee would be stranded with it.

20,989. Have you ever considered any plan by which you would be able to arrange with the mortgagee, and leave something to the owner to go on?—I had a conversation with the mortgagee's solicitor a short time ago, and I told him how the matter stood. I said I was most anxious to do all I could for him, but I could not get the interest paid, although I was using every possible exertion; and he said the only thing was to try and sell to the tenants. I met a lot of the tenants and I told them so, that either they must buy their holdings or pay their rents punctually. And they seemed not to care much, not a bit about buying their holdings.

20,990. If a sale were made at the price they would be willing to pay, I suppose nothing would be left to the owner at all?—I suppose there would be nothing left to the owner at all—very little.

20,991. Or to the family settlements?—Or to the family settlements. I think it would almost pay the mortgagee and very little over.

20,992. There is a question about gouging the security of the local authorities interposed between the Government and the purchasers, have you considered whether the local authorities would be willing to accept such a duty?—What duty would that be?

20,993. That if, in case the tenants purchasers were unable to fulfil their engagements, that the local authority would be in some degree, bound as security to the Government for the full payment. Whether the local authority would be likely to accept such a duty as that?—I don't know. I doubt if the local authorities would, unless there was some change in the country from its present state.

20,994. Did the Act of 1881, in your opinion very greatly alter the position of the tenants?—That is, did they gain many advantages?

20,995. Did it in any way confer upon them rights approaching that of past ownership?—Oh, I think it did, do you know. I know that some tenants got a very great advantage by it, and others not so much, that is by getting judicial rents fixed.

20,996. Yes; and also the fact that it almost put a stop to competition rises?—Oh, yes, I think so.

20,997. Inasmuch as at the end of 15 years the tenants could have their rents readjusted, not by competition but by the Court, did it put them in a very favorable position compared with what they were before?—Oh, I think so.

20,998. The Act was altogether in favour of the tenants?—I think it was.

20,999. And were they very well satisfied with that previous to Lord Ashbourne's proposition?—That is the Purchase Act?

21,000. I mean previous to it, were the tenants on the whole well satisfied with the Act of 1881, up to the time of the late collapse of prices?—They were in some districts. In other places I heard them complain that they did not get their rents reduced enough.

21,001. That the Court had not been sufficiently liberal?—Yes.

21,002. No other complaints besides that?—I did not hear any other complaints.

Dec. 2, 1886.

Mr. Francis J. Joyce.

Dec. 2, 1886.

Mr. EDWARD J.
Joyce

21,003. Is it your experience that the Act operated in their favour?—Yes.

21,004. And that it is in consequence of the recent collapse of prices that any fault that has been found with it has arisen?—Yes. I don't think these tenants are allowed to think much as to what is good or bad for them, and that they are carrying out exactly the orders they receive.

21,005. But are not there some huge tenants on the estate you manage?—Yes.

21,006. Don't they think for themselves?—Yes, but those men holding grazing farms do not go into Court.

21,007. They are yearly tenants?—They are yearly tenants.

21,008. Are many of the tenants on the estates you manage yearly tenants?—Yes.

21,009. And they cannot take advantage of the Act?—They can not. They are grass farmers, and are in just from year to year.

21,010. The rents are very seldom changed?—Yes. The rents are very seldom changed. There are very few rents changed on Lord Clarendon's farms. A few reductions are given.

21,011. When reductions are given it is from the knowledge that they require them from a change of prices, not from any form of combination of the tenants?—From a change of prices. As a rule they are held by the gentry of the country.

21,012. And they are continued tenants, although they are only yearly tenants?—Exactly. That is nearly always the case on Lord Clarendon's estate.

21,013. They employ very little labour except sheepherding?—Yes.

21,014. There is no outlying on the farms?—No.

21,015. There is no question of wages therefore, or anything of that kind?—No, nothing to speak of.

21,016. It is purely a question of prices and seasons?—Yes, only they do the cutting and sowing of hay.

21,017. Lord Millicom.—You allow them to make hay—you allow them to cut a certain portion of hay in accordance with the size of their farms?—Yes.

21,018. But is that excluded from the operation of the Land Act, although they are permitted to mow?—Yes.

21,019. Were you acquainted with these estates previous to the Act of 1881?—Well, I was acquainted with one estate only previous to the Act of 1881.

21,020. Which was that?—That was the Lettiff estate.

21,021. Have the rents been better paid on that estate since the Act of 1881 than before?—Let me see now. The year after 1881 the rents were splendidly paid, and had been up to that; and the following year 1882 they were very well paid. Well, then this agitation went on, and from that the rents were not well paid. A good many of the tenants went into the Court and got abatements, and others who could not go into Court the Lord Chancellor granted them abatements, and the rents were fairly well paid, but not so well as up to that time.

21,022. Up to what time?—After 1882.

21,023. But is it your experience that they have been better paid since 1881 than before?—No.

21,024. But I understood you to say in answer to Sir James Caird, that the difficulty in the payment of rents arose solely in consequence of the depreciation of prices?—I think the falling of the payment of rents is the commencement of this agitation, and then the poorer class of tenants took advantage of this, and they kept it up ever since.

21,025. Are you of opinion that the tenants are not now anxious to buy?—Yes.

21,026. Do you think that if they were allowed to exercise their own judgment, and that the tyranny which we have heard described were removed, and there was a probability of a restoration of law and order, that they would be anxious to buy?—I have no doubt of it.

21,027. And that that is what restrains them?—I have no doubt of it.

Mr. Richard
Walshe

MR. RICHARD WALSH EXAMINED.

21,028. The President. You are a farmer and cattle salesman?—Yes, my lord.

21,029. And you live near Clonsilla?—Yes.

21,030. What is the extent of your farm?—The farm is my own lands is about 1,200 acres.

21,031. All in pasture?—Nearly.

21,032. I suppose you make your money by buying store cattle and then fattening them and selling them?—I do.

21,033. Have you found that this last year has been worse for you than most preceding years?—I have.

21,034. You have?—I have. It is the worst year.

21,035. That is owing to your not getting so good a price for your cattle when you sell them?—And the cattle did not do so well this year. Some people's cattle did very well. Mine did not.

21,036. Of course you buy your cattle much cheaper this year than you could do three or four years ago?—Of course, yes, but I don't think I bought them cheap enough yet for the rent I have to pay.

21,037. Lord Millicom. You don't think you bought them cheap enough yet for your present rent and the present price of beef?—No, my lord.

21,038. The President. Have you kept any account of the average prices at which you buy store cattle and sell fat cattle?—Yes, I have.

21,039. On your favour as with them?—Yes, I can.

21,040. Lord Millicom. The prices of stores you think are not sufficiently low?—They are not, my lord, in my opinion.

21,041. Sir James Caird.—Where are your farms situated?—In Monagh and Duhlin. Shall I go to 1880 or 1881?

21,042. The President.—Yes, begin at 1880?—I generally buy very good cattle. In 1880 I gave 60s. for sheep.

21,043. The President.—We will keep the cattle separate, shall we?—Just as you like. That year I gave £14 a piece for my cattle in Ballinacree.

21,044. Lord Millicom.—How old were they?—24 years old in October. In 1882 I gave 60s. for sheep.

21,045. Sir James Caird.—You are passing over 1881.

21,046. Mr. Neligan.—What about 1881 for cattle? In 1881 I gave £14 a piece for cattle.

21,047. The President.—In 1882?—In 1882 I gave £17 for cattle, pretty much the same class.

21,048. Sir James Caird.—All in Ballinacree?—Yes. It was only in Ballinacree I bought; then, a most important sale. In 1883 I gave £15 10s. for cattle. In 1884 I gave £16. In 1885 I gave £16; and this year the same class of cattle brought about £12 15s. each.

21,049. The President.—Can you tell us what you sold them for in the different years?—I have not the exact figures, but I can give about what it is. The cattle I bought in October 1880 paid me about 40 a piece.

21,050. Sir James Caird.—That would be £21?—Yes, about that. Well, in 1881 they paid me a little more, something like 10s. ahead more.

21,051. Mr. Neligan.—That is £20 10s.?—Yes. In 1882 they did not pay me well. I had not more than from £4 15s. to £5 in 1882. 1883 was not a very good year with me. I had about from £4 10s. to £5 for

feeding my cattle that year. In 1884 about the same.

21,052. *Sir James Caird*.—That would be £21 in 1884?—Yes. In 1885 they were bought a little cheaper than October, and they sold about 220 apiece. They were bought at £13.

21,053. *Mr. Nelson*.—And in 1886?—In 1886 the cattle bought in October are not yet sold.

21,054. *The President*.—Then you have done last year better than usual? Last year, that was one of the best years.

21,055. *Lord Milnes*.—And this year would be as good as last year if you got as good a price as last year? I don't think it will.

21,056. *Mr. Keble*.—Was it in consequence of the low price at which you bought them that you made so much last year?—Yes.

21,057. *The President*.—And do you think fair payment?—Yes.

21,058. And you got £7 last year?—Yes.

21,059. Your chief experience is pasture?—Yes.

21,060. Any tillage?—Well, I was a very large tillage farmer. I was left a very young man, and I had a great deal of land, and although it was very good when I began to farm it I drained and manured it.

21,061. And you have very little of it in tillage now?—Very little; scarcely what does for consumption on the farm.

21,062. Have you no other evidence to give us except that of sheep?—I can give you the price of corn.

21,063. I think you said you can give us the price of sheep. Will you be good enough to give us that? Is sheep as marked a product as cattle in your district?—Not quite, but it is a marked product, you know.

21,064. Shall you take them year by year?—Just as you like. In 1880 my sheep paid me about 10s. apiece. In 1881 I had about 14s. apiece for feeding my sheep.

21,065. *Lord Milnes*.—Is this for summer grass, or how long?—I am putting both summer and winter together.

21,066. For twelve months' feed?—Yes.

21,067. *The President*.—And it is what you said?—Yes.

21,068. *Sir James Caird*.—Sheep bought in Ballinashoe? Yes, but I don't buy spring sheep in Ballinashoe. I buy them in Killynny. 1882 was a good year for sheep. I made a good deal out of them that year. They paid me about 18s. apiece. In 1883 they paid me something about the same, a shilling less—17s. In 1884 they paid me badly. I had not 8s. apiece for feeding my sheep in 1884. In 1885 I bought them cheap and sold them very well. They paid me better in 1885 than they did for a good many years. I had about 21 apiece for feeding my sheep in 1885.

21,069. *The President*.—This year they will not do so well?—This year they will not pay. I bought them very dear.

21,070. *Lord Milnes*.—How many sheep go to an acre on your land?—About three sheep to an acre, or three and a-half.

21,071. *Sir James Caird*.—Do you graze them exclusively, without cattle?—In some places I do, but in others I do not.

21,072. But when you say three or three and a-half do you mean exclusively sheep?—Yes. I can give you the price of wool and corn if you like.

21,073. *The President*.—What we wish is your personal experience?—But I sell corn as well as cattle.

Mr. Nelson.—For this year sheep will be about 14s 6d a head.

Mr. Keble.—We might have the price of wool.

The President.—Yes, we might have that.

21,074. *Witness*.—Wool has fallen very low indeed. In the year 1880 wool was worth from 13d to 14d.

21,075. *Sir James Caird*.—A pound?—A pound; and this year wool was worth about 8½d a pound.

21,076. *Lord Milnes*.—What kind of wool was only worth 8½d a pound?—One Irish wool.

21,077. Only 8½d?—Yes. Wool is raised very much. Our wool season is the months of May, June, and July; and from July wool is raised very considerably.

21,078. Yes, but it is not necessary to sell it the moment it is clipped?—No, but farmers generally do.

21,079. Can you tell us what is the price of it now?—The price of it now is about 1s. a pound.

21,080. I thought so. That is only a penny pound less than it was in 1880?—Yes, but as you know all the Irish wool was nearly sold before that time came.

21,081. *The President*.—I think we have got better and corn pretty well?—I cannot give you much about butter.

21,082. *Sir James Caird*.—Do you grow much oats and barley?—Not much. I don't till more than about 40 acres of land.

21,083. *The President*.—And you buy and sell corn for other people?—Yes.

You might give us oats then, perhaps?

21,084. *Lord Milnes*.—For what period of the year, Mr. Wahl, are these quotations?—I have taken them June and November.

21,085. *Sir James Caird*.—And you make an average from them?—Yes.

21,086. And it is a pretty high average for the year?—Yes. Oats in 1880 was worth 14s. 6d. a barrel in June.

21,087. *Lord Milnes*.—That must be old oats. We want the average for the year?—The average price of oats for the year would be about 16s. a barrel.

21,088. *Sir James Caird*.—For 1880?—For 1880. In 1881 oats was much dearer; 18s. in June, and 13s. 6d. in November.

21,089. What is the average?—The average is about 16s. 8d.

21,090. *Lord Milnes*.—Yes, but surely that cannot be a fair way of taking an average—taking in November the price for that year, and in June for the year before. I mean it is not quite fair to take an average of two totally different things?

Sir James Caird.—It is not an average. I think it is better to take one date in each year. Take November in each year.

Witness.—In November 1880 oats was very dear. It was worth 17s.

21,091. *Lord Milnes*.—Was that old oats?—No, new oats. It was very dear that year. In 1881 it was worth about the same, from 16s. 8d. to 17s. In 1882 it was from 15s. 6d. to 16s. In 1883 it came down very much—13s. In 1884 it was worth 16s. In 1885, 13s. 6d. In 1886, that is last month, 11s.

21,092. With regard to that price as 1880, I see that on Friday, the 3d of December, prime oats in Belfast market was from 6s. 6d. to 7s. 4d. per cwt.?

—What year was that?

21,093. In 1880?—But it was worth more here than there.

21,094. Here it was worth about double?—Not quite double.

21,095. But worth considerably more?—Oh, worth considerably more. I am giving you the very top oats.

21,096. Quite so, but the top there was 7s. 2d.—The oats grown here is the very best grown in the country.

21,097. *Sir James Caird*.—What weight was this?—This was per barrel of 14 stone.

21,098. *Lord Milnes*.—Are you quite sure it was new oats that year, because it seems very strange?—Oh, perfectly.

21,099. *The President*.—In your neighbourhood are tenants anxious to buy their land?—They are, my lord.

21,100. Would you buy yourself?—I would, if I could.

21,101. Have you entered into any negotiation with your landlord about buying?—No landlord in my neighbourhood would sell.

Dec. 2, 1886

Mr. Richard Wahl.

Dec. 2, 1866.

Mr. Richard Walsh.

21,102. When you say they are anxious to buy, at what price or years' purchase?—I would be very happy to buy, because I am a leaseholder.

21,103. Is your rent high as a leaseholder?—It is.

21,104. Higher than it would be under a judicial rent?—A good deal.

21,105. I suppose as a leaseholder you would like to be able to come under the Act and go into Court?—I would very much.

21,106. And you see no reason why you should not?—I do not.

21,107. Sir James Caird.—What is the length of your lease?—31 years.

21,108. The President.—How much still to run?—There is one farm—one particular farm, if I do not interrupt you to mention it. My family held it for over 300 years, and they had a very good landlord, and when I came home from school the land was in a very poor state. I began to improve it, and the rent was then 32s. an acre. The old landlord died, and it came into the hands of a landlord who I thought would not be very favourable to me, and I cancelled that lease and took a new lease in 1871 at 55s. an acre.

21,109. Mr. Nelson.—What was the date of the old lease?—That was the year we took it out—in 1865.

21,110. When was that rent first created—the 32s. rent?—It must be about 1813 or 1814.

21,111. The President.—And your belief is that the rent was raised in consequence of the better condition into which you put the land?—It was, my lord.

21,112. Sir James Caird.—What year was it you took the new lease?—1871.

21,113. Mr. Nelson.—1871?—1871, when the prices were very high.

21,114. Sir James Caird.—The prices would have some effect as well as the better condition of the land?—Of course.

21,115. Mr. Nelson.—It would meet your case to be allowed in under the Land Act?—I would be very pleased indeed.

21,116. The President.—Then if you had what the Court might consider a fair rent put upon it, how many years' purchase would you be willing to give?—I would be willing to give 18 years' purchase.

21,117. That would be a loss to the landlord?—It would be some.

21,118. Lord Milltown.—That would be 18 years' purchase of a fair rent?—Yes.

21,119. The President.—At the rent that would be put on it by the Court?—At a fair rent I would be willing to give from 18 to 20 years' purchase.

21,120. And you don't think your landlord would wish to sell at that?—He has not thought of selling it.

21,121. Have you considered Lord Ashbourne's Act at all?—Yes. I have indeed considered it. Of course I like the Act.

21,122. Is there anything with regard to that Act you wish to suggest to us?—Really, I think it is a very good Act.

21,123. And your only objection is that your landlord would not be willing to sell at such a price as you propose to give?—Yes.

21,124. I suppose the rents are being well paid in your part of the country?—Oh, yes, no better.

21,125. I suppose that is why the landlords are unwilling to sell?—Of course it is. I never got a penny of a reduction in my rent until this November, when I got 10 per cent. on the farm I am speaking of.

21,126. Lord Milltown.—Do you think 18 years' purchase of well secured fair rent would be a price that any man would be willing to accept for his property?—For a landlord—yes. I think it would be rather under than over. I think on such a farm as you describe 20 years' purchase would be a fair price. I don't mean 20 years' purchase of the existing rent?

21,127. If you had a property such as that, would you take 20 years' purchase for it?—I would, if a landlord.

21,128. I just want to call your attention to this evidence—the Dublin market prices, from which it appears that in 1880 the average price of oats was from 7s. to 8s. the hundredweight?—Oh, yes, but that brings it up exactly to what I told you.

21,129. But that would not bring it up to 12s. a barrel. You must have confused the old and new oats?—I took the price for June and November.

21,130. If you just look over that again. It is not very important, but we might as well have the figures correctly?—In 1880 the average for that year is 12s. a barrel.

21,131. You gave us 17s.—that is the average of from June to November?—Yes.

But what I wanted to get was the price in November of the crop of that year. However, we have it in these tables that the price in the Dublin market was from 7s. to 8s.

Sir James Caird.—Mr. Walsh is giving the price per barrel.

Lord Milltown.—Yes, but 17s. a barrel and 8s. per hundredweight are two very different matters. It would be very desirable to have the figures correct.

21,132. Mr. Nelson.—Very desirable. And the price of beef this day and this day twelvemonths in a very serious matter.

21,133. What was the price of beef this day twelvemonth?—62s. 6d.

21,134. Sir James Caird.—On the 2nd of December do you quote it?—Yes.

21,135. What was it last year?—62s. 6d.

21,136. Lord Milltown.—Was that average, or top?—That would be top.

21,137. Well, now?—This day, I should say the top price to-day would be the per hundredweight.

21,138. That is a tremendous fall. It can scarcely have fallen so much as that?—In the last three months.

21,139. But it was more than that three months ago?—Yes, in October it was up to 53s.

21,140. You are speaking of this morning's Dublin market?—Yes. The market before it was much better. This was the worst. I think I should say there were very close to 4,000 heaves to-day.

21,141. And what was the lowest price? What did it rise to?—48s. was the top, and from 48s. to 45s. there was going to-day plenty of beef.

21,142. Sheep still keep up?—Sheep are better than last year, about a halfpenny a pound, but still they are not selling very well.

21,143. Are they selling worse than a month ago?—Yes.

21,144. Is that in consequence of a glut in the market?—Yes, and bad trade in England.

21,145. I suppose the high price tempted a great many farmers to sell?—Yes, and tempted a good many to buy. No sheep bought in Ballinacree would fetch their own price to-day.

21,146. Not sheep?—I should say not. There might be some. What I mean is that if any grazer brought his sheep that he bought in Ballinacree into the market to-day he would not get the first cost of them.

21,147. Sir James Caird.—Was this a fat market?—Yes.

21,148. Ballinacree is not a fat market?—A very good one indeed.

21,149. Were these sheep bought in Ballinacree ready for the butcher?—Oh, no.

21,150. What I mean is—this is a fat market, and Ballinacree is a lean market?—Yes.

21,151. Mr. Aske.—Could you account for the difference in the price of cattle this year and last year?—A good deal of it is caused by the very bad trade in England.

21,152. I think you said that you did not think that cattle was at the lowest yet?—I am afraid if the supply continues.

21,153. Do you apprehend that we are likely to get a larger quantity from America?—It is very hard to say that, but they say there is more preparation to

bring them, and they have an enormous quantity of cattle in America.

21,154. And if it was not for the quantity we are getting from America at present you expect the prices would be much higher here?—I think they would be here, but unless trade revives in England, I don't know what the consequence will be. I have got a son in Texas, and he says the quantity of cattle produced there is enormous.

21,155. And if we got the same quantity from America, the prices will be lower year by year?—Yes.

21,156. So you don't apprehend that we are likely to have higher prices for cattle?—I do not. Lord Clarendon told me that he had eaten Australian mutton, and that it was very fine.

21,157. Do you know anything about store cattle?—I do. I bought a great quantity of them.

21,158. This will affect the small farmers very seriously?—The price of store cattle will affect the small farmers, and the price of beef will affect the large graziers.

21,159. The *President*.—Beef may be very low and yet you may make a profit, because you pay so little for stores?—If we were buying them cheap, but not selling them at the present price, my lord.

21,160. Mr. Knipe.—But is it not in consequence of the low price you buy your store cattle that there was a struggle got by grazing?—Yes. Cattle were exceptionally low this time twelve months and before, and any one who had room to take them made a fair profit out of them. This year there was a fair demand in England and Scotland for store bullocks.

21,161. Now with reference to Lord Ashbourne's Act, I think you said that the landlords won't sell in your part of the country?—They will not.

21,162. Would you be surprised to hear that the last gentlemen we had here was quite willing to sell, and the tenants would not buy?—In my neighbourhood? Oh, no, I am only speaking of my experience of what is called the congested districts.

21,163. But there is another part of Ireland where the landlords would be willing to sell and the tenants won't buy?—That is Mr. Joyce. I know Mr. Joyce; he is a friend of mine.

21,164. Can you account for this in any way?—I am afraid it is owing to the League, the advice they are getting.

21,165. Do you not think it is in consequence of the low price of produce?—I think they would risk that. I think if they were let alone they would buy, and I think there is a desire growing amongst them to buy.

21,166. But you would be willing to buy, and the landlord won't sell?—I would.

21,167. Is there a general desire on the part of tenants to buy?—There is.

21,168. Has the landlord been applied to?—I cannot quite say he has. It has just been hinted, but I don't think he has been directly applied to, because it would be useless.

21,169. And if he did sell, you don't apprehend he would take a reasonable price?—I think he would want too much. Anyone who has a lease, as in my own case, would not give 20 years' purchase of the rent I pay.

21,170. Do you think it would be desirable under certain conditions to compel the landlord to sell?—I think it would be very hard to compel a man to sell his property.

21,171. But I say "on certain conditions"; under certain conditions do you think it would be?—Perhaps, but I think it would be very hard to compel a person to part with what he has, and sell it to another person.

21,172. Mr. Neligan.—Particularly if you made him do it at a loss?—Yes, I think it would be unreasonable.

21,173. Mr. Knipe.—But if the tenants on this property gave as much trouble as in the south and west of Ireland would the landlord not be willing to sell?—I think he would; but some of the land there has been very badly farmed, and where that is the fact, rents have not been paid at all.

21,174. But isn't it because the tenants paid their rents that that landlord won't sell?—Exactly.

21,175. Mr. Neligan.—The better the thing is which a man has, the less anxious he is to sell it.

21,176. Mr. Knipe.—And if the tenants thought they had the power to compel the landlords to sell, do you think they would combine together?—If you were to go into that, I think you should be prepared for another tribunal.

21,177. But I only wanted to know from you if the tenants are anxious to buy, and why the landlords are not willing to sell?—There is very little combination in my neighbourhood.

21,178. And it is because the rents are well secured that the landlord won't sell?—Yes, it is.

21,179. And do you think that is a good reward, or the tenant's industry?—I don't think that is a fair question. I think if the tenants could buy in my neighbourhood, they would become a very loyal and industrious set of people.

21,180. You think it would have a good effect?—I do.

21,181. And if they are anxious to buy and the landlord won't sell, what will be the effect?—I think they will go on. A man who spends his time farming is fit for nothing else but farming. My part of the country is a very exceptional district.

21,182. Lord Ashbourne.—And you don't think it is quite a fair thing, because a man has honestly paid for the hire of his land, that has been leased or borrowed from a landlord for a number of years—you do not think it fair to compel the landlord to sell to him altogether as a reward?—I think it would be rather hard lines.

21,183. Mr. Knipe.—But I said on a certain condition, and that is that a certain proportion of the tenants are anxious to buy at a fair price. Do you not think it would be for the good of the community at large to compel a landlord on those conditions?—I think it would be for the advantage of the community.

21,184. Do you think he should be compelled?—I think it would be a good thing.

21,185. Mr. Neligan.—If it was for the good of the community that beef should be sold at 4s. a pound, would you pass a law that it should be sold for evermore at that?—I think it would be a very good thing if we could get it at that.

21,186. Lord Ashbourne.—Would you propose to put a fixed price upon horses?—No, I don't put a fixed price upon anything.

21,187. Do you think it would be a good thing to put a fixed price upon horses, to enable every person to have a horse?—I don't put fixed prices upon anything.

21,188. In 1862, the prices upon which Griffiths valuation was fixed, beef was only 3s. 6d. the cwt., and now it is 4s. the cwt., and people managed to live then?—Yes, but there was not the same expense then. There was not the same price of labour, and there was not the same taxation.

21,189. Mr. Neligan.—Taxation has become frightful?—Yes, it has become a rent in my neighbourhood.

21,190. Mr. Knipe.—Has there been any reduction given in your locality this year?—Very little.

21,191. None upon judicial rents?—No.

21,192. There have not been many judicial rents fixed?—No.

21,193. Mr. Neligan.—They nearly all hold under judicial agreements I suppose there?—Yes.

Dec. 5, 1886.

Mr. Richard Walsh.

Dec. 3, 1875.

Mr. GEORGE GERALD TYRRELL, ESQ., PRESIDING.

Mr. George
Gerald Tyrrell.

21,194. *The President*.—I think you are clerk of the Crown and poses for the county of Armagh?—Yes.

21,195. And a practising solicitor of the county of Down?—Yes.

21,196. Have your official duties brought you in contact with the landlords and tenants of the county of Armagh?—Very much so.

21,197. You therefore know the agricultural condition of that county?—I do.

21,198. Can you give us any information about the general use of the holdings in the county of Armagh?—I think you may take it that there are about 20,500 agricultural holdings in the county.

21,199. And there are a great many small holdings?—Somewhat less than 8,000 holdings valued at £4.

21,200. Lord *Mulholland*.—5,000 did you say?—About 7,500 holdings valued at £4 and under.

21,201. *The President*.—One of these small holdings would not be enough to maintain a man and a family, would it?—It would be quite impossible to maintain a family on one of these small holdings.

21,202. Then how do the holders of them make a livelihood, have they any other occupation besides?—Do you refer to the entire holdings or only to the small ones?

21,203. To the holdings under £4?—Those holdings under £4, as a rule, they are high lands and in the mountain districts, with the exception of a number of small holdings which are upon estates where the weaving industry prevails.

21,204. Does the weaving industry still prevail in any part of the county?—Practically hand loom weaving has ceased.

21,205. Mr. *Nelson*.—How do these families support themselves?—The families living on the mountain tracts, they are either hawkers, or pedlars, or labourers.

21,206. Lord *Mulholland*.—What is the difference between a hawker and a pedlar; I may say there is a difference, but I should like to know what it is?—There may be a technical distinction, but practically they are the same.

21,207. We may as well call them pedlars and labourers then?—Very well.

21,208. *The President*.—Can you tell us anything about the sale of tenant right?—I should mention that though it may not be a proper distinction to make, in the north of Ireland a hawker is a person who buys a specific commodity such as flax, and takes it over to sell in the north of England or Scotland, and a pedlar is a dealer more in a variety of small goods at home. At least that is the distinction that they apply to it in the north of Ireland.

Lord *Mulholland*.—That is just what I wanted to know.

21,209. *The President*.—You are well acquainted I suppose with a good many of the sales of tenant right that take place in the county?—A portion of the duties attached to the office which I hold in the county of Armagh is the sale of agricultural holdings.

21,210. How does it come before you?—There is an equitable jurisdiction attached to the county court, and I am the principal executive officer of the county court, and therefore everything that belongs to that tribunal passes through my hands.

21,211. Lord *Mulholland*.—Yes, but how does the purchase of the tenant right come under the jurisdiction of that court?

Mr. *Nelson*.—He is speaking of sales in administration suits and under mortgages.

Witness.—Under mortgages principally.

21,212. *The President*.—When the mortgages foreclose and take possession?—In the nature of foreclosures sales.

21,213. Then can you give us any figures as to the numbers of sales that have taken place of tenant right

during the last few years?—I made up a return which I take the liberty of handing in.

21,214. Mr. *Nelson*.—Just read it slowly?—Perhaps I might condense it.

21,215. Mr. *Keepe*.—How many years did you go back?—I go back for three years, for the years 1854, 1855, and 1856. There were 31 agricultural holdings in all sold.

21,216. *The President*.—In the three years?—In the three years. They were divided in this way. There were 5 sold in 1854, 18 in 1855, and 8 in 1856. Of these holdings there were eight of them judicial tenancies, that is for a judicial term under the Irish Land Act.

21,217. Well, what was the price?—The yearly rents of those holdings amounted together to a sum of £150 8s. 1d. The purchase money was £1,325. The sales produced somewhat less than eight and a half years of the yearly rent in each.

21,218. Mr. *Nelson*.—An average of eight and a half?—A little less than eight and a half years of the yearly rent.

21,219. *The President*.—That is of the eight judicial tenancies?—I refer to those eight judicial tenancies, there were 14 holdings sold which were held as ordinary tenancies from year to year. They produced £3,000. The yearly rent of those holdings, that is the aggregate yearly rent, was £182 16s. 4d., and the sales realized about eleven and a half years' purchase on the yearly rents.

21,220. More than on the judicial rents?—More than on the judicial rents.

21,221. I suppose they were lower rented than?—Well, they were held under landlords of good reputation in the county. That is perhaps the best way to put it.

21,222. Under what?—Under landlords who were known to be landlords of kindly feeling, and of good reputation in the county.

21,223. And therefore the tenant right was of more value?—Of course. There were also holdings sold which were held under grants in perpetuity or leases. They produced £1,542.

21,224. Mr. *Keepe*.—Were those included in the 31?—They were.

Mr. *Nelson*.—That is the way he makes up the 31. 21,225. *Witness*.—Yes, I divide them into three parts to represent the different tenures. The aggregate yearly rent of those holdings was £177 5s. 8d., and they produced somewhat less than nine years' purchase on the yearly rents.

21,226. Lord *Mulholland*.—They were perpetuity-free from grants?—Yes.

21,227. About when were they granted?—They were principally grants under Trinity College or perpetuity grants under the Irish Church Acts.

21,228. Have they been granted since 1870?—Yes.

21,229. They appear to be perpetuity grants at the full letting value?—Yes.

21,230. Is that common in Armagh?—It is. 21,231. Before 1870 was it common?—It was. It is scarcely correct to say that the grants were made since a particular date, for those grants were grants on previous leases, leases with notice quarter clauses for several, under the Irish Church Act or Trinity College.

21,232. I wanted to know whether tenure by fee farm grants at the full letting value was a common tenure in the county of Armagh?—Well, I do not think it is a common one, but there are a great many instances.

Mr. *Nelson*.—Then in round numbers the rental was £519, and the tenant right fetched £3,606.

21,233. *The President*.—And in the third class, the judicial holdings, you say they fetched less money than the others?—Yes, that is the result of the returns in my office.

21,237. Now is that a fair sample of what has been going on in the county in the way of sale of tenant right and the price of tenant right?—I do not think you can take the figures that I give you as a fair test of value, because the owners of those farms were persons who had fallen into bad circumstances, and who from various causes had been unable to either cultivate them properly or hold them in their hands.

21,238. And do you think as a general rule the tenant right of judicial holdings would be less than of other holdings?—I do not.

21,239. Mr. Neligan.—As I understand you, those perpetuity leases brought nine years' purchase?—Perpetuity and leasehold. I add the two together.

21,240. I can only group them the way you mention them. They brought nine years' purchase?—Yes.

21,241. The judicial tenancies only brought eight and a quarter?—Somewhat less than eight and a half.

21,242. Well, I take it as eight and a quarter. And the ordinary tenancies from year to year brought eleven and a half?—The ordinary tenancies from year to year brought eleven and a half.

21,243. And they sold the best, and then the perpetuities, and the judicial holdings sold the worst?—That is the result.

21,244. The President.—Can you account for that in any way?—Well, I cannot account for it.

21,245. Sir James Caird.—Were they in the same years—for there was a great difference between the three years—were the earlier ones the highest priced?—No, they are fairly distributed over the years.

21,246. Mr. Neligan.—Can you give us the years in which the judicial tenancies were sold?—I can give you that accurately. There were two judicial tenancies sold in 1884. There were four sold in 1885.

21,247. And that would leave two remaining for 1886?—And two for 1885.

21,248. Then there were two in 1886, four in 1885, and two in 1884. Can you give us the prices of these?—I can give you both the rents and the prices, as well as the area.

21,249. Mr. Keipe.—And the locality?—Well, Mr. Keipe will know the locality from the handbills. In 1884 there were 25s. 3s. 3p. of a holding, which is a very good one in the county, held under the Duke of Manchester at a yearly rent of £35 15s. 1d. It sold for £203. There was a holding of 16s. 3s. 3p., held under the representatives of Colonel J. B. H. Boyd, which produced £56. There disposed of the two holdings in 1884.

21,250. The President.—I did not catch the rental in that case?—The rental was £16 11s.

21,251. Now as to the others?—In 1885 there was a holding of 37s. 3s. 17p. held under Mr. A. R. Goodhart at a rent of £40 a year. It sold for £385. That I should mention to you was a holding that I had through my hands, and I know that not only was a judicial rent settled by the sub-Commissioners, but that it was revised by the Chief Commissioners, because I was obliged to hold over the sale till the appeal was determined.

21,252. That would be about eight years' purchase?—There was a holding under a man called Cornelius Wright. He is a small owner in the county. It was a holding of 8s. and 4p.

21,253. Mr. Keipe.—Would it be Cornelius Hughes?—Hughes, you are right, 8s. and 4p., at a rent of £8 10s. 6d., and it sold for £64.

21,254. The President.—They all come to just about eight years' purchase?—Yes; I went into it as closely as I could.

21,255. Sir James Caird.—I think we hardly require these details, but perhaps you would be able to tell us in the 14 cases that brought the highest prices what years the years sold in. I do not want the particulars, but how many in each of the three years?—How many judicial holdings did you say?

21,256. The ordinary yearly tenancies which were sold at eleven and a half years' purchase, which is the highest?—There were two yearly tenancies sold in 1884; there were nine sold in 1885.

21,257. And how many in 1886?—Three in 1886.

21,258. Then the greater part of those sales were made before the heavy collapse of prices, being in 1885 and 1884?—Well, I am not able to speak as to that. I do not exactly know. I give you the dates.

21,259. The President.—Those people were what we might commonly call being sold up?—They were, my lord.

21,260. And their holdings in consequence went for lower prices than they would have if they had been sold when they were in good circumstances?—Well, I did everything I could for them in having them properly advertised.

21,261. But they were persons who failed?—They were persons whose circumstances were ran out.

21,262. And the general price of tenant right in the county of Armagh is generally higher than that, is not it; in ordinary circumstances the tenant right would have sold considerably higher than in the case mentioned?—In ordinary circumstances it would be considerably higher.

21,263. Sir James Caird.—But those as I understood were the whole of the sales in the last three years, I mean that came through your hands?—Yes.

21,264. The President.—But they were very low?—Well, they were considered very low; at least the parties themselves considered so.

21,265. Comparing them with the returns of five or six years since, are not they a great deal lower?—The sales have been lower, and gradually lower.

21,266. For the last six years?—For the last seven or eight years.

21,267. Sir James Caird.—Those were sales on the application of the mortgages?—They were, sir.

21,268. Is it a common thing for farmers who have a tenant right to mortgage that tenant right?—Unfortunately nearly the entire county is covered with what we call in Ireland, I do not know whether you are an Irishman, judgment mortgages. It is a common class of security.

21,269. Then are the farmers very much in the hands of those people, as a rule?—Very much, unfortunately.

21,270. Do you know what rates of interest they charge them on the mortgages?—I do not think the rates of interest are unfair, and I will give you the reason why.

21,271. Perhaps you could tell us what they see first?—I was just going to tell you the reason, and you can draw the inference from it. A very large number of these judgment mortgages are consequent on proceedings taken for sheep accounts, and the statute only gives them on that class of mortgages four per cent., and they cannot get more; but if they are mortgages on bonds, that is where they confess themselves, they get whatever rate of interest is recovered.

21,272. And can you say how much that rate is as a rule?—I have never met anything higher than six per cent. I think what is charged generally is five per cent.

21,273. Mr. Keipe.—Have you offered any farms for sale lately, and had no purchasers?—We have.

21,274. Are they convenient to Armagh?—They are.

21,275. You would be able to give us the particulars?—I can hand that in to you on another occasion, or any information that is required I can give it at once, at least by reference to the accounts.

21,276. Mr. Neligan.—What is that?—Mr. Keipe asks me whether we have offered farms for sale lately for which there were no purchasers, and I say we have, very considerable holdings.

21,277. Mr. Keipe.—And that would be recently?—Quite recently.

21,278. Mr. Neligan.—I think it would be well to have a return of these abortive sales?—I can very readily do that.

21,279. Mr. Keipe.—There was one farm lately before you, that the late Tommy Warring held?—Well, there was a very good holding that Mr. Davidson was connected with—in that the holding

JA. G. GIBSON.
—
Mr. George
Gould Tynan.

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Mr. George
Gerald Tyrrell.

21,277. Yes, I think it is the same?—Oh, there were three or four very nice farms, and at one time the tenant right of them would be a very valuable thing, and we got no offer for them, they were held under Mr. Parnell's brother I think.

21,278. Is it under Mr. Armstrong?—We may not be speaking of the same.

21,279. Now with reference to the perpetuity leases that sold for such a price, is it not your experience that in many cases the rents reserved in those leases are higher than judicial rents?—I believe they are.

21,280. Can you give the Commissioners the benefit of your experience in your Court about how those leases were taken out, or what led to so many of them being in the county of Armagh?—What class of leases do you refer to?

21,281. Perpetuity leases?—Well I could not speak so well about perpetuity leases as I could about the ordinary leases, because they run back such a length of time, and the perpetuity leases being grafts upon previous renewable leases, there is a difficulty.

21,282. But speaking of perpetuity leases, you would naturally think they had a very low rent reserved?—Well, that is not the case in the county of Armagh, because I think it unfortunately occurs that the head landlords in the county are subject themselves to very considerable rents.

21,283. Lord Millican.—The head landlords subject to head rents?—Well, it may appear a little, that, but it stands in this way, that Trinity College denied and the former prelates of the Church denied an estate to one individual by a lease with a covenant *inter quosdam*, and those persons sold them and became as it were, middlemen.

Quite so, but the head landlord is Trinity College. Mr. Kuge.—And after the Church Temporalities Act were not those leaseholders compelled to take out perpetuities?

Mr. Neligan.—Not Trinity College leaseholders. Mr. Kuge.—*Inter quosdam* leaseholders.

Mr. Neligan.—But the Trinity College leaseholders were untouched by it.

21,284. Witness.—You will find that they had a power of raising the rents, and that the head landlords called upon the tenants to pay.

21,285. Lord Millican.—Pardon me, you are using the term head landlord in a wrong sense. There is one head landlord only on the estate. That head landlord is Trinity College, and the others are middlemen?—They would not like you to call them that in the county Armagh.

That may be, but here we want to have things called by their right names, so as to know what you mean.

Mr. Neligan.—There are two classes of leases included, and you are apt to forget that when you speak of a *tenes quosdam* lease. There are some leases renewable by force, by virtue of original contract *inter partes*, and there are others which are leases of lands belonging to the Church, and which we are told were compulsorily changed into grants in perpetuity upon the disestablishment of the Church. I apprehend that it is to the Church leases that Mr. Kuge wishes to direct your attention.

21,286. Mr. Kuge.—Has it come under your notice that since the passing of the Church Temporalities Act those leaseholders were compelled to take out perpetuities?

Witness.—They were compelled to take out perpetuities, and to contribute to the purchase money besides for getting those perpetuities.

21,287. That is just what I want you to give the Court the benefit of your information on, because you are in a position to explain the position of those tenants?—Well, I think they were very badly treated. That is my idea of it. They had to contribute to the purchase money. They were obliged to pay for procuring the fee.

21,288. Mr. Neligan.—How were they obliged to pay? was the conversion compulsory under the Church Act?—Their landlords served them with notice under

the 3rd and 4th William IV., calling on them to contribute to the purchase money.

21,289. Were they bound to do that?—They were bound to do that.

21,290. That was not compelling them to take out perpetuities?—Well, a man would not like to pay the purchase money and not get some value for it.

21,291. They had to pay their proportion of the fee?—The fee was generally defined in the lease as distinguishable from the purchase money.

Mr. Kuge.—There are quite a number of people who had no desire to take out perpetuities and were compelled to do it, and had all the costs to pay in connection with it themselves.

Mr. Neligan.—Had they? Well, I should like to see it.

Mr. Kuge.—I can give you two or three cases in point. After the passing of the Church Temporalities Act there was no alternative.

21,292. Witness.—They were called upon by the Irish Church Commissioners to come in and contribute to the fee.

21,293. The President.—Have you any knowledge of the expenses of legal proceedings which had to be taken by landlords against tenants for recovery of rent?—I suppose that you refer to ejectment proceedings.

21,294. Yes; have you anything to do with them?—A great deal to do with them.

21,295. These proceedings are very expensive, are they not?—The cost of an ejectment decree in the county court, that is, for non-payment of rent, is £2 12s. 10d. If the rent is £2 it costs that, and if the rent is £100 it costs the same.

21,296. Mr. Neligan.—About £2 10s. 2d.—£2 12s. 10d. is the sustainable cost.

21,297. The President.—This falls on the landlord if he loses in the ejectment decree, and otherwise it falls on the tenant?—It falls on the tenant, and it is in my opinion most oppressive, the amount of these costs.

21,298. Mr. Neligan.—How would you deal with them?—I find that two merchants in the County Court in Armagh can wrangle for half-a-day in a session for recovery of a sum of money for 12s. or 15s., whereas if it comes in as an undefeasible rent between landlord and tenant, the tenant is obliged to pay four times as much.

21,299. And are not these stamp duties in the case of landlord and tenant?—There are.

21,300. And that is independent of any wrangling? Yes; still it is in your power to remedy it.

Mr. Neligan.—I do not see that.

21,301. Lord Millican.—Are these county court fees?—Yes; it includes the solicitor's charge.

21,302. How much of that is the solicitor's charge?—Well, the stamp duty on an ejectment would be half a crown. There would be about 10s. stamp duty on the whole thing.

Mr. Neligan.—I think the solicitor gets a sovereign for taking instructions and attending in court and everything.

Lord Millican.—And then there is the balance of £1 12s. 10d. as the court fees.

21,303. Witness.—There are no court fees.

21,304. What is the balance?—The solicitor gets 12s. 6d. for settling the ejectment, or 14s. He gets a guinea for moving the ejectment in the court, and he gets some 3s. 6d. or 5s. for filling up the *deces*. The rest is represented by stamp duty, and, say, 2s. 6d. to a bailiff for serving the ejectment.

21,305. Almost the whole of it goes to the solicitor, then?—It does, a large portion of it.

21,306. Is that by statute, does he make these charges by statute?—The County Courts and Officers Act authorized the county court judges, with the approval of the Lord Chancellor, to frame a scale of fees, and it unfortunately occurred in the framing of the scale of fees that they made no differential rates as there are in the other actions in the court.

Mr. Nelson.—That is unfortunately in your opinion. The Lord Chancellor and the other gentlemen came to the conclusion that they ought not to do it.

21,307. *Witness*.—Well, it is my opinion, that I give for what it is worth.

21,308. Mr. Nelson.—Very often there is more trouble in bringing an amendment for a small holding than for a large one, and you would find it very difficult to differentiate them. At any rate it is the rule of law fixed by the county court judges?—Yes; Dr. Bell was chancellor at the time.

21,309. Dr. Bell was chancellor at the time when those fees were settled?—I would not mention the matter except that where there is such a large number of small holdings, as in the county of Armagh, it affects both landlords and tenants.

21,310. Lord Milltown.—If a decree is carried out it falls on the landlord?—Unless there is a redemption.

21,311. The President.—You think a desire prevails on the part of tenants to become proprietors?—I believe there is a desire to become proprietors.

21,312. And are the landlords willing to sell?—Well, I have never met with any landlord yet who stated that he would not sell, but the purpose do not appear to me to have come together in any commercial sense for the purpose of treating the holding in relation to purchase.

21,313. The difficulty would be to find a price that both would agree to?—That and the uncertainty that prevails at present, and has prevailed for some time, appears to be rather fatal to their agreeing on the subject.

21,314. Uncertainty about what?—Uncertainty about what is coming or what is to come.

21,315. In relation to legislation or to a rise in prices?—Both in respect to legislation and prices.

21,316. Mr. Nelson.—That is, the period of low prices and the uncertainty of future legislation?—Yes.

21,317. And that is very discouraging to parties—I mean with reference to their agreeing?—The market is so disturbed that there is no such thing as bringing the parties together.

Mr. BENJAMIN NICHOLSON EXAMINED.

21,327. The President.—I believe you are a farmer in the county of Kildare?—Yes, my lord.

21,328. How much is the extent of your farm?—I hold two farms. The one is 541 statute acres—443 Irish I believe—and I hold another of 247 statute acres, or 140 Irish I think. I have 780 in the two.

21,329. Are those households or judicial holdings?—The larger farms was under lease, and I had a judicial rent fixed a short time ago.

21,330. By consent of the landlord?—Oh, the lease was out.

21,331. Is it chiefly pasture or tillage?—All my land is tillage, and only adapted for tillage. I am obliged to till it in a five course rotation, growing grass crops every one fifth of it every year, and must have a proportion of grain and a proportion of grass, but none of it will hold grass more than two years, so that it is obliged to be sown in that way.

21,332. Under the Northumberland system?—Yes, under the Northumberland system. I brought the system over with me from Northumberland 20 years ago, and adopted it here.

21,333. You said your second holding that you succeeded as a household was under a judicial rent?—It is under a rent agreed on, and confirmed as a judicial rent.—It is a very much lower rent than the other—very much lower what it ought to be.

21,334. Have you paid your rent during the last year—the last rent that was due?—The last rent is not paid. I have been trying; I wished if I could possibly to arrange to have a further reduction because the rent on this larger farm is still very exorbitant, although it was fixed by the Commissioners. I

21,335. And in point of fact the market is so disturbed a state that it is impossible to expect it?—Impossible to expect it.

21,336. The President.—The tenants look forward to a time when they will get better terms than they do now?—I believe they look forward to that—that they will gain by whatever is likely to arise.

Mr. Nelson.—I would just like to get the returns if Mr. Tyrrell would send them in.

21,337. Mr. Kaye.—Will you be kind enough to send in the returns for the three years preceding?—I will.

21,338. And the averages?—Yes.

21,339. And, if it be possible, to ascertain the reduction of rent that have been given on those farms that were put up for sale and not sold?—I do not think it would be possible for me to do that.

21,340. You could find out in one case at all events. Can you give us a little more information in relation to those leases that have come under your notice?—I think I could give you that information now. You see there is only one holding that was practically held under a free farm grant. It is marked here. The others were all households.

21,341. Have you found in many cases that the rents reserved in these perpetuity leases are higher than the present judicial rents?—The one that I sold the parties made a sort of objection to it, that it was not so valuable as if it was a holding under a judicial rent. The others are principally leases on Lord Charlemont's and other estates.

21,342. Would you be of the opinion that leaseholders should be admitted to the benefits of the Land Act?—I have always entertained that opinion, and I should mention that in many of them there were stated rents accepted from what were reserved by the leases; and that has been the habit in the county of Down, where I have resided, and where I have property myself.

21,343. But in many cases the landlords have not given any reduction?—Certainly. I have lived all my life in the midst of a tenant right county, and they attach great sanctity to the tenant right there, and they do not attach any greater sanctity to a lease.

21,344. Lord Milltown.—What is the valuation?—attribute it very much to the fact of my having in the first instance paid a great deal too much. I had a good deal of capital, and put it on the land, and the reduction that ought to be made was necessarily so great that the Commissioners were asked to make it, they did make what appears to be a very large reduction. They reduced it from £850 to £550, but that still leaves it a very long way above the value, and very much too high as prices now go.

21,345. Lord Milltown.—What is the valuation?—£350.

21,346. The President.—And you find it difficult to pay this rent?—I find it impossible. In fact, I have told them that I must give it up unless I get it far less. I am in this unfortunate position, that the estate is in the hands of the landlord's creditors, who pull in five or six different directions, and I find myself dealing with five or six solicitors, and I find it difficult to make anything out of them.

21,347. And if you throw it up, that will also be serious?—It is simply of two evils how to choose the least, either to throw it up at a very great sacrifice, or to remain and be ruined, because I cannot possibly pay this £350. I do not know whether I am at liberty to enter into all these things in my own case, but the £850 was very much more easily paid when I first took the farm 22 years ago than £350 is now from the difference in value of farm produce.

21,348. How many years ago did you take it?—Twenty-two. When I began farming 22 years ago, I made an average calculation of prices of produce from the preceding years, and the fall now below that average is quite 40 per cent.

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Mr. George Gerald Tyrrell.

Mr. Benjamin Nicholson.

Dec. 2, 1886.

Mr. Benjamin
Nicholson.

21,338. From what it was 20 years ago?—From the average 20 years ago.

21,340. Mr. James Caird.—From the average of some years previous to 20 years ago?—Oh, yes. When I took this place 22 years ago, I calculated barley to sell at 16s. a barrel. It was selling at more, but I did not make any calculations above that price.

21,341. Lord Midleton.—In 1866 you made these calculations?—In 1864 I think it was.

21,342. What was the price of barley then?—In 1865 it was selling at 16s. 9d.

21,343. That is the barrel?—Yes.

21,344. It is 7s. 3d. to 8s. 6d. the cwt.?—Yes, the latter would be about it.

21,345. The President.—In 1865 it was how much?—16s. 9d. a barrel.

21,346. And what is barley now?—Barley now is 11s., and you are obliged to beg to have it brought from you.

21,347. Now, if you were to offer to throw up your farm, would your landlord not meet you by an abatement?—I do not know yet. I wrote about a week ago, saying that really I found it impossible; that I had no wish to keep the land without paying my rent, and that I should be obliged to if they could not abate it, and that was to a solicitor for the trustees, and he said that he had forwarded my letter and would let me know, but that it would be a little while before he would be able to do so, as the trustees must meet.

21,348. Is it in the Court of Chancery?—No, but it is in the Land & Estate Court; there is a receiver over it.

21,349. Mr. Nephew.—It is under the control of the court?—Yes.

21,350. The President.—And do you think they would get another tenant to take it?—I am quite sure they would not, because the rent is 22s. 10d. an Irish acre, which is quite 10s. more than I know my land, except under exceptional circumstances, would be worth—any tillage land.

21,351. Then they may find it necessary to come to your terms?—It may be so late as to be of no use to me. If they delayed it till I sold off my stock I would never again tackle it.

21,352. Mr. Nephew.—They are to meet this week on it?—Yes, I think so. During the first five years of my holding of this farm I sold my oats for 14s. 7d. a barrel.

21,353. Sir James Caird.—That is the average?—From my books. My barley for 18s. 9d.

21,354. The President.—I thought you said 16s. 9d.?—I said in taking the farm I reckoned the average price at 16s., but the following two or three years it rose much above that. Then wool, which is a very important thing with me, because in a tillage farm managed on that system it is the principal stock, is cheap. It wasn't my bellows at all, but I keep a cwt. back, and I fatten these young no hoggets. During the first five years wool sold for an average of one and sixpence halfpenny per pound. That was as good as possible what I estimated—18s. per pound. The average of the second five years remained very much the same of all these things—14s. 6d. for oats, 18s. 6d. barley, is 7d. for wool. Well, during the third five years it began to fall. The average for oats was 13s. 9d., the average for barley 17s. 3d.

21,355. What did you say for the oats?—13s. 9d. for oats, and barley 17s. 3d., and wool began to drop a good deal, to 1s. 2d. three farthings. Then during the fourth period of five years the fall was more decided—oats 12s., barley 15s., wool, elevenpence halfpenny. Then during the four years since that, the fall is something very great.

21,356. That is the last five years?—The last five years, the last three years. We have oats down now to 7s. 6d., and 8s. if they are very good white oats. We have barley down to 11s. and 12s. It requires to be very good indeed to bring 12s. And we have wool at tenpence halfpenny. For the last three years

I sold my wool at ninepence three farthings and tenpence halfpenny, and this last year tenpence halfpenny, and the fall in wool makes a difference to me of £150 a year.

21,357. Lord Midleton.—Do you know it is a shilling a pound now?—It did rise up after the wool was sold to 11d., and something more I believe, a little, not quite a shilling.

21,358. A shilling we had it from Mr. Walsh just now?—It is something better.

21,359. Where is it that the price of oats is so low there?—In Kildare?

21,360. At Naas market?—I do not sell at Naas, but in Kildare and round about there. If you send to Dublin you get a shilling more, but you have the commission to pay and all that sort of thing. 8s. is the price there now; 8s., I suppose, in Dublin.

21,361. And I suppose in two or three months' time it would be 10s.?—It might be.

21,362. But surely the weight alone would make the difference?—Oh, yes, you will no doubt have more weight now than in the spring. As to the fall in prices, I think that the cause of this great fall is the price of produce is uncertain, and so far as I can see and learn I think it is not likely to come, because the means are being developed by which we are having supplies brought over.

21,363. Mr. Nephew.—But I suppose there must be a limit below which it would not pay to bring produce over?—Certainly, and we may have reached that limit very nearly.

21,364. Several of the carrying companies have gone into liquidation?—If we have not reached that limit it will be bad for us in the future.

21,365. Lord Midleton.—Do I understand you to say that the price of barley was higher in 1865 than in 1885?—Yes, my land, much higher. In 1865 my barley averaged 16s. 9d.; in 1885 it averaged 14s.

21,366. Because, according to this return, barley in Dublin market in 1865 was 7s. to 8s., and in 1885 it was 6s. 7d. to 8s. 3d., which is not a very considerable difference?—I do not know what return that is.

21,367. It is a return of prices in the Dublin market for the last 40 years, compiled from Purdon's Irish Farmer's and Gardener's Almanac?—Well, I think they must have made a mistake, unless they are dealing with seed corn.

21,368. And then they have a table of the prices in all the markets in Ireland, and from that it would be 7s. 10d. a cwt., and in 1885 8s. 3d. a cwt., that is 5d. a cwt. less. Of course this year it would be less?—This is simply from my own record of sales, and I have about the same quantity every year so far as acreage goes, though I have had very, very bad returns for the last seven years, and very bad prices for the last five. I have expended on this farm during my tenancy of it £20,000 in cattle and mixed manure, in addition to having applied so it all its own produce in the shape of manure.

21,369. During 20 years?—During the last 20 years I have spent on it £20,000 for diluvial and artificial means to help the nature of the firm and to assist in fattening the sheep and cattle, the farm was consequently put into good condition and looked well, and when it was valued by the Commissioners I knew that they valued—perhaps they could not help valuing—my improvements, and that I was assessed on those improvements, and I know that for this reason, the the Court value in walking over it with me told me that so great value it as he found it, and leave to the Commissioners to make allowances for condition. "I cannot tell; I must value this as I see it. It is a high condition, and I must value it in condition."

21,370. The President.—And I suppose you represented to the commissioners how much you spent on it?—I did.

21,371. And did they adopt the court valuation?—They adopted the court valuation.

21,372. Without striking anything off?—They did not strike off anything for condition.

21,373. Sir James Caird.—How could they have any opportunity of knowing anything about condition?—Except in his report.

21,374. And he did not report?—He said that he would.

21,375. You did not yourself lay before the court any of those facts?—Well, in the lease into which I entered originally I was bound to farm well, and they held that that made the condition belong to the landlord, that by the lease my condition I put it into become his, because of the covenant to farm well.

21,376. Are we to understand that the whole of this £3,500 was spent in food for your sheep, not in guano or nitrate of soda to increase the crops?—In food for sheep and artificial manure. I never used nitrate, but a man growing turnips as I did must use a good deal of artificial manure. I think they are about equal quantities, £4,600 of the one, and £4,000 of the other. Now the lands all round about and on the same estate on which there are three small holdings have been managed very very differently ever since I settled there. I have seen the hay and the straw on those small holdings sold off as fast as the crop was threshed—no sheep or other live stock has been kept in them, the entire produce being every year sold; and the rest of that land was fixed 10s. an acre under mine, although in that neighbourhood every man who knows the district says that the small holdings are the better part of the whole estate. The original rent on the best small holding was 51s. 6d. an acre, and they took off 8s. and left it at 28s. 6d.

21,377. Lord Midleton.—The statute acre?—The Irish acre.

21,378. And how much is yours?—31s.

21,379. The Irish acre?—Yes; the Irish acre. I am just 10s. above the others.

21,380. The President.—You are nearly one half as much again?—Yes; and I feel quite certain that, although the Land Act was intended to meet these things fairly in my own particular case, it fell short, inasmuch as I have been assessed on my own good farming. If I had been a slovenly farmer, and sold all my hay and corn as fast as I could grow it, and the commissioners had come over then, I should have had it at a very different rent.

21,381. And you think it would have been difficult for the commissioners not to do this?—I think it is difficult. You judge of land by the eye, and you see its condition. I think it would be difficult, but at the same time I do not think there is any land at the same time we are having and are likely to have, any Ulster land, unless it is under exceptional circumstances, nearer to Dublin or something of that sort, worth any such rent, and I cannot see how it could be made. I calculate the gross produce of my farm to be worth from £4 10s. to £5 the Irish acre, one acre with another, and one crop with another. I cannot produce that at less than 50s. exclusive of rent. I include under that 50s. labour, manure, blacksmith's and carpenter's work, keeping up of implements, and a thousand things. Well, it leaves from 40s. to 50s. to be divided between the landlord and tenant in some fair proportion. Now if we divide 40s., it would give the landlord 20s. and me 20s.

21,382. Sir James Caird.—And what is it now?—The landlord just now gets 31s., and I get nothing at all. As prices are now going, I am getting nothing, and the landlord gets 31s.

21,383. The President.—When was your land valued by the commissioners; was it last year?—No; it was valued in 1863.

21,384. And even then it was too high?—It was too high.

21,385. And since then it has got much worse?—Yes.

21,386. Mr. Nichol.—You appealed?—I appealed.

21,387. When was the appeal heard?—They confirmed it on the appeal.

21,388. When was the land revalued for the appeal?—Oh, the appeal was heard in the beginning of this year, 1868.

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21,389. So that there was a revaluation of the land in 1868?—No; there was no revaluation. They simply took the old value's valuation.

21,390. You could have had it revalued?—Oh, I had it revalued, and it was valued at £400 for me by several people, all practical men acquainted with the farms and the district.

21,391. Sir James Caird.—Now is it £550?—It is £540.

21,392. Lord Midleton.—It is about £1 an English acre?—£32s. would be £1 an English acre. With the prices we are having—and I cannot help thinking myself that the commissioners did not anticipate any further fall in prices, and that they even thought the low prices at that time were transient, and I think that even Commissioner Litton made a remark to that effect in one of his judgments.

21,393. The President.—We have had evidence that they did not anticipate the fall?—And more than that, the court valued, when he walked over the farm, and I asked him what basis he was making his valuation on, and whether he made any allowance for increased depreciation. "No," he said, "we are proceeding on the old lines we adopted in 1861." Well, since 1861 the things are very much altered.

21,394. Sir James Caird.—Did he say, "I now value at the same rate as in 1861"?—He stated to me that he proceeded on exactly the lines adopted when the Act came first into operation in 1861.

21,395. The President.—That he made no difference now?—That he made no difference.

That is not in accordance with the evidence before us.

21,396. Mr. Nichol.—Do you know the name of the court valuer?—I know his name.

21,397. What was his name?—Mr. Robert Murray. We had him examined here.

21,398. Lord Midleton.—You took this land 20 years ago?—More than that now—22.

21,399. In 1863?—In 1865.

21,400. You had not been in previous occupation of the land?—No; I came from England, and land was very hard to be got in England at that time, and this farm is a nice looking one and it decided me, and I made a mistake and I gave a great deal too much for it. That I blame no one for but myself. I gave a great deal too much for it.

21,401. Quite so; and then in 1865, having regard to the prices which had immediately preceded, you thought yourself justified in offering £250 a year for this farm?—Yes.

21,402. Are you aware that the prices of 1863 are almost identical with the prices of 1865?—That is two years before.

21,403. Two years before?—I do not know. I have only my own experience back to 1863 here. I do not know what the prices were in 1864. I did not make my values according to one year, but I struck an average, as I said before, and I valued barley at about 1s. a stone, and oats the same.

21,404. But having regard to that fact, which you may take from me, because we have had it in evidence before and it does not appear to be disputed, you still thought yourself justified in offering £250 a year for this farm in 1865?—Yes; at that time I thought myself justified.

21,405. You have now had the very considerable reduction of £300 a year?—Well, practically £260, because I did not pay the rates under the old arrangement, and now I do. The landlord paid all rates beyond £13 a year. Well, that was £40 I was every year allowed for rates, and now I have them all to pay, so that the real reduction is only £260.

21,406. Well, you have been so far saved from the rashness of your offer in 1865 that the Land Commission have reduced your rent, have they not, from £250 to £550?—Yes.

21,407. And you are not content—still you are not happy?—I am very unhappy. There is no less happy man in Ireland than I am this day, because I see ruin in front of me if I am compelled to realise now, which

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will be an immense loss to me, whilst to hold on will be even worse if the fall in prices is to continue. I counted on 1s. 6d. to 1s. 8s. a pound for wool, and I got more until during the last seven years when wool has fallen, so that it makes all the difference—I say, £150 a year to me. I think the sub-commissioners in my particular instance—it was a high rent and they saw that it had been paid, withheld more to the fact perhaps than they ought to have done—and did not give me perhaps so much credit as they ought to have done. I have been a very attentive hard-working man; I brought to the farm considerable capital, some intelligence and experience gained in the north of England, I have spent the best part of my life in close attention to it, seldom leaving it, and overlooking my steward and trying to keep everything right as well as I possibly can, and yet I have lost money.

21,408. Mr. Keble.—And have you been losing money from year to year for a great many years?—Yes, and I am losing now considerably more.

21,409. Although your rent is reduced?—Yes, although the rent is reduced, because when you sell what the farm grows for half there is no margin for rent; the cost of labour has too much increased, and labour has become much more difficult to procure.

21,410. And have you had more difficulty in paying your rent this year than last year?—I have had great difficulty this year in turning the produce into money, and have never been so far behind in my rent as this year, and that is what makes me so very unhappy.

21,411. And you have paid every attention to the farm?—Every attention to the farm. It would have been much better to have given up the farm at the end of the lease than to have trusted to having a fair rent fixed, because my case is so exceptional. It is not very often, I think, that the Commissioners come upon a tillage farm so managed, and I really think they did not know what to do with it.

21,412. Is your case a fair representation of the farmers of your locality?—No, it is not, because I farm very much more systematically and on a different principle altogether, and consequently my farm is a very different looking place, and I think that I have been made to pay for that in the shape of rent, and I do not think that any farmer would have taken the farm at the original rent, nor would I if I had known the land of Ireland. I find that the land in this country does not produce the same quantity of grain to the bulk of straw as it used to do in my own country. That is where I made the first mistake. I gave too much credit to the farm for its productive power, and I under-estimated the expense of working it, consequently I found it dear.

21,413. Is there any desire on the part of the tenants to become owners of their own farms?—I think in Leinster—it is the only part I know—many of them would, but I think they are deterred by fear of the low prices. I think it is a dangerous thing myself just now to buy land at even 18 years' purchase of the judicial rent. What is to be the value of land if speculation continues—suppose it does not increase at all but simply continues, and that we have to sell out at 8s. and barley at 10s. and 12s. I think purchase at the judicial rents is an exceedingly doubtful speculation as things now go. You know Ireland is very unevenly rented. In some cases there was not much room for reduction and in some there was a great deal, and I think myself that where there was the least room very often the most reduction was made, and where the least condition was found they certainly made reductions more liberally than where a high condition was found.

21,414. Do you think were the commissioners intimidated in any way from making as large reductions as they might?—I think there was such an ostery in the first instance made against the action of the commissioners, that they were a little intimidated by it.

21,415. Was that in consequence of the committee appointed by the House of Lords?—Yes, I think there was something of that sort.

Lord Millicom.—Is that what you mean?

21,416. Mr. Nelson.—What committee are you alluding to which practised the intimidation on the commissioners?—I do not think there was any committee that did.

21,417. Mr. Keble.—I asked you, did you think that the commissioners were intimidated in any way from making as large reductions as they were justified in doing, and if so to what do you attribute it?—I say that I think there was going on in the newspapers a great deal of writing against the reductions which the sub-commissioners were making, and I think that influence through those papers bore so hardly on them that they were a little intimidated.

21,418. Mr. Nelson.—I suppose the newspapers wrote both ways?—I think most of them against the reductions.

21,419. Mr. Keble.—Were not most of the fair rents fixed by the sub-commissioners at that time appealed against?—A great many.

21,420. And that would cause the sub-commissioners to be very particular in fixing the judicial rents?—Yes. I know in England and Scotland where there was no Land Act, land has fallen more, rents have become more reduced than have under the Land Act. I know farms in England which have gone down 50 per cent.

21,421. And there is no Land Act in England at all?—No Land Act at all, but simply because it is necessary that when the produce goes down the rent must go down.

21,422. Sir James Caird.—Do you speak from any recent knowledge?—I speak from reports I have received from friends, of farms which I know of.

21,423. You, having had experience in the North of England, and now for 20 years in Ireland, are you able to say that in your opinion the rent of arable land in the two countries is higher or lower in England or here, that is, with equal advantages of markets?—I think it is higher, if you consider everything, in Ireland than in England, although it is not so high nominally, because there are so many drawbacks. I speak of tillage farms, and I do not at all pretend to value grass land. And in Ireland, although rent is nominally less than in Scotland and in England, I think when you come to deal with it, it is more because labour is much less useful and more costly; you have to meet much more outlay from wear and tear and destruction of implements. And the climate does not fill the grain so the climate does in the North of England.

21,424. You do not get such good quality?—I do not think you get within one fourth of the produce from a given quantity of straw. That is my experience. My great disappointment that I have experienced in the Land Act, at least in the way in which it has been carried out, is that the tenant who he had effected improvements has been assessed on them, that is, on improvements in the condition of land, because where he had effected improvements in buildings, he could put his finger on that and say so much.

21,425. In your case, were the buildings put up by the landlord?—Before they were of any use to me, I had to spend a good deal of money on them, not less than £1,500.

21,426. And that was expenditure out of your own capital?—Yes.

21,427. Which in the north of England would have been done by the landlord?—Would have been done by the landlord, and now that I know all about the drawbacks in Ireland, I think it would be better to give a higher rent in England than here.

21,428. You have had in fact, to incur expenditure which in England or Scotland would have been made by the landlord?—It would have been made by the landlord, and then if I had been obliged to throw up the farm in bad times, as this year, I would not lose that, and if I threw up this I lose all my expenditure.

21,433. You cannot sell it to anybody else?—Nobody would give me half a farthing for it; no one would take it off my hands.

21,434. Mr. Keppel.—Would the landlord take it off your hands?—I am asking him to do it.

Mr. Nidgen.—It is in the Court of Chancery, you know.

21,435. Sir James Caird.—You do not know any special case among your friends in the north of England as to reduction of rent at present?—I could not name any at present, but I hear that such and such a farm has had the rent reduced. I heard the other day of one in Fifehire that was just now paying one half the rent that it was paying five years ago.

21,436. You do not know the Cotswold district?—I do not know the Cotswold district.

21,437. Bents there I believe have fallen more than a half?—I think myself now that tillage lands bear very little economical rent at the present prices, unless very well circumstanced free class lands, but so medium tillage land the cost of production is very great.

21,438. Lord Milltown.—Of course your observations only apply to lands like your own, which is necessarily tillage land?—Certainly, my lord, I do not speak of grazing land, but of medium tillage land such as mine. I cannot convert it into grazing. I must till it, and the expense of tillage is so great and the return so little, that there is a very very meagre margin for rent, and for the tenant to live, and unless you live you cannot farm. Unless you are fed and clothed, you will make very little out of it. I would not ask for much, but I think that a tenant who brings capital and applies all his energies, should make something. I have generally been in the habit of thinking that he should have ten per cent. I have not had there.

21,435. Mr. Nidgen.—You are not dealing with an individual at present. You are in the hands of public functionaries. You are not dealing with a landlord, but with a judge who has to try everything, with a person who has no domestic or personal prejudices?—I think the Land Act was just in spirit, but in the carrying out of it there has been a miscarriage from some unavoidable circumstances. It was a new field, men went into it to try their hand, and they had experience to gain, and men who knew nothing about the value of land presumed to go and value land at one end of a county to-day, and the next day at the other. Now I hold that a man cannot value land out of a district that he knows. He may put a value upon it, but not correctly, and even the sub-commissioner who walked over my farm suggested to me that a great thing to do would be to sow white turnips and transplant them for spring feeding. Now every man who knows anything about it, knows that the white turnip will not bear transplanting.

21,436. Mr. Keppel.—He was sent to put a fair price on your farm?—He was sent to put a fair rent on my farm.

21,437. Sir James Caird.—And to teach you how to farm?—And in the appeal case evidence was given by Sir John Bell Greene. He valued the land for the present owner who purchased some years ago, but he said that he did not go on to it, but drove round about it, and that he could judge of the depth of the soil from the appearance of the surface.

21,438. Mr. Keppel.—Do you think times are at the worst. Is there a reasonable hope that they will improve?—Well, I am afraid that the case is still at work—importation. Unless we had something like some modified protection or something of that sort in order to prevent this great importation, I do not see how we are to have improved times.

Dec. 3, 1886.

Mr. Benjamin Nathan.

The Commissioners adjourned to the following morning.

TWENTY-NINTH DAY.

Friday, December 3rd, 1886.

The Commissioners met at No. 36 Marston Square, Dublin.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILTOWN,
SIR JAMES CAIRD, K.C.B.

MR. NEILMAN, Q.C., Recorder of Londonderry.
MR. KENNY.

MR. WILLIAM DAVIS CHAMBERLAIN.

Dec. 3, 1886.

Mr. William Davis.

21,439. The President.—You are the district inspector of Castle Island?—Yes.

21,440. What is the state of your district as regards crime?—There is a great deal of intimidation.

21,441. Does this take the form of actual outrage?—It has, my lord, and has continued for the last six years.

21,442. And is it as bad now as it was six or four years ago?—Well, intimidation is quite as bad, if not worse.

21,443. And have there been as many outrages?—Not so many outrages. In fact for the last year there have not been so many outrages.

21,444. Is it that it has got so complete that outrages are not necessary, or from any other cause?—My lord, there were English gentlemen came round and denounced outrages in Kerry, and said they were

a disgrace to Ireland. Mr. Davitt came round and denounced outrages, and appealed to certain persons against them. That had a very great effect, indeed, in preventing them.

21,445. And the intimidation now does not take so much the form of outrage as it did?—No, it does not take so much the form of outrage as it did, but still the people are so organized that really if a man is exposed to not perhaps properly he would be afraid.

21,446. Is there much boycotting?—To a certain extent there is, my lord; but it is practised in such a way that the law cannot get hold of it. In fact there are only what might be called two people who are really suffering very much from boycotting in the district of Castle Island. They are subject to some annoyances, but not so much as they were. One of them is a very recent case.

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Dec. 3, 1886.

Mr. William
Davis

21,447. Lord *Millicom*.—You say it is practised in such a way that the law cannot get hold of it?—Yes.

21,448. In what way is it practised?—Never very openly.

21,449. Suppose it was practised openly, could the law be able to get hold of it?—It could.

21,450. But does it?—I have known a case recently.

21,451. Have you heard of cases in your district of successful prosecutions for boycotting?—No; but if it was practised openly it might be done. When a man who is boycotted comes into a fair with his cattle, fellows come and wink at a buyer when he comes up, and he immediately goes away.

21,452. In fact they boycott the sale?—They boycott the sale.

21,453. And the law cannot reach them in the way?—No.

21,454. As a matter of fact it does not reach them?—Oh, no.

21,455. The *President*.—Has there been boycotting of men in the case of refusing to shoe their horses?—Yes. There have not been so many cases of that kind. What they generally say is, "I won't be able to do it to-day, but if you send them in to-night I will do it." So that it is afraid they are, not hat they are willing themselves to earn the money.

21,456. Lord *Millicom*.—Can you define open boycotting that you can successfully prosecute?—If a man orders another's servants to go away he can be prosecuted. There have been no such cases as that; but there is a very large farmer, named Pest, near Tralee, and some time ago he took a grazing farm for six months. He was denounced at the League at Ballymacelligott as a land grabber, and all his servants left him, every one of them; and he has been since supplied by the Cork Union.

21,457. And you cannot proceed against anybody?—No, because every person would say that they did nothing to him.

21,458. But wasn't he denounced?—It was in the League.

21,459. You cannot get any evidence of that?—No, because these are closed completely to us. We have no permission to enter these places, and we know nothing but what is in the papers.

21,460. If you had permission, then you would be able to obtain evidence?—Certainly.

21,461. At present the law is powerless?—The law is powerless.

21,462. The *President*.—How far has boycotting affected the payment of rent?—My lord, this Castle Island district has been so organized since the commencement of the Land League that people who would be inclined to pay their rents are afraid.

21,463. Have the rents not been paid?—The rents have been paid hitherto on getting a reduction.

21,464. Then the boycotting is not so much practised against the payment of rent at this moment as it has been?—Well, my lord, perhaps at this moment there is no danger of its affecting it in that way.

21,465. But the system still exists and could be turned against the payment of rent at any moment?—Unquestionably.

21,466. And you consider that the better payment of rent which takes place now is in consequence of the National League telling the tenants they may pay if a reduction is made?—I only know as much as is in the newspapers. There is only really one branch of the League at Ballymacelligott practically working in the Castle Island district. There are three or four other branches, but they seldom or never meet. It is not necessary I should say, considering that intimidation is so extensive in the district.

21,467. And do you believe if they tried to stop the payment of rent for want of abatements the tenants would follow their advice?—I believe they would follow their advice.

21,468. Lord *Millicom*.—Not so much advice as command?—Command.

21,469. The *President*.—The strings of the intimidation are held in the League?—I only know that in the case of Ballymacelligott where it descended land grabbers, and these people appealed to the Central Branch here in Dublin, and the local branch were admonished for interfering in the case at all; and these people have since held on without being troubled in any way. The only other case was that of Mr. Post the other day, to which I have referred, the person to whom the Cork Union sent the labourers.

21,470. Lord *Millicom*.—What was that case?—The case I mentioned a few moments ago where he took the grazing of a farm for six months.

21,471. The *President*.—Then I gather from you that there is less outrage now than there had been in former days, and that the system of boycotting will prevail very extensively, but that rents with abatements are being paid better than they had been?—Yes, and unquestionably in that district abatements are necessary.

21,472. And are being made?—They are being made.

21,473. It is the case?—It is, but, of course, some think they are not getting enough; but unquestionably it is, generally speaking, a poor district, and the land, I understand from people competent to give an opinion on the matter, did not produce the rent this year.

21,474. And boycotting it is almost impossible to meet, it has become so secretly conducted?—It is impossible to meet it.

21,475. And I understand also from what you said that you are not very clear how far this boycotting is a local matter, or how far it is connected with the League?—I would not attribute it to the League at all at present, because the district is so organized since the Land League that it is not necessary that the National League should interfere at all; and I know that people went round in our county denouncing outrages in the district.

21,476. Lord *Millicom*.—Did they denounce boycotting?—I don't know.

21,477. If boycotting was successfully carried out outrages would be unnecessary?—That would be so.

21,478. Then both have the same end in view?—I should say so.

21,479. Is that what they call carrying out the unwritten law?—It must be so.

21,480. Do I understand you to say, when you say that the League does not meet in any way have anything to do with these cases of boycotting, do you mean that it is carried on against their wishes?—I do not at all; but I say there is only one branch of the League really in operation in the district, that one at Ballymacelligott. There are three others, but they very seldom meet. They have not met for three weeks or more, and from what I could hear very little business was conducted at them.

21,481. There is no necessity for their interferences?—I should say not.

21,482. And their law is supreme?—Well, their organization is complete in the district.

21,483. I am glad to hear from you that Mr. Davitt, who has been rather a celebrated character, had denounced outrages?—Oh, yes. He came down specially to denounce outrages.

21,484. And you believe that it had effect?—I should say it had. I was present myself at the meeting, and I observed that a number who had come to listen to him, owing to his being Mr. Davitt, walked away.

21,485. What class of people?—The very fellows that commit outrages.

21,486. Was this shortly after the Curran murder?—It was shortly after.

21,487. Did Mr. Davitt show any sympathy with the family in their misfortune?—I am quite sure that he sympathized with them, and I knew members of the party to which he belongs who were present there at the funeral, and denounced the outrages, and did everything they could to protect them from being

boycotted. There was also a gentleman, named Mr. Webb, went down from Dublin and addressed the people on Sunday there, and denounced the outrage, and endeavored as far as he possibly could to remove the boycotting and annoyance to which they were subjected.

21,485. And did Mr. Davitt do the same?—I don't remember Mr. Davitt having referred to that particular outrage, but possibly he may. I really believe he did.

21,486. At any rate your evidence goes to prove, and I may say I have unfeigned delight to hear it, that Mr. Davitt did what he could to put a stop to these fearful outrages?—He did, and there were other English gentlemen went down there, amongst them a clergyman, I don't know their names, who denounced outrages; but there was a Mr. Pagan, an English clergyman. I think some of them were members of Parliament.

21,487. Is there any sympathy, do you think, amongst the people with the perpetrators of outrages?—Not so much as you may imagine.

21,488. I don't imagine it for a moment?—Pardon me. There is not so much sympathy with them at all; but there is amongst a certain class.

21,489. But people having any position or stake in the country loathe them?—A great many of them ask them for subscriptions, and they are so much afraid of them that they give them.

21,490. When you say "they," who do you mean?—I mean people having any stake in the country.

21,491. But who are they who ask them for subscriptions?—The perpetrators of outrages, to defend the accused. At the present moment I know that subscriptions are being made up for defending men who are to be tried at the Cork Assizes.

21,492. And the subscriptions are made among all classes of the community?—Yes.

21,493. Mr. Nobles.—For what are they to be tried?—For moonlighting.

21,494. Lord Milnes.—And has the collection been responded to?—Yes.

21,495. Do you believe spontaneously or under compulsion?—I believe under compulsion, a great number of people.

21,496. Sir James Colquhoun.—Do I understand you to say that there is no sympathy among the respectable tenants for these outrages?—Yes. There is not.

21,497. But they subscribe?—They are compelled to subscribe.

21,498. Mr. Nobles.—Then there must be an organization exercising a tremendous power over them?—Yes.

21,499. Have you any objection to state what that organization is?—I don't think it would be for the advantage of the country to state what it is.

21,500. Lord Milnes.—Do you object to state?—No, but I object to its being published, as it might hereafter frustrate the ends of justice.

21,501. But you have an objection to its being published, the name of the organization which, in your judgment, is the cause of all these horrors?—Yes.

21,502. The President.—Who is this boycotting directed against?—Chiefly against people who have taken evicted farms, and in fact it is only people who have taken evicted farms who have suffered from it.

21,503. And it is not used to gratify private spite?— seldom or never. There have been instances, but very few indeed. But I should say a great number of outrages in the Castle Island district were committed to gratify private spite.

21,504. Lord Milnes.—Were there?—Yes, a great many of them.

21,505. And should you from your knowledge of the people be of opinion that the great mass of the people would look with pleasure on the destruction of the tyranny with which they are oppressed?—I am certain they would. The farmers of any position in the district would look on it with delight.

21,506. Do they ever express surprise that the government of the country allows such things to take place?—Well, I have heard it.

21,507. You have heard it, considering that they pay large taxes to be protected?—I am certain that the district pays more than any district in Ireland, except perhaps Loughrea.

21,508. The President.—Did boycotting diminish at all when the Crimes Act was in effect?—Boycotting did diminish when the Crimes Act was in effect. There was very little of it indeed, I think perhaps only two cases.

21,509. And since that, has it revived again?—It has revived. As an illustration, I remember one case of boycotting where a man went to hire a servant on the street, and another fellow came up and said he was boycotted. The police were present, and this man was prosecuted, and got a month in jail under the Crimes Act; and this man never suffered since from boycotting, although he lives on an evicted farm, and is under police protection.

21,510. Lord Milnes.—The Crimes Act allowed two stipendials to deal summarily with prosecutions?—Yes.

21,511. And at present they must be dealt with before a jury?—Yes, if the accused so elects.

21,512. Which they unquestionably do?—I should say they would unquestionably.

21,513. Would you say that rents are fairly well paid now?—In certain places, but they have got large reductions, and the landlords are giving large reductions so far as I know, but I know that some of the tenants think they are not getting enough.

21,514. Have the rents been as well paid during the last fortnight or three weeks as they were before?—I am afraid not.

21,515. Has there been during the last fortnight or three weeks a marked diminution in the payment of rent?—I heard so from some land agents.

21,516. But do you know of your own knowledge?—Oh, I do not.

21,517. It is so reported in the district?—It is so reported in the district that they are not.

21,518. Had there been a marked improvement in the district during the summer months?—Well, it might be said that there was a marked improvement. Considering the former state, it was a marked improvement; but still there were a great many crimes committed in it.

21,519. Did that date from the rejection of the Horse Rule Bill?—Its rejection had very little effect in that way in the Castle Island district.

21,520. And what was the period?—I went back as far as 1880 to make a comparison.

21,521. I thought you said there was a marked improvement?—Taking the serious past years I think there was an improvement.

21,522. When do you date the improvement from?—I should say from the 1st of December, 1885.

21,523. But it was with regard to the payment of rent I was more particularly speaking; but I suppose when boycotting is carried on unimpeded the necessity for outrages ceases?—I should say so.

21,524. And as that is the case in your district, perhaps it is not to be wondered at that outrages are not frequent?—It is not to be wondered at; but, as I said before, there are a great many cases caused by private spite.

21,525. But was there an improvement in the payment of rent latterly?—I don't think there was very much.

21,526. It has been so stated to us, and I wish to know was that the case in your district?—No; I heard they were paying up to a fortnight or three weeks ago.

21,527. And from a fortnight or three weeks ago it has gone back again?—I heard so.

21,528. Are you aware whether intimidation has affected the working of the Purchase Act in any way?—Well, I think to a certain extent it has. I know a property that may be said, I think, to be remarkable in Kerry; it had always been said

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to be very reasonable, the property of Mr. Herbert, of Coherance. He has sold it, I hear, at 17 years' purchase. It was very little set over Griffiths' valuation, and it is a good land, I believe, as is in any part of Kerry. Well, he told me himself he had some difficulty with some of the tenants as regards the number of years' purchase. I believe it has been sold at 17.

21,532. The President.—Mr. Herbert, of Muckross?—No, Mr. Herbert, of Coherance. He is a cousin of Mr. Herbert, of Muckross.

21,533. Lord *Milltown*.—But the question I asked you, Mr. Davis, was whether you think intimidation had effected in any way the fair working of the Purchase Act?—I understand, well, really, I believe, that if the people were inclined to purchase, and give more than what is thought in the neighbourhood generally they should give, I believe they would be intimidated to withdraw from their engagements.

21,534. They would be?—I believe they would.

21,535. But you think from what you know of them, that if they were allowed to act on their own volition without interference from any external body, they would be desirous of purchasing their holdings?—Certainly, most anxious to purchase their holdings in that way; but I suppose it is the inclination of many nature to get things as cheap as they can, and I am certain they are themselves not disposed to a little intimidation, to show that they will not be allowed to give more than a certain amount of purchase for their land.

21,536. Do you think that if they were left to themselves, they would be likely to come to terms with their landlords?—I believe they would certainly be most anxious to do so.

21,537. And live on better terms?—Well, as I said a few moments ago, the better order of people are most anxious to live on better terms, and that this unfortunate state of things should cease.

21,538. Are you well acquainted with the county Kerry?—No; only with the Castle Island district.

21,539. Have you been acquainted with it for many years?—Six years.

21,540. You don't know anything of its history before the League?—Except what I know from hearsay.

21,541. It has been commonly stated to us that it had been one of the most peaceable districts in Ireland?—History says there were previous outbreaks. So far back as 1798 the police barracks—

21,542. Mr. *Nelson*.—Since the White Boy times?—Nothing since that.

Lord *Milltown*.—Since previous to 1879 no outrages took place in that district?

Mr. *Nelson*.—No outrages?

21,543. Lord *Milltown*.—I mean no serious outrages?—I don't believe there were.

21,544. And the relations between landlord and tenant were excellent?—Yes.

21,545. And you think, if let alone, this good feeling would have continued?—If it were not for agitation, I am quite certain that this good feeling would have continued.

21,546. Coming back to the Purchase Act. As I understood you, there is a certain amount of pressure put upon purchasers as to the price, and that you noticed that purchasers are very willing to be pressed?—Yes.

21,547. While that state of things continues, it is a hopeless thing for a landlord to get a fair market price for his land?—Yes.

21,548. You said just now that boycotting continued to be used against those who took evicted farms?—Yes.

21,549. At whose instigation are they boycotting?—I should say by the League.

21,550. But it should originate with some person?—Certainly. The part of my evidence which I declined to give, if it was stated, would explain all this.

21,551. I don't wish to press you strongly, but I take it that there must be some organization from which it springs?—No doubt there is.

21,552. And I take it that boycotting would take place perfectly immaterially of the circumstances under which evictions take place?—Yes.

21,553. That evictions might take place of heavily bankrupt tenants, and that boycotting would continue?—Yes.

21,554. And that practically speaking, the recovery of rent is practically hopeless by means of taking possession?—I should say it is hopeless. It would be madness for a landlord to have recourse to such means, because he would ruin himself.

21,555. And the practical result, from whatever source it comes, is that there is now a court of law there, which has superseded the law of the land and is supreme?—Yes.

21,556. Do you think that the purchase of their holdings by the tenants of the district would tend to the preservation of law and order?—I believe it would.

21,557. And that it would cause the people to be anxious for its preservation for their own sake?—Yes, and they would become conservative.

21,558. That is my own opinion too?—If that were so, they would organize to put down outrages themselves, and until they organize for that purpose, it will be very difficult, and almost impossible, to put down outrages—all but impossible, because the police are perfectly powerless.

21,559. At present, I suppose, they give little or no assistance to the police?—They would if they could.

21,560. They dare not?—They dare not.

21,561. In fact it would be as much as their lives would be worth?—Yes. There was a man fired at some five months ago, and I believe the man knew who did it, and a certain number of his family knew him, and when he was about telling the police, one of the sons said—I heard him—"Do you want to drive us out of the country?" They never told us.

21,562. You mean by giving information?—Yes.

21,563. Sir *Jones Courd*.—The son of the man who was wounded said that?—Yes.

21,564. The President.—Are there many people in your district under police protection now?—There are.

21,565. What is the number, could you tell us?—I could have it in the morning, if you wish.

21,566. Mr. *Nelson*.—Oh, in round numbers. Are there 10 or 20?—Oh, there are 40 or 50 or more; some under constant protection, and more protected by patrols.

21,567. The President.—And is that more than it was two years ago?—Well, since about three years ago they rose steadily.

21,568. And it is as great as ever it was?—That have been very few reductions.

21,569. Lord *Milltown*.—What class of persons are they?—Well, Mr. Hume's place, in the district of Eglorham—the place where the dynamite explosion was.

21,570. I know; but to what class do these people belong?—To the farming class.

21,571. And what is their offence?—Well, for having taken evicted farms, and there are half-dozen different properties under protection.

21,572. The President.—And if these people were left unprotected they might be murdered to-morrow?—Well, some unquestionably would be murdered, but there are others, I think, would not, and these are not constantly protected. They are only protected by patrols at night.

21,573. Lord *Milltown*.—Some certainly would be murdered; others would only run a fair chance of it?—That's the way to put it.

21,574. The President.—And it may be partly owing to the number of people under police protection that outrages have not been very frequent?—Yes, because the police are so scattered over the country that it is more difficult to commit outrages than it

was There are undoubtedly large tracts of country where the police are very scarce even now.

21,575. *Lord Milltown*.—Have these unfortunate people to pay for their protection?—No.

21,576. The Government does not require that?—No.

21,577. Is no instance?—Not in my district. The only thing they have to supply is fuel and the room the police occupy.

21,578. Is it your opinion that murder could be committed in your district with absolute impunity, unless it should happen to be witnessed by a member of the constabulary?—I say so.

21,579. And even then there would still be the chance of a trial before a jury subject more or less to intimidation?—Certainly so.

21,580. The President.—From your general knowledge of other parts of Ireland—at all events of that neighbourhood—do you think Castle Island the worst district in Ireland at this moment, or that there are other places equally bad?—Well, it is in a very bad condition, and I think there are very few places in Ireland, perhaps, worse. The Tralee district has become notorious recently; perhaps it is worse than Castle Island, and Listowel has now become bad. It had not been at all during the Land League. Also Kilmahony, there have been a great many outrages there recently—very serious ones.

21,581. In fact almost all Kerry?—Almost all Kerry. Keshmure and Cahirciveen are very quiet, and Dingle. There have been no serious outrages in that district. Killybegs has not become serious, except some raids for arms. The people in Castle Island have been very heavily taxed.

21,582. Mr. *Nelligan*.—That is blood tax?—Blood tax and police protection. The poor rates are enormous.

21,583. That is from outside relief given indiscriminately?—Yes.

21,584. Sir *James Caird*.—I think, Mr. Davin, you said it was a poor district, Castle Island? We have heard it was a rich district?—Oh, it is poor, except the land about Castle Island.

21,585. Outside the immediate neighbourhood of the town?—Outside the immediate neighbourhood of the town.

21,586. Which is indeed a wretched district, as I understand?—About Castle Island the people were very well off a few years ago.

EDWARD W. FOWLER, Civil Engineer, examined.

Edward W. Fowler, C.E.

21,600. The President.—Mr. Fowler, I believe you are land agent to the Earl of Clanawtry?—I am.

21,601. His estate lies in the County of Galway?—In the Counties of Galway and Roscommon.

21,602. I understand the rents have been well paid lately?—Well, up to a few weeks ago they were fairly well paid, but at the present moment I don't think they will be paid at all.

21,603. You don't think they will?—No. And I received this letter this morning, in reply to a letter which I wrote to my manager in the neighbourhood of Loughrea on Sunday last, requesting him to put before the tenants that Lord Clanawtry was going to give them the same abatement that he had given them last year, which was in this letter: "The Earl of Clanawtry's Estate Office, November 28th, 1896.—The tenants, on the Coorbeon Estates will please take notice that on payment of the half-year's rent, due 1st November 1896, before the 31st December 1896, 20 per cent. will be allowed on all agricultural holdings, not townships or where judicial rents have been fixed, and 10 per cent. on payment of half-year.—May 1st 1896." That is the letter which I sent down.

I sent a number of them to the principal tenants all about the estate, so that they should have them upon Sunday when they come into the town of Loughrea, and that they would soon know all over

the country what I would do and what I would not do.

21,604. Lord *Milltown*.—I beg your pardon. Is there a hanging sale on the property?—No.

21,605. The President.—The judicial rents are excluded?—Excluded. Well, I have been waiting rather impatiently for my letter from my manager over since Sunday last, and at last I had to write to him to send me a reply, and he writes: "I would have written to you before"—(I got it this morning).—"but I have no good to write about. They appear to be all up in arms against the landlords. They have a great meeting of all the tenants to-day in Loughrea." (This was written yesterday.) "I think they want to vote out 'them that went into the Land Courts.' Now, that is a very serious expression. He is an old Scotchman, and very often I find I have a great difficulty in understanding his English. But what I take it is that they want to vote 'in' the men—that they want to bring in the judicial renters in the same category as the others.

21,606. Sir *James Caird*.—Did he say "vote out"?—Yes.

21,607. He can scarcely mean "vote in" then?—I think his expression very hard to understand. My idea is, that they don't want the judicial renters excluded; but it sounds the other way. However,

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there it is. Then he says: "I was talking to . . . He does not know what to do. "He says he never was in such a fix before in his life. "I will try and get all the news to-morrow morning, "and write all the particulars I hear about them." Well, that is the state of affairs at the present moment. There is a fair to be in Laugharne on Monday; my usual rent days were the two days succeeding that, and I don't see at present the slightest use in my going there.

Mr. Nelson.—I see there is a rival rent office to be held on Monday in Loughran.

21,610. *Witness*.—When I was sent a notice of the manifesto, I said I was not going there to be insulted; that those who were to pay their rent should pay it in another way, and that I should simply take steps with those who did not.

21,611. *The President*.—Are there many judicial rents upon Lord Clancarty's estates?—There were 1,600 tenancies on the estate, which were something under £15,000 a-year. Taking off our property and leases in towns, it reduces it to 1,250 tenancies. About 140 of these are town parks. That brings them down to 1,110 agricultural holdings; and there are 110 inland numbers who hold more farms than one. That brings it down to 1,000 agricultural tenants in round numbers, paying £18,000 a-year. There are 900 of these tenancies under a £10 valuation.

21,612. *Out of the 1,000?*—Yes.

21,613. *Sir James Caird*.—Could you not tell us what the rent is?—Oh, it is impossible to say what the rent is, it varies so much. I can give you a sketch of the judicial rents. Would it give you to read a few of the judicial rents.

The President.—No.

21,614. *Witness*.—The first man went into the land court directly after the Act passed in 1881. His rent was £22 3s. 8d., his judicial rent was fixed at £38 10s.; and the poor law valuation was £32. I may mention that there was expended a sum of £1,500 on a river on one side of that farm for arterial drainage by the landlord, and partly surface drained, and it was going on and was not completed at the time this rent was fixed. I asked the Commissioners to take some consideration for this, and they said,—"No, they could not take it into consideration" as the works were not completed." He sold his interest a fortnight after for £100, and that man was a bailiff on another estate.

21,615. *Lord Milnes*.—The landlord spent £1,500?—The landlord spent £1,300 on the river on one side, giving a complete outfall to the holding.

21,616. And was that £1,500 held out to open up this particular holding?—No; it was arterial drainage.

21,617. But he had the benefit of it?—He had the benefit of it. And I may tell you the Sub-commissioners who were then newly appointed when they went over the land digging holes to see the depth of the land; all the very best of it was about one half—the depth of the actual soil was about from 20 to 23 and 24 inches. And one of the Sub-commissioners said to me—I having asked him what class of soil it was—"It is better land," which was the identical word which I had in my notes when I went to examine the farm some time ago; exactly the same class of land they value the Cork better from, is the neighbourhood of Blunney. Patrick Burns, the rent, £45, reduced by me before this Land Act to £25; the new judicial rent, £30; the poor law valuation, £25. This arterial drainage goes on across and along that farm, and that was the reason probably the valuation was so very low there, because part of it was liable to be flooded. I paid him nearly £40 in hand myself in days' work and constant work, doing the drainage on his own farm, prior to that rent being fixed at £30.

21,618. *The President*.—It was reduced to £20?—It was reduced to £20 from £35, it having

been previously reduced to £35 from £45, as I find it was swamped with water.

21,619. Were the other reductions about the same ratio?—Not on the mountain districts. John Shiel's rent was £5 10s.; Court value, £5 8s.; judicial rent, £4 10s.; and poor law valuation, £5. The next one is £6; new judicial rent, £4 10s.; the Court value, £6 12s. I think I won't trouble you with any more excepting one—a curious case. There was a mill and mill plot, leased about 1794, as well as I remember, of 20 acres of land, at £37 11s. 11d. We had a great discussion as to whether it should be considered an agricultural holding or not. The lady who owned it, having brought an action against Lord Clancarty for altering the water power of the mill a few years before, claimed £2,000 damages for altering the mill, and swore in court it was worth £130 a year to her, the mill alone. She then swore the land was only an appendage, and of very little value. The Head Commissioners, Mr. Lynch, determined to go out himself, and he pronounced it was an agricultural holding, and thereupon the Commissioners, Mr. Meek, Mr. Gilman, and Mr. Lynch, pronounced the former rent was to be £32.

21,620. What had it been before?—£37 11s. 11d. I appealed, and the poor law valuation, I might mention, was £35.

21,621. *Lord Milnes*.—That included the value of the mill?—That included the value of the mill. There was only £8 put upon the mill, and that was put upon it when it was a small thatched tack mill, and never was altered when it was made a corn mill.

21,622. Was it made better?—We spent about £600 on the water-course and mill and new machinery.

21,623. Have you had any return for that money?—Not one shilling, but this rent was cut down to £32; and we were told it was an agricultural holding. I appealed of course, and the moment I was put on the table and gave my evidence in Galway before the head Commissioners, they said "Oh, we don't want" to hear any more," and they put the rent back to the old time, £37 11s. 11d.

21,624. *The President*.—And now the whole judicial rent is lowered about 15 or 20 per cent.?—Well, I will tell you now exactly. There were 90 cases on the whole estate, and £252 was the actual lowering on all these—about 14 per cent. on the average.

21,625. Then I wonder at first sight why the other tenants did not come in also?—Well, you know a great many of them were sent out of Court.

21,626. There were a number?—Oh, numbers of them disbanded. They would not be heard at all.

21,627. And had no reductions made?—And had no reductions made. And I may tell you this, that is the mountain district near Loughran, a great part of these tenants, they went into the Land Court against Lord Clancarty. They had all their farms filed up by valuers, and they brought it so far that when they were brought into Court, many of them said they had not authorised this at all, had not signed the papers, and they said they did not want to go against it at all, and would sooner leave it to me.

21,628. Do you think that those who went in were most highly rented, and were most likely to receive a reduction?—No, except in a few cases. I think some of them were, and these men generally went in on an agreement along with me. We went jointly into the Land Court together to have the land adjusted.

21,629. And did you, after these were settled, lower any of the other rents?—I did. I assimilated a great many of the rents then to the judicial rents that had been fixed.

21,630. And they are now all about on an equality?—They are all about on an equality now.

21,631. They were reduced, giving 20 per cent. to those not holding under judicial rents, and giving nothing to those who did, yet they were all equally rated?—Well, they were offered to have a settlement made, and their expression was that "we will bring" you into the Land Court and force a settlement."

I said "better not. If you want a settlement, I will very much agree with you."

21,632. But so far as ability goes one is in the same position as the other?—Very much.

21,633. And do you think that those who held under a judicial rent, as prices now are, are really able to pay their rent?—I do.

21,634. Out of the earnings of their farms, not out of savings or anything else?—I do.

21,635. And the 20 per cent. you give to the others, it is not because they cannot pay, but out of kindness?—More out of kindness and policy, to make them all on an even footing.

21,636. Sir James Caird.—But they are not all on an even footing if you give a reduction to one and not to another?—This is only a temporary effort. The reason for giving it was more a matter of policy. It is not because we believe the people require it.

21,637. The President.—Wouldn't it be more politic to extend it to the whole number?—Well, up to the present, it prevented the whole estate going into the Lord Court and creating an enormous amount of expense, as regards both landlord and tenant. I have given 15 per cent. on the year's rent due and payable November 1886 on payments before the 31st December, and on one estate up to January 31st 1887 on account of farms not sitting, although I did not think that the poverty of the tenants, and their consequent inability to pay, existed generally, while the sum they give for superior food, horses, clothes, and building, and subscribing to various things, which they do subscribe to—the League and others. But as the leaders of the Government have been boasting of the kindness and liberality of the Irish landlords, and stating they hoped and trusted they would give their tenants a reduction this winter, we were obliged to offer small temporary abatements to show that we had at least done all we could, and that if the tenants did not pay that they deserved no further consideration, and that they had struck against paying. And I told Lord Clancarty a while ago that if the Government would assist and protect as they would get our rents paid, and that most of the tenants were anxious to keep well with us and pay, and that all would be well and peaceable. But the League was allowed to hold meetings and go about with banners and banners and agitators, so that "no rent" now was the order of the day. And I told Lord Clancarty also that if this was to be permitted and go on again that I would not go through all I did before—police protection, hailing, and boycotting; that I would simply resign and advise him to place it in the hands of a firm of attorneys—the rents being now settled on a fair basis—who would insist upon payment; and I believe they would get every shilling, but I don't want to go through what I did before.

21,638. Do you think that if you made a reduction of 20 per cent. all round, including judicial as well as others, that they would pay all then?—I may hear of that in the course of this very day, after they have held their meeting, and I don't know whether they will or not until I hear further. The reason of this having come about Lord Clancarty's property is that there is only a lock-split line in the mountain range between Lord Clancarty's property and Lord Clancarty's and Lord Donnell's; so the other side of this line the tenants won't pay rent at all.

21,639. Is Lord Donnell making any proposal?—I hear he is making a proposal of 15 per cent., but they said they would have 25.

21,640. Lord Clancarty is doing the same as you?—I don't exactly know. Mr. Joyce could have told you.

21,641. And you consider that the rents could be fairly paid now if they chose to pay them?—I do.

21,642. But I suppose they do not find it so easy now as they did two years ago?—I should say Lord Clancarty's estate than two years ago.

21,643. For what reason? Has there been any rise in prices?—The food is cheaper, and sheep—one of the

things they go very much on in that county—are rising.

21,644. They do go very much on sheep in that county?—Oh, very much. And I may tell you that the combination to resist paying rent has come in completely from Lord Clancarty's estate.

21,645. It began there?—It began there, and about a fortnight ago. They held a meeting at a chapel called Dalswara Chapel. The chief organisers were from the Woodford district, and they told our people they must join them. Their words were, "You must go in line with us." And up to that time, I believe, our people would be satisfied with making arrangements such as I gave.

21,646. If it had not been for interference from outside, they would be willing to pay?—Yes, and all the interference has come from outside since I have been connected with the property.

21,647. And it is best to stop that?—It is impossible for me, because it comes from outside.

21,648. Lord Millican.—Is it the result of advice, or the result of terrorism?—There have been several cases of boycotting there, and I have tried as much as possible to prevent them. Here is one that I thought might interest you, which I think is a very bad case indeed. [Document handed to President.] I may mention that I obtained a lease under the Rotted of Distress (Ireland) Act, and borrowed about £5,500, to drain and make roads on the estate in various places, and to employ the smaller tenants at the work; and in one place near Loughrea, I was unable to get any place to employ them. I wanted to drain the district, and the occupier said—"I get an injunction against Lord Clancarty before, and I will have an injunction against you again," and I was shut up. And there was a little bog near, and I said—"Cannot I get that to furnish employment to my own people?" and the tenant said—"I am paying 24 a year for that, and I don't wish to give it up." I said "I want to improve that part of the country; I am anxious to get the place, and I will bring some pressure upon you if you refuse to give it." "Well," he said, "my father or grandfather gave £16 for it,"—which I found afterwards was totally untrue. I jumped at the thing and said—"I will give you £16"; and he signed an agreement with me that I was to keep it for three years or four, and when it was reclaimed, hand it back to him; and that he should pay back the £16 he had for the rent, with a certain increment upon it representing the interest of the money I spent. He signed the agreement. I got the land—I kept it, I think, for four years; and after having put it through a rotation of crops, I offered it back to him, and he totally refused to pay the £16, or to increase the rent. "Very well," said I, "I will sell it"; and a man close by, a neighbour, gave me £16, and agreed to give me 25 for these nine acres. It was worth a great deal more—this man paid his rent punctually for two years, and now they won't allow him—this is one of the most horrible productions I ever saw—and that is all his crime.

21,649. Sir James Caird.—Has there been much outrage, actual outrage, in your district recently?—There has been none committed inside the boundary of Lord Clancarty's property—no outrage at all, but there were eight murders in the neighbourhood of Loughrea, none of which have been discovered.

21,650. And has there been—in those much boycotting going on now—I think you said there is?—There is in every place, and it seems to be on the increase. I have had information from various quarters about it. I wish to mention that they have dilly of tenants at very fair rents, but there is no such thing as free sale—it is not allowed.

21,651. What do you mean—is it stopped by the League?—Yes.

21,652. And with regard to purchases, do the League interfere with the purchases on the part of the tenants of their holdings?—Well, so far they are against it, I know.

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21,653. I mean purchase under Lord Ashbourne's Act?—Yes. I offered the advantages of that Act to two or three tenants on an outlying portion of the estate, but I found in no instance a tenant willing to avail himself of it.

21,654. You think there is no wish on the part of the tenants, even if not prevented by the League?—I think not. I think they would far rather stay under Lord Clancarty under the old rules of the estate. As to the action of the League, they will not allow a man now who has got into difficulties to settle, and after I have taken legal proceedings against him, and then offered him a settlement, they would not allow him to accept it. I hold a whole lot of deeds at the present moment, and I do not know what to do with them.

21,655. Would there be any sale of tenant right in your district if the League did not interfere with it?—Oh, there would if allowed.

21,656. And was tenant right allowed on the estate before the Act of 1881?—No, it was not. The landlords down there did not wish to recognize it. It was not the custom of the country. Here is another note; "I have just heard the edict has gone forth not to pay one penny rent to the Hynds' today." That is a small property which a merchant in Ballinacree purchased in Roscommon, adjoining Lord Clancarty's property.

21,657. I suppose you intend, if the rents are not paid, to take proceedings?—I will do so if I find that it pays, but unless my men are protected, and that I get police protection for them and for myself, I dare not do it.

21,658. Have you ever had any difficulty in getting police protection when you ask for it?—There was no difficulty before, that is, under the old rules, but I understand one will have to pay the expense of police protection—in some cases the whole of it—now.

21,659. That was not always the case I think?—I certainly could not afford it.

21,660. Lord Millars—Has that been intimated to you as a matter of fact?—Not to me personally, because I have not sought for protection, but it has been intimated to several gentlemen in the district.

21,661. Are you sure that the authorities have made that intimation?—Well, it is only from hearsay that I speak. I have not gone to the authorities myself on the subject, but I am told that is the new rule.

21,662. The President.—Are there any under police protection in your district at present?—Yes, Mr. John Ross Mahon, the agent to Lord Clancarty and several small estates, and Sir William Ross Mahon, he is under police protection.

21,663. And has he to pay?—Yes, he has to pay. Mr. St. George lately gave up his protection. He is land agent to Captain Blakeney, of Castle Blakeney, who, I see by a paragraph in today's Irish Times, received his rent the other day without any payment.

21,664. I would just ask you one question about the loans to local authorities—I think you stated that that would not be satisfactory?—No, because the only security they could give is the rates of the union, and a class of persons are being elected during the last few years, at all events on our Board of Guardians,—Ballinacree, of which I am the vice-chairman—who are non-resident, and have really no qualification in the divisions they represent, and little or no interest in these divisions. They have been merely elected for political purposes, and would be very glad to pledge the rates for money to be expended upon building cottages or any other bid, but they never do anything towards the working of the union; they go in entirely for politics, and I do not think they are a class of persons to whom the collection and the supervision of the rates should be entrusted at all.

21,665. Sir James Connel.—Do they pay rates themselves at all?—Very small indeed. One of them is a broken down farmer who had a nice little farm at one time, but is now subsisting upon what he can get weekly out of the league. He is one of the local centers and a well known character down there. Another is a well known solicitor who has got on the

board for the same purpose, speech making and polling every day. But these men have no stakes in the county at all, and several of them only pay rates on the houses they occupy in the town. I do not know if there is anything else, gentlemen, that you want to ask me. I would be glad to answer any questions put. There is one other thing which I think is worth mentioning, and that is, that the action of the commissioners in cutting down the rents, and their action in respect to the drainage charge upon the lands in regard to loans obtained from the Board of Works, has led to the stoppage of all improvements, that is the new order of things under the Land Act.

21,666. That is the Act of 1881?—Yes, the Act of 1881. The landlords are not allowed to put any charge on the tenants in respect of drainage works now, and they have not gone in for them of late.

21,667. The President.—So that arterial drainage does not go on now at all?—No, such works are entirely stopped.

21,668. Mr. Neligan.—Arterial drainage would be very difficult if you had an immense number of properties to deal with, would it not?—Oh, yes; the larger the estate, the more difficult the dealing. I expended myself £4,500 in drainage works, but we are not allowed to put on an increase of rent, and the tenants who benefited by these works must wait the very ones who went into the Land Court first. Under the old system, a portion of the drainage charge could have been put upon the land, but by the present action of the Land Commissioners that is now impossible.

21,669. And if you succeeded in selling the estate, that drainage charge, the benefit of which would be for the tenant, the capitalized value of the outlay would have to be met by the landlord?—Yes.

21,670. Of the £4,500 which you say was expended on the drainage works on this estate, how much remains to be paid?—£4,500, and interest is charged on it.

21,671. And that must be taken out of the landlord's pocket entirely, no matter if he sold the lands which the £4,500 was expended upon?—Yes.

21,672. Although he gets to benefit whatever out of it, the entire benefit being to the tenant?—That is so. We are now paying £304 a year to the Commissioners for that drainage charge, and if we could be allowed to place a small, a very small, charge upon the tenants, or to increase the rent of the various farms, I do not think the tenants themselves would object. The Land Commissioners, however, simply said they could not do it.

21,673. The President.—The Commissioners might have taken the charge into consideration, and reduced the rents lower than you thought they should?—No; they said they did not take the drainage charge into consideration at all—that there was no machinery in the Act to enable them to do so, and as a consequence the entire charge should fall upon the landlords, although, as has been said, the money was expended for the improvement of the lands held by the tenants. Here is a curious anecdote again. A man named Connolly, Patrick Connolly, was ejected for non-payment of three years' rent (£49), out of about three acres of land and a house. He was then allowed to sell, and he sold to a woman who had come back from America, and who gave him £30 for his interest. She was going into the house, when she came to me and said, "I wish to get a nephew of mine on the books." "He is a young man, and I wish to put his name on the books." I advised her not to do so, and told her I never knew an instance put of a person putting another's name on the books who did not get into trouble. I said, "Take my advice, and put your own name on now, and let the nephew live with you and work for you, if you like." But no; she would have the nephew's name on, and she had her own way. Well, he paid no rent from that day out. He was evicted after being there two years, and after the six months' period of redemption, he did not re-deem. I then put the old lady into the tenancy again herself, she having paid me the £4, the two years'

rent. Directly she got in they boycotted her, and she was with me the other day crying like a child, she did not know what to do.

21,674. Sir James Caird.—She was the original tenant, you say?—Yes, she was the original tenant. I do not know there is anything else I wish to say about the estate. There are several things which I have jotted down, but I suppose others have brought them forward. For instance, I know there is a great outcry at present in all parts of Ireland about the tithe rentcharge, but I suppose you have had evidence about that.

21,675. Mr. Neligan.—What would you recommend about that?—I really think the tithe rentcharge is a thing which ought to be dropped altogether.

21,676. The President.—It was put upon the landlords with the understanding that they might meet themselves by raising the rents?—Yes.

21,677. And then the rents have been set down far below what they were before the tithe rentcharge was put upon them?—Yes, that is so, and that is a grievance. Another thing that I wanted to point out, and one of the reasons for the poverty of that western district, is this—previous to 1882 the people were in the habit of borrowing very largely from the banks, and the system they adopted was a very wrong one. I wanted £50, and I asked this gentleman to back my bill on the bank. He did so, and I got the money. But then this gentleman wanted £50 himself, and he got me to back a bill for him on another bank, and he got the money. Then a third got me and my friend to do the same for him, and went to a third bank. Then the banks stopped, and the solvent man of the three had to put down the £150. Of course the banks came down on the best man, and the result was that he was beggared. That system was stopped in March 1882, but the banks, instead of giving timely notice to the people that they would not give further accommodation, brought the thing to a close suddenly, and that brought down the small western farmers to their knees, and they have never actually recovered the blow that they got at that time. That was the worst hit they ever got, in my opinion.

21,678. Lord Milltown.—Those advances were originally made in consequence of the interest given to the tenants by the Land Act of 1870?—I presume so.

21,679. So that one of the results of the Land Act of 1870 has been to ruin a great number of industrious farmers?—No doubt it led to great extravagance, and that brought about that result in the end.

21,680. The President.—I thought it would have increased their credit?—They borrowed a great deal of money, a great deal too much, and the best tenants then were in for it. They had to pay all, while the indolent and the bad agriculturists paid nothing, and went far away. There was one instance of a very clever fellow there who went. He got a bill for £8, altered the "eight" into "eighty" by adding "y" and a cypher after the numeral 8, upon which he got £80 for his £8 bill, left the country, and his friends had to pay. The next house of his was that he was in New York. He ruined the two unfortunate heirs, his friends.

21,681. Sir James Caird.—Did these advances by the bank, which you say were put a stop to in 1882, apply to any large number of tenants generally throughout the district?—Oh, yes, they did—the system was pretty general.

21,682. And you say they have never properly recovered from that?—They never quite recovered, and some of them, in my opinion, will never recover from it.

21,683. So that those people are not in a good condition to pay their rents now?—Oh, a good many of them are gone now.

21,684. They are not in their holdings?—No; some have left the country, and more of them the bank will not.

21,685. But I suppose a good many of them remain?—Oh, some have remained.

21,686. And they would naturally be less able to meet their rents?—Yes; these people are certainly less able to pay rent.

21,687. And you say there are a considerable number of farmers in your district?—Yes; there are a considerable number of those of the smaller tenants.

21,688. The President.—Why did the banks all suddenly stop these advances at the one time?—That is a thing I could never tell. I went to one of the banks myself and asked in one or two instances—the Bank of Ireland in Ballinasloe—that they would extend a little more time, but they would not do it. The manager told me he had orders from headquarters, and he was bound not to do it.

21,689. This did not occur at the time of the stoppage of the Munster Bank, did it?—Oh, no; long before that.

21,690. Mr. Neligan.—Might it not have arisen from the fact that the security the tenants had to offer was pledged to its full value?—That might be the case, but that would hardly account, in my opinion, for the sudden stoppage by all the banks.

21,691. The President.—It would appear from your evidence that the banks put their heads together and came to some resolution on the subject?—Yes; I suppose the banks found they were losing, and resolved to stop the system. There is no doubt there were several instances in which fraudulent paper was discounted.

21,692. Is there anything else you wish to mention now?—Yes, just one thing more—it is in reference to "see" lands which formerly belonged to the Church Temporalities Commissioners, and which have since come into the hands of the Irish Land Commission. I happen to be a tenant of some "see" lands in the County Down. My rental is about £1,000 a year in round numbers, and the poor law valuation £943. I pay rent to the Irish Land Commission. They insist on it being paid to the day. There is also an interest on a mortgage, which I also have to pay them, and a tithe rentcharge, too. They insist upon being paid all this within a very short time. I have to pay them the whole of this from the 30th November to the 13th December. Now I cannot collect my rents until just after that time, and I give an statement to my tenants of 15 per cent. on the year. I asked these gentlemen—the Commissioners—as my landlords, and as holding these mortgages, if they would give me a small statement—as I had to give my tenants an statement—but they scornfully refused.

21,693. Your rental, I think you said, is £1,000 a year?—Yes, my lord. I pay the Commissioners £394.

21,694. You pay the Commissioners £240?—£204; but then I pay some interest upon mortgages, and other things besides.

21,695. Do you think the head landlord under the circumstances ought to bear the burden?—He ought to bear some portion of the burden. It so happens that this estate is extremely encumbered by mortgages, and through my giving statements to my tenants last year out of this £1,000, owing to my tenants paying very little, and my having to pay much outlay, I put in my pocket only £111 17s. 6d. out of a gross rental a few years ago of £1,000.

21,696. How much did you put in your pocket?—£111 17s. 6d., and I do not suppose that this year I shall have so much.

21,697. Mr. Neligan.—Are you of opinion that the head landlord should be made to suffer because the middle man has mortgaged his interest?—No, that is not the point I wish to make. What I mean to suggest is that the Land Commissioners being in the position of head landlords should be enabled to grant statements to other head landlords are compelled to do, owing to the circumstances of the times. I forget to mention that the Sub-Commissioners go round there, and reduce the rents. Several of my tenants have now served me with originating notices, and I know what the result will be if I see to judge from what has occurred on other properties—in consequence of the large reductions on other estates, the rental in Ulster,

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I believe, would be partly cut down on my estate, at all events, I have no reason to believe that they would not do so. They would leave me totally unable to pay it, but at the same time, the Chief Commissioners refuse to bear any share of the statements their subordinates compel me to give my tenants.

21,698. Mr. Keape. — I think that you complain that the Commissioners give too large reductions on your property? — In some instances, they did, in my opinion, give too large reductions.

21,699. On your property? — Not on my property, but upon Lord Clonsary's.

21,700. Did the tenants complain that they do not get enough as a rule? — Oh, yes, that is a matter of course.

21,701. That is a very common complaint? — They want the land for nothing.

21,702. And looking at the present price of produce are you still of opinion that the Commissioners gave too large a reduction, or too large reductions, in 1881-82? — I do not think that there was any necessity for any reductions at all, except on a few farms as to which I was totally unable to settle with the tenants. These farms were very heavily rented. Some of them I could not exactly discover from what reasons it was done, but in some of them my predecessor raised the rents too high. I think that reductions in these cases were necessary.

21,703. But before the passing of the Land Act, you thought the reductions necessary in these cases? — Yes; I wanted to get some one to arbitrate between us, because, in the first place, it would not have looked very well for me to have gone and cut down these particular rents to any large extent, because my employer would have said, "I do not pay you, sir, for coming here and cutting down my rents. It is your duty to collect them, but not to cut them down." Well, after the Act passed, we went into the Court amicably and had a reduction made.

21,704. What I want to know is this, was any reduction offered to tenants before the passing of the Land Act? — No, there was not.

21,705. And do you think the State was justified in interfering between the landlords and tenants at all? — Certainly, I think the Land Act of 1881 all over Ireland was a good Act.

21,706. You think the Commissioners gave too large reductions at the start. Is that your opinion? — Yes, some of them.

21,707. And the tenants say they did not get enough? — Yes; if they got 90 per cent. they would not be content, they would demand the whole thing afterwards.

21,708. Do you think if the Commissioners were called upon to fix the rents now that they would be justified in giving larger reductions taking the present price of cattle and produce into account? — No, I would not.

21,709. And no matter how low the price of cattle and produce fell in the market, you would say that they should not have any effect upon the Commissioners in fixing rents? — Oh, but you must remember that the rents are fixed for 15 years, and we have no certainty that prices may be far higher in 15 years. Why should you take the prices of the very lowest and fix the rent at those prices in a time of real depression. Surely, the fair thing between landlord and tenant would be to fix them on an average. I do not think it would be fair to take the year 1882, when cattle reached an abnormally high price, as a criterion of rent. But I think it would be equally unfair to take the present year, when everything is low, as a criterion.

21,710. But the price of produce has been lower since the reduction has been made by the Commissioners? — No doubt it has been in some years lower, and higher in others. In my experience no two years have been the same, and you must strike an average.

21,711. Is it a fact that the landlords in your locality have been giving reductions on judicial rents? — I do not know that that is a fact.

21,712. Would you be surprised to hear that such is the case? — No; I am not aware. I mind my own business, and I do not pry into the affairs of other landlords. I would not be at all pleased if other gentlemen were to come to me and ask me this and the other. I never interfere with other people's affairs, and I like to be left to take care of my own.

21,713. You have offered this year to the tenants a reduction, that is, to the tenants who have not had judicial rents fixed? — Yes.

21,714. And you have not offered reductions to judicial rent-holders? — No.

21,715. Have you any idea what are the prices this year compared with what they were three years ago, say for oats and barley? — Well, I have not taken very much note of that, but as far as I know, there is not very much change in the market of Belfast.

21,716. For the last six years? — No, there was no very great change.

21,717. Or in the price of cattle? — There is in the price of cattle a very considerable change.

21,718. In the price of store cattle? — Yes; cattle have gone down. There is no doubt at all about that.

21,719. From 30 to 40 per cent., I presume you would say? — Yes.

21,720. And must not that affect these small farmers very seriously in the making up of their rents? — No; but it affects large farmers very considerably. The large grazing farmers are the people who have suffered most.

21,721. Is it not the smaller farmers who feel the full most? Is it not in one respect a benefit to the large farmers when it is a certain loss to the small farmers who raise the cattle? — The small farmers do not raise cattle down there. The sale is wholly made to the Lonsdale man down in our country.

21,722. No matter who the men are that buy, if the prices are low, does it not affect the poor man raising a beast or two, more than it does the large farmer? — Well, the small farmers in our country are not much rulers of cattle. For instance, one hundred of our tenants are under £10 valuation, and when cattle could these men take?

21,723. Don't they keep a cow or two? — Oh, yes.

21,724. And don't they rear the calves? — Oh, yes, some of them do.

21,725. And don't some of them sell the calves? — Some of them do.

21,726. And would the price not have a great effect on them? — Certainly; but the prices they got a few years ago for those said calves was a very abnormal one.

21,727. Sir James Caird. — Abnormally high? — Yes, and they could very well spare to be reduced. What the people want to learn, is to deal in average. Cattle reached a very high figure in 1882, and they could not expect that the price would remain always — it was a very high figure.

21,728. Mr. Keape. — But according to your answer to a former question, you said that the reductions of rents were abnormally high, and that the tenants were well able to pay their old rents. Now, what I want to know is, would it not have a very serious effect on small farmers, if the price of cattle has fallen 30 to 40 per cent.? — I think not. I do not think you would find the small farmers about there raising very much cattle.

21,729. Sir James Caird. — You said there were 800 of them under £10 valuation, on this one estate. If they had two cows each, that would be 1,600 cows? — They do not have two cows each.

21,730. Well, half that would be nearly a thousand? — Well, half that would be nearly a thousand.

21,731. And then there would be the calves? — The fellows down there do not generally rear them. They sell them as calves.

21,732. Mr. Knight.—How do they make up the rent, is it by cattle, or by sheep, or by agricultural produce?—Sheep, principally; they have been always shepherds.

21,733. Sir James Caird.—Not the small farmers, surely?—Yes, they always keep a few sheep, no matter how small the holdings are. They keep sheep more than anything else.

21,734. Mr. Knight.—And I think you said, or if not you, some other witness said, that the price of sheep has gone up?—Yes, a little; and wool has gone up a little too.

21,735. Was your attention called to the reports of the Dublin markets yesterday as to the prices of cattle and sheep?—No, I was here on yesterday.

21,736. At all events, although oats are lower, and barley is lower, and cattle is lower, you do not see any reason why the tenants should not pay their rents?—I do not think they understood taking an average of years; as I have said before I am not sure that oats on an average of years are at all lower in price.

21,737. Are they not down 4s. or 5s. a barrel compared with two years ago?—Two years ago—no.

21,738. Fully I think?—No, not in the Ballinacree market. I paid 9s. 6d. the other day, 4s. to that would be 13s. 6d., and I have never paid 13s. 6d. a barrel for oats during the last few years. Another thing you must consider is this—that as far as the small farmers go, I do not say whether they are right or wrong, they do not grow a thing now they used to grow and use a great deal of, that is, oatmeal. They don't go in now for oatmeal, they go in for tea and sugar and flour, and things of that sort, and I hear it from their own lips that they can live cheaper on these things—the prices for them have gone down so much. So that you see the lowering of prices affects them at both ends.

21,739. They are going with the times, I suppose—is it not more expensive to cultivate a farm now than it was some years ago?—Yes, it would be more expensive to cultivate a farm, but I am sorry to say the cultivation in our part of the world is of a very low order indeed.

21,740. Perhaps that is because the farmers have not the money?—No, it is for the want of knowledge principally. When I went down there first 10 years ago, I used to go amongst the people and chat with them. My experience was acquired chiefly from

seeing the way my own tenants cultivated their lands in the County Down, and I gave them the benefit of that experience. Their answer was, "We did very well before you came, and, please God, we will do better when you are gone. Our forefathers did very well upon it." I did not so get very much satisfaction and withdrew into my shell, and did not trouble myself very much about the matter afterwards. I went to tell you one thing more—Gentlemen, you may think I am prejudiced and all that, but I am not. I was not reared as a land agent at all. Originally I was a civil engineer, and have been so for 32 years, and there is not a man in this country who has given more employment to the Irish out of English money than I have. I got the money raised in London and other places and spent it in this country in making railways and other works. When I found there was not so much work doing in this country in that way as before, I joined Mr. Stewart Trench up at Carrickmacross, and after being four months with him there as a pupil, he made me sub-agent. I managed the great Farney estate for the Marquis of Ely. After that Lord Clancarty, who is a relative of mine, asked me to go and look after his estate. I did so, but I do not look upon it as a profession. I went down there and told his lordship that I would do—or endeavour to do—the best I could both for him and the tenants, and I have so acted throughout. I honestly believe there is no more popular man in that country. I get on capitally with the people, but at the same time if things are to go on now as in 1883, I have told Lord Clancarty that I would give the whole thing up.

21,741. Sir James Caird.—Is it your opinion that the tenants on the whole were well satisfied with the Act of 1881 giving them the three F's?—I think so, only these agitators put it into their heads that they must look for more.

21,742. They understood the three F's more completely than they do Lord Ashbourne's Act?—Yes, they do not seem to understand Lord Ashbourne's Act at all; it appears to be too deep for them.

21,743. But they fully appreciate the Act of 1881?—Yes.

21,744. And they got at that time all they desired, you think?—Yes, I think so.

21,745. And if the Act of 1881 had been allowed to work they would have got on very well together?—I have no doubt of that.

MR. THOMAS TIGHE, J.P., examined.

21,746. The President.—Mr. Tighe, I believe you are a justice of the peace for Mayo, are you not?—Yes.

21,747. And have considerable estates there and in Galway?—Yes, my lord.

21,748. Of what nature are the holdings on your estates? Have you many tenants who hold under judicial leases?—None. My tenants never went in for judicial leases.

21,749. But were their rents altered since the passing of the Act of 1881?—No. In 1879 I gave my tenants, unasked, an abatement of 20 per cent.

21,750. In 1879?—Yes.

21,751. And they have never been interfered with since?—Never.

21,752. Were any agreements brought before the Court by which fair rents were fixed?—No, none. My tenants took no action in that matter at all. They and I always have lived on the best of terms.

21,753. Anyone could have gone into the Court if he had chosen, but they did not wish to do so?—Yes, any of them could have gone in if he liked, but they all hold their lands at so reasonable a rent that they have not thought of asking for a reduction. I gave a reduction as I have stated in 1879 without even being asked; I may mention that I have sold lately to the tenants of three townlands.

21,754. You have?—Yes, I told them 12 months ago that I would give them an opportunity of taking advantage of what I considered a most beneficial Act, I mean Lord Ashbourne's Act.

21,755. You told them you were willing to sell certain portions of your estates if they were willing to purchase?—Yes. What I call my Kilmone estate, which is situated seven miles from where I live, I have sold it all to the tenants.

21,756. May I ask you as to the terms of the sale—how many years' purchase?—Yes, 20 years.

21,757. 20 years' purchase which they were glad to agree to I suppose?—Yes.

21,758. Lord Ashbourne. Of the gross rent?—At the gross rent, I purchasing out the tithes and the quit-rent, and paying the stamp duty and their solicitors' costs with my own.

21,759. Mr. Nelson. Has that sale been completed?—Well, the joint application has gone in, and the Commissioners have approved of it, but the thing is not yet quite completed.

21,760. The President. Are you at a loss by the transaction Mr. Tighe? did this sale to the tenants under Lord Ashbourne's Act entail much sacrifice of income to you?—Oh, yes, the position is simply this—I succeeded to the estate on my father's death in 1872. Up to 1870—the time I made the statements

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—the lands were bringing in a certain rental, compared with which, under the terms of purchase, the tenants have the lands for about 11s. 6d. in every 20s. they were paying up to 1879, the time I gave the abatement.

21,761. Mr. Neffgen.—That is a little over half?—Yes.

21,762. The President.—So that your income would be materially reduced?—Yes, materially.

21,763. Then it was out of benevolence and a desire to put the tenants in a better position that you acted?—I thought in the first place it was my duty to give them a chance of taking advantage of, as I have said already, what I considered a most valuable Act for them. They hesitated at first about the matter, but after a little time they came to an agreement and accepted my terms.

21,764. Do you think many other landlords will follow your example?—Yes, I do, the tenants on a very large estate adjoining mine—that is, Lord Kilmacine's—seeing that my tenants and myself had agreed, came to terms with Lord Kilmacine and are now purchasing under Lord Ashbourne's Act.

21,765. On the same terms as yours?—I think a year or so purchase less. I think Lord Kilmacine's terms are 18 or 19 years purchase, but I should say this much that even my own tenants admit they have still the advantage, my land being let so much cheaper. At the rents my tenants were paying they considered they have still an advantage over Lord Kilmacine's tenants.

21,766. Sir James Caird.—I understand you to state that the land originally let at 20s. you reduced to 11s. 6d. and sold at 20 years' purchase at that rent?—Oh, no. In 1879, before I gave the abatement, lands that brought me in 20s. then I have now sold for what would be equivalent to 11s. 6d. In 1879 I gave an abatement of 20 per cent.

21,767. Well, between the abatements and the selling at 20 years' purchase the lands which produced for you 20s. before 1879 only represent 11s. 6d. now?—That is so.

21,768. Mr. Neffgen.—That is a reduction of over 40 per cent.?—Yes.

21,769. The President.—Used you to get your rents punctually before you sold?—Yes, but possibly I was a little poor indulgent to a few. There were some men on my property—one or two perhaps, from improvidence, and others through signing bills for other people—who got into trouble, and what I did was this—in 1879 that was a very bad year and I stocked the lands myself. I have never allowed a tenant to strip his farm for the rent. I always waited until the rent if possible was made, and I gave a man six or twelve months time sooner than allow him to dispose of his cattle to obtain the means to pay the rent. In 1879, sooner than get rid of the tenants who could not pay, and sooner than having a tenant seeing the example of not paying any rent, I stocked the lands myself, and I am happy to say I have been very successful in this way, for the tenants I so assisted got on very well, surmounted their difficulties, and honestly paid me the rent.

And taking everything into account, agency fees, rates, and all other outgoings, what do you think is the difference between the net income of an estate and the gross rental?—

21,770. Mr. Neffgen.—You were your own agent were you not?—Yes, I never employed an agent. On this estate the tenants were paying I think £270 a year rent, which I reduced in 1879 to something about £420 or £410.

21,771. The President.—And out of that how much were the outgoings, have you any idea?—Well on that estate I was paying £38 a year tithes, 2s a year quit-rent, and—

21,772. Mr. Neffgen.—That would be deducted from your purchase money, so that you cannot take that into account. What Lord Corry wants to get at is, how much you would take from your income for management and bad debts and so forth. How much

would you write off for bad debts, and your portion of poor rates and county cess. How much per cent.?—I have not gone into that, and I could not tell you off hand.

21,773. The President.—What I wanted to ascertain was how much per cent. of the gross rental would represent your net income from the estate—whether it was 80 per cent., or what amount?—I should say it would be about 80 per cent. of the gross.

21,774. And I believe if you could invest the purchase money at about four per cent., you would get in or about the same as you did in former years?—I could not invest in the 4s. per cent., because my property is in strict settlement.

21,775. Sir James Caird.—I think you were going to tell us how much your income was from this estate, compared with what you sold it at?—I shall have about three per cent.

21,776. The President.—You sold at a considerable loss to yourself then, and I suppose a landlord who is heavily mortgaged and incumbered in other ways, and who has only a small margin to live upon, could not possibly do what you have done?—Certainly not. I know I have lost on the transaction, but I thought it better to give the tenants the opportunity which presented itself of taking advantage of the Act, and I have not regretted doing so.

21,777. You have had experience of the working of the Act—were there any points you think might be altered so as to improve it, and render the measure more efficacious?—At present of the 4 per cent. for lands, $\frac{3}{4}$ per cent. goes towards a sinking fund. Now, I think it is a great pity that the time could not be extended, and that the money could not be given at the rate at which the Government can get the money themselves—3 per cent. If that was done, it would give a great impetus in my mind to the working of Lord Ashbourne's Act.

21,778. What would you recommend exactly in that respect?—That instead of 4 per cent. as is now charged, 3 per cent. should be charged, and $\frac{1}{4}$ per cent. for a sinking fund—that would be in all $3\frac{1}{4}$ per cent. instead of 4 per cent. I would also recommend there should be a longer time given than the 49 years—extending the instalments which would be a further incentive to purchase.

21,779. And the retention of $\frac{1}{4}$ of the purchase money, does that stand in the way of landlords being willing to go in under the Act?—Yes, of course it does. Taking the landlords' view of it I would much sooner that that would not be retained.

21,780. But you only expect to get 3 per cent. for your money realised by the sale of lands, and as long as the $\frac{1}{4}$ balance remains with the Government it carries $3\frac{1}{4}$ per cent?—Oh; pardon me, 5 per cent. is all they give on the $\frac{1}{4}$ retained.

21,781. And that is all you hope to get on the entire?—Yes.

21,782. Mr. Neffgen.—But you might secure a better investment—your trustees are not limited to the 3 per cent.?—Well, yes—they are limited to Bank of Ireland Stock, Bank of England Stock, and Metropolitan.

21,783. The President.—You recommend however a reduction of the interest and an extension of the time for repayment, and you prefer not having the $\frac{1}{4}$ purchase money retained by the Government?—Yes.

21,784. And is there anything else connected with that Act upon which you have any suggestion to make?—No, I do not think so.

21,785. I believe you are a large farmer yourself?—Yes, I farm in or about 1,000 acres on my own property.

21,786. And have you been making that pay during the last year or two years?—Well, I make up my accounts to about the 15th or 20th of this month, because that answers me, and I know this year, so far as I have gone, it has fairly paid. Last year it did not, and the year before I lost the rent—that was the year ending December 1884 that I lost the rent.

21,787. And in 1863?—In 1863 I made the rent barely.

21,788. And this year you expect to do so?—Yes, this year I look upon it as a favourable year.

21,789. You think, therefore, that an ordinary farmer, with prudence, good work, and not in debt, ought to be able to pay his rent?—Well, my lord, that depends very much upon circumstances. Now, this year, sheep farmers have done very much better than the previous year or two, but men who deal in cattle have not done so well, and agricultural produce has also gone down. Where the farmers sold a large number of sheep they have done much better than men who are altogether in the cattle business, because there has been a very great advance in the price of sheep.

21,790. Have you been making abatements this year to your tenants?—No, my lord, what I have done in this—they and I have agreed, I to sell, and they to purchase, and I said to my tenants, it was not a stipulated thing with them, but it was after the agreement was entered into, a month or so after, "What I shall do with you in this, as you will be paying your rent at the end of October, I will only charge you at the rate of the Government instalment, as that is giving you credit for 20 per cent." I did this pending the sale.

21,791. Lord M^{rs}low.—In other words that was making an abatement of 20 per cent.?—Virtually, but I did not do it with that object. I thought that as the bargain for sale had been made that it was only right that the rent paid after the bargain had been made should be on the future rate.

21,792. The President.—But upon the estates you have not sold and have no intention of selling, have you made any abatements on them?—Well, I have only five or six tenants upon that property.

21,793. You hold the bulk of it yourself?—Yes.

21,794. So that you propose really to sell to, practically, all your tenants?—Yes, my lord.

21,795. I believe you live near what is known as a congested district?—I do, my lord, that is within about, I should say, 12 miles of it.

21,796. Mr. Nelson.—Of what district?—What is known as Lord Dillon's estate and the Tasse estate.

21,797. What do you call that congested district, has it a name?—Yes, it is about Killybeg and Ballyhanna, and Swinford.

21,798. The President.—All in Mayo?—Yes, my lord, in the County Mayo.

21,799. Sir James Caird.—That is a high country, is it not?—Yes, a great deal of it. There is a large share of bog and mountain land upon it.

21,800. Is there any good land?—Oh, only a very small proportion of it indeed.

21,801. And the large proportion is?—Very bad land indeed.

21,802. And a large population?—Yes, a very large population. Take for instance Lord Dillon's estate, the valuation of it is £20,000, and there are 5,000 tenants upon it.

21,803. The President.—When you say a congested district you mean the people cannot live upon the land?—Yes, my lord.

21,804. That there are too many people for the land to support?—Yes.

21,805. And now do they eke out an existence; what do they live upon?—It is remarkable, really, in the congested districts how the people do live, but they all go to England every year—all the able bodied male population migrate in that way in the harvest season.

21,806. And is that diminishing at all, that going to England? do they go as much now as ever they did?—They go as much as ever, but I am sorry to say not with the same successful results as before. They do not appear to obtain as good wages, nor as much employment as in former years.

21,807. And is the distress great in that district in consequence?—Well, they cannot bring home nor send home the amount of money they used to bring

and send, and consequently they cannot meet their engagements I suppose, as well as they used.

21,808. Mr. Nelson.—Has there been much falling off; can you give us any idea of the extent of the falling off?—I know that in Ballyhanna, large sums used to be received a few years ago, and that of late the men have not sent more than half what they used to send formerly. Ballyhanna is the centre of that congested district, and the centre for supplying England with labourers, and it is to that post office the money generally goes. I do not think they get there half the money they used. That is proof in itself that they cannot earn it.

21,809. The President.—Do you propose to sell in that neighborhood?—I have no land there.

21,810. You are only speaking of it as living near it?—Quite so.

21,811. Do you think it would be advantageous that the Land Purchase Act should be put in operation in those congested districts?—I do.

21,812. You do think so?—I do.

21,813. And you do not think it would have a tendency to increase sub-division?—Well, as you have touched upon that, I wish to say I think it would be an improvement upon Lord Ashbourne's Act if anything could be done by Parliament to prevent sub-division in any shape or form under it, for I think it is the great evil, and has been the great evil of this country. If anything could be done to prevent land being sub-divided, it would be an immense advantage.

21,814. There is already, I think, a provision in the Act, that lands dealt with under it are not to be sub-divided?—Yes, that is so in a way, but I think the provision should be much more stringent, and that sub-division should be absolutely prohibited. Every check put upon sub-division, I think, would be of an advantage.

21,815. It would be difficult to have anything to stop sub-division entirely would it not? have you thought how it could be done?—In my county the tenants themselves are beginning to see the evil of it, and would require very little pressure to fall in with any remedy which might be suggested. In short they recognise the fact that they cannot continue to live in the land at all if they further sub-divide their holdings, and I think that everything should be done to assist them in their good intention to stand up against any further sub-division.

21,816. Is there any emigration going on from these congested districts that you are acquainted with?—Yes, an amount of emigration, and every family who sends any member to America, more particularly females, that member never comes until he or she succeeds in getting out the other members of the family.

21,817. Lord M^{rs}low.—That is to say, the emigrated ones send home for their friends to join them?—Yes, particularly the females.

21,818. The President.—And they succeed to a certain extent?—Yes.

21,819. Therefore, the population on the whole does not increase?—I do not think it could, because the emigration is very heavy—in my district so much so that I find on my property that the inclination of all the young people is to emigrate. As soon as they can go they are off to the States. I know several instances—the fact it is a good thing—for young men to go to England to get work, and to earn money enough there to go to America. As soon as they have earned money enough there they go to America. They are most anxious to reach the States.

21,820. But you are in favour of Lord Ashbourne's Act taking effect in those districts in spite of the danger there may be of sub-division?—Well, I do not see there would a great danger of sub-division. Of course if it could be done it would be well to introduce some clause to prevent the risk of sub-division. Anything in that direction would be an advantage.

21,821. But you think it would be of advantage that those people should become owners?—Yes. I have always endeavored to get people to go in under

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Lord Ashbourne's Act, because I think it would tend to their advantage and to the peace of the country. It would certainly tend to make people more inclined to settle down, and I think that in the end must be a benefit all round.

21,832. And as long as this migration to England goes on successfully, goes on during the summer months, the people are tolerably happy and contented, and fairly wealthy?—Yes.

21,833. And is it the only danger that they might stop that, that they might cease to get employment in England, that then they might be badly off?—Unquestionably they would be badly off if this migration ceased, because England and the money they make in England are great factors in their ability to support their homes and their families.

21,834. Do you see any reason why that should stop?—I see no reason or prospect of it.

21,835. And if agriculture becomes more prosperous in England they will in all probability get the same wages as in former years?—Well, I should suppose so.

21,836. Sir James Caird.—The introduction of machinery has to a certain extent done away in England with the demand for Irish labour, has it not?—That may be; but I think the great loss the Irish labourer has in England now and for the last few seasons is that he has to stay there for a long time—that is the interval between the sowing of the hay and the coming in of the harvest is so great that he loses so much money while waiting. A good deal of the earnings go in that way.

21,837. In short, it is not so advantageous to them as it was?—No, not nearly so advantageous.

21,838. They do not bring home so much money with them now?—Three, or four, or five years ago, when things were prosperous in England, one labouring man would bring home £30, and I have known three of a family to bring home £50 in one season, but they could not do that now.

21,839. How much do they bring home now?—The very most that a man can bring home now with a good season in England is £10 or £12, after supporting himself.

21,840. Lord Milnes.—How long does he take to earn that?—Well, they generally go away about St. John's Day about the end of June—St. John's Day is on the 24th June—and they commence to return about October on to Christmas.

21,841. Sir James Caird.—Is it the husband and the young men of a family who go?—The husbands and the young men.

21,842. And when they come home, could you, of your own knowledge, tell us anything of the quality of the food they have to eat during the winter?—Yes, I can; I can tell you this, that I think their going to England rather unites them in that respect. They get a better class of food there than in this country, and that, I think, makes them anxious to get back again. However, even at home their class of food has altogether changed within the last 25 years. I remember so long ago they used to live upon the produce of their little farms, but now they sell that and purchase tea and sugar, and flour and butter. They become accustomed to another mode of living, different altogether from their old one, from going to England.

21,843. And they get accustomed to the use of tea and sugar and flour in England?—Yes.

21,844. And they desire to have the same things in Ireland?—Yes.

21,845. But they do not bring back so much as would enable them to purchase supplies of these articles for the remainder of the year?—Oh, no; a man could not afford to pay for very much tea and sugar, and flour and butter, and commodities of that kind, out of £10 earned in England, especially a man with a family, but they sell the produce of their little holdings. I am quite sure that people now use these things who 25 years ago never dreamed of them.

21,846. I thought the principal food in the winter down there was potatoes?—Oh, no, their principal food is bread.

21,847. What do they do with the potatoes?—I have known some people to sell the potatoes to use the bread—of course by selling the potatoes, they get the means of purchasing the bread.

21,848. Did the potatoes fail there within the last year or two?—Oh, no. Last year was a very good year for potatoes, the present year I would not say is as good as last, but there has been no failure for two or three years past.

21,849. I suppose all round there is no crop which varies more or is so uncertain as the potato?—No, none—that is a fact.

21,850. Should you say that portion of the congested district was dependent upon, or living chiefly upon the potato crop?—Yes, I should say so—they depend chiefly upon the potato.

21,851. Then of course the potato being a very uncertain crop, and their chief dependence being upon it, they are more at the risk of the seasons than any other country in the country?—They are.

21,852. Have you considered at all what remedy there could be for them—whether by migration or emigration? Do you think they could be transferred to any other districts in the country?—As to emigration, my idea is that the population of this country should not be sensibly reduced. At present the emigration is very heavy, and we have few marriages, and consequently births are few, so that in 8 or 10 years with emigration going on as it has been for the last few years, the population will be largely diminished. I think that would be very injurious. Taking into consideration the question as to how congestion may be relieved, I should say in my own country there are vast districts of land which have been cleared of tenants, and if anything could be done towards removing some of the tenants from the congested districts, and purchasing those lands and placing them upon them, it would be much better than emigration.

21,853. Mr. Neffigan.—If you wanted to make them purchasers under Lord Ashbourne's Act, there would be a difficulty in that?—Not if you made them purchasers of the land to which they were removed.

21,854. Sir James Caird.—Is this land you speak of of a better quality than that in the congested districts?—Oh, yes.

21,855. And the probability would be that they would do better there?—Certainly. The land I speak of are grass lands, and what I suggest is the breaking up of the grass lands into agricultural holdings where these people would be much better off in all their surroundings.

21,856. And do you think that that is possible?—I do.

21,857. And desirable?—Certainly.

21,858. The President.—When you move certain families, you make more room for those remaining?—Yes.

21,859. And do you think the owners of these farms—of those tracks of land you speak of would be willing to sell them for that purpose?—Yes.

21,860. Sir James Caird.—Is the land of which you speak land from which tenants have been evicted?—Yes.

21,861. The President.—And would the League allow that, that tenants should take possession of evicted lands?—I do not think there would be any objection to a scheme of migration. I do not think there would be any feeling against it, because it would be obviously for bettering the condition of the people.

21,862. Sir James Caird.—Then they would take that fact into consideration, the bettering of the condition of the people?—Oh, certainly.

21,863. The President.—I believe you personally had something to do with the estate upon which Mr. Parrell tried the experiment of migration?—

Yes, I thought if the example was set it would give a great impetus to migration and towards the sending down of things in this country—that it would in fact lead to a better state of feeding and to peace, and eventually to the prosperity of the country.

21,854. What had you to do in that transaction, will you tell us?—Well, Mr. Parnell telegraphed to me from the House of Commons, and asked that I should meet him, and I was also requested by Colonel Nolan to go to Bellinarry. I saw Mr. Parnell there, and I went over the estate with him.

21,855. That is before it was bought?—Just the day it was bought.

21,856. Could you give us the extent of the estate?—I have not got the particulars with me, but I know at all events the Government valuation is something about 21,300. I could send you up a rental from the country if it would be of any use to you. I have it at home. It is a large estate.

21,857. And could you give us any idea as to how much of it was in the hands of small tenants?—Well, I should say three quarters of it was in grass, and a quarter in the hands of tenants. The tenants had very small holdings—minutely small holdings.

21,858. How many were these tenants?—I should say about 40 as well as I can recollect.

21,859. And the object was to promote migration?—Yes.

21,860. How many migrated on to this estate?—None. I should explain the estate was bought for purposes of migration, but there was some difficulty in the way of—in the first place—relieving the congestion of the estate itself and it was thought that it would be most fit that the tenants on the estate where there was so much congestion should get their claims first, and after they were supplied, tenants should be brought in from other quarters.

21,861. Sir James Caird—And did they get their claims first?—Yes.

21,862. And they have exhausted the entire available land?—Well, yes, but some of the tenants on the grass lands have not expired.

21,863. And they amounted to three quarters of the whole?—Yes, in some cases there were leases and the lands were not available for the other tenants, and it was only by degrees as such tenancies were dropping in that the tenants can be relieved by getting additions to their holdings.

21,864. There was a certain proportion of it, was there not, that the great tenants gave up?—Yes.

21,865. And that has been subdivided amongst the smaller tenants?—Yes.

21,866. But sufficient grass lands have not yet fallen in to provide the smaller tenants with what is considered the requisite additions to their holdings?—No.

21,867. Lord Millican.—The lands that have fallen in, were they equally divided?—It was in this way; there was a part given to each, so much as they would be able to work and pay for.

21,868. In that it was not equally divided?—No.

21,869. Some got the best of these?—Some got more than others, according to the circumstances of the individual.

21,870. Did that create no dissatisfaction?—It was done in this way—if a tenant said, "I only want four acres, and will be only able to pay for four acres," it would not be right to give him seven or eight.

21,871. And did they say that, any of them?—Yes, some of them.

21,872. How many said they did not want more than four acres?—Remember that in addition to their own holdings; and I found when we went round amongst them that they were very reasonable.

21,873. Sir James Caird—You found that they were easily satisfied?—Yes, upon the whole.

21,874. And have they broken up the land they so got and worked it?—No, this year they have moweded it, but they will plough it next year I suppose.

21,875. And what proportion of this estate, three-quarters of which was in grass, has been so dealt with?—I cannot say that exactly. Mr. Dillon was down there, and he made some arrangement with the leaseholders of the great farms, and I do not know precisely what they were. It is in another part of the county from me.

21,876. But the effect is this, there has been no migration of any tenantry to that estate?—No.

21,877. But only a migration on the estate, so to speak?—Quite so.

21,878. It is only giving the tenants an additional piece of land, and that may go on yet to a considerable extent?—Will go on, no doubt.

21,879. As the grass lands fall in?—Yes.

21,880. That is the intention?—That is the intention.

21,881. Would you say the scheme is successful in its object?—I would, because the tenants are really satisfied, though the rents were pretty high, because the grass farms were bringing a very good rent.

21,882. Are not the tenants going to purchase on that estate?—They have purchased in a great many instances.

21,883. The pieces of land allocated to them?—Yes.

21,884. Purchased under Lord Ashbourne's Act?—Yes, under Lord Ashbourne's Act.

21,885. The President.—The tenants who formerly held these pasture lands, were they willing to give them up?—Certainly not, they made every effort they could to hold on.

21,886. And I suppose if it had been any other purchaser than Mr. Parnell, and that this land had been cleared in that way, nobody could have gone into occupation?—I do not think that extends so much to a grass farm as to an agricultural holding.

21,887. Is there not the same objection on the part of the people to see a tenant evicted from grass lands as to seeing him evicted from tillage lands?—Well, my lord, I do not think there is; at all events, there is one thing certain, there is not so great an objection to a tenant withholding another for grass lands. I know several instances where the tenant said, "I threw up this land, except I get an allotment," and where another tenant has walked in at the old rent.

21,888. Do you think anybody, except Mr. Parnell, or some one else connected with the National League, could have carried out this thing, would not the tenants on the grass lands have been too strong for him if they were unwilling to move?—There might be something in that, but, as I say, I do not think they have the same objection to getting rid of a tenancy in a grass farm as in an agricultural holding.

21,889. Sir James Caird.—As a rule the grazier does not live on the grass farm?—No.

21,890. And the tenant of an agricultural holding does?—Yes.

21,891. And that I presume is the distinction?—Yes.

21,892. But so far there has not yet been any migration so that estate from any other district?—No.

21,893. Lord Millican.—Do these tenants, Mr. Tighe, who are so contented pay their rents?—I know they did pay; whether they have paid the last rent or not I cannot say.

21,894. Do you know whether they have or not; do you believe they have paid?—I could not tell you. I do not interfere that way.

21,895. But you may know, as a matter of fact, whether they have paid or not?—If I knew I would tell you.

21,896. Of course, but you do not know?—No.

21,897. Now how did you get rid of these grass tenants?—Where?

21,898. On this property we have just been speaking of?—By a notice to quit.

21,899. But could not they have called upon you to have a fair rent fixed?—Oh, no. That might have been raised, but the farms were not agricultural hold-

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ings, and the occupiers were not present tenants within the meaning of the Act.

21,900. The occupiers were not tenants within the meaning of the Act of 1881?—No.

21,901. Then practically they only had the grazing lands?—That is all.

21,902. And were not really tenants at all?—No.

21,903. Is the proposal that the land should be divided fairly amongst the other tenants of the estate, or is it contemplated that portion of it should be reserved for the introduction of tenants from other districts?—Well, first of all the tenants on the estate, and as I have told you they are very numerous, have to get their allotments. When Colonel Nolan and I went over the estate the tenants asked me to walk the lands and to apportion the value of each lot, which I did on one township, but I did not go there after. I did the work upon one township, and since then I have not interfered.

21,904. Did that apportionment give satisfaction?—It did perfect satisfaction.

21,905. And it was acted upon?—It was.

21,906. I should have fancied it would be rather a difficult task to fulfil?—Well, it was not difficult in this way to me, that I did not listen to anyone's talk; I said, "I shall take this upon my own responsibility," and I won't have anyone say this should be done or "that should be done."

21,907. This land was in grass and well suited for permanent pasture?—Yes, it was prime meadow land.

21,908. The proposal is that it shall be broken up by those tenants to whom allotments were made?—Yes, that was the object it was given for, that it might help them with their small holdings they lived upon, because we all know if a tenant is living upon two or three acres of land, and killing that year after year, that eventually it will give no crop at all. They require some new land to work upon, and these allotments to their holdings will enable these small tenants to go in for a regular rotation of crops, by which means a portion of the holdings will be at rest.

21,909. But that land was given not to be kept for pasture land but to be broken up?—They are to do as they like with it; there is no restriction, but if to the two or three acres any man has, you add a few acres more, you do not only improve the condition of the tenant, but you improve the condition of his original acres.

21,910. It is not likely to pay as well in tillage though, as in good permanent pasture?—I think it is likely to pay better. On my estate, where there was a prohibition on tenants breaking up grass lands for tillage, I always gave them permission to plough a field or two, which was pointed out to me, in order that they might have new land to work on, because tenants living on small holdings, unless allowed every six or seven years to get a piece of fresh land, cannot really grow crops.

21,911. Is it your opinion that tillage farmers have suffered less than other farmers of late years?—My opinion is that tillage farmers must suffer more, if they depend upon tillage altogether; every tenant who expects to make his rent and to get on, must have a proportion of grass and a proportion of tillage.

21,912. How is your own farm managed, is it in grass or in tillage?—The farm in my own hands?

21,913. The one you have given evidence about?—Well I have, I think, about 50 acres of it in tillage.

21,914. Out of 1,000 acres?—Yes.

21,915. That is not a very large proportion?—No, but there are 400 acres out of that, which is in winter-sown, and for weaning lambs in summer.

21,916. But a casual observer would imagine from your practice with regard to your own land, that your own opinion was, that it was better to keep it in permanent pasture than to break it up?—No, I have 80 acres, I think, in tillage; that is a very fair proportion on the entire I have in my hands, making a deduction for winter-sown.

21,917. 50 acres out of 1,000, that is the 20th part?—Yes, but remember there are 400 acres, out of the 1,000, as I have said, mountain land for winter-sown.

21,918. And do you think that these small tenants on the estate Mr. Parnell has purchased, when they get the lands allotted to them, will only till the 20th part?—There is part of the 1,000 acres in my hands that I could not till at all, it is rocky mountain pasture.

21,919. Now about those congested districts, Mr. Tighe; did I understand you to say to the President that there was no danger of distress there as long as migration to England for the purpose of employment goes on?—As long as it is continued.

21,920. You think that is so?—I do, as long as it is continued.

21,921. Would not a failure of the potato crop bring these people in congested districts within sight of famine, even with that assistance?—I don't think so, because it would amount to a loss at the most of perhaps an acre of potatoes.

21,922. And how large are their holdings?—Say from 10 to 12 acres.

21,923. Ten or 12 acres in the congested districts?—Yes.

21,924. Of good land?—Oh, I didn't say good land. 21,925. But an acre of potatoes taken from a man who only has 8 or 10 acres is a serious loss?—Of course it would be a serious loss.

21,926. And the famine that occurred some years ago was felt very acutely in these congested districts, was it not?—We have been told so at least?—It was.

21,927. And that was owing to a failure of the potato crop?—It was.

21,928. And such a thing might happen next year again?—Well, it may—It may.

21,929. That I think is a very undesirable state of things to continue—that these poor people should live within a measurable distance of famine in these districts, more or less dependent on labour in England?—What I say about that is that if a tenant goes over to England and earns say £12, and has only a rent of 24 or 25 to pay for that light holding of land, the balance goes a good way towards supporting him.

21,930. What does he make out of the land, does he make much more out of it than the rent?—I dare say 24 or 25.

21,931. He would be able to make that over and above the rent?—I should say so.

21,932. Does he make much more?—I could not say as to that.

21,933. As a rule, do you think?—Well, as a rule generally every tenant has a pig or two, and they pay the rent.

21,934. Mr. Nolan.—And they have been paying it?—They have.

21,935. Lord Melbourne.—The pig is the gentleman always supposed to pay the rent. What is your proposal to us now; do I understand you to say that emigration is going on freely from the congested districts?—From the entire country.

21,936. But it is not confined exclusively to those congested districts?—Oh, no.

21,937. You said you did think the population was increasing?—I don't think so.

21,938. The early marriages so prevalent in former days are not so numerous now, you think?—No; I never saw such a death of marriages as there is now. I know it from all the clergymen in the country, and they tell me there are no marriages now at all.

21,939. It must be very hard on them?—I suppose it is—it lessens their income.

21,940. What is your proposal instead of emigration—that the people should be migrated to vacant land?—Yes.

21,941. Is there any to be had in your county?—Yes, there is.

21,942. To be had for the mere asking of 24?—Oh no, for purchase. There are Lord Lucas's estate and Lord Sligo's, and there are immense tracts of great

land on their estates; and there is Sir Roger Palmer's also, if they are disposed to sell.

21,943. Are these congested districts?—Well, I won't say they are congested districts. Lord Lucas has a great deal of grass land on hand. I know his estate is Ballinrobe, and he has a great part of it laid down in grass.

21,944. Is it your proposal that this land should be apportioned among the inhabitants of congested districts?—Yes.

21,945. With a view of breaking it up?—Yes.

21,946. An ancient pasture district?—When I speak of these estates I wish to say I could not class them as ancient pasture. I know that these lands will deteriorate if they are not kept in a proper course of allage.

21,947. Is this land that has been laid to grass from Ulage?—Yes.

21,948. It is a good many years ago I suppose, since it was laid to grass—some time after the famine?—While Mr. Simpson had it he always tilled 400 acres or so, out of nearly 8,000. Now since Lord Lucas took it up—Mr. Simpson went to live in England—Lord Lucas does not till much of it.

21,949. He keeps it in grazing?—The greater part of it.

21,950. He is a shrewd man of business?—Yes.

21,951. And thinks that pays best?—I dare say he does.

21,952. Have you any reason to doubt he is right? I would not like to put any judgment against him—he may be.

21,953. Have you ever suggested to him that his land should be sold in this way?—No, nor am I suggesting it now, but he would not be the loser if he did.

21,954. Your suggestion then is that he should sell it?—Yes.

21,955. To whom?—To Government, if they want to relieve congested districts. I look on it as a national undertaking, and not as of public individuals or private bodies at all.

21,956. You propose that the State should purchase a large extent of property and migrate these people to it from congested districts?—That is what I consider—that is my view.

21,957. Your suggestions are most valuable, and I want to have them clearly. You think the State, without the intervention of any other body, should purchase this land, and then let it, or sell it, or what?—Let it or sell it.

21,958. But which?—Sell it.

21,959. To whom?—To those people.

21,960. Mr. Nelson.—To anyone who would buy it?—Yes; I think they should buy the land up.

21,961. Lord Millicott.—It is your proposal that the people in congested places should be removed to those districts?—Exactly.

21,962. Then you would have to build them houses?—Yes.

21,963. And where would you get the money to do that?—Well, I suppose the National Milk Cow.

21,964. That would be another demand on the Imperial Exchequer. You would not only have them buy the land, but equip it for all these small tenants?—I suppose so.

21,965. And then set the land what way you could? What I say is, if the Government want to relieve congested districts, I say this is the only way they can do it.

21,966. Sir James Caird.—By migration?—Yes.

21,967. Mr. Nelson.—And buy up the land?—Yes.

21,968. How would you take it?—I suppose a bill would be necessary.

21,969. And you should find some capital for these men to start them with, I suppose, after providing them with a house on the farm?—I suppose they would find the capital.

21,970. They should be started with capital. I think you said you would scarcely apply Lord Ashbourne's Act to these districts as they are at present—that you would do it as auxiliary to the scheme?—I would let both schemes apply to it.

21,971. There is no doubt the condition of these poor people is very wretched. They are depending entirely on extraneous aid for their living—on whatever they are able to make by their labour in England?—I believe where the small tenants have no work at home they must depend on migration to England.

21,972.—Do you think it would be to their own advantage to make them owners in fee?—I think if it was done it would contribute to the peace of the country, and they would pay their rents.

21,973. But you have no experience of tracts of land that get into the hands of small freeholders?—No.

21,974. Lord Millicott.—Emigration, I believe, is all to the United States?—All to the United States.

21,975. Sir James Caird.—Has it ever been considered in your part of the country, the question of Government assisting emigration?—Yes. I am chairman of the Chesham Board of Guardians, and I know there was a good deal done in that way, but somehow or other it did not become very popular.

21,976. Among the people themselves it was not popular?—Not with Government aid.

21,977. It was not popular among the people?—No.

21,978. Do you know for what reason?—Well, they don't like the idea of the people being sent out of the country. They consider the people ought to be kept in the country, and that they ought to get employment in the country, and get land in the country.

21,979. Lord Millicott.—Who considers that—is it the people or the board of guardians?—Not the board of guardians exactly. Some would be of that opinion though.

21,980. But if the people are anxious to emigrate, as you say they are, it seems rather paradoxical that it should be stated they don't wish to do that which they so ardently desire?—What I say about emigration is that I see all the female portion of a family that go to America, they never rest until they bring every member of the family away by their own money. They send over the money to bring them away.

21,981. Sir James Caird.—Then do you think that there is not much necessity for Government assistance to promote emigration from such districts?—My idea is that the Land League would be opposed, from what I have seen, to emigration. They don't wish to have it, and their wish will, of course, govern the people.

21,982. Lord Millicott.—That is notorious; but I wished to know the feeling of the people themselves not of the leaders of the Land League.

21,983. Sir James Caird.—Do you see no distinction in giving assistance to the people themselves and giving free emigration?—The distinction I drew is that the people would accept migration instead emigration. In individual cases there are people, of course, who would like to get a Government grant to go away independent of any language or other interference.

21,984. The object being to remove the congestion from the district must be decided either by emigration or migration, and would you consider that Government assistance would be equally salutary in both cases?—Well, that is another question. I consider myself that the country ultimately—that the diminution of the population will be such—that the country will be injured.

21,985. You prefer migration then?—I would.

21,986. If you would prefer migration you would, therefore, think that Government assistance might quite as properly be given to migration as to emigration?—I think so.

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21,567. The President.—You are a landed proprietor in the county Tyrone?—Yes.

21,568. You would chiefly wish to give evidence as to the Land Purchase Act on the tithery question. We will take that point first, as it seems to be the point upon which you are most anxious to give evidence. Is there anything in the Act of 1885 which interferes with, or is in any way affected by the right of tithery?—Well, my point is rather a general one, but its bearing on tithery is the most urgent. It affects also plantations and lands for the purpose of planting. The general drift of what I wish to draw your attention to is this, that I understand that it is contemplated to introduce a system of peasant proprietorship in a great part of Ireland, and that in the Act at present there is no provision whatever for introducing any of those arrangements which exist in every country in Europe where peasant proprietorship exists and is successful. In every case that I am aware of, there is a supply of fuel in woods which are public property and administered by some public body for the benefit of the community, and those who have rights get their fuel; and it appears to me that that is still more important with respect to tithery in Ireland, because everybody knows—and practical gentlemen will be better able to give evidence than I can on this subject—the immense trouble that the administration of turf bogs is on every estate, and the hopeless condition to which things would come if this matter is left to be settled as I understand at present the Land Commission proposes to settle it, by simply cutting up the bogs where the peasant tenants cut, and handing them over with absolute rights to the tenants to fight out their rights of way and rights of drainage and so on: besides which, when the bogs are cut out or in process of being cut out, there will be no way of providing the poorer of the tenants or certain of the tenants with bog. There will be no means of administration whatever. There is a large supply of tithery within the ambit of certain tenants' farms, in many cases of mountain farms, and that turf has never been touched yet. I have one tenant with 122 acres under a lease for 61 years at a rent of £3—that was a lease given before the Land Act—and of course it was contemplated that when the lease fell in, all that waste land would be available for anything that it was good for. I have reason to believe that there is a very great deal of valuable tithery in the land that has not been touched yet because it is not required, there being more convenient tithery for the tenants.

21,569. Mr. Neffgen.—But the land is all let; it is all subject to the letting?—It is all subject to the letting, but I only wish to point out the importance of doing something rather than indicate what ought to be done, but here there was an opportunity for the State to step in and lay its hand on this class of property and have it administered for the public good, instead of handing it over to tenants with an absolute title, who it is impossible to suppose will use it for the public good.

21,570. The President.—It ought to be kept apart from the holdings as common property?—As common property.

21,561. And regulated in the same way as the agent has done?—Yes.

21,562. Mr. Neffgen.—I am afraid that the law has already laid its hand on that. Has it laid its hand on it with a view to purchase?—I am afraid so. It has to a certain extent, no doubt, but where the State is going to interfere and hand over tenancies in proprietorship to the tenants, has it not still the power of making conditions and of reserving as it were what you might call material rights?

21,563. Lord Alton.—What is your proposal, for I confess I do not understand it, is it that the State should undertake the management of all the bogs in Ireland?—Well, I suppose it would take

something of this form, that if you were assisting a tenant to buy his land, and that in his land there is a large extent of bog, as shown by the map of his farm as at present existing, which the landlord has now the right to cut or to put any of his other tenants in to cut, that the State should take over those rights, and also that on an estate where the landlord has bogs in his own hands, that the State should be prepared to take over those bogs and pay the landlord whatever is held to be their value, and not do what I understand from the secretary of the Land Commission is now being done, if a landlord wishes to sell bogs of that sort, simply cut them up amongst the tenants and hand them over to the tenants in perpetuity.

21,564. What Land Commission do you speak of?—The so-called Land Commission.

21,565. Mr. Neffgen.—I suppose the Land Purchase Commission—there are so many land commissions?—Yes.

21,566. In the case of your tenant I do not see that there could be any interference?—Well, there are several tenants near him.

21,567. He has his rights already ascertained?—He has those under the lease, but if you were going to give him the fee simple you need not give him the fee simple including all these rights.

21,568. Under Lord Ashbourne's Act you must give him his holding?—Yes, but I understood we were invited to give evidence about alterations in Lord Ashbourne's Act.

21,569. The President.—There would be this practical difficulty if each of the tenants bought his holding, what would become of the bog, how would the tithery be administered?—It could be administered, for instance, as in Switzerland. The tithery is administered there by the parochial authorities.

22,000. Lord Alton.—It belongs to the commune?—It belongs to the commune.

22,001. But here you have no commune? No. But could not the Land Commission take it over for the present with a view to handing it over to a local authority, if there was one, in future?—It belongs to the commune in Switzerland, and it is administered under the inspection and control of the Department of Woods and Forests.

22,002. The President.—At present in Ireland it belongs to the landlord, and then if the different holdings were bought by the tenants, it would be left in the landlord's hands or else be cut up. If left in the landlord's hands, he would hardly care to keep up the administration of it?—Certainly not. That is, I see, the difficulty.

22,003. Mr. Neffgen.—There are a great many men with large bogs they would like to keep up?—I do not think that would be an advantage. If the landlord were left to monopolize the fuel supply of the country, that would be a still more odious position than he holds now, and I think there should be some means of taking over these bogs from the landlords and administering them for the good of the community.

22,004. Lord Alton.—The best portions of the bog are portions of the tenant's holdings at this moment, and he has not the right to sell it to other tenants; but if he buys under Lord Ashbourne's Act it becomes absolutely his own property?—Certainly.

22,005. Mr. Neffgen.—But there are a great many instances of bogs that are not let?—Exactly, and there are a great many that are let and that there are rights over conveyed under judicial leases. I got rather short notice of being summoned here to-day, and I was not able to look up these matters, and ascertain the date and place of this case; I happened to be very busy, but there is a case illustrating that.

22,006. Is there any case where a judicial tenancy increased the common law right?—Well, the case was this. I remember reading it in the paper. I cannot remember better what county court judge it was tried. A group of tenants obtained judicial leases

from the sub-commissioners, and with the consent of the landlord the judicial leases were to include their existing rights of turbary. The turbary was in the holding of one of these tenants, and the other tenants were at some little distance I believe, but at any rate the other tenants continued to have rights of cutting where they cut before on this man's holding, and at the end of two years, I think the portion of this bog that this man himself cut was exhausted, and that that the other tenants cut was not exhausted by a good deal; so that placed him at once in the position of not having a right to cut any turf in his own holding, having to go two or three miles for turf, while outside tenants had a right to still cut turf in this man's holding; and that was considered to be a grievance, and it was taken before the county court judge, and he ruled that there was nothing to be done.

22,007. I do not see that there was any grievance in it?—If the bog were administered as in Switzerland, that bog would be in the hands of some public authority, who would have made it go as far as possible to supply the whole of this group of tenants with turf.

22,008. Lord Milltown.—Would you go in for the principle that the State should compulsorily interfere with, and take up the landlord's property, because if you do, I do not know where you would stop?—I am not touching the question of compulsory purchase at all.

22,009. The President.—But that there should be some authority able to buy it if the landlord were willing to sell?—Yes, exactly, and some provision to treat this property as public property.

22,010. Lord Milltown.—Would that observation and advice of yours apply to the coalfields of England and Scotland and Wales?—No, I do not go beyond the turbary.

22,011. Where are you to draw the line?—they have a monopoly of the fuel supply of Great Britain?—It appears to me that that is very different from this class of fuel supply. The analogy here is more with the Continental small farms than with the coal mines in England.

22,012. The President.—And suppose that the landlord retained nothing but the bog he would merely sell his land to the best bidder, to anybody who came, and he would have no reason for consenting to or keeping it for the sake of tenants or to divide it amongst them, and it would be the tenants who would suffer?—It would be the tenants who would suffer, but the landlord would be placed in a very odious position. Probably a few big tenants paying big prices would get the bog, and the poor people would not get any.

22,013. And if it was treated as a coal mine and sold indiscriminately to all bidders, it would very soon become exhausted and the tenants on the spot would suffer then?—Yes. It does not seem to me to have any analogy with a coal mine, because all the tenants here hitherto had their rights, on paying a small rent or fee, of cutting the turbary. It stands to my mind on all fours with the case of the members of a Continental commune having a right to get fuel, either turf or wood.

22,014. And then you say your object is to point out the difficulty, not to make any suggestions?—Well, yes, because I do not consider that a remedy can be worked out except by some body who gave their whole time to it—by a committee; but at the same time I just made a note of the way in which the analogous case of bog is treated in a parish in Switzerland, and I can either give you an idea of it now or hand it in to writing if you prefer, to save time; and I have also taken a couple of townlands on my own property, merely as an example, not that I want to sell my property in the least, but merely to show how the bog lies in my part of Ireland. Would you wish me to go into either of those points?—

22,015. Yes; we shall be glad to hear that. Which do you take first?—Whichever you like.

22,016. Better take the townland and the way in which it stands?—Here is one townland in Fermanagh, for instance, there is one plot of 25 acres of bog in my hands. That is cut by three tenants holding adjacent holdings, and by five tenants living in the neighbouring town. One of those neighbouring tenants claims some right of grazing over his part of the bog. There is a road into this bog at present maintained by the landlord, and a small rent is paid by the town tenants to it, and none I think by the adjacent tenants, and the bailiff is down there every year and arranges little disputes about passes from one plot to the other, and about drainage and letting off the water from the bog holes and so on, and it gives him a good deal to do in this way. Now, if that bog was taken off my hands and cut up into plots and given to the tenants to take their turf from, then all those matters that the bailiff settles in two days in a year would come before the Quarter Sessions probably, and there would be endless litigation, besides the bog not being cut in the most economical and most profitable way, so as to accommodate most of the tenants.

22,017. Mr. Neligan.—I think Judge Harrison's judgment in Lord Lifford v. Kenney goes to the bottom of it—do leave things as they are and enforce existing rights?—My point is that the existing rights, unless you have a bailiff to administer them will cause such an amount of ill-feeling and litigation as will be endless, and also that the bogs will not be administered for the benefit of the community. What strikes me very much is this, that looking at a bog belonging to a Swiss commune, you see the admirably economical way in which it is cut. The whole bog is cut to the greatest possible advantage, and used to the best possible advantage of the neighbouring small proprietors, and the poor; also with regard to bog-garden allotments. If you compare that with an area, fairly well managed bog in Ireland, the contrast is very great, and it is fairly certain that where you remove the landlord the state of the bog on Irish land will get very much worse, unless the State steps in to do something to make an improvement.

22,018. The President.—Then you have got a recommendation to make?—I have not got a positive recommendation further than this, that I think that the opportunity should not be lost of reserving rights over these bogs, and I also think, of plantation over a wide extent of waste land, in order that these things may not be given over to the tenants in absolute title, in order that the State may use them as it thinks best in the future, either directly or through a local authority for the benefit of the community. That is all that I want to press on that point; and with regard to the information I have got from Switzerland, the same arrangement would not be practicable in this country, but it is worthy to show the analogy. I have got possession of the original document under which a communal arrangement was made in a Swiss parish in the year 1823, and in the preamble it states that a better administration of the turf bog, both as regards the cutting of turf and the cultivation of the surface—what we call bog gardens—has become necessary from the increase of the population, especially of the poorer classes, and because under the old arrangement the poorer classes were entirely deprived of the benefit of those bogs which it was supposed were for the benefit of the whole community; and an elaborate arrangement was then made by which the surface of a large part of this bog was divided into bog gardens among the neighbouring small proprietors to perpetuity, but on a certain condition that they were never to be alienated or divided from the holdings or the small properties they were attached to; and another part was reserved for allotments for the poorer classes; that is, the surface, or what we would call bog gardens. The parish authorities reserved to themselves the complete right of cutting turf. No private person may cut turf of all in this bog. The turf is cut by the parish authorities, and every man, every proprietor, has a right to draw so many loads after it is cut and wau, as we call it,

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on paying the cost of cutting it, while a certain amount is to be cut every year and sold for the benefit of the parish. There is a very elaborate code of rules connected with this. It is drawn up by the parochial authority and approved by the central government on the recommendation of the Commissioners of Forests. Of course, in this case there is also a large amount of communal forest, and all these people have a right to fuel out of the forest too; and therefore it appears to me that as in Ireland there is nothing of that kind, and the tenants are entirely dependent for fuel on the bog, it makes it still more important that some provision should be made for its administration. (*Witness hands in the documents referred to in his evidence.*)

22,019. With regard to the Purchase Act of 1885, have you anything to suggest as to any improvement in the Act which you would recommend?—Well, except that the holding back of the one-fifth makes it almost impossible for a limited owner in many cases to go in for it, and that where there is a valuable tenant right it does not seem to be necessary. The security would seem to be good enough there.

22,020. As to the Act of 1881, have you anything to suggest as to that?—Well, I would rather leave that to the other gentlemen connected with this committee.

22,021. Is there any other point on which they will

not touch and which you wish to bring before us?—Not that I am aware of, unless that, as in the case I have already shown, that it appears to me that even under that Act the bog question is considerably complicated.

22,022. I can quite see your point about the bog. I think that would be a very great difficulty. In fact, if there was a community of peasant proprietors to whom the supply of fuel was an absolute necessity, which was only to be got from a certain place, that place from which it is got must be put under some general jurisdiction, and fairly managed for the benefit of all parties concerned?—That is precisely my point, my lord.

22,023. And the landlord at present performs that duty, and he would not perform it if it did not remain in his own possession, and he had no control over or interest in the people concerned?—Exactly. And at the same time there is the question of plantation, a certain amount of plantation on estates that might be sold, and that also ought to be looked after; and it also occurs to me that this is the only country in Europe where there are no State forests, and that the opportunity should be taken of taking over tracts of waste country which are good for planting and not leaving them in the hands of tenants who would not do it, and who could not do it if they would for it would have to be undertaken on a large scale.

Mr. T. C. DUCKIN examined.

Mr. T. C.
Duckin.

22,024. The President.—I believe you have some evidence to give?—I have put down some heads of evidence, and, if convenient, I would read what I have put down, and if any question arises I can be examined on it. I do not appear here, my lord, to represent any person's opinions except my own, and these are merely my own opinions, and last there should be some mistake in my being requested by some gentlemen to attend here, I was requested because I am well acquainted with the county Tyrone, I wish to state that the views I have put down are my own.

22,025. Sir James Caird.—Is it applicable solely to Tyrone?—Practically. You will find as I go along that it is chiefly in relation to matters within my own knowledge.

22,026. The President.—What is it that you wish to state?—I am the Sessional Crown Solicitor for the county of Tyrone, and have resided and practised in that county for about 24 years, and have been Sessional Crown Solicitor for the past 10 years. I am well acquainted with all the county. The operation of the Land Act of 1881 has not been affected by combinations to resist the enforcement of legal obligations in by far the larger part of the county; but in the neighbourhood of Carrickmore and the district between that village and Planbridge combinations have existed for about a year to resist the payment of judicial rents. Process servers serving ejectments and civil bill processes for nonpayment of rents have been assaulted, and in some instances their legal documents were taken from them, and the sheriff has been obstructed in executing ejectments and civil bill decrees. Several persons have been punished for these offences, and in consequence of this and other causes the state of disturbance has somewhat subsided, though as yet in the Carrickmore district the payment of rent is prevented by illegal combinations, and persons paying their rents are liable to sustain injury, nor can process servers serve processes for rent with safety save by posting them.

22,027. Lord Almon.—Is it an extensive district? Yes, a mountain district, perhaps five miles broad, by ten miles long.

22,028. Carrickmore?—Carrickmore and into Planbridge. As regards the fall in prices of produce, others are more competent to give an opinion than I am, but I may say in general terms that as regards all inland towns the price of produce has risen within recent years by reason of increased facilities for the carriage of goods by the making of

railways, &c., and this at the same time has had the effect of reducing prices in the Dublin and other markets on the sea coast, and I don't regard the price of commodities as the sole criterion by which to judge of the ability of farmers to pay their rents, or of what a fair rent should be. I consider the yield is equally important, and I will recollect in the year 1879 when prices were good we had a most disastrous year owing to the yield being so bad. In some things, such as good milk cows and sheep, prices at present are very fair, and for fowl and eggs have very largely increased. However upon these subjects the Commissioners have the tables furnished by Mr. Villier Stuart, and other sources of information which are much better than I can give.

Judging, however, by the sale of tenant right in the neighbourhood of Omagh, I do not find that there is such a diminution in the value of land as to cause any anxiety. I have obtained from two local auctioneers the results of their sales, for the last year in the one case, and two years in the other, and I find the prices vary from six years' purchase, which is the lowest, up to 27½ years' purchase, which is the highest, and I know myself that I have sold lately land with a mill on it one-third higher than it was purchased at in 1876, though it has not been improved since then, and I have known tenant right farms for from ten years lately to sell for 30 and 40 years' purchase on the rent. Having regard to the good yield in the years 1883 and 1884 and 1885 I don't think the last few years are worse seasons than they were immediately prior to 1881, but of course they are much worse than for a few years after 1874. Cropping and grazing lands still let very high, and I know the same lands let for the same kind of crop this year and last year. Last year they realised about £112 and this year £116, having been let in last month, November. I think there does not exist among the tenantry any general desire to avail themselves of the Land Act, 1886; I attribute this to the unsettled state of the country, the uncertainty as regards the future, and a dread of increased taxation by local boards, combined with an organized attempt in some places to prevent sales, based on large reductions on the present rents, and to depreciate the value of land. The tenants really don't know what number of years purchase they ought to give, and the great difficulty in dealing with the whole question is that there appears to be no facility relative to legislation about land in Ireland. I am totally opposed to providing security through the

intervention of local authorities in any districts whatever for loans advanced from the public funds for the purchase of land. Such loans would simply be a gigantic system of outdoor relief, supporting the indigent and idle at the expense of the industrious, and if a tenant after having purchased his land at a fair sum is not able to pay his instalments while his neighbours can, the presumption is that it is his own fault, and the proper course would be to compel him to sell and then get an industrious tenant in his place. I have had several sales of land on Lord Belmore's property near Omagh, where there is no opposition to the payment of rent, and also in County Fermanagh at 24 years' purchase on the judicial rents, and the tenants paid the one-fourth of the purchase moneys and seem quite satisfied with these bargains; the purchasers of these, I believe have been or will be given to the Court by Lord Belmore himself. I have also had sales in other counties where the tenants lodged the one-fifth, but I have had none in which the landlord lodged the deposit. With respect to any modifications of the laws relating to land, in any question the present system by which the one-fifth of the purchase money is retained as a deposit at the rate of £3 per cent., and which must remain so far 18 years, has a most injurious effect relative to sales on leases, especially where they are encumbered. The landlords pay from £4½ to £5½ per cent. interest on their encumbrances and the mortgagees will not take the security of the deposit, so that while the landlord only gets three per cent. from the Land Commission he has himself to pay the additional interest to the mortgagees for a period of eighteen years. This long period prevents encumbered landlords from availing themselves of the Act, and in every way hampers the sale. There are two remedies for this; first, that the Government should advance the money to landlords at the same rate as they do to tenants, so as to enable them to pay off the charges, the Land Commission being empowered by a Vending Order to charge such sum on the fee simple, repayable by instalments as in the case of loans to tenants; and secondly, in my opinion the Government would be perfectly safe in cases in which the Land Commission consider the security sufficient in advancing all the purchase money to a tenant, who has a valuable interest in his holding. To give an instance, suppose that a tenant paid a rent of £20 a year, and had tenancy in his holding, and his farm well built on and commodious, the tenant right of such a farm would easily sell for £100. If he purchased from his landlord at 22 years' purchase, the total purchase money would be £240, and if the tenant, even though a limited owner of his own estate in law, were empowered to charge all the tenant right interest as well as the landlord's when bought with the instalments, all the sum payable by him for the future 22 years would be £47 12s. per annum, and the Land Commission would have a holding value for £240, which would be as ample security for the money so lent by them. Of course there are many cases in which the Land Commission would not be justified in lending the whole money, but even at present there are many cases in which the Land Commission would not be justified in lending so much as the four-fifths, and all I urge is that in proper cases the Land Commission, if satisfied with the security offered, should be authorized to lend the whole purchase money, and be empowered to vest the whole lands in the purchaser, notwithstanding that the landlord and tenant were only limited owners, with proper authority to invest any money when necessary for the persons in remainder just as the Land Judges now do. I think there is very serious danger in any attempt being made to force on sales of land by landlords to tenants, either by a compulsory act or by any other way unduly pressing on a sale of land at the present time. Tenants long struggled, and rightly struggled against a compulsory sale of their tenant right by arbitration, and to obtain a free sale to the highest bidder, and have now obtained it. Whatever objections might

be urged by them against such a sale where the arbitrators would be tenant farmers, setting a fair purchase money as between other tenant farmers, would be tended increased where the landlords would be partly in the hands of an arbitrator with all his sympathy with the tenants, and in favour of a low price. Compulsory sale by any avowed, tenant, or landlord, should not in any case be adopted, save where lands are required for public purposes, and any step further would shake the foundations of all property, and lead persons investing in any securities in Ireland to believe that they might at any time be deprived of their property by Act of Parliament in order to bestow it at a cheaper than the fair market price on another class of persons.

22,029. Lord Millican.—Is not that the case at present?—No, my lord, not that I am aware of.

22,030. Go on?—It would be much safer for the Government to lend money to the landlords who require it to pay charges as I have above suggested at the same rate of interest. This would prevent an undue flooding of the market at the present with estates for sale, and tend gradually and safely to encourage mutual arrangements making peasant proprietors. Many landlords would not require any money or need to sell their estates at all, and in urgent cases, as the Legislature in its wisdom has seen fit to interfere between landlord and tenant, and to deprive landlords of many of the rights they formerly possessed, and which some had acquired by a Landed Estates Court title, and to adjust their rents, not by the market value but by what is practically a court of arbitration, it seems to me but just that, so far as possible, the Government should try and do them no further injustice, and relieve them in the position to which they have been reduced. They cannot compel mortgagees to take whatever interest the Land Commission Court or a sub-commission might approve of, but in many cases they could meet the difficulty by paying off the mortgagees as I have suggested above, and lending the money, repayable by instalments, and the Treasury would not sustain any loss.

22,031. You would not compel mortgagees to take an alternative rate of interest?—There is no power.

22,032. But an Act of Parliament could do it?—Of course an Act of Parliament could do anything, but I mean as yet.

22,033. Mr. Neffeson.—You mean at present?—At present.

22,034. Lord Millican.—There would be nothing in it more arbitrary than compelling a man to take less rent for his land than the market value, but go on?—I generally act for the Land Commission, Board of Public Works, and other public bodies in the county of Tyrone, in the collection of their dues locally there, and even in some parts of that county, not to speak of other counties at all, I am certain that if sales are forced on, and large sums of money lent by the Government to tenants, the fact of there being a common interest existing throughout any large district to resist the payment of instalments might give rise to such a combination as would tax all the powers of the Government to recover the instalments. I believe the Government would not be safe in lending for sales thus wholesale, and that they would relieve the present pressure by thus lending to some landlords, and advancing the whole of the purchase money to some tenants, and that they would have much better security for the money so lent than they could possibly obtain by a forced sale at the present time. Ireland, with the Treasury as landlords of all the agricultural holdings, and with all the interests of the instalment payers concerning in refusing to pay these instalments, would meet a gigantic non-resident English landlord, without even a local agent, confronted by a united and combined treasury, and I, for one, would not undertake to collect the instalments.

22,035. Sir James Caird.—You mean the Government would be the English landlord?—Yes, I do not enter upon the great topical question of the social, moral, and political effect of the exodus from

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Ireland of all the landed gentry and proprietors if forced to sell, and who would have no longer any stake or interest in this country. Another modification in the law is essentially necessary, which would prevent the great injustice of tenants paying poor rates, income tax, and other rates, taxes on every accession by death to their lands, and on every transfer by deed, and being thus handicapped in the production of their produce for the markets, while foreigners can bring in all their produce, manufactured and unmanufactured, without paying any taxes on it at all. While, on the other hand, they will not allow us to send even a potatoe into their markets without charging heavy customs duties.

22,036. The foreigners, not the English?—Foreigners not English. I speak of foreigners in relation to the United Kingdom. I know myself in reference to that last matter, two farmers who sent their produce to America, potatoes, and when they went to New York they were charged, I am informed, £2 a ton before they were allowed to land them, including rotten potatoes in the hold of the vessel.

Mr. JAMES MCFARLANE continued.

Mr. James
McFarlane.

22,033. The President.—You are agent to the Duke of Abercorn?—Yes, my lord.

22,040. And what you wish to give us evidence chiefly about, is the sale of tenant right?—Yes, my lord, Mr. Dickin has been nearly all over the ground in other respects.

22,041. We will be glad to hear anything you have to say?—Before going into other matters, I should like to make some observations on the question of bogs. There is a particular townland on the Duke of Abercorn's estate in which there are 700 acres. The tenantry upon that townland, not very long ago, wished to purchase it under Lord Ashburton's Act, and the whole of the bog is in the ambit of three tenants' farms. There are about 15 tenants on the townland, and the bog happens to be on the farms of three. Now, to sell the whole townland, including those three farms, at the same price would give these particular three tenants a wonderful boon. Some years ago, when the Church Commissioners sold a townland just beside this, they sold without the slightest reference to bog, and the consequence was that some of the tenants got a large amount of money and others did not.

22,042. Mr. Neligan.—That was the result of imprudent dealing?—We let at 3d. a perch, £2 an acre, and without any profits at all, and some of the other tenants also cut upon that farm, and some of the tenants said, "If we purchase this land, are we to 'get our bog as usual'?" That was a question I could not answer, because when the farms are bought by those tenants they have full control.

22,043. Sir James Caird.—Could you not divide the bog among the 15 tenants?—Not at all. The bog is inside the ambit of three men's farms, and if we sell the farm we sell everything.

22,044. Mr. Neligan.—Do I understand you to say that the bog is subject to a right to other men outside, of cutting?—Yes.

22,045. I do not see any difficulty in the way of preserving that right?—But it would hardly be the interest of the landlord to preserve the right if he sells the lands to the tenants.

22,046. That is another matter, the landlord does not care to let them take their chance.

22,047. Mr. Knipe.—But the neighbouring tenants would care?—I am afraid the Purchase Commissioners would not like the farm to be sold, reserving that right.

22,048. Mr. Neligan.—I am very certain from what I know of them, that in a case like that, they would as soon cut off their hands as sell the land disengaged from the acquired and vested rights of the neighbouring tenants?—The neighbouring tenants have no vested rights, except of getting a permit from the landlord to go into a certain place.

22,037. Mr. Neligan.—I believe there was a considerable experience of that from the port of Londonderry?—That is the instance I speak of. There are all the observations I had to make. There is only one question more I would refer to. Mr. Montgomery alluded to tithery, and I wish to correct a misapprehension on that subject. On the fall of a house under the Land Act at present, the tenant becomes immediately entitled to go into Court and get a judicial rent fixed, but under the 5th section of the Act, the tithery immediately reverts to the landlord.

22,038. Quite so. And in that way the danger which Mr. Montgomery mentioned is at present obviated?—I think so. But the point which he touched on still becomes extremely important, because a man may only pay £4 a year rent, and yet he may have tithery in his holding to the extent of 10 foot deep and perhaps 40 or 50 acres, and in the case of a sale of the estate, that tithery might be required for the use of many other tenants who had none in their holdings.

22,049. That is a right vested in the landlord?—Yes.

22,050. And not to be exercised for his own benefit, but for that of the adjoining tenants?—Then, I understand you to say that we can sell those farms and reserve that right still.

22,051. I have no doubt of it?—It is not the idea in the Land Purchase Commissioners' office.

22,052. Sir James Caird.—Could you not divide the bog into proportionate parts, and give each along with his land a proportionate part?—You see that the land after the turf is cut off belongs to the tenant. At present he has the common law right long before the Act was passed of cutting as much turf as would be used for his own house, but the landlord has also the concurrent right of giving permits to the other tenants for cutting upon that farm, but the moment the bog upon the tenant's holding is cut off the soil is his.

22,053. Is that a yearly tenant?—A judicial tenant.

22,054. Then every 15 years he would be liable to revision?—Yes, certainly; it is only the bog that belongs to the landlord, not the land on which the bog is.

22,055. Surely it must belong to the landlord?—The moment the turf is cut off, the soil becomes the property of the tenant.

22,056. Though the land is the landlord's?—That is the law. The landlord has the right of sending in tenants to cut that bog.

22,057. It would become part of his farm, you mean?—Yes.

22,058. And then that reclaimed land would not cease to belong to the landlord along with the farm?—The moment the turf is cut off the land becomes the property of the tenant. It is in the occupation of the tenant at present, except that the landlord has the right of cutting the bog off that place, and the moment it is cut the tenant claims it.

22,059. And it would become part of his farm?—Yes.

22,060. But then the farm does not cease to belong to the landlord?

22,061. Lord Milnes.—But we are anticipating the case of purchase. When the purchase is effected, who in the world is to fulfil the duty of the landlord in giving rights to the other tenants to take turf on this land?

22,062. The President.—Well, we will go to some other point?—About five miles, my lord, there has been no interference with free sale in the locality with I am acquainted with.

22,063. And never has been?—And never has been. Nor has there ever been any consideration to

rent payment of rent, judicial or otherwise, on the Duke of Abercorn's estate or in the locality, and there have never been any demands for wholesale abatements. Two petitions were presented in January 1886 to the Duke of Abercorn, one purporting to be from the parish of Donaghadee asking "a reduction of 25 per cent.," the second from the electoral division of Ballynagorry asking for "a liberal reduction;" about one half of the tenants in each district did not join in the petition, the greater number held under old leases made in 1834, and the remainder are judicial agreements. The rents are considered very moderate and no reductions were given; and the rents were paid as usual. The matter just fell through. The tenants were mostly, in my opinion, following the leading of newspapers. There was no interference of any kind as regards grazing or domestic land, nor was there any kind of boycotting in the locality.

22,564. Mr. Neligan.—Are you speaking of the county Donegal?—I am talking principally of the Strabane district, which includes a large part in the county Donegal as well as in the county Tyrone. Strabane is just on the border of Donegal, and there is a large portion of the Duke of Abercorn's estate in the county of Donegal; I think about 11,000, or 12,000, a year.

22,565. The President.—Do the two estates adjoin?—Yes; and are mostly held under judicial rents or old leases made in 1834.

22,566. About tenant right; would you tell us what it is selling for now?—I am coming to that presently. Of course I am not speaking of anything but the Duke's estate, and we have no record of prices except that they are lower now than they were some years ago, but I remember prices much lower than at present, and rents very fairly paid. They were very much lower in 1833.

22,567. You are speaking of produce, not of tenant right?—The prices of produce. Before we come to tenant right, I should like to give some information as to letting in course.

22,568. You have nothing more to say about prices?—Nothing more about prices.

22,569. Mr. Knapp.—Does it cost more now to cultivate a farm than at the time you refer to?—I think it does. There is no doubt that wages have very much increased, and also the cost of living has increased, particularly in the case of the larger farmers.

22,570. And seasons have been very unfavourable for the sowing of crops?—There has been a good harvest this year.

22,571. Not generally?—We thought it very good with us, and the yield was very much better than last year, the yield of oats particularly.

22,572. Lord Millican.—I should just like to ask you a question as to an answer given to me in Derry by Dr. Todd, is there a general desire among the tenants on the Duke of Abercorn's estate to purchase their holdings?—I am glad you mentioned it, because I was just prepared to say that there is no desire at all on the Duke of Abercorn's estate. I am sorry to say there is no wish whatever. Dr. Todd called a meeting by circular to the tenants to say that he wished to meet them on important business. When he got them all assembled in the hotel he mentioned that he was authorized by the Duke of Abercorn to sell at 20 years' purchase. That was what the tenants told me.

22,573. And he had not been authorized?—Not at all. He sent in an application saying that he was authorized by a number of tenants whose names he gave, to make an offer of 20 years' purchase for their holdings. A number of those tenants I met and they entirely repudiated him, and said they had given him no such instructions. I wrote to Dr. Todd pointing out this and giving him the names of the parties who said that they had not given him any such instructions, and two of the most respectable tenants on the estate wrote direct to the Duke, and I have copies of their letters here.

Here is a letter from one of our most respectable tenants, Mr. James Alexander:—

Dec. 3, 1886,
Mr. James
McParlane.

" Sandville, 19 November 1886.

" Mr Lord Duke,

" I beg to inform your grace that I have never instructed Dr. Todd to make an offer for my farm at any price.

" Your obedient servant,
" JAMES ALEXANDER."

His Grace the Duke of Abercorn.

And here is a letter from another tenant, Mr. James Clarke:—" My Lord Duke,—I understand Dr. Todd " has written to your Grace, saying I had instructed " him to offer 20 years' purchase for my farm, and I " beg to say I never gave him any such instructions, " and he is not my solicitor."

22,574. Sir James Caird.—And Dr. Todd told the tenants that he was instructed by the duke to make an offer to them, and the duke that he was instructed by the tenants to make an offer to him?—Yes, and there is the circular that he sent to them (document handed in). The tenants told me he produced a letter purporting to be from his Grace, and read what he said were extracts from it.

22,575. Lord Millican.—Then, in your judgment, there is no desire among the tenants of the Duke to purchase their holdings?—Some few of them.

22,576. No general desire?—Not at all; quite the contrary.

22,577. They prefer to remain in their present condition?—They prefer to remain as they are. There was one tenant who came to me, and I said to him that if the whole townland offered twenty-two and a-half years' purchase of the judicial rents I would recommend his Grace to accept it; and the tenant asked me then what reduction would that give him. I said 10 per cent. minus your poor rate, and he said, " I would not take it; it would never pay me for " the privilege I at present enjoy of paying my " rent at any time I like. I would have to pay the " Government to the day, and probably if I did not " the Government would put me out; so for 2s. in the " pound I will not exchange the Duke for the Govern- " ment; and as for the 40 years, that is too far away " to be attractive to me." Dr. Todd sent those circulars broadcast over the estate.

22,578. The President.—Do you think there would be a reluctance on the part of the tenants of the Abercorn estate to part company with the old family with which they have been so long associated?—Great reluctance.

22,579. You think there is such a sentiment in the north of Ireland?—There is certainly such a sentiment on the Abercorn estate. They have always been well treated. I have a little note on that point, which is this. In answer to the query, To what extent does there exist any general desire among tenants to avail themselves of the provisions of the Land Purchase Act of 1883? I have noted down this:—

The tenant class generally, up to the present, have evinced little desire to avail themselves of the provisions of the Land Purchase Act of 1883, for the following reasons:—

1. Owing to the unsettled state of legislation on this question; every year the tenants are led to expect some further extension of the Land Acts in their favour.
2. They are much depressed owing to the low prices for stock and farm produce, and the difficulty of paying what would be called a moderate rent a few years ago.
3. Upon large, well-managed estates, under a liberal and judicious landlord, there is a great reluctance to change into the hands of the Government, even under reduced yearly payments. The tenants have an idea that if they failed in paying the instalments upon the appointed day they would be immediately turned out. Upon the estates I allude to, if they required time

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they know it can be obtained without any difficulty.

4. They have also great dread of increased taxation, such as income tax, land tax, &c., if the Perpetuities exposed in obtaining Home Rule, and this feeling is intensified since Mr. Gladstone joined that party. The dread of Home Rule is what, it strikes me, the Protestant farmer of the north is very much afraid of, and the increased taxation in consequence.

22,060. Lord Milltown.—That, you think, has a deterring influence with regard to the purchase of their holdings?—Certainly. One of those gentlemen, Mr. Clarke, mentioned that he was very much pleased to leave the Duke between him and the taxation of the Government.

22,061. And I suppose if that dread were removed there would be an increased desire?—I think so; that the Duke's tenants would be glad to be the owners of their farms, if they were not in dread of increased taxation, and what was to follow.

22,062. Mr. Nelson.—Why do they think that that would increase taxation?—Well, in the first place, Protestants think that there would be special taxation on them. Of course that would be all nonsense. Then they think they would have to pay income tax.

22,063. Lord Milltown.—Not under the present Government, but under Home Rule?—Not under the present Government. Under the present Government they would not; but what they say is, that at the present time the Duke of Abercorn pays a large sum in income tax; and they say, Can the Government afford to do without that too—surely they must make it up in some way or other.

22,064. Sir James Caird.—But surely he would have to pay income tax on the purchase money?—No doubt he would have to pay it, but it would be a very much smaller sum.

22,065. That depends on the number of years' purchase—at 22 and a half years' purchase there would not be much distinction in the income tax?—A very great distinction indeed to a limited owner who has no charges to pay off, and who must hand the money over to the trustees of his estate and invest it in consols.

22,066. What are the outgoings on the estate at an average?—To take them all together?

22,067. I do not mean incumbrances, but mere management and losses from non-payment?—8 or 9 per cent. would be the extent.

22,068. Very cheap?—8 or 9 per cent. covers everything—agent's fees, taxes, post notes, &c.

22,069. The President.—Because that is in a country where there is not much difficulty in collecting rents, and where there are not many arrears?—I am taking all together, my lord, all the Duke of Abercorn's estate.

22,070. Sir James Caird.—In this country?—In the counties of Donegal and Tyrone.

22,071. On 22½ years' purchase, how much do you say he would lose?—He must invest his money in Consols, being a limited owner, and hand it over to the trustees, and the trustees will not run any risk.

22,072. What would he lose?—32½ per cent.

22,073. That is, a third of his income?—Yes.

22,074. The President.—At how many years' purchase?—22½. I am taking it that he must invest it in Consols because he has no choice. The money goes into the hands of his trustees, and they would run no risk. I have some experience of trustees, and they will run no risk whatever; and then you must look forward to the fact that there might be a great number of sales, and the funds would soon run up, and that would make it worse again.

22,075. Sir James Caird.—Would that apply to all limited owners?—I think so, my lord.

22,076. Then limited owners would be at a great disadvantage in this matter?—Yes.

22,077. And for that reason they would object to it?—Where they have very large mortgages they

might gain indeed. In some cases they are paying 5½ per cent.

22,078. And it would be a great matter for them to sell?—But I am talking particularly of the Duke of Abercorn's estate, where there are no incumbrances whatever except title rent charges and things of that sort.

22,079. But where there are heavy incumbrances?—Then I think it would be an advantage to the landlord to sell.

22,080. Because he would be able to pay off all incumbrances?—Yes.

22,081. In some cases we are told that the incumbrances are so heavy that if the estate was sold at anything under 20 years' purchase there would be nothing left for the landlord at all. There of course his interest is to hold on?—If an estate is sold at 22½ years' purchase, and the money can be invested at 4 per cent., the landlord only loses 10 per cent., but I think where there are heavy charges there would be an advantage.

22,082. To sell?—Yes.

22,083. That is, where the landlord has a surplus?—If there was a surplus.

22,084. But he will not be very anxious to sell where there would be no surplus?—Well, I suppose not.

22,085. And I suppose the lower the number of years' purchase the less the chance of a surplus?—Supposing an estate was sold at 20 years' purchase and the money invested, and that it was invested at 4 per cent., there would be 20 per cent. less, at 3 per cent. there would be 40 per cent. less. Take the case of the Duke for instance, a limited owner, and suppose he sold at 20 years' purchase, here is a note which I have made which just simply shows the loss on investing the money at 3 per cent. and 4 per cent. (Hands in note). The reason why I say 22½ years' purchase is, that if I go to the Government to buy the title rent charges they charge me 22½ years' purchase for it; they won't give it for less.

22,086. Mr. Nelson.—Have you turned over at all in your mind, Mr. McFarlane, the fairness or unfairness of a landlord having to sell his estate, as most men would have to do at all events, at a margin of 20 years, and making him pay 22½ to redeem the rent charges, and I believe 25 to redeem quitrent? I think it is monstrous.

22,087. So that the most that ought to be asked would be to ask him to redeem at the same rate of purchase he got it at?—And that is the reason I have said to the Duke, "If you got 22½ years' purchase I would say 'to your Grace to take it.' If you are going to buy the 'title rent charges you must pay 22½ years' purchase 'for it.' Talking of this purchase, there is another great drawback, not to limited owners but to, say, a landlord like myself. I have a small estate in Donegal for which I pay a heavy head rent, and I think the Land Act of 1881 is very imperfect in that respect, because they do not interfere with the head rent. On this little estate that I bought there was an easy increase of rent since 1836, fifty years ago. It was a remarkably cheap-ported property when I purchased it. Two of my tenants went into the Land Court. The rent of one was reduced 15 per cent., and the other was not reduced at all, but I had to pay law costs. Now, on the neighbouring estate where there were two or three increases since 1864 the reductions were about the same, bringing them in what they were originally, whereas my low-rated property was reduced at the same rate. I think that was a most unjust provision of the Land Act of 1881, say my experience of the Land Act, and I have had a good deal of experience of it.

22,088. I suppose you hold under a lease then?—Well, I bought the property subject to paying the head rent, and the head rent is pretty large.

22,089. And then you have not an opportunity of getting your own rent proportionately raised?—No. My tenants the other day offered me 15 years' purchase

for their farms; of course if they had offered me 20 I would have taken it, because it is in the Donegal highlands although not a congested district, but the first question that struck me was, Would my landlord accept the same price. I do not know. I have not asked him yet.

22,110. Sir James Caird.—You were going to say your experience of the Land Act of 1881, and you stopped there?—It was simply this, that the rack-rented lands were reduced by the Sub-Commissioners to what they ought to have been originally, and that the low-rented lands were reduced in the same proportion, lower again.

22,111. Mr. Neillson.—It was a kind of Procrustean bed, everyone had to lose so much per cent?—The same level for all, and the rack-rented estates actually brought to what they should have been originally. Now, as reference to the question of taxes, and the remark about landlords leaving Ireland, take the case of the Duke of Abercorn. Suppose the Duke sold his estate. At the present time he pays 26,000 a year in cash to labourers about Baroncourt.

22,112. Sir James Caird.—Who does that?—The Duke of Abercorn, 26,000 a year to the labouring class upon his two large farms at Baroncourt of about 1,000 acres each, and his demesne of about 3,000 acres.

22,113. Mr. Keppel.—If he sold to the tenants he would have no need to pay with his demesne land, and he could give employment still?—If he sold his estate at 33 years' purchase, he would not have his income. Before I go into tenant right, I should like to say something of consacre. Conacre is, of course, let for the crop.

22,114. Sir James Caird.—The letting of crop?—The letting of land to put the crop upon. In the year 1884 consacre for oats, that is letting of land for the purpose of putting in oats, the average price was 27 sh. In 1885 it was 26 7s. 6d. In 1886 the price was 25 12s. 6d. For flax, the price of consacre in 1884 was 24 2s. In 1885 the price was 24 17s. 6d., and in 1886 it was 23 5s.

22,115. Is that also for consacre?—All for consacre. Now for green crops, that is for the privilege of parties growing green crops, putting manure upon them—

22,116. Potatoes you mean?—Either potatoes or turnips. It must be one of the two. In 1884 the price was 22 14s.; in 1885 it was 22 15s., and in 1886 it was 22 15s.

22,117. No variation?—These are the average prices just.

22,118. Did the man who took the ground put them down at his own expense?—Yes. That is Cunningham measure, which is the measure that the consacre is in the north.

22,119. That is the Scotch acre?—Yes, I have when the averages here with a great deal of trouble.

22,120. Mr. Keppel.—This is a thickly populated district of country, I presume?—It is.

22,121. Sir James Caird.—Flax we have been told is a very bad paying crop this year?—I do not think it is worse this year than last. It is bad for the last three years. Now grass for cutting sold in 1884 at 23 7s. 6d. an acre, in 1885 it sold for 24 2s. 6d., and in 1886 for 24 3s. 6d. Grass for grazing sold in 1884 for 22 2s.; in 1885 for 22 14s.; and in 1886 for 22 15s.

22,122. That, I suppose, was good land?—Oh, yes, good land.

22,123. Was that young grass or old grass?—I could not say. I got it from the auctioneer's return. The was all sold by public auction to the public, and it has reference entirely to the Strathone area. I myself live near the town of Strathone, and I got 28 sh. an acre for the privilege of putting manure upon it, but I do not think that any particular guide to price because I live near the town. Now as to the tenant right; the tenant right sales at the Duke of Abercorn's estate have been some of the most extraordinary, up to as high as 48 years' purchase.

22,124. The President.—How long ago was that?

22,125. Sir James Caird.—Can you give us the different years?—I can give you the different years from 1881 to the present time. Here is 1885.

22,126. Better begin at 1881. Can you give us the sum of them without going into the particulars?—I can give you the average of each year.

22,127. Give us the number and the average of each year?—Very well.

22,128. The average of years' purchase?—The average of years' purchase.

22,129. 1881 you begin with?—I have it here. We have our estate divided into five large districts called manors, and we keep all those districts separately. One is called the Donegal estate, the manor of Donegal, the manor of Claghagel, the manor of Strathone, and the manor of Derrywood. We keep all these as separate estates, and I can give you the average of each year upon each one of these estates.

22,130. Can you give us the average of the whole in one figure, as it were, for 1881?—I have not it calculated here on the whole, but I can send it to me.

22,131. It would be shorter on the notes and more readily understood if we had them all in one?—I have had these made up. The last year is considered a bad year.

TENANT RIGHT SALES.

Average prices of Tenant Right from 1881 to 1886.

	1881.	1882.	1883.	1884.	1885.	1886.
Donegal estate	16	21½	15	17½	17	14
Donegal	22½	21½	22½	9	22½	17
Claghagel	20	19½	19½	17	17½	16½
Strathone	23½	20½	0	17	18½	22½
Derrywood	24½	17½	18½	14	23½	0

22,132. There is an average put here; is it for each case?—For each case. I think 22 is the general average.

22,133. For this year?—For this particular year.

22,134. If you could let us have it in one sum for each year it would be convenient, the amount altogether paid, and the number of years' purchase on average?—Yes. Last week there was a farmer sold a fullhold tenancy at twenty-six-and-a-half years' purchase by public auction.

22,135. The President.—When was that?—Last week, an ordinary fullhold tenancy.

22,136. And the average of this year is 22?—22 years' purchase.

22,137. Mr. Keppel.—How many acres are there in that holding?—I do not know.

22,138. Was there anything particular about it?—Not the least.

22,139. Adjoining any town?—No. It was not even purchased by an adjoining tenant. Sometimes an adjoining tenant gives a high price to buy some of his farm, and I made particular inquiries about it.

22,140. It was so unusual?—Well, it was not unusual, in former years at any rate. Last year there was a sale on the Donegal estate, a little over 27 years' purchase, at 221 pent. There was one letter which I forgot to read. It was from Mr. Dickie, who was here. A proposal was sent in by Dr. Todd on the part of Miss Little, offering 30 years' purchase for her farm. I knew Messrs. Dickie and Macneil, the family solicitors, and I wrote to them asking did they know Dr. Todd was acting for Miss Little, and here in their answer—"Ourselves, 22 November 1885. Dear Sir,—We are much obliged to you for your letter on this subject. We wrote Miss Little and saw her personally here to-day, and she says the news authorized Dr. Todd to act for her in the matter at all, or to send in any proposal on her behalf. If his Grace is willing to sell her farm she will send a proposal through us for it. We do not like to express an opinion on the whole performance."

Dec. 3, 1886.

Mr. James
McParlan.

22,141. Sir James Caird. What is he doctor of?—Doctor of Laws. This is the way he sent in proposals for farms on the estate. And he led the tenants to understand that he would charge no fees. He said, "You pay in to me the first year's rent," and for instance if a tenant's rent was £100 at 20 years' purchase, that would be £2,000, and he said, "Let you pay the first year's rent into my hands and I will pay the Government, and retain out of this year's rent £30;" and the consequence would be that he would have a fifth part of the rental of the Duke of Abercorn's estate when it was sold.

22,142. Do you think the price is lower this year or higher, or about the same than your?—I cannot see any falling off.

22,143. Mr. Caird.—I suppose it would depend very much on what locality the land was situated in?—Well there is something in it that I cannot understand, because sometimes there will be a farm put up and there will not be any bidder, and for other farms there will be as many bidders as ever.

22,144. And others there are no buyers for?—There are very few on the Duke's property that there are no buyers for.

The Court adjourned until the following morning.

THIRTIETH DAY.

Saturday, 4th December 1886.

The Commissioners met at No. 36, Marston Square, Dublin.

PRESENT:

THE RIGHT HON. EARL COWPER, PRESIDENT.

THE RIGHT HON. THE EARL OF MILLTOWN;
SIR JAMES CAIRD, K.C.B.;

MR. NEILMAN, Q.C., Recorder of Londonderry; and
MR. BARRY.

DR. ANTHONY TRAILL, LL.D., F.R.C.D., examined.

Dec. 4, 1886.

Dr. Anthony
Traill, LL.D.,
F.R.C.D.

22,145. The President.—Dr. Traill. I believe, among other things, you are a landlord of the county of Antrim?—Yes, my Lord, of the county of Antrim, and the county of Down.

22,146. Well, is there any particular point upon which you wish more particularly to give evidence than another?—Yes, one particular point which I wished to lay before the Commission was a plan that I had myself published some years ago; that it would be better in dealing with a large class of tenantry to advance the money for the purchase of half the rental, so as to convert them into perpetuity holders, instead of making them absolute peasant proprietors. It was only proposed as an alternative scheme to meet the requirements of a certain part of Ireland. It was thought right that in other places they should be made peasant proprietors, and this was an alternative proposal, which was brought home to me, as I happen to have my property in the county of Down and a part of that in Antrim held in that manner, and I have experienced the working of it. They would not be peasant proprietors in the proper sense of the word. They would be subject to all the powers of the landlord, except the power of touching the rent, and, so far as my experience goes, it works uncommonly well. The ordinary powers of the landlord still continue. What I mean by that is, peasant proprietors get into endless litigation about rights of way and titles of that sort that do not occur in the case of land held by perpetuity. I found, for instance, in my own experience, a tenant sub-letting at the rate of 7½ an acre. I discovered that that was totally contrary to the terms of the perpetuity lease, and I stopped it at once.

22,147. Do you think, if he was nothing more than the holder of the headrent, a landlord would take the trouble you do in looking after the people?—It is hard to say what interest a landlord would take in a property after a change took place. I only point out the difference between headrents and perpetuity rents of that nature.

22,148. Lord Milltown.—I do not quite catch the difference?—The difference is this, my Lord: In a

case of headrent paid by a landlord he simply signs a cheque, but the tenants who hold in perpetuity in the way I speak of, pay the rents under a lease in the ordinary way. But the advantage of the perpetuity system is that the question of subdivision, the question of alienation, the question of rights of way, the question of turbary, all these endless encumbrances that tenants dispute about, are all settled by the landlord still. There are a great many peasant proprietors, pure and simple, in my own part of the country; they are in endless litigation, so far as my experience of them goes. Numbers of them have been absorbed in years past into adjacent properties; but this other class of tenants of whom I have spoken here are not changed lands. The same people were there 100 years ago.

22,149. They must be rather old now?—I mean their fathers and grandfathers. The same people and the same families have been there for a long time. With regard to the purchase of estates, it appeared to me there would be a great difficulty in advancing a large sum of money to purchase the whole tenants' interest; and that for the State to be free to face with the tenants for the whole purchase money was a very different thing from the State being free to face with the tenants for only half.

22,150. The President.—Do you think the landlords would enter into your scheme?—I am certain they would in the counties of Antrim and Down; and I know it was made a test question at the county election for the county of Down two or three times, and both landlords and tenants agreed as to it as part of their programme, because by it the resident landlords would not be abolished out of the country.

22,151. Lord Milltown.—What reservations are usually inserted in these perpetuity leases?—Simply against sub-letting, or are minerals, royalties, and the rights of fishing and sporting reserved?—Yes.

22,152. And you contemplate all these reservations being in the perpetuity lease?—I do.

22,153. Mr. Neilman.—You might give a man a lease for a thousand years and insert such conditions, but if you give him an estate in the fact, you cannot

insert any conditions inconsistent with an estate in fee?—These were leases for lives renewable for ever, and that makes all the difference.

22,154. *The President*.—As I understand the matter, you would allow this as an alternative scheme?—Only as an alternative scheme.

22,155. But would not it prevent purchases going on in a great many cases under the Purchase Act?—Certainly not. I am quite certain a large number of the tenants would be perfectly satisfied to keep the land in the country—I know they would in Ulster—and would be on the best of terms with them, if this question of rent was settled. It is entirely a question of rent; and if the judicial rents could be raised, as they would be under such a scheme by advancing money at 4 per cent. for 49 years for the purchase of half the rental, that would settle the rent question between them.

22,156. Do you mean to say that there is no wish for ownership on [the part of the tenants? You think there are a great number of tenants who have no wish for ownership?—Quite the contrary; and I think they would consider themselves perfect owners under this system, and would be quite satisfied to keep the land in the country, which is a question of much importance in Ulster at least.

22,157. They would be satisfied if they had this question of rent settled?—Certainly.

22,158. *Mr. Nelson*.—But, so far as I understand it, the condition the tenant would find himself in would be that he would have two landrills instead of one for 49 years?—But he would have an immediate reduction of his rent. He would be paying to the two a good deal less than he was paying before to one of them. He would get quite a reduction of 15 per cent. on the present judicial rent.

22,159. He would get a reduction of 15 per cent. on the rent, but he would have two landrills instead of one for 49 years?—That would depend to a great extent on the way the rent would be collected. I may say that I would give the Government a priority over the landlord.

22,160. *Lord Millican*.—I suppose you are aware that there is a provision in the Land Act of 1881 enabling the State to do what you now suggest?—It does not enable the State to do what I now suggest. Unfortunately it only allows one half of the fine for reducing the rent to be advanced, and that is where it entirely breaks down.

22,161. *Mr. Nelson*.—That is where you want to supplement it?—Yes. When Lord Ashbourne's Act was coming forward at first I tried to get a clause to this effect inserted in that Act.

22,162. *Lord Millican*.—We may as well have the section of the Act. Here it is, the 24th section of the Land Act of 1881:—"The Land Commission out of moneys in their hands may, if satisfied with the security, advance sums to tenants for the purpose of enabling them to purchase their holdings as follows: that is to say, (a) Where a sale of a holding is about to be made by a landlord to a tenant in consideration of the payment of a premium, the Land Commission may advance to the tenant for the purposes of such purchase any sum not exceeding three-fourths of the said principal sum. (b) Where a sale of a holding is about to be made by a landlord to a tenant in consideration of the tenant paying a fine and engaging to pay the landlord a fixed term rent, the Land Commission may advance to the tenant for the purposes of such purchase any sum not exceeding one-half of the fine payable to the landlord." &c. &c.—That is the point where it breaks down. By advancing the whole of the fine you would meet the case. I want to put the whole of that fine under Lord Ashbourne's Act and at the same rate.

22,163. *Mr. Nelson*.—The tenant has to find half the money under that?—Precisely.

22,164. I understand you are directing your evidence to that?—Yes.

22,165. *Lord Millican*.—Then you request to give the Land Commission the power of advancing the whole of the fine under the provisions of that clause?—That would exactly meet all the requirements of the case. It seems to me that the whole question of the security of the State is solved by that; because there is an enormous opposition in England to advancing the whole of the purchase money and finding the State face to face with the tenants, and that is entirely got over by this plan. I think if an arrangement could be made by which the landlords' offices could be still kept open an arrangement might be made for collecting the rents for the State as well as through them.

22,166. *The President*.—You think that once you encourage the landlords to sell in the country you are not likely to have any more offices open?—I do not wish to interfere with any landlord. Some of them may wish to sell but many of them do not, but they wish to get rid of this vexed question of rent altogether. I may say that on my own property three acres was any criterion for three generations, and I never was brought into the Land Court for a reduction of rent.

22,167. *Lord Millican*.—I suppose your proposition would be also, perhaps, that the landlords might undertake to collect the Government's share of the rent on commission in somewhat the same way as in the case of the tithe rentcharge?—Yes.

22,168. So that the tenant would have only to pay one person instead of two?—Yes. So far that difficulty about paying two persons would seem to be met. I think it would work perfectly if the tenant understood that he was to get a reduction of one on his judicial rent. The upper half of a man's rent is a more difficult half to collect than the lower half of his rent. Any tenant will tell you that it is the last 5s. or 10s. of his rent which he finds it difficult to make up every year, and if he got 15 per cent. reduction on his judicial rent that difficulty would be removed.

22,169. *The President*.—Is there anything more about this matter which you think you ought to mention?—It also occurred to me, though it is not so much in my own experience, that an attempt to relieve the congested districts of Ireland might be made to a certain extent—all being on a purely voluntary and permissive system—by advancing the money to the landlords to the same extent as was that they were able to make arrangements with their tenants to buy up some of their small holdings.

22,170. *Mr. Nelson*.—What would you do with them when you bought them up?—Enlarge them.

22,171. But what would you do with the people?—Well, it should only be a permissive thing. But I can conceive plenty of places where the tenants find themselves in a state of object poverty and would be glad to get 10 years' rent to start elsewhere.

22,172. *The President*.—But the tenant might run up higher there than in any other place?—Yes, unfortunately; but I only proposed that the State should advance 10 years' rent in such cases.

22,173. *Lord Millican*.—Do not you think that that would create a cry of the extermination of the tenants by the State?—Yes, but in our part of the country we do not care much about such cries.

22,174. *The President*.—Do you know anything personally about the congested districts?—Not much. I remember going through them, and I talked to the tenants, and so far as I could see they paid their rents principally with money they got in England. I do not know whether the Commission wish to have any statistics about prices in Austria.

22,175. We have got a good deal of evidence on that. Roughly speaking, it is a fact that there has been a considerable fall?—I have got them tabulated for you here, and it indicates a very much greater fall than I at first thought myself. The articles are—potatoes, oats, flax, hay, butter, pork, and cattle. There is one thing I wish to point out about the fall. In a great many cases though there has been a fall, there has been a large increase in the crop, so that it does not follow that there is less money in the

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Dr. Anthony
Tred, LL.D.,
F.R.C.D.

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Dr. Anthony
Trill, LL.D.,
F.R.C.S.

country. For instance, in potatoes; while oats, for instance, has been a very fine crop this year; and I see that the average price of oats, taken up to November, was down to 6s. in 1884, it was 8s. in that year. In 1881, oats 6s. 7d. per cwt., the average; in 1882, 8s. 6d.; in 1883, 7s. 6d.; in 1884, 6s. 8d.; in 1885, 6s. 6d.; in 1886, 6s. 4d. Potatoes in 1881 were 2s. 1d. per cwt., the average; in 1882, 2s. 3d.; in 1883, 3s. 10d.; in 1884, 1s. 10d.; in 1885, 1s. 9d.; in 1886, 1s. 10½d. Butter in 1881 was 1s. 1d. per lb., the average; in 1882, 1s. 0½d.; in 1883, 1s. 0½d.; in 1884, 11½d.; in 1885, 10d.; in 1886, 9½d. Pork in 1881 was 3s. 11s. 8d. per cwt., the average; in 1882, 2s. 7s. 8d.; in 1883, 2s. 11s. 6d.; in 1884, 2s. 4s. 4d.; in 1885, 2s. 10s. 10d.; in 1886, 2s. 3s. 6d.; in 1887, 2s. 4s. per cwt., the average; in 1882, 3s. 6d.; in 1883, 3s. 2s.; in 1884, 2s. 10s. 2d.; in 1885, 2s. 10s. 2d.; in 1886, 2s. 11s. 6d. Hay in 1881 was 3s. 2d. per cwt., the average; in 1882, 2s. 8d.; in 1883, 2s. 8d.; in 1884, 2s. 1d.; in 1885, 2s. 8d.; in 1886, 2s. 10d. Fine cattle in 1881 was 3s. 4s. 10d. per cwt., the average; in 1882, 3s. 4s. 4d.; in 1883, 3s. 6s. 8d.; in 1884, 2s. 11s. 6d.; in 1885, 2s. 11s. 6d.; in 1886, 2s. 14s. In the case of butter I know one cause of the fall, for I had some conversation about it with a butter merchant in Boshville, and he says the principal cause is the bad way it is made by the farmers.

22,175. We have had a great deal of evidence about that. We had a great deal of evidence in Cork. But do you think, taking the fall in price into consideration, as well as the quality and quantity produced, do you think that the farmers, as a rule, find it difficult to pay their rents?—I must say that I think if the rents are at all high that the fall in price would be very serious to farmers. But, on the other hand, I see a reaction the other way, just from auctions which have taken place of lands for next season. I have details, and they show, from whatever cause, that there is an advance at this moment. Lands let round me for cropping and grazing about 1s. an acre higher than they were last year.

22,177. Lord Milnes.—That is very curious.

22,178. Mr. Neligan.—Is that in Austria?—Yes, in Austria.

22,179. Lord Milnes.—Lands let for cropping and grazing?—Lands let for cropping and grazing, let since November about 1s. an acre higher than last year.

22,180. What did it let at then?—One of my own fields, after a corn crop, for grass has been let for next season—8½ acres at 4d. 10s. Cunningham measure, 3d. 10s. the statute acre. There was a large sale at Ballydovity, and the land sold for cropping at from 2s. 15s. to 3s. 15s. an acre, the latter price being given for one lot of heavily manured land, the average price being about 4s.; grazing sold at from 25s. to 30s. per acre, only one lot going to the latter price. The average price was about 30s. an acre.

22,181. Was that the statute acre?—The statute acre.

22,182. The President.—Have the people suffered from that, because they buy cheap and sell dear?—Oh, most grievous have been very heavily hit in the purchase of their cattle.

22,183. They buy them very cheap, do not you think?—Yes. This is the average killing now of average grass land: 5½ cows at 12s., 4½ acres at 9s.; there is a great deal of grazing land let for next year. That is more than double any rent a farmer would pay for it now. I mean to say that where the rent is low they seem to give a good price for any lands to be sold by auction in any neighbourhood, and therefore these good prices show that the rents are low.

22,184. I do not think we need have much more about prices, unless there is anything which you would think interesting?—He tells me the average result of the sales this November is that everything sold 1s. higher than it did last year.

22,185. I believe you have had a good deal of personal experience as poor law guardian, more than most people?—I have had a good deal, but I cannot say that I have had more than most people, as my duties in college keep me very much in town.

22,186. I just wish to ask you whether you think it is very practicable to get the security of boards of guardians?—That is, as a guarantee for the purchase of land?

22,187. Yes?—Oh! they would repudiate it at once. The matter was discussed at Ballynoney and Coleman, and they repudiated it altogether, because no substantial person would become security for an insolvent neighbour.

22,188. Lord Milnes.—What do you say in the effect of the fall of prices on the operation of the Act of 1881?—The effect of the fall?

22,189. Yes. Has it had any effect upon the operation of the Act?—I do not know exactly what you mean by the operation of the Act. Of course, if a man got a judicial rent fixed under the Act it has had no effect.

22,190. But has it in any way affected the working of the Act in the satisfaction felt with regard to judicial rents?—I do not think so. In our country they never think of repudiating judicial rents.

22,191. Mr. Keppel.—According to your own showing there is a considerable reduction in the price of produce from 1881 down to the present time?—It is not a very considerable reduction, but it is a reduction on almost every item.

22,192. That being so, would it not be very difficult for a farmer to pay rent fixed in 1881 and 1882 now?—Well, if the rent was a rent that I would call a high rent, I think he would have some difficulty. But my experience of rents is in my own country, and they are not at all fixed by the price, so that they can be very well paid at the present time.

22,193. Are you speaking of the judicial rents?—I am speaking of all rents. My own rents are 7 per cent. below the Government valuation, and I have no difficulty whatever in getting them.

22,194. The Government valuation, I believe, is very high in the north?—Not very high at all.

22,195. It was made for taxation purposes?—It was, and for that reason it was made low.

22,196. Have there been any reductions made in year locality upon judicial rents?—None whatever.

22,197. Have there been any applications made by the tenants?—I have not heard of any.

22,198. If the landlords were asked, you do not think they would consider the question at all?—I do not think that would be granted at all, because I think it would be a very unreasonable request to make. When the State has forcibly interfered in six rents so that the landlord is never allowed to raise the rent when prices go up, why he should be obliged to lower it when prices go down I cannot see.

22,199. But there have been reductions in other parts of Ireland?—For other parts of Ireland I cannot speak. They are under the control of every kind.

22,200. Whereas the landlords in the north do not appear to have given any reduction?—The landlords in giving judicial rents have given about 20 per cent. reduction on their former rents.

22,201. But it was the State brought that about, not the landlord; and I suppose there were landlords who desired that the rents should not be reduced?—That is so, but having been fixed by the State for 15 years the State has no right to alter them now without compensation.

22,202. Is there generally three months' credit at these sales you mention?—If there was, there was the same given last year. They would be exactly under the same conditions as last year, and the difference is 1s. an acre on the whole.

22,203. Have you known farmers to make a mistake in buying things too dear?—Well, if they made a mistake once they would not make it a second time.

The EARL OF BELMONT examined.

Dec. 4, 1886.

The Earl of Belmont.

22,304. The President.—Are there any particular points on which you would like to give evidence more than any other, perhaps it would save time?—There are only three or four points upon which I wish to trouble you. One is with regard to the price of tenant right in Tyrone, and, also, I have got a return of some land sales I have made in Tyrone, which I would like to put in; and, also, I would like to say a few words about the alleged decrease of the productivity of the land, which I do not think is the case over a considerable period. I have got something written down. I shall not take very long. And, also, I would like to say a few words about the purchase clause of Lord Ashbourne's Act.

22,305. Then just take first the fall of prices?—Very well, perhaps it would be better to take it first.

22,306. Very well, do you think that there has been a fall in prices during the last year or two years?—For the last two years I think things have not been going on very well in Tyrone. I have details here I could give you. I would rather put it over a longer period, and say that comparing the letting value of the land at the time I first began to take part in the management of my own property—which was shortly before the revised valuation of 1860, at which time I re-let all the yearly tenancies—and the present time, I do not think there has been any very great fall. No doubt there has been a very considerable rise meanwhile; and from that rise there has been a fall back pretty much, I think, to the old prices of about 35 years ago.

22,307. And you have got tables to that effect?—I have not got tables; probably you will have tables from other people who may have considered it. I just put it in this way, that the valuation of 1860 was made by Sir Richard Griffith as our part of the county on the theory that it was a valuation of about 7s. to 8s. below the real value of the land; and my rental was, I suppose, a certain percentage—10 or 12, or perhaps more—over that. Since the Land Act came into operation there have been 11 cases decided in court, and I have settled by agreement 200 cases with the tenants, and there are 140 yearly tenancies that have not been into court or applied for any settlement; and I had, until quite lately, 53 agricultural leases, some of which have fallen in, and the rent has not been re-fixed. I think the net result is that the rental at the present moment is nearly the same thing as it was in 1865.

22,308. And at that time there was no difficulty in paying rent?—Not the slightest, but there was a rise, I suppose, of about 10 per cent. up to the Land Act, and since that there has been a fall back to what it was before.

22,309. I suppose the price of labour is greater now than it was?—I do not know what they pay for labour there. I do not live in Tyrone. I live in Fermanagh. I keep my labourers all the year round. I pay 1s. 4d. per day to the ordinary labourers. I used to pay 1s. 2d. per day.

22,310. The cost of living is very different?—I do not think there is very much difference. Over 30 years ago they had begun to live comfortably, and had very good houses, and very well furnished. Possibly they might spend more upon dress than they did. The rich ones kept a car before those bad times; I do not know whether they do at not now. But I do not think that from that period there is any very great change.

22,311. And you see no reason why they should not pay their rents now?—I do not think perhaps they are quite as able to pay their rents at this moment as when they were at a higher stage.

22,312. But if the rents were the same as they were 30 years ago?—No doubt this year money is very scarce. In Tyrone I have given 10 per cent. reduction; but that is a matter between the tenants and myself.

22,313. Did you give it to all alike?—I have given it, as a rule, this year. I have not asked the question whether they were judicial or not. There are some in arrears, and they must pay the arrears as well, and that applies to a very large number of them. Some of them are in arrears, but not very heavily.

22,314. Still we now go to the sales of tenant-right?—I have got a return here signed by my agent, showing the exact figures obtained for tenant right since November 1885, that is two years ago. There are nine cases altogether. There have not been a great many changes, and all of them had judicial rents with the exception of one, and he purchased in November 1884. It will enable you to see that the number of years' purchase has not fallen since an earlier period, that is, as regards price.

Up to 1862, I had estate rules as to the price the tenant-right might be sold for. Of course, possibly more money might have been given behind my back, but the rule for paying into the office was 8s. per statute acre, and assuming that the average value of the land was about 13s. an English acre; that would have worked out about 12 or 14 years' purchase, and about the price that would be obtained at that time. This return I have here one sale at about 31 years' purchase in January 1885.

22,315. Was that under peculiar circumstances?—I do not think there was anything peculiar about it, except that the rent has been reduced previously. The rent was 8s. 6d., and the acreage 10 acres 1 rood and 24 perches. In December the number of years' purchase was 29½, and this is about 30½ the Irish acre. Then there was one at 35 years' purchase.

22,316. Lord Belmont.—What is the size of that farm?—Which?

22,317. The one, you say, was 29½ years' purchase?—I should think it would be one of the largest. There was another one sold at 31 years' purchase, the acreage being 10 acres 1 rood 24 perches, and the annual rent 8l. 4s. The smallest figure is about 16 years' purchase. It was sold in March last year, and the acreage was 6 acres 3 roods 18 perches, and the annual rent 6l. All of these are what may be called small farms, with the exception of one, which is described in the observation column as rough land, the acreage being 43 acres 2 roods, and the annual rent 15l.; and it was sold in February 1885 at about 17 years' purchase. The highest figure obtained was in January 1885 and the next preceding month, December 1884. I do not think that if a large farm came into the market it would command anything like the price. We have one instance on the Fermanagh estate. A large farm was allowed to get into very bad order. The farm contained nearly 120 statute acres, and the rental was 113l. 10s. I had to pay half the county cess, and it was sold to a stranger for about 1,300l., of which he paid down seven and left six on mortgage at 6 per cent.

22,318. What was the yearly rent?—113l. 10s., out of which I had to pay about 5l. for county cess, leaving him about 108l. 10s., as compared with the other tenants. He went rapidly to the bad. He gave a great deal too much for it. He was not a man of steady habits. This year he got a little behind with his rent, about half a year, and he threw the thing up, and sent the mortgagee, the former tenant, the key of the farm, surrendering all his interest under it, and she got the legal power from him, I suppose, to re-sell the farm to another person by private sale, and she only got 300l. for it. That was the case of a very large farm. But this large farm was in so bad a condition that it was practically unsaleable.

22,319. The President.—There is a very much greater fall in the case of large farms?—Yes.

22,320. What was the price of the tenant right during last year?—It is rather hard to make an exact average for large farms. On the Tyrone estate I think no firm pays more than 100s. a year rent, and I do not think any of these large farms ever paid very

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high prices. They do not very often change hands, but they do not average a very high price. Shall I put this in?

22,221. Yes?—(Document put in.) I consider the land produces as much now as it did in old times; if you care about that?

22,222. Yes?—This relates to Fermanagh, when Arthur Young visited my place when he made his celebrated Irish tour, and visited also, I think, three other gentlemen's places in the county, and I have got very shortly the result of his inquiry.

22,223. Lord *Middleton*.—What was the date?—In 1776. He stayed at Castle Caldwell, Castlescoole, Belleisle (then Lord Ross's, of the Gore family), and Florence Court, and I have just extracted from his book a few observations he made at Castle Caldwell and the neighbourhood round, and the neighbourhood of Enniskillen when he was staying with our family, and at Lord Ross's. It is at page 203, Vol. I. He says: "Of barley they sow six stons. The barrel of barley is 25 'stone, and of malt 20. An acre on an average 'will yield 10 barrels at 160 stone the acre.' Barley is a crop we do not grow at all now, but oats is our standard ever since. 'Of oats,' he says, 'they sow a barrel at 20 stone and get eight for one. Of 'here they sow the same and get nine barrels.' Then he says the rest is 15s per acre. That is the Irish acre, the old Irish acre. At page 251 he says: "Land sells at rack rent at 20 to 24 years' purchase"—has not fallen. Rents have fallen in five or six years 2s. an acre. Rent of cabin, garden, and one acre, 50s. A cow's grass, 30s. A cow requires an acre and a half for straw, and they buy a little hay for winter, and give a cow small potatoes and 'cabbage leaves.' I suppose a cow on an average tenant's farm would require that quantity and would be treated in that way. That disposes of Castle Caldwell. Then he goes to Castlescoole, near Enniskillen, and makes similar inquiries. He only stayed one day, but I suppose he got information on all that he required. "Around Enniskillen," he says, "the land lets from 15s to 12s an acre." He means the district round Enniskillen, and not round the immediate neighbourhood of the town. "But there is some mountain and bog which lets 'for little or nothing.' Then: "the course of 'crops: (1) potatoes, (2) barley, (3) oats, (4) flax, (5) laid out to grass." That disposes of Enniskillen and the neighbourhood. Then for Belleisle, which is about six English miles from me in a different district. "Rents about Belleisle," he says, "are upon an average 10s. an acre for grass and arable, but mountain sides are let by the lump, according to the number of cattle they feed. The average rent of cultivated land in Fermanagh is 10s. an Irish acre. The course of crops: (1) potatoes, (2) barley, (3) oats, (4) oats, (5) oats, (6) laid out to grass for six or seven years." And then: "(1) potatoes, (2) barley, (3) oats, (4) flax, (5) laid out. Some sow grass seeds." The currency is Irish. With the view of seeing what land produces now, of course, I only take my own farm; I made a note of the produce of oats I had this year. This year I grew on 27 virgates acres in Castlescoole demesne 1,810 stocks of oats. About 14 acres were his oats, with some artificial manure, on very old pasture land; 15 acres were laid out with grass seeds after turps, My steward states that he sowed about an average of 20 stone to each acre, and that the average produce was 3½ stone to a stock. This would give a return of more than 10 to 1. It was an exceedingly good crop, so good land, 1,720 out of the 1,810 stocks getting no rain at all after being out. I think the produce is nearer 11 to 1 than 10 to 1. Of course, that is not a fair average, but I think we may take 25 per cent. off for a fair average, and that would bring it down to what Arthur Young found. I should be safer in saying that 8 to 1 would be a very fair average.

22,224. The President.—You had a sale on your Tyrone estate?—I sold several farms on my Tyrone

estate, and one holding in Fermanagh. So far as my rental was concerned the farm was an ordinary holding. But it was a sort of a demesne, and not really an ordinary farm. The tenant was a solicitor.

22,225. Was that lately, under Lord Ashbourne's Act?—Not exactly. They were made under the Act of 1881, and, in one instance, the tenant happening to have the money, the sale was really under the Settled Estates Act. I sold five farms in Tyrone.

22,226. How many years' purchase?—24 years' purchase, I redeeming the title re-charge on all of them. One I am now selling is not so much. It was also fixed down to 24 years' purchase, to be fixed down from 32s. to 20s.; but the Court made some difficulty about the tenant's title. She has now got into arrears, and I am anxious not to press her to arrears, as she is a very respectable woman. By some mismanagement her interest passed to her son, and I said I would take 20 years' purchase if she bought out and out, subject to a charge for the re-charge instalments.

22,227. Mr. *Nichols*.—Have the Commissioners appraised the title re-charge for you?—They will do it, I think. They first sent me a number of queries, and, so doing, threw cold water upon the appointment; but, I understand, not only will they do it, but on the Duke of Abercorn's estate, where three or four farms were sold, they have done it already.

22,228. Are you aware that they have done it by appointment or indemnity?—By appointment. I may say I have invested a portion of my purchase money in redeeming the title re-charge. They took a certain sum which represented what I was going to redeem, and allocated it upon a piece of land which I had sold and kept the purchase money in redemption of so much of the title re-charge instalments payable out of the parish in which the land was situate.

22,229. The President.—Has your attention been called to the creation of perpetuities under Lord Ashbourne's Act, instead of purchasing out and out?—That is the principle upon which I was going with the tenant, who is still in court, until the difficulty I have mentioned arose. I intended to do it with all the tenants, but the difficulty was the Commissioners would not lend more than half the money, and the tenants came to me and said it would be a great advantage to borrow more than half the money, and asked me whether I would waive that condition. I thought it was not worth while pressing the matter and agreed to waive it.

22,230. I dare say you are acquainted with Dr. Trull's plan?—I have got it in my pocket, but he only gave it to me desultorily.

22,231. You think both landlord and tenant in your part of the country would be in favour of a scheme which would enable them to borrow money under Lord Ashbourne's Act, and devote part of the purchase money towards the creation of perpetuities?—Yes, I would be in favour of anything that would facilitate sales.

22,232. And the creation of perpetuities?—I do not see any objection to the creation of perpetuities.

22,233. You do not see any advantage in it?—Well, there might be some advantage in it. I think the landlord for a number of years would be in the position of a second mortgagee. He would have the Government owing before him for their interest upon their purchase, and they would have to be paid first, and if the tenants were behindhand he might find it hard to pull them up.

22,234. And all the demands for reduction would fall upon the landlord?—And all the demands for reduction would fall upon the landlord.

22,235. Well, is there any other point?—Well, I wish just to say that I think that the plan under Lord Ashbourne's Act of obliging one fifth to be left off the whole money advanced, although it may be necessary in some parts of the country, is no doubt, one that tends to clerk sales, and in the northern parts of the country, as Tyrone, where there is a very large tenant right, might be very well waived.

22,296. You think the Commissioners should have a discretion in the matter?—Yes, and that they should exercise their discretion in proper cases.

22,297. And dispose with it either in part or in whole?—And dispose with it either in part or in

whole. Then, as my solicitor, Mr. Dickie, who I understand was examined here yesterday, suggested, a simplification of title might be made by not insisting upon further searches upon the sale of an estate when going into fresh townlands.

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Mr. Jones How examined.

Mr. John
Reay.

22,298. The President.—You are a tenant farmer in the county of Fermanagh?—Yes, sir.

22,299. You have a farm of 73 acres?—Yes.

22,300. Is that Irish acres?—Irish acres.

22,341. You bought the tenant right of your farm lately, did you not?—Yes, lately, some of it, and I bought a piece, part of it.

22,342. How much did you get lately?—Oh, it is about four or five years ago since I bought the first of it.

22,343. How many years' purchase did you give for it?—About 12, I think.

22,344. And would you be able to sell it for that now?—I do not know, I think I would. I am not very sure.

22,345. You purchased also under Lord Ashbourne's Act?—Yes, I am about that now. Mr. Wrench sent for me that other day to buy. There is a sale going on on that property. Mr. Wrench is managing it; he is the agent.

22,346. Twenty years' purchase?—Yes; it was myself offered that and the landlord accepted it.

22,347. You offered it?—I offered it a year ago.

22,348. You had not any wrangle or difficulty?—Not a word.

22,349. You made that offer a year ago?—I made that offer a year ago, and it was accepted.

22,350. Lord Ashbourne.—Was this judicial rent?—It was not.

22,351. You offered 20 years' purchase less the old rate?—Yes, but it was lower than because the landlord took the old rate off it.

22,352. The President.—Would it have been lower still if you went into court?—I do not think it would; it is just as cheap as I would ask it.

22,353. Lord Ashbourne.—When was it lowered?—About two years ago.

22,354. The President.—Just before you made the offer?—I suppose four years ago. I offered it last year when I was talking about a sale with Mr. Wrench. He asked me would I buy, and I said I would. He asked me did I think would the rest of the tenants buy, and I said I thought that if I buy they would follow. He asked me how much I would give, and I said 20 years' purchase. That stood over till about last week, when he sent for me to buy, and there are 40 or 50 now buying.

22,355. Mr. Nelson.—Will so many buy?—They will.

22,356. The President.—At the same rate?—

22,357. Mr. Nelson.—That is all on Sir Victor Brooks's property?—Yes.

22,358. The President.—Well, is there anything in the working of the Act that you find practically you would wish altered, or do you think there is anything that would give greater facilities for its working that you could suggest?—I do not know anything. When I saw that Act first I thought very well of it; I thought it very fair.

22,359. Have you known any instances of tenants being anxious to buy in your neighbourhood, and not being able to make terms with their landlord?—Not upon that property; there is about Clones. Mr. Wrench has other property that he is agent for, and he was telling me that he sold to about 40 or 50 there about a week ago.

22,360. Mr. Nelson.—It is not on the Colebrook property?—It is not on the Colebrook property.

22,361. The same agent, I suppose?—It is the same agent. A kind, respectable man he is, and fair; a smart man.

22,362. Lord Ashbourne.—Is there a general anxiety amongst the tenants to buy?—There will be, I think;

they are waiting for the larger tenants to buy to see what to do. In fact, they are nearly ignorant of what to do until it is explained to them. I have explained to them that it would be a benefit to them, and once they see that they will buy. There is an exception in some places where there are Roman Catholics; they are not buying.

22,363. They are not?—No; one of them bought that other day.

22,364. Have the Roman Catholics there held aloof from a purchase?—They have.

22,365. Is there a marked difference between them and the Protestant tenants in that respect?—Indeed, there is, though the Roman Catholic priest of the parish has bought himself.

22,366. The parish priest of the parish bought his own farm?—Yes, he built a house on it on taking the farm lately, and he was the first to purchase on the property.

22,367. Example being better than precept, he did not stop there buying?—He did not.

22,368. Then to what do you attribute it?—Some underhand work. A man came into Mr. Wrench that other day and said he was anxious to buy, but he went home, and when he came back he said he said he could not do it. And he was asked the reason, and he said his family would not allow him. The old man was anxious to buy, but his family would not allow him.

22,369. Do you think that if they were left to themselves they would buy?—I think they would.

22,370. Mr. Nelson.—That old man would, at all events?—That old man would, at all events; and all the old men in the country, I think.

22,371. Lord Ashbourne.—Do you think that the Roman Catholics, if uninfluenced by any external power, would be as anxious to buy as the Protestants?—Oh, I think so. They know what would be good for themselves. They would be very ignorant if they did not.

22,372. It has nothing to do with religion?—No.

22,373. Mr. Nelson.—It has more to do with politics?—That is what I would suppose; some underhand work, with which I am not acquainted. There is no boycotting in our neighbourhood, or anything.

22,374. You think that a large increase of small proprietors would have a beneficial effect on the country generally?—I think Sir Victor Brooks said that long ago, and he is not in any need, and he said he would never stand in the way of the tenants for the good of the country. I thought it would not be for the good of the country then, but now I think it is. The terms are very much in the tenant's favour so far as I can look into it.

22,375. I suppose a great many on Sir Victor's estate will buy?—I think a good many; I think before the year is at an end nearly all.

22,376. Mr. Wrench is giving every facility?—He is, every facility. He is a smart fellow, well liked among the tenants, and he is managing the whole thing himself.

22,377. With very little expense to the tenants?—Oh, very little expense to the tenants. He is striving to please them in every way, and he throws off half a year's rent as well. There is no rent required from May till. That is 60s. I would have to pay.

22,378. You next payments would be Government instalments?—Yes.

22,379. Sir James Caird.—Then you are only paying 12s. years' purchase?—He has borrowed half a year's purchase.

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Mr. John
Hoey.

22,290. So that you are paying 10½ years' purchase not 20 years' purchase?—I do not know what that way, but that has nothing to do with the Government. I never looked at it in that way.

22,291. Mr. Neilson.—But he took off a half year's purchase?—No 45d. He never mistook the tenants. He was always very nice, and very agreeable to them, and in consequence of the great fall he proposed doing this himself.

22,292. The President.—Is Sir Victor Brooke thinking of leaving the country, or will he still remain?—He will still remain. He has got a very fine property there.

22,293. He will sell his outlying place?—Yes, unless rented his estate, his demesne, and his deer park. He has a big deer park.

22,294. He will keep his demesne and deer park?—He might, and might not; but he would be just as happy and as good friends with the neighbours as ever.

22,295. The landlord?—They would be just as happy to see him, and would always respect him the same, for my part, and anyone I know of about. They could not do anything else.

22,296. You would be very sorry to want?—I would be very sorry indeed, or Mr. Wrench either. I am advising Mr. Wrench to buy his own, and I think he will buy it.

22,297. Mr. Knappe.—And you cannot see any reason why Sir Victor Brooke should leave the country at all?—Not a bit, indeed. He has been a good deal away of late, and I will tell you the reason. Lady Brooke has been in bad health these last eight or nine years, and it is only very seldom she can come. They are in France and Italy, and he lives here though he has a residence in France.

22,298. Is there a general desire on the part of adjoining landlords to sell in your part of the country?—I do not think there is.

22,299. Do you think they would sell on the same terms as Sir Victor Brooke?—Oh, they would not get more. I think that they would get that, but I do not think they would get more.

22,300. Do you think if they were getting it that they would take it?—I think that they should, at least. Some would not sell, because they would be better off without selling, as they are getting their rents so well.

22,301. So far as you know, the tenants would be willing to buy?—I think they would, but they have not been asked, and they are not talking much about it on other properties. Sir Thomas Leonard's pro-

perty comes in near me there, and I asked Mr. Wrench if any of them was going to buy, and he said no, I thought not.

22,302. Have there been any reductions given on your property this year by the landlord on the old lease or other rents?—Not this year; but last year and the year before Sir Victor Brooke gave 15 per cent, and this year, if they proposed to buy, he would give them half a year's rent off.

22,303. And there was no application for a reduction that you are aware of?—No, there was no application for a reduction that I am aware of.

22,304. Speaking as a farmer, do you find it more difficult to pay your rent this year than you did during the last three or four years?—Well, I have, but some think this year rather better than other years.

22,305. Lord Millicott.—Then you think it rather better than other years?—I think it is rather an improvement. Butter was very cheap for the last three months or so, but now it is a better price.

22,306. Mr. Knappe.—Is there any barley grown in your neighbourhood?—No, no barley now what. We just grow oats for our own use, but it is principally cattle and dairy we live by.

22,307. And it is in consequence of the low price of store cattle that the farmers have a larger margin this year than a few years ago?—Yes. There was a better demand for both beef and springers.

22,308. But the profits would be caused by the low price the farmers were able to buy at this year?—Yes. The gradings up the country got a fair chance at them this year, because they were able to buy them cheap, and they got a fair price for their beef.

22,309. If the farmers generally were owners of their holdings, what effect, do you think, would it produce?—I think it would have a good effect in our country.

22,310. Do you not expect that they would revalue the land better?—I expect they would when they began to have their eyes opened, and to see what value it would be to the land; but that was always the case on Sir Victor's property. It is not the case in a general way. There are some landlords who would not. They would look after the tenant if he was doing well, and put a little more on him.

22,311. That was the case; they could not do it now?—That was the case, but it is not lately.

22,312. Do you think it would have the effect of making them more industrious in cultivating their land, and applying more labour?—I think it would. They would have it cheaper, and they would have it for ever, and that would be a great thing.

MR. JAMES FAWCETT EXAMINED.

Mr. James
Fawcett.

22,303. The President.—Mr. Fawcett, I believe you are a tenant farmer in the county of Fermanagh?—Yes; not in the county of Fermanagh. I live in the county of Cavan.

22,304. And your farms are all in Cavan, too?—No, they are not. I hold some in Monaghan. I am a tenant for about 500 statute acres.

22,305. In what counties?—Monaghan and Cavan, and I hold under four different proprietors. I own about 177 statute acres, and have twelve tenants residing on it.

22,306. Lord Millicott.—Besides the 500?—Yes.

22,307. The President.—You own that?—I own it, and I have about 250 acres which I hold under different proprietors. With regard to the Land Act of 1881—

22,308. In your capacity as tenant?—Yes. The land is not worth what it was when the Act was passed, from the fall in the prices of farm produce, cattle, hatter, wool, and grain. Leaseholders, or those who hold under an agreement for a lease, should have the benefit of the Land Act of 1881, as I consider it a great injustice their being excluded from it. I need not tell you I hold no land under lease myself, but I know plenty who do.

22,309. And it is your universal opinion that they ought to come in?—Decidedly. I think they are a very respectable class of tenants that never agitated, and I think all tenants are very heavily handicapped at present, because there is no such relief as there used to be in England, and then the English estate owner was free of that. And Englishmen at present are only paying the taxes and wages of their labourers in some cases. I consider that the only way in which the Land Act of 1881 could be improved or extended would be to make it compulsory on all landlords to sell as townlands at 20 years' purchase, the tenant or tenants paying down one fifth the purchase money.

22,310. Lord Millicott.—It is only in that case you would propose to make it compulsory?—Decidedly; so that it would do no injustice to the landlord.

22,311. Mr. Neilson.—That would relieve him from the one fifth that would be stopped?—Yes, and to show that it was a *bona fide* transaction, and to secure the payment of the various instalments, because any tenant that would pay down one fifth would be likely to meet his engagements, and would not be likely to rob the British taxpayer. The tenant or tenants should apply to the Land Commission,

because there must be a tribunal to carry out the sales, and to see that the tenant has a title in the place. When a man purchases you make him a loyal man, no matter what he is, you give him a stake in the country, and you make him a responsible citizen. You must carry out the Land Act by getting the Land Commission to carry out the sales. To give a case in point: I have purchased 110 acres under the Purchase Act of 1885 at 2,000l., and I am to pay one fifth of the purchase money down at 30 years' purchase.

22,313. Mr. Neligan.—Then you have made a purchase on these terms?—I have. I know three large estates of 10,000l. per annum each, one in the county of Cavan, one in the county of Monaghan, and one in the county of Fermanagh. Any tenant on these three estates that wished to buy would have the option of buying any farm, of one acre or 100 acres, under Lord Ashbourne's Act. That is part of a townland. Well, I would not go that far. I would make them buy any townland these three landlords think proper to sell, the estates I refer to are Lord Gainsboro', Sir Victor Brookes, and Sir Thomas R. Leonard. If that Act could be extended it would make loyal and industrious men in the country. But I would never extend it with the expectation of the English taxpayer being asked to pay the rent. And here is what I say about that; I believe it would be most useful for the taxpayers of the country to be in any way responsible for the payment of instalments or the interest of the purchase money in any part of Ireland, as it would lead to do away with all idleness and thrift and decency in the people, as they would depend on the taxpayers, a very numerous class, to pay the rents.

22,313. Lord Midleton.—You are now speaking of the proposed guarantee?—I am.

22,314. But are you not speaking of the liability of the taxpayers of the United Kingdom?—I am. I believe it would take 10 millions of money per annum from England at present to pay a fair rate of interest, under the conditions I say there would be no risk of instalments not being met. Because I believe a tenant who lays down one fifth will be anxious to meet his liabilities, and in all probability will do so; and it would make him a good and loyal man, we have some men who have bought their land, and who became very conservative because it gave them a stake in the country.

22,315. Then your idea is that the payment of one fifth will do away with all risk to the taxpayers of the United Kingdom in advancing the purchase money to the tenants?—Yes.

22,316. Sir James Caird.—And you think it necessary that one fifth should be paid to insure the safety of the taxpayers of the United Kingdom?—Decidedly.

22,317. Lord Midleton.—In all cases?—I would not go that far.

22,318. Mr. Neligan.—You are confusing it to the compulsory purchase?—To compulsory purchase. I do not think it would do the landlords any harm, because 30 years' purchase, from the foreign competition and the way things are, I think a fair price.

22,319. That is 30 years' purchase in hand?—Yes.

22,320. Lord Midleton.—It would be much higher in some places than in others?—It would decidedly, for bad land, I would make at least six years' difference in the purchase. I would rather, for my own part, give 20 years' purchase for good land than give 14 for bad land, because bad land has fallen more in the market than good land. Better as now selling at 6l., and when a man keeps two or three cows it is a bad price.

22,321. I suppose bad land at any time is dear at any price?—Well, it is always a home for the occupier, and you must give the landlord something.

22,322. Still it is not a promising purchase?—It is not.

22,323. Sir James Caird.—Then the 20 years' purchase applies only to good land?—I do not see

anything to make me limit my proposition. I say any man, good or bad, that applies.

22,324. That is willing to give 30 years' purchase?—Yes.

22,325. Lord Midleton.—Supposing his holding is in two different townlands, or three, and supposing it does not include the whole of these townlands but is made up of portion of the three, how would you do then?—I would not give it to him.

22,326. That would be very hard on him?—You must draw the line somewhere.

22,327. Mr. Neligan.—You must draw the line somewhere, and a townland boundary is the most convenient one.

22,328. Sir James Caird.—But all the land is one townland may not be of the same quality?—Yes.

22,329. One might be worth 30 and the other 15 years' purchase?—Yes. There might be one tenant's land of bad quality not worth 20 years' purchase, and he might refuse. Let him.

22,330. Lord Midleton.—Compulsion is a strong step?—It is. The Irish people should consider that it is the English people that collect the rents for them and keep the troops here.

22,331. How do you mean? I do not understand you. How are the English people keeping troops here?—I mean to maintain law and order.

22,332. But they are maintained by the taxpayers of the United Kingdom?—But if you were to leave Ireland to itself to-morrow, what state would it be in?

22,333. I think there would be civil war directly?—I think so, too.

22,334. Mr. Neligan.—I think Mr. Fawcett has put it in a nutshell.

22,335. Sir James Caird.—But there is one thing you think quite independent of 20 years' purchase and that is, that in case the purchaser should be able to produce one fifth of the purchase money?—Decidedly, because it is unfair to ask any people—the English people—to supply the money I should say, if they did not see their way to get it back.

22,336. Mr. Neligan.—As I understand Mr. Fawcett, he never would take a man's property from him compulsorily, and then look up one fifth of the property from him; and he never would take a man's property from him, unless he got the whole of the money in hand?—That is what I say.

22,337. The sooner there is a change the better?—Yes. I think it will ruin the country, totally ruin it, if there is any guarantee by the taxpayers, because you destroy all thrift and all industry, and if any tenants thought the taxpayers would pay the rents for them they would be very sorry to pay it. Whoever propounded that doctrine?

22,338. The President.—You must not think we propounded it?—No, I should be very sorry because it would do away with all thrift and industry if they could get the neighbours or industrious people to pay their rents.

22,339. I am glad to have your opinion about that, a great many other people agree with you?—I would not take any man's property from him. If you had more peasant proprietors, men who pay rent to the Government; that is the class who are wanted, and then the rent would follow suit and become industrious men. The leaseholders are under great hardships for their land is dear, having regard to present prices, and they should be included. I know men who would be glad themselves to let their leaseholders in, but from force of outside opinion they did not like to do it. Captain Sanderson, who has a good estate in County Cavan, 3,000l. a year, has given his leaseholders liberty to go into the Land Court.

22,340. Lord Midleton.—What do you say of leaseholders in the position of middlemen?—I think they have rather hard lines.

22,341. Would you empower them to give up their leases?—Yes, I would, indeed.

22,342. Are they a considerable obstacle to the working of the Purchase Act?—I will give you a case in point. There was a man with about 870l. a

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year said; there was one tenant paying 50*l.* a year to him, and that man's rent was reduced in the Land Court by 25*l.*; the tenant, that is the original man, has to pay the difference; that is, 25*l.* a year out of pocket by that one case.

22,343. He gets no corresponding reduction?—No.

22,344. In that case you would give him power to resign his lease owing to the altered circumstances of the law?—Yes.

22,345. Mr. Nelson.—If he found a depreciation of his own rents?—Yes.

22,346. Lord Milnes.—It might interfere seriously with the working of the Purchase Act in case such power was given?—Yes. If there could be such a thing as a small protective tariff put on manufactured articles or goods in this country it would be a great thing. I would allow in all raw materials, and if there is such a thing as that done it would go a great way to allying this land panic.

22,347. You are in favour of protection of manufactured articles?—Yes.

22,348. Would you say four?—Yes, but not grain. 22,349. Not the raw material?—No. I have a brother who was in India, where he saw fields of wheat 7 or 8 miles broad and 10 miles long, and it is very hard for the Irish farmer to compete with that.

22,350. Are there grain mills idle in your country?—They are tumbled down in many parts, and, I believe, such a tariff as I mentioned would not make head a farthing a loaf shorter on the people, and it would give a great deal of industry, and the farmers would have palmed and linn, which cannot be got at present. These huge ships can bring 2,000 or 3,000 tons of flour from American mills, but they could not bring in so much grain or oats, and they are getting the benefit of the wages in America where they grow there. To put on a small protective tariff would be a great thing. No Act of Parliament would improve the condition of the small tenant who pay 3*l.* or 4*l.* a year. Their family has only on an average 2*l.* or 3*l.* a day, and how can they live on that? And I do not see how you could by Act of Parliament improve their condition.

22,351. Mr. Nelson.—It is not easy?—That is what I say. They should be allowed to rely upon themselves; it would be better for them, and a great many of them are looking to the English, and that sort of thing, to improve their condition; but they should be made self-reliant if you could.

22,352. Mr. Keene.—Do you think the tenants generally would be able to get the fifth of the purchase money?—I do not.

22,353. Would not they have to go into debt?—A great many of them would have the money; but if a man came in to buy, and if he had not the money, where would it come from?—I could not answer that question; that is their own look-out.

22,354. They would have to pay interest if they had not money of their own?—They could not get it for nothing.

22,355. And the interest added to the future rent would not give them much relief?—My rent was 88*l.* a year and I paid one fifth, and it will be 64*l.* in future, and that is a wonderful reduction.

22,356. Mr. Nelson.—If there be securities on one side there should be securities on the other?—Decidedly. I would be very sorry to make it compulsory. I believe the respectable tenants of Ireland would only be too glad to take advantage of it.

22,357. But then you would only have the best part of Ireland sold?—That is another way of looking at it.

22,358. Lord Milnes.—The worst portion would be the worst part?—You, but in not it there is any case.

22,359. But that is the most difficult part for legislators to deal with?—No legislation can improve it.

22,360. Sir James Connell.—When you say the best part of Ireland, you also say that it is only to the best tenants?—Any tenants.

22,361. The tenants who have the price ready; does it follow that these tenants generally have the best part of the land?—Sometimes they have and sometimes they have not.

22,362. When you say the best parts of Ireland would be sold, do not you imply that?—I think the tenants of the best parts would apply most readily.

22,363. Because they are most able?—Yes. There is another observation I wish to make. Some men look upon the poor law valuation as a criterion. It is no criterion. I will give you two or three cases in point. I know myself some farms where I live where it is nearly double the rent; the rent is a great deal under the poor law valuation, and other land where it is a great deal under the rent. I received rent on one townland for a cousin of mine beside the town of Derrygonnelly, the poor law valuation is about 130*l.*, and the rent I get is about 100*l.* a year, and only one tenant went into the Land Court. I say it is a great injustice for people to be paying taxes on the poor law valuation of land when they are not receiving benefits by it. The valuation in the south of Ireland began first when times were bad, but when the values came north the times improved, and they valued village land as wheat land, and the poor law valuation is far too high in the north of Ireland.

22,364. Mr. Keene.—Prevented that the farmers had to borrow the fifth part and had to pay interest on it, together with half the poor rates, and, in some cases, half of the county cess, what inducement would there be to give 20 years' purchase?—I think there would be every inducement to reduce the rent.

22,365. It would not reduce the rent?—It would, excuse me, it would reduce it largely.

22,366. The President.—The landlord has to pay half of the county cess?—There is no landlord, as a rule, paying half of the county cess; on lands taken since 1870 the landlord pays half.

22,367. Mr. Nelson.—The tenant's proportion of taxes and his interest on the one fifth would not altogether amount to 30 per cent. on his rent?—As to the taxes part of the business, I have heard men ask that question, and I can tell you I do not mean the south of Ireland, where the taxes are 3*l.* or 4*l.*, but in the north the average poor rate is 1*l.* 6*l.* to 6*l.*, and then the landlord at present allows only half of that, he allows none of the county cess and none of the income tax, and how would half of the poor rate make a material difference?

22,368. Mr. Keene.—We have it in evidence that the poor rate in some parts is 3*l.* in the pound?—That is so in some parts of Ireland. I paid a good deal myself one year for blood tax, and I was not sorry.

22,369. Has there been any reduction on the judicial or other rents?—Yes, decidedly, for the last two years.

22,370. In a number of cases?—Yes, and I gave it myself.

22,371. What is your own opinion about judicial rents fixed after the passing of the Act of 1881?—They are unfair as a great many cases; it was all owing to the Commissioners.

22,372. What do you attribute it to?—Some Commissioners acted fairly, and some Commissioners, I must say did not, and I can tell you cases in point, but I do not think it right to mention private conversations.

22,373. The President.—Do you mean they were always too high?—In 1881.

22,374. Do you think they always erred on the side of being high?—No; some fixed fair rents, and some fixed with the expectation that the times would get good.

22,375. But you never knew them so fix them so low?—Well, I never did, not from the prices and the way things are going now.

22,376. Mr. Keene.—Your experience is that the rents fixed after the passing of the Land Act would be very difficult to pay now?—In a great many instances they would, and in some cases they would

not, it depends altogether on the localities and the farms. Some men have paid a big rent on tillage land, and I need not tell you tillage land at present is not paying. I maintain that the climate has deteriorated the land over Ireland 10 per cent. I believe if you could have good seasons that that would be the best thing, and I hope we will have good seasons, because at present it is very hard to save grain or hay.

22,877. Is it your experience that it is more difficult to pay rents this year and last year than it was for four years before?—No; my experience is it is not on a full good land.

22,878. I am speaking generally, not confining myself to your own district?—I am not speaking for any county, only three counties, Monaghan, Carrick, and Fermanagh. I will answer for these three counties, because I know them thoroughly. Taking the low price of produce, in consequence of what we get from foreign countries, I do not think it more difficult to pay these rents than in 1881. I believe that the rents fixed judicially in 1881, as a rule, are done.

22,879. Is it more difficult to pay them now than when they were fixed?—Yes. I believe it is, because there is weed, for instance; I sold plenty at 9d. a lb. last year, and that was a low price.

22,880. Did you sell any better during the summer months this year?—I sold none, and it was at a very poor price.

22,881. It was at a poor price?—Yes.

22,882. Small stone cattle have very much depreciated in value too?—Of course they have; all cattle

are depressed in value. Any man of sense knows it is very hard to raise beef and to sell it from 2d. to 2d. 10s. a cwt. It is very hard to do it.

22,883. A great many small farmers in Carrick rear small cattle and sell them?—They are better than anything else.

22,884. And are they not greatly depressed for the last two years?—But they are the best trade out, and if these small farmers would rear young cattle with their milk it would enable them to meet their liabilities far better than in any other way.

22,885. At the present prices?—Yes; I think small cattle at present are just as good a paying thing as you could turn land to.

22,886. Sir James Corbett.—From what date do you think the injurious influence of climate has extended?—More or less since 1879.

22,887. 1879 was extremely bad?—Yes.

22,888. Was that the first bad year?—Yes. I lost 800*l.* myself in 1879.

22,889. Was that the beginning of it?—Yes.

22,890. From that time has it deteriorated the productive power of the land?—It has, I would say, 10 per cent. fully. I speak from personal experience and knowledge; anything I say I speak from what I know and believe, and what I can swear to. The man who could state a lie could swear one too.

22,891. That is of every kind of agricultural produce?—Yes, because the grass is not so strong of a wet year,—not such good feeding. I believe the land has deteriorated 10 per cent. all over Ireland since 1879, and in some places more than others. Wet land has deteriorated more than dry land.

SAMUEL BRADFORD examined.

Samuel Bradford.

22,892. The President.—You are a tenant farmer?—Yes, my Lord, to a small extent.

22,893. In what county?—Louth. I have purchased a great deal of my land from time to time.

22,894. You are a tenant farmer and a landowner?—I am a small landlord as well; not very large.

22,895. Of your own farm?—Yes.

22,896. When did you buy?—Well, I commenced to buy in 1879.

22,897. You are not a leaseholder?—I am.

22,898. Of the farm you bought a part of?—I bought several farms; four lots on Lord Roden's estate.

22,899. What number of years' purchase did you give?—They were very high, 23 and 24.

22,900. On a high rent?—Yes, a pretty high rent.

22,901. You have also bought under the Act of 1885?—Yes, I have bought some farms under the Act of 1885.

22,902. How much did you pay for that?—About 17 years' purchase; it was on a high rental.

22,903. Was it on lease?—Yes.

22,904. A high rental lease?—Yes.

22,905. Sir James Corbett.—Was that a lease of your own?—It was made to my father some years ago.

22,906. Were you in occupation of the farm at the time you bought?—Yes.

22,907. The President.—Therefore, you have had some experience of the Purchase Act of 1885?—Yes.

22,908. Could you suggest any changes required in it?—In my opinion the deposit is a great drawback.

22,909. That is the one fifth?—Yes, in this case I had to lodge the deposit myself. It is a great loss to lay by your money for a long time at a small rate of interest.

22,910. I suppose, in some cases that might be necessary, but not in all?—I think not, in the case of large tenants at all. The farm is quite enough security for the instalment.

22,911. And it would meet your view if the Purchase Commissioners had power to dispose with it if they thought proper, or to diminish it?—Yes.

22,912. I think, like a great many other people, you consider that leaseholders ought to come under the Act?—Doubtless, I have two very glaring cases of my own to show that.

22,913. You see no reason against it?—None whatever.

22,914. On the whole, they are the best farmers and the cream of the people, and the men you are most anxious to put on a good footing?—They are the best farmers and the most respectable men in the country.

22,915. You wish to give as some evidence of the cause of the present depression?—I would wish to go into the question of the leaseholders first.

22,916. I think our mind is pretty well made up as to leaseholders?—There is another point as to agreements for leases made before the passing of the Act of 1881. I have a case of this kind here; an old lease expired in 1890, November or October 1890. In October 1890, before we had any talk of a Land Act, I was, in fact, compelled to agree to certain terms to take out a new lease, the acreage was 34 acres I need 5 perches.

22,917. Lord Millican.—You were compelled to take it?—More or less. I kept the farm in grass all the time, and I had either to give it up then or give an increased rent. In the meantime, I bought two or three small holdings adjoining it, and I arranged for a new lease of the whole to save the trouble of taking out a 500-acre grant, and when I had all the arrangements made it was found the owner was only tenant for life and could not make a lease. I was bound, and had to wait until the Land Act came into force, and I got a judicial lease. The valuation in 1861, and the rent 200*l.*, or the very high rent of 4*l.* 8*s.* 2*d.* an acre.

22,918. Irish?—Irish. The rent before was 4*l.* an acre on a portion I bought, 4*l.*, Irish, to 3*l.* 13*s.* 3*d.* The increase of rent put on was 23*l.* odd, or 17 per cent.

22,919. In 1890?—Yes.

22,920. What was the original date of the lease?—It was only 21 years, it was to meet a case of that kind where a lease was made before the passing of

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this Act that I wish to make a suggestion, and to give a few facts.

22,421. What year was it made?—In 1883, but the agreement for it was made in 1880.

22,422. Sir James Caird.—It had become a judicial lease?—We could not get a lease any other way; a tenant for life could not give a lease any other way; it was sent to the Land Commissioners, and that lease cost me 51*l*. to get it out, a most scandalous thing.

22,423. The President.—It was done in 1880 before the Act was passed?—Yes.

22,424. It would meet your views if you could come into court?—Yes.

22,425. Your chief objection to the lease is the rent?—Yes, it is a most objectionable rent.

22,426. Lord Millican.—If leaseholders were allowed to come into court and have their rents fixed it would meet your grievance?—Yes, it would, for all existing leases.

22,427. The President.—Have you any more to say on the point of the lease?—I have a lease made in 1876, the valuation is 130*l*, and the rent 247*l*, and I cannot get a penny reduction because I am able to pay.

22,428. Sir James Caird.—Are you able to pay because the land is productive?—I should say I am losing money by this.

22,429. By this particular one?—By both these.

22,430. Lord Millican.—Are you aware of any case where leaseholders have tenants under them, and who thus occupy the position of middlemen, whose interest has by means of the Land Act been reduced to nothing at all?—I know one case where the middleman is extinguished, I would say, or almost extinguished.

22,431. Do you think it would be desirable that the middleman should have power to surrender?—I think so.

22,432. Would it not help to work the Purchase Act?—It would.

22,433. Because the head landlord being sure of his rent is not likely to sell, whereas if the middleman disappeared he would have to deal with the occupying tenant?—Yes.

22,434. The President.—As to the causes of the present depression, can you give us information on the subject?—In my opinion a great deal of it is caused by climatic influences. In the first place, we have had several exceedingly bad years, one worse than another, and this year particularly the corn has been ruined by the weather, and that is the reason it is selling so low; the land quality.

22,435. Lord Millican.—Oats or barley?—Barley particularly.

22,436. But the oat crop has been a good one?—Pretty good, but still damaged.

22,437. We had evidence just now that in Fermanagh it was extremely good?—It was the best crop of all the year. Barley is almost a failure.

22,438. Sir James Caird.—What county do you speak of?—Louth.

22,439. Lord Millican.—Is there much barley grown in Louth?—Yes, it is a great barley county.

22,440. Any account for tenants growing barley if it is not a paying crop?—We must grow something.

22,441. Why do you grow barley?—We expect every year to be better, and we do not like to give it up, for we have a good sale for it. We have a distillery there.

22,442. The President.—That is one of the causes of the depression; the bad seasons, and another the low prices?—Yes.

22,443. And this makes it difficult to pay rent?—Yes.

22,444. Do you now own the whole of the land you cultivate?—I have these two leases and some other portions I hold.

22,445. Have they given you any abatement on these two leases?—Not a penny.

22,446. Have the tenants in your neighbourhood had an abatement given them?—Yes.

22,447. More often than not?—It is almost universal.

22,448. Sir James Caird.—But not to leaseholders?—Very few leaseholders came in; some have got it when they have good landlords.

22,449. The President.—Why do they make a difference in the case of leaseholders?—We have a number of small landlords who will give no reduction if they can help it. Large landlords deal generously, as a rule; they are in a position to do so, perhaps.

22,450. As to the Purchase Act, are there many tenants in your neighbourhood anxious to buy?—I do not see very great anxiety; very few have bought up to the present.

22,451. And have no wish to?—They want to be more instructed about it, and they are really prevented buying at present, thinking that ultimately they will get it at a lower price.

22,452. And would the landlords be willing to sell?—I know some would, but I think at present the majority would not; they do not wish to sell at present. There is a question of the rentcharge. I think it is very unfair where the landlord adds at 18 or 20 years' purchase he is compelled to reduce the tithe rentcharge at 29*l*. I think that is very unfair, and if there is a head landlord he will ask 25 for his interest, and that prevents sales to a great extent.

22,453. Is there any case of a head landlord being unwilling to take the price and stopping the sale?—Yes, he will not sell.

22,454. Lord Millican.—Do not you think he would be a great fool if he did at 20 years' purchase?—I do not know what the future legislation may be. He may have to bear his portion of the loss.

22,455. It can be sold subject to his rent?—Yes, but it is not pleasant.

22,456. Why should not he get 25 years' purchase if it is fair?—Legislation may come in again and say he should get less.

22,457. Legislation may come in and say he should be satisfied with four years' purchase?—Yes.

22,458. Mr. Midgley.—Under this lease you have ten right have got the rent reduced every 15 years, but you agreed to get rid of that clause, and it was impossible for the landlord to compel you to do it. It was a purely voluntary transaction on your part?—Yes.

22,459. Mr. Knappe.—You do not think the tenants would buy except they got it at a price that would give them a little reduction on the present rent?—No, I should think not.

22,460. And if 25 years' purchase would not give them a reduction you do not think they would buy?—No, they would expect a reduction in some way or other.

22,461. As to the reduction you referred to, was that upon judicial rents?—No, not in my neighbourhood.

22,462. Have the tenants applied for a reduction?—Yes, almost every place.

22,463. And the landlords have yielded more or less?—Yes; there are a great many cases as there are at present; no decision arrived at as to reductions.

22,464. You have considerable experience as a farmer?—Yes.

22,465. Have you found farming profitable these last few years?—Very unprofitable.

22,466. Have you made money or lost it?—I have lost, I think, for the last two years after paying everything.

22,467. You have a fair knowledge of the financial condition of the farmers in your country generally?—Yes.

22,468. Are they improved, or are they in a worse condition?—I think they are really not able to pay the present rents; that is my impression.

22,469. What is that caused by?—By the bad prices of cattle and everything.

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22,470. I think you said climatic influences?—Yes; we attribute want of produce to that and want of quality. There is one other suggestion I have to make, that as purchases previous to the passing of the Act got money from the Board of Works or from private lenders, I think they should get the money on the same terms as future buyers. Parliament first, in 1839, at the passing of the Church Act, adopted this principle of giving assistance to tenants to buy their holdings, and I think any man who bought from that time up to the present should get the money on the same terms as future buyers, clear of the encumbrance.

22,471. The President.—But to those who have paid down, would not it be unfair; they have paid in full?—They would be rather badly treated, of course. I would not take any from the Board of Works at the time, because they would not give enough, and their restrictions were very great; they would not allow you to mortgage or alienate in any way.

22,472. Mr. Knipe.—Is there any great desire on the part of tenants to become owners?—I cannot say there is yet. There are very few sales carried out up to the present. I only know of three or four in my end of the county. I am one of them myself.

22,473. Is that caused by the tenants not having a desire to purchase or the landlord wanting too much purchase?—I do not think it has been offered to them.

22,474. You think they are in ignorance about it?—Yes.

22,475. Sir James Cabot.—You say the difficulty at present is a real difficulty as regards paying their present rent?—Yes.

22,476. You spoke of seven bad years?—Yes, from 1879 to 1886.

22,477. Has that difficulty arisen, not only in the past two years, but from a continuance of these bad years?—From a continuance of the bad years, one after another; in fact, in the beginning of it the people had a little money laid past, and from time to time that is all gone, and they cannot fall back on anything.

MR. JAMES FEGAN EXAMINED.

Mr. James Fegan.

22,480. The President.—You are a landlord, I think?—I am.

22,481. You own some land?—Yes.

22,482. Do you farm your own land or do you let it?—I let it; I am also a tenant farmer, and I am a land agent and surveyor constable, and I valued a great deal for the land courts, and I have fixed fair rents in the counties of Carra and Leitrim.

22,483. What is your experience of the working of the Land Act of 1881?—Although it conferred great benefits on the tenants, such as fixity of tenure and reduced fair rents, yet it had not the desired effect.

22,484. Lord Midleton.—What was the desired effect?—To place the tenants in an independent position; in a proper position to pay their rents.

22,485. That was the desired effect?—Yes, that was the desired effect in my mind. The tenants mostly neglected their farms previous to inspection for the purpose of fixing rents; a large amount of their capital was spent on lawyers, valuers, and so forth, and the great fall in prices of produce—these are what I consider have operated very much against the tenants since the passing of the Act.

22,486. The President.—You think the tenants are in no better position than if the Land Act of 1881 had never been passed?—Well they are not as well off as they were in 1881, but if the Land Act of 1881 had not been passed the probability is that a great many of them would have been turned out on the road.

22,487. What do you think of the judicial rents fixed in 1881 and 1882?—I have made a valuation of a townland about three weeks ago for Captain Bedford for the purpose of settling the rent between himself and tenants; the landlord accepted the valuation I made and also the tenants, and I wrote to him

22,478. There has been no balance to their credit for some time?—None to a great many.

22,479. And you believe it to be really a want of means that is at the bottom of this difficulty of paying rent?—Yes, I do. I think the rents should be more frequently reduced than every 15 years; it is too long; it is unfair to the tenant if his rent is fixed too high, and if the times become good it is unfair to the landlord.

22,480. Mr. Nelson.—What time would you suggest instead of the 15 years?—Five or seven years, I should say.

22,481. Sir James Cabot.—Would that be the general feeling throughout the country?—I think it is; almost everybody I have spoken to agrees with me on that subject.

22,482. Would it require the same amount of investigation as when the rents were fixed first under the Act of 1881?—I do not think the inquiry need be so exhaustive; I think less would do—you could take the last judicial rent as accurate at the time.

22,483. Then you would see by the fall or increase in prices what the difference would be at the end of five or seven years?—Yes.

22,484. You would take the prices as your guide?—Yes.

22,485. As compared with the basis on which the first rent was fixed?—That is assuming that the first rent was right, but a great many of them are not.

22,486. But you must assume something; is it possible ever to get them quite right?—I do not think it is.

22,487. How long have you been engaged in farming?—All my life.

22,488. How many years?—I am 14 years on my own account.

22,489. And you have not in those 14 years had any similar experience to that of the last seven years?—Oh! no. The last seven of the 14 years were very good.

that I had to value it at 15 per cent. less than I would have done two years ago, and he was satisfied.

22,492. And you think that is a pretty common state of things, that land is about 15 per cent. less valuable now than it was?—Yes, that is taking account of prices as they are now; the prices of cattle are gone down, as I consider, a third; the price of stone cattle is surely down a third; bullocks I sold at 6*l.*, which I could get 8*l.* or 8*l.* 10*s.* for some years ago.

22,493. How your attention ever been turned to the produce rent?—Yes.

22,494. What do you think of that sliding scale?—Produce is far cheaper now.

22,495. The produce rent or sliding scale of fixing rent so that it should rise or fall according to the rise and fall in prices?—I think that would be a very difficult thing to do in this country, if you observe the newspaper reports of the fairs. I know the Carra fair, where I belong to, one paper would give a much higher list of prices than another, and it is very hard to get the price of cattle unless you are in the trade.

22,496. Cattle would be most difficult to get the price of?—It is very difficult to get the price in this country unless you are buying and selling and have practical knowledge.

22,497. It would not be difficult to get the price of oats?—Our county is not well adapted for them; they should rely on cattle and butter.

22,498. You could get the price of butter?—Yes.

22,499. But the price of cattle would have to be calculated from the price of meat?—Yes, we have the price of meat at present.

22,500. You can get the price of meat?—Yes.

22,501. Your objection to the sliding scale is the difficulty of getting the prices?—You would have the

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landlord and tenant disagreeing always about the price, and I think things would never be settled.

22,507. What is the next point you wish to be asked about?—I consider that the tenants in a comfortable position did not get rents reduced as much in proportion as the smaller ones, that is my opinion, all over the country.

22,508. Lord Millican.—What do you mean by "in a comfortable position"?—That is tenants, say, over 50 acres.

22,510. You mean tenants having large holdings?—Yes.

22,511. It does not always follow they are in a comfortable position?—Generally they are, these are the tenants I allude to.

22,512. The President.—Where the land is good and well looked after, and belongs to a man who has been able to spend a little money on it?—Tenants who are apparently well off, but that they are not, they have the appearance of being well off. Their rents were not reduced to the same extent.

22,513. Sir James Caird.—Would there be the same competition for large farms, when competition was in existence, as for small ones?—There are a good many large farms waste in the co. Caron.

22,514. But I am speaking of some years back, when the former rents were fixed on these farms; was there as much competition for large farms as for small ones?—There is a greater competition for small ones.

22,515. Would not that be likely to raise the rent on small farms, and make it necessary, therefore, for larger reductions?—It might have that effect.

22,516. The President.—You think, as the whole, the rents were fairly fixed by the Commissioners?—Well, in a great many cases I think they were fairly fixed, there may be some exceptions. I think there is a desire on the part of the tenants to avail themselves of the provisions of the Act of 1883.

22,517. There is?—Yes; as far as constable, I have an opportunity of meeting the people or knowing them.

22,518. Are the landlords willing to meet them?—In a great many cases they are, but the tenants expect better terms, and are holding back.

22,519. You think if it was not that they expect better terms by waiting they would come in now?—That is my opinion.

22,520. What in your idea would be good terms in such cases?—The best way, in my opinion, to settle the land question would be to adopt the Act of 1883, improve it if possible, extend the time of repayment from 49 to 60 years, and, if possible, reduce the interest from 4 to 3½, 3½; thus reducing the rent very considerably, and it would leave the tenant no excuse in future to pay the annual instalments, for certainly then the tenant would have a great interest in his holding.

22,521. What do you say to the one-fifth deposit?—Well, if that was done, I think the one-fifth deposit might be done away with; the tenant's interest would be very considerable.

22,522. You think it would be sufficient to give the Commissioners the option of doing away with it if they thought it desirable?—If that was done it would lessen the judicial rents 20 per cent, and the tenant would have considerable interest in his holding.

22,523. Sir James Caird.—He would have a greater interest because his annual payments would be less?—Decidedly. I consider the present system of begging reductions from the landlords from time to time is degrading. It is a bad thing for a man to be going to the landlord from year to year begging reductions.

22,524. You think the landlord ought to take the initiative?—I think he ought to give the tenant good terms and then compel him to pay; not to allow him out of it at all.

22,525. Lord Millican.—Have some certainty about it?—Give him the land cheap enough.

22,526. There should be some certainty?—Yes,

22,527. Sir James Caird.—Was that the object of the Act of 1881?—Well, I think so.

22,528. And if the prices had kept good then the landlord would not be to blame?—If the prices had kept good there would be no agitation now.

22,529. How could you ever arrive at the point at which you could be sure of the price?—My impression is that they cannot be worse. I think we are able to compete with America or any party at the present prices.

22,530. Lord Millican.—You think we are?—Yes, we are able at the present prices to compete with any one, and the Americans do not appear to be able to compete with us at them, for the importations appear to be falling off. I think we are at the lowest. I also think it should be made compulsory on the landlords to sell where two thirds of the tenants agreed to buy.

22,531. Two thirds on a townland or on the estate?—Either would do.

22,532. At what price?—My reason for saying that is that a landlord might have a good many tenants in a good position, and he might have a lot of tenants in a bad position and giving him a great deal of trouble and annoyance; he would like to get rid of the bad ones and keep the good ones, which would not be treating the good ones fairly. That is the reason I wish to bring this forward.

22,533. The President.—Would you allow the landlord to compel the tenants to buy?—Well, if the tenants could compel the landlords it would be justice.

22,534. It would be justice to both sides?—Yes, I think so.

22,535. What about the price?—I think the landlord has a right to get 20 years' purchase.

22,536. Sir James Caird.—Does not the 20 years' purchase depend on the position and quality of the land?—If you have a bad article give a bad price.

22,537. You say it at 20 years' purchase?—Yes, if you have a bad farm the rent is low.

22,538. Lord Millican.—The rent of the bad farm is low; therefore it comes to the same thing?—Yes.

22,539. Sir James Caird.—Would you, as a valuer, say very fine land is not worth more years' purchase than poor land?—If the very fine land is at a fair rent and the very bad at a fair rent, 20 years' purchase for both is the same.

22,540. Which of the two would go fastest out of cultivation in consequence of low prices or bad seasons?—If land is in at its value and the good farm at its value, and I do not see the difference.

22,541. There is a margin in any case, but the margin would disappear faster in the bad land?—I do not see the difference. I would rather have good land at any price, but then if a man has a small farm and has freedom to cultivate it a medium class farm will do him well enough, but if a man has a large farm and has to graze it it would be better; the expenditure is larger, and it is far more valuable. They should get 20 years' purchase on the Government valuation or the judicial rents, and if a dispute arises the rent should be decided by the county court judge. A great many of the landlords have purchased their properties in the Landlord Estates Court and at 24 or 25 years' purchase, and it would not be just to rob them for the benefit of another class. I would be perfectly satisfied to take 20 years' purchase for any land I have on the Government valuation.

22,542. The President.—As a landlord you would?—Yes, and I am perfectly satisfied to give it.

22,543. Why is that; would you not be a loser as a landlord?—I do not consider that I would get as good terms as I would have to give. I consider that big farms in the county I belong to are not treated as well as small ones.

22,544. Why would you be willing to sell?—I would be willing to sell at 20 years' although I bought much higher.

22,545. Would not you be a loser?—Yes.

22,546. What would induce you to sell?—Just for the purpose of letting the tenants have the land.

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22,547. Out of good feeling towards the tenants?—I would not say that either.

22,548. But as far as your own money is concerned you would be a considerable loser?—Certainly.

22,549. Because, I suppose, you would not be able to invest your money at 4 per cent.?—I prefer leaving the land, but I would sell it for the purpose of settling everything.

22,550. Because you think it fair for landlords, as a rule, and you do not wish to be an exception?—No doubt of it. I would not say it is through friendly feeling.

22,551. Not as a money speculation?—No, I prefer keeping it. As a land valuer I valued for the Protestant Lord Primate, the Roman Catholic Bishop of Kilmore, Lord Southwell, Lord Grenville, Earl of Derby, Lady Castlemaine, Lord Gosford, Lord Charles Russell, Captain Beresford, A. Godley, and many others, and fixed rents in Leitrim and for a great number of estates in Cavan and Leitrim.

22,552. I think you told us you fixed rent lower now, as a rule, than you did two years ago?—Certainly.

22,553. Mr. Keipe.—As a surveyor you have a general knowledge of the financial condition of the tenants in the country?—I have a thorough knowledge of the state of the tenants in the country.

22,554. Give us the benefit of your experience?—The tenants are poorer than what they were two or three years ago.

22,555. Would you say that is caused by the low price of produce or the additional expenses in cultivating their land?—The fact is, the land is neglected for a few years—they spent a lot of their money in agitation, and then the change in the price. There is another point, perhaps, I omitted: the expenses of cultivation. There is a difference between the large farmer and the small one; the large farmer has to pay for the cultivation, and he has to pay higher than a few years ago.

22,556. The President.—For labour?—Yes; and the small farmer does the work himself and his family, but it is very hard on the large farmer at present. I know I cannot cultivate land and make it pay.

22,557. Mr. Keipe.—You have not found farming profitable yourself?—No; I have not for the last few years. I could not live on my farm at all were it not for other means of living I have.

22,558. The President.—What is the cause of that rise in the expense of labour; is it that the labourers are becoming fewer in number?—Yes, and they are more unwilling to work; they will not work the number of hours, and they are unwilling to work.

22,559. Lord Milnes.—The agitation has something to do with it?—I think it has to do with everything in the country.

22,560. For the better or worse?—For the worse, undoubtedly.

22,561. The President.—Better for the labourer?—They are not paying attention to their work as formerly.

22,562. Lord Milnes.—They are not so willing to work?—They want to get the money without earning it.

22,563. Mr. Nafigan.—You said there were a great many waste farms in Cavan, how does that arise?—There are a good many farms in Cavan, especially large grass farms; they are taken up by the landlord, and they are almost waste.

22,564. Cannot they get tenants for them?—There are a good many grass farms on the Farnham estate, and he has taken them into his own possession, writing, I presume, until the agitation passes.

22,565. The President.—On account of the agitation?—Waiting until he knows better what to do with them.

22,566. Are these evicted farms?—No; where the tenants were unable to pay, and walked away; they were grass farms.

22,567. The tenants have thrown them up, because they could not make a living on them?—Exactly.

22,568. When you say waiting for better times, do you mean in the way of prices?—I would not think that; just waiting to see how events will turn.

22,569. Lord Milnes.—How there been a greater amount of temperance or intemperance during these last few years of agitation?—Not in Cavan.

22,570. What do you mean by that, neither one way nor the other?—Well, we are a quiet people in Cavan.

22,571. You have not been affected in that way?—No, I think not.

22,572. A great many are very apt to drink too much in times of agitation, you have not found that to be the case?—No, no doubt there are special cases, but I would not say as a general rule.

22,573. I am only speaking of the years of agitation?—No doubt a lot of money has been spent from time to time, and especially so with the small farmers.

22,574. The President.—When you talk of agitation, has there been any intimidation as to the payment of rent?—I think not.

22,575. The rents have been paid this year?—Very fairly. I think the landlords gave very fair reductions and treated them very well, and the tenants paid; where I happened to be agent I gave the tenants 2s. in the lb. on the judicial rents, because I believed it was just and they deserved it.

22,576. Mr. Keipe.—Is that general?—No.

22,577. But a number of landlords did so?—The adjoining landlords have not given it; well, they have got no rents.

22,578. But where the landlords have given reductions the tenants have paid, as a rule, fairly well?—Yes.

22,579. Lord Milnes.—And where they have not the tenants have not?—In a great many cases they have not.

22,580. Mr. Keipe.—Your experience is that they are unable to pay?—There is no doubt there is more difficulty in making up the rents, and they are poor, but I do not know they are unable to pay; if they made an effort they could pay.

22,581. The President.—There is no combination against it?—No. The poisoning is a very fair average one and the pigs did very fairly for that class of people.

22,582. Mr. Keipe.—You pay a good deal of attention to the cultivation of your own land?—Very fair; I was in the Land Court, and I had a man from your country valuing it.

22,583. Your experience is that you have lost money for the last two or three years?—I could not make ends meet; if I was depending on the farms I was a pauper.

22,584. And that would apply to the tenants who were called upon to pay rents fixed in 1881 and 1882?—It would not apply so much to small tenants who have not to pay for labour; the price of pigs is very fair at present and the price of some other things, and they have no expense as compared with me; I have to pay for everything very high.

22,585. Are not those small farmers depending on cattle very much?—They are depending on butter, calves, and pigs.

22,586. And young cattle?—Yes; calves generally.

22,587. Is there a great fall in the price of young cattle?—Young cattle are a little cheaper, the year olds are down a third in price.

22,588. And that affects a large number of tenants in your part?—Yes.

22,589. And consequently they have more difficulty in paying?—No doubt of it.

22,590. You said that in the farms you were called on to inspect you felt justified in fixing the rents 15 per cent. lower than in 1881?—Yes, and that was lately, for Captain Beresford and I believe the tenants have accepted the reduction, and of course the landlord has done so too.

22,591. So that you think the rents fixed on the passing of the Land Act for a number of years would

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be 15 per cent. higher than rents fixed for the last two years?—Yes, if three remain as they are, the rents fixed for the last four years are too high.

22,592. As to Lord Ashbourne's Act, you said you would make it compulsory?—Yes, I think it would not be justice to the respectable farmer to be shamed from buying, and to allow the noisy one, or the man who is making the most disturbance on the land, to get away.

22,593. Do you think it might not be fairly left to arbitration; that the Chief Commissioner might interfere between landlord and tenant and fix a price?—I am afraid of arbitration.

22,594. You fix the price between landlord and tenant and compel one to buy and the other to sell?—I think, if the rents are fair, the landlord should get 20 years' purchase; he should not be robbed.

22,595. If the tenants were not willing to give that, would not there be some danger?—Leave them as they see, and if they are left as they are they would be glad perhaps when they saw their neighbours having the land cheaper to pay the price, and compel them to pay their rents.

22,596. Mr. Neffigan.—You do not approve of bribing men into being honest?—No; I would give a man fair play and make him do what is right, that is my opinion. I would be certainly for less rents and then compel the tenant to pay without reduction. I think it is degrading upon tenant farmers to be begging reductions from time to time.

22,597. Mr. Keizer.—Do you think the tenant farmers would buy if they were not to get reductions?

—Of course, if my rent was very high I would not buy.

22,598. But they would not buy at a price that would not give them a reduction?—I think they would be quite right.

22,599. Sir James Caird.—Were these valuations you made lately upon judicial rents?—No; the rents never were fixed, they were not a judicial rent.

22,600. And you said you put a 15 per cent. less value than you would have done a few years ago?—Yes. I value land now less by 15 per cent. than I did some time ago.

22,601. Then your opinion is that 15 per cent. reduction is necessary at least on rents fixed in 1883?—1882 and 1883, for in making the valuation you must consider the price of produce for seven years previous.

22,602. You speak not only from your skill as a valuer but from your knowledge as a practical farmer?—Yes.

22,603. How many acres do you farm?—70. I paid 600*l.* a year up to the last few years.

22,604. For 70 acres?—No; I bid a lot of land and the things got bid, my landlord would not reduce it as much as I wished and I gave it to him.

22,605. And now you have only 70 left?—Yes.

22,606. And you are making badly on it?—I could not live upon it.

22,607. Does that represent the case of farmers generally in your district?—Yes, all the larger farmers in the County Carlow are poorer than they were some years ago.

22,608. And less able to pay existing rents?—Yes, that is my opinion.

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22,609. The President.—Mr. Lord, I believe you are a farmer in the County Carlow?—Yes.

22,610. Farming 280 acres?—Yes.

22,611. You are prepared to give us some evidence as to the Land Act of 1881. What is your impression of the way in which it is worked?—I do not think it works very well. I do not think that the Land Act of 1881 worked very well in the country.

22,612. What is that owing to, owing to the fall in prices or to other causes?—I think it broke up the relations that existed between landlord and tenant. It did not confer very many advantages upon the tenant, and it injured the landlord.

22,613. Then you do not very much approve of the dual ownership which it created?—The dual ownership that it created was, I think, a very bad thing for the country.

22,614. And do you think that purchase would be one way out of the difficulty?—I believe that the purchase clauses of the Act of 1885 were about the best—it is about the best Act I think to finally settle the land question.

22,615. And are there any recommendations that you can make with regard to that Act; any improvements which you can suggest?—Well, I think if the interest was made less by an extension of the time, by having the time extended to 60 years instead of 48, and making the interest less, I think it would be desirable.

22,616. You believe that many tenants would take advantage of the Act?—I believe all the tenants in Ireland would take advantage of it and that they are anxious at present, only that they are in some cases led to believe that they might get better terms than what they are getting at present. If they saw that they could not get better terms I believe every tenant in Ireland would accept it.

22,617. And what would you yourself consider good terms?—Well, I think that when the Purchase Act would confer great advantages upon us as tenant farmers, I think that we should not rob the landlord. I think that we should give him 20 years' purchase.

22,618. But 20 years' purchase would diminish his income to a certain extent?—It would, and reduce the present rents.

22,619. And reduce the rents even more than it would lower the income of the landlord, but still it would lower the income of the landlord to a certain extent?—Certainly; still a great many landlords are offering their lands at present at 20 years' purchase, which I believe would not be unreasonable.

22,620. Would you go so far as to make it compulsory at 20 years' purchase?—Well, I think it ought to be compulsory on the landlord and I am certain that the tenant would want no compulsion.

22,621. But if it was made compulsory on the landlord it would be only fair to make it compulsory on the tenant also, would not it?—Well, I think it might be injurious to make it compulsory on the tenant. I think it would be better to leave it an open question to the tenant.

22,622. But you would oblige the landlord to sell?—Well, it might appear to work injuriously against the landlord, but to the best of my opinion every tenant in Ireland would accept it.

22,623. Then there would be no use in compelling them?—When there was no alternative policy.

22,624. Then there would be no use in compelling them?—If it was made compulsory the tenant might say in bad seasons that he was not willing to purchase, and that the law compelled him, and he might raise objections about the payment of the interest of it, so that if it could be left an open question I think it would be only a short time an open question, because it is evident that every man in Ireland at present wishes to buy only that they are led to believe that they would get better terms.

22,625. And when they found that they did not?—And when they found that they did not they would surely purchase.

22,626. And they would come to more willingly and would give better prices under voluntary contract?—Quite so.

22,627. Have you anything to say with regard to the fall of prices in cattle?—There has been a fall of prices now since the passing of the Act of 1881. I suppose the general prices have fallen at all events about a fifth, and in some cases I suppose about a fourth.

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22,626. And that makes it difficult to pay rent?—It makes it difficult to pay rent where there are no reductions given. In my part of the country we have a number of excellent landlords that have given very liberal allowances. I have got myself 25 per cent. of a reduction.

22,629. Mr. Knipe.—Was that on a judicial lease?—No, I never went into the land court.

22,630. The President.—It is not a lease of my sort?—I got 25 per cent. upon an agreement, which was the same as a lease.

22,631. An agreement sanctioned by the court?—No, an agreement.

22,632. A yearly agreement, you are a yearly tenant?—It was a three years' agreement with the landlord for a farm in our part of the country, and upon that three years' agreement I got 25 per cent., or one fourth.

22,633. Has your attention ever been turned to when they call the sliding scale or produce rent, the fixing of rent according to the varying prices of produce?—I do not think that would work well in a country like this, where you can hardly get reliable information for fixing the rent according to a scale.

22,634. Mr. Nelligan.—Suppose you could get reliable information?

22,635. The President.—Suppose you got reliable information as to the price of produce; have you any objection to it then?—Oh, no; if there was no fall produce I think that might be able to work, I think it might work in that way.

22,636. And that there would be no difficulty in converting an old judicial lease of two or three years ago into a sliding scale lease, fixing it exactly the same as would have been done at that particular moment when the lease was made by looking back to the prices of articles as they then were?—And reducing it to meet present prices?

22,637. Exactly, and then, of course, it would have reduced itself?—I think and I believe it would be very troublesome in Ireland.

22,638. Lord Milltown.—Do you think it would be likely to lead to considerable litigation?—It would lead to a lot of litigation.

22,639. And perhaps most of the profits of the reduction would go into the lawyers' pockets?—Just the way the profits of the reduction of 1831 went. A good deal of it went into the pocket of the lawyers, creating bad feeling between landlord and tenant. I never went into the land court, and I got a reduction every year. I required a reduction without even asking it.

22,640. The President.—But upon what point would a sliding scale rent be open to litigation?—It is such an extraordinary country for litigation that I do not know.

22,641. It would require to be a little considered, and being rather new you have not yet thought about it; but supposing that means could be agreed upon by which you could know the prices of each year, and supposing the rent was fixed in proportion to those prices by regular agreement, would it not work itself and make it unnecessary for any lawyer or any valuer or anybody else to be called in from year to year; would it not be a self-working system?—I am afraid it would not be a self-working system. There would be a difference of opinion about the rise or fall of produce. An Act of that kind would be supposed to act both ways. The landlord would be entitled in a very good season to an advance in the rent, and in a bad season he would be subject to reduction. I could hardly think that an Act of that kind would work well. I would be afraid of it.

22,642. Have you thought much about it, about the subject?—I have not thought much about that subject, but just upon the spur of the moment I could not believe that it would be a judicious Act in pass. There were fixed some years ago in England, according to the price of certain produce at particular times of the year.

22,643. And taking the average of the last five or

six?—If you had large farms in Ireland I am sure it could be worked, but then looking at the little patches that you have here and there, one man depending, half labourer and half farmer on a small patch, another man striving to get an existence out of six or seven acres of land that he uses the whole produce of for his family nearly, except very little, that he sells to pay his rent unless he labours for some other person. It would be a very difficult question to settle about that sliding scale in Ireland.

22,644. Lord Milltown.—If a man consumed the produce of his little holding himself and his family, the rise and fall of prices would not affect the value of his rent much?—It would not much. A great deal more would be affected by the rise and fall of the labour market.

22,645. The President.—Then he ought not at present to complain of the fall of prices in that case?—I am also a householder in my part of the country, and I hold a lease of part of my land.

22,646. And do you think that the leaseholders ought to be allowed to come under the Act of 1831?—I think they ought. I took a lease 10 years ago, and gave a fine at a very stiff rent, and had the landlord not considered me unwise—that I was over-valued and made a reduction—I would have been hardly pressed if I had been kept to the lease.

22,647. And do you think that the leaseholders ought to be allowed to come into court, and that that should apply to the landlord as well as to the tenant, that a landlord should be able to bring a leaseholder tenant into court in the same way as the tenant might bring the landlord?—Or if the Land Purchase Bill became general that he would have the advantage of buying it at a price mutually agreed upon between both parties, or if not agreed upon between both parties to settle it by the court.

22,648. By the Land Court—that he should have his rent fixed first by the court or mutually agreed upon?—Either mutually or fixed by the court. I believe in our part of the country that there would be no such thing as a court work about it, because Lord Farnham gave all his leaseholders the option of throwing up their leases, and going in for a new valuation and settling the rent, so that he practically disposed of it. I think Major Sanderson did something about the same, and a great many good landlords in the county Down. I have been so well treated as a tenant farmer myself that perhaps I am inclined to any rather more for the landlord than I am for the tenant.

22,649. Supposing that the landlord was compelled to sell, how would he be? would he continue to live in the country?—I am afraid that it would cut that way, that the landlord would not like to live in the country if he was compelled to sell.

22,650. And that would be a loss?—That would be a loss.

22,651. You would not like to drive the landlords out of the country?—I would not like to drive a landlord like that out of the country. I would rather agree to pay a high rent than do so. If we could get rid of some of the bad ones and retain all the good ones we would do rightly, but I would rather pay a moderate rent.

22,652. You would like to compel the bad ones to sell, but let the good ones remain?—If I had my choice I would like to manage that.

22,653. Lord Milltown.—Do you think that if the tenants had the option of putting perpetuity grants of their lands at half the fair rent by paying a sum down, that that would meet your difficulty and still leave the landlord an interest in his property, and give the tenant also a very considerable interest in his holding?—I am afraid the tenant farmers in this country would not be able to purchase.

22,654. No, but I am supposing that the Government grants the money in the same way as it is proposed to do now for the purchase of a perpetuity and half a fair rent?—Well, I have no doubt that that would work fairly well.

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Mr. Charles
Lord.

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Mr. Charles
Lusk.

22,655. It would reduce the demand upon the State for the advance of money very considerably?—
Yes.

22,656. Because it would be only half the purchase of the whole thing, and would leave the landlord still an interest in his property, and what I should like to know from you is, whether that would give the tenant a sufficient interest in his holding to satisfy him in all rational respects, you see that he would be to all intents and purposes the owner of his holding subject to paying half a fair rent?—Half a fair rent, and half the rent then to the landlord?

22,657. Yes; he would get a reduction?—His present reduction?

22,658. His present rent reduced to one half, and the instalments that he would pay to the Government would be, I suppose, about two thirds of the other half; something of that kind; I have not calculated it?—I know, sir.

22,659. So that that would be an immediate reduction of his rent, and perfect security, and very small rent to pay in the future. It has been suggested to us?—Well, in that case, sir, one half of that reduced rent would be paid to the Government and the other half to the landlord.

22,660. Quite so?—That would be a very confused way that; but supposed it was worked that way it should make very little difference to the tenant. So far as I am concerned I believe it would be as acceptable as the other.

22,661. As purchase?—It would be as acceptable.

22,662. As the purchase?—As the purchase. If I knew that the State was ready pressed for money.

22,663. It would have the double effect of reducing the amount of money which the State would have to advance, and it would leave the landlord an interest in his property and a controlling power over the tenant which might be useful, as, for instance, to prevent subdivision. Do you think that there is a danger?—I would be afraid of a danger of creating two landlords there upon each of the holdings.

22,664. Well you would create two receivers of rent?—Two receivers of rent, and I think it would not work well. I would be afraid that it would not work well.

22,665. Well, in compelling the landlord to sell, would you propose that the landlord should be compelled to sell to any individual tenant who applied?—Oh, I think not. I think it would be very injurious if a tenant here and there upon an estate had the power, if it was not general.

22,666. That was not your suggestion; your suggestion was, I suppose, on the supposition that a considerable proportion of the tenants would apply?—A considerable proportion. I am certain that upon all the good estates—at all events all the estates that I know—I am certain that the tenants would go in in a body and purchase. I am quite certain that they would.

22,667. You do not suggest that the landlord should be compelled to sell to any individual tenant who should happen to desire it?—I think it would be very hard lines upon him to begin and sell to a tenant here and there who would begin and pick the property. I think there should be a sort of uniformity between both parties.

22,668. And I think you say that the purchase money ought not to be below 20 years' purchase?—Twenty years' purchase, I think 20 years' purchase ought to be a fair purchase for the land.

22,669. Would many of the tenants in your neighbourhood be prepared to advance one fifth of the purchase money—to pay down a fifth?—A good deal of the tenants would. It would confer a great deal of advantage to advance the fifth, because at the end of a certain number of years they would get back that fifth again to appropriate to whatever use they might like, I suppose.

22,670. Would you confine your compulsion to cases where the tenant was able to pay down one fifth?—I would.

22,671. As a reward to them and an encouragement to others?—I would.

22,672. And the State would be of course much better secured?—Yes. I think wherever a tenant was in a position to do it that he ought to be compelled to pay one fifth of the purchase because he gets 3 per cent upon it, and at the end of a number of years the whole sum goes back again to him, if I am rightly informed.

22,673. The President.—Would there not be a danger, supposing the tenant had to pay a certain sum of money, that if he had not it he would borrow it from the money lender at a high rate of interest, and start with a great burden round his neck; would there not be that danger if you insisted upon it?—Oh, if you insisted upon it there would be that danger. There would be that danger that he would be obliged to borrow money at a ruinous interest and put himself in that position, but it could be easily counteracted. The landlords themselves, you know, could easily ascertain of course where the tenants were able to pay the one fifth of the purchase of their holding, and the landlord might very easily say, "It is not fair to ask me to go security for that man; he has not a shilling, and I think he ought to go security for himself by paying one fifth."

22,674. But if the landlord is compelled to sell to every tenant who advanced one fifth of the purchase money it would be difficult to give him that power of inquiring minutely into the circumstances of the tenant, and all that, and proving that he was insolvent before he would accept him. Would not that be a very difficult process?—Oh, in world, I think. I think it would be a very great evil to insist upon the tenant securing himself in the fifth of the money.

22,675. That it would be impossible to do that?—I think it would be impossible to do that, because it would put the tenant in a bad position, but in subdivided cases where the tenants were able to pay the one fifth. Supposing that I was asked to purchase, and that I found that I was easily able to spare the money, I might have an understanding with the landlord to know whether I was able to pay or not, and if I was able to pay I believe it would be to my advantage to pay.

22,676. I am a landlord, and if I am compelled by the State to make a sale on your paying a fifth and I have the right to go over the whole of your accounts at the bank, and everywhere else, to find out whether the money that you present to me is borrowed or whether it is your own?—Oh, I think the landlords; indeed, in almost every case that I know they know pretty well the position that the tenants are in. They know the tenants that are fairly well off. In our part of the country there is a sort of friendly feeling between landlord and tenant.

22,677. You propose to make it compulsory, and you would give the landlord the power, after you had made the purchase compulsory on the application of the tenant, you would give the landlord the power before he made the sale to look into the affairs of the tenant and see whether he was really solvent or not?—I do not know that I went so far as to say that he should look into the affairs, but they generally know I am sure I know a great many landlords, and if they were asked the position of this tenant or that individual tenant they could point out the man that was able to advance money.

22,678. And where he did not think the tenant was one of those men you would allow him to refuse to sell?—Oh, I did not say that, sir.

22,679. Mr. Anker.—Now what proportion of the tenants willing to buy on an estate would you think necessary in order to compel the landlord to sell; would you put it in that way—that it would be necessary to have a certain percentage of the tenants of the property willing to buy before you would compel the landlord to sell?—Oh, I think that more than half of the tenants should be willing to buy before the landlord should be compelled.

22,680. If 75 per cent. of the tenants were willing

to say you think it would be only fair to compel the landlord to sell?—I think it would be fair to compel the landlord to sell.

22,681. Mr. Neffson.—Fair to whom, to whom would that be fair?—If you go in to say exactly fair you know it is a strong word; but I take it in this way, that if 75 per cent. of the tenants of an estate wanted to buy, I take it for granted that it would be 75 of the very best tenants on the estate that would be likely to buy.

22,682. Mr. Knipe.—Do I understand that you would compel the landlord, without the consent of the 75 per cent. of the tenants on the property?—Oh, I would not compel the landlords to sell unless a certain proportion of the tenants were disposed to buy. I did not say the proportion before, and I do not think I mentioned any per-centage.

22,683. But would 75 per cent. be, according to your ideas, a sufficient proportion for compelling the landlord to sell?—I think it would be a sufficient reason for asking the landlord to sell to the others.

22,684. With respect to the price, do you think there might be a tribunal established to interfere as regards the price that the landlord ought to get and the tenant ought to give?—I do not. I think there are too many tribunals about it already. I know that the sub-commissioners and the head commissioners had a great deal of trouble, and they did their best, I think, to please everybody, and they did not please either landlord or tenant.

22,685. And looking at the experience of the head commissioners and their knowledge of the position of the landlord and tenant, would you not say that they would be capable of fixing a fair price?—I would be very sorry to think that they are not very capable men and excellent men, and I am sure they are painstaking and very just.

22,686. And as you are a tenant farmer I suppose you would leave the price to them?—If I was going to purchase to-morrow I would leave the price to the head commissioners.

22,687. And you cannot conceive that there could be a more impartial court established?—I believe that the head commissioners have only one object, and that is to do what is right between landlord and tenant. I would be very sorry to impose them with taking a one-sided view, going for the landlord against the tenant, or going for the tenant against the landlord.

22,688. Mr. Neffson.—We have had a great many witnesses protesting that the appeals were heard most unfairly, but that is a matter of opinion?—Well, I think both the sub-commissioners and the head com-

missioners were painstaking. They did their best under the circumstances. A lot of evidence was given perhaps wrongly, and of course they had to settle rents by evidence that was not given fairly.

22,689. Mr. Knipe.—Then is it your opinion that the chief court might be utilized in that way?—I would have every confidence in the chief court.

22,690. And that it would give general satisfaction?—I have every confidence in the chief court.

22,691. Looking over the heads of what you said you would give evidence on, I see you refer to the fall in the prices of cattle and produce; and looking at the fall in the price of produce and cattle, do you think that there is great difficulty on the part of the farmers in paying their rents this year?—There is. There is. I think an estate where there is no reduction given I think there is great difficulty in the tenants being able to pay. I say if I was obliged to pay the whole rent myself that I would be working for nothing, I would be working for the landlord. With the reduction I believe I am fairly off. The fall of prices is very considerable for the last three or four years.

22,692. If it was not for the large reduction you got you say that you would not have been able to pay?—I will say that I would be pressed for this year's rent, and to pay labour.

22,693. And your position would be a fair representation of the most of the tenants of the locality?—Oh, I think it would be a representative case. All the labour that I have to have to pay it. I have to pay all my labourers and I would be pressed if the landlord had not both last year and this year given reductions of 20 and 25 per cent., which left me as fair as any other season.

22,694. Sir James Caird.—You could not have gone on without those reductions with any possible comfort?—Well, I might have gone on, but I would be wanted, I would be losing money.

22,695. And you think that is the general state?—At all events I would be losing my own time in superintending over 250 acres of land, and losing capital without making anything of it if I had not got the reductions this year and last year.

22,696. And you think that a common case with most of the farmers in your part of the country?—Well, I think it is a fair representative case, that without reductions we could not well have got on.

22,697. You have got reductions of 20 and 25 per cent. for the last years?—I did, sir, and I got that without asking it. I had not even to ask for it till I got a cheque for it after the rent was paid.

Mr. JOHN MADDEN examined.

Mr. John Madden.

22,700. The President.—Mr. Madden, we know you are a landed proprietor in the counties of Fermanagh, Monaghan, and Leitrim?—Yes, I am.

22,701. Can you give us any suggestions with regard to the Land Act of 1881?—Do you mean suggestions for the improvement of the Land Act of 1881?

22,702. Yes. I think you are prepared to give evidence in that direction, is not that the case?—Well, so far as improvement goes I do not see very well how the Land Act could be very well improved. It seems to me so faulty that the only way of improving it would be to reconstruct it de novo. I should like to lay before you the grievances under which I have suffered under that Land Act.

22,703. Yes?—Now I have never been a landlord who has been constantly raising his rents. My rents are what my father's rents were before me. I am now some 50 years of age, and I have been in occupation and management of my estates since I was of age. My rents at the time of the passing of the Land Act of 1881 were in many instances lower than in my father's time in 1841. The fact is I have never raised my rents. My rents now, or at least in 1881, before the coming down of rents, were precisely what my father's rents were, and in some cases less than what they were.

22,704. Did you say 1851 or 1841?—1841. I do not care very much to publish my rental to the public, but I can give you an idea. I may tell you that on each of my Ulster estates my total rent is less than the poor law valuation, and I may also state that in the counties of Monaghan and Fermanagh during the 30 years that I have been landlord, and as long as I can recollect before that, we never had an eviction. Such a thing as the sheriff standing on the Madden estate was wholly unknown. We have never had a notice for rent or distress, or anything of that kind. Whenever a man could not pay his rent he came to the landlord or agent, and said, "I am sorry, sir, we cannot pay the rent," and we said, "Dispose of your interest to another tenant," and that was arranged, and another man came in, and there was no trouble whatever. But I always endeavoured, when I could do so prudently, to divide farms on changes of tenancies amongst adjoining holders, and that is put a stop to by the Land Act. Many tenants have several holdings, and under the old regime we would not allow a tenant to sell five acres of one farm because that was another tale, but now under the Land Act we cannot help it. A man may cut up his farm into as many tales as he has got, that is, he may make the work of consolidation almost effected.

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Mr. John
Madison.

22,703. And consolidation is prevented?—Consolidation is altogether prevented. And another thing also prevented by the Land Act is the investment of capital. What we want in Ireland, above all things, is the investment of capital. We want men of means to come over here and invest their money in this country in improvements, and I do not think my own investments in the way of improvements in my time can have been less than 30,000*l.* or 30,000*l.* That is at an end. I have reduced my expenditure to the lowest minimum that I could possibly do, and every farthing I can collect I am sending it out of the country, because it is altogether out of the question now for a man to invest his money and hope for prosperity in a country like this where he is liable to forfeit the whole results of his outlay.

22,704. And before that you said your father before you used to invest your money in the improvement of the estate?—I bought some thousands of pounds' worth of lands in the Encumbered Estates Court and I did not raise the rents on getting them, and yet the main portion of the moneys that I have there laid out has been taken from me under the Land Act.

22,705. Are you in favour of the Purchase Act of last year, the Act of 1885?—I think that the purchasing of land by solvent and good tenants in many cases a very useful thing, but I think anything like a general scheme of purchase now being carried out will drive the landlords out of the country and replace them by poorer holders, and I say you will simply produce another famine such as you had in 1846, if every tenant is to become a landed proprietor, for instance, a man holding three or four or five acres. Surely to make that man a landed proprietor unless he has capital is a bad thing, and the result will be that when that man dies under the common law of the rules each of his children would be entitled to portion it, being a chattel estate. There is a difference between real and chattel estate or real and personal estate. Now, a farm on the death of the tenant farmer who had bought under the Land Act would be a chattel estate, as I take it, merely a holding.

22,706. No, that would be real estate?—No, it would be a chattel.

22,707. Mr. Nelson.—It would be a *de facto* simple estate?—That might be at the end of 50 years.

22,708. The very moment the purchase was made?—When he has to pay rentcharge upon it. I do not see that.

22,709. He would have the whole estate?—But at any rate his children would have in some way to get something out of it or otherwise he would simply have to hand it over to one son and the others would be beggars.

22,710. *Prima facie* when he dies it would go to his heir at law; and what would then become of his other children?—But the practical effect—I do not wish to go into the legal question—the practical effect would be this, that as soon as ever the tenant dies by subdivision you would have things in a thousand times worse condition than before.

22,711. It would go either to his heir at law or real estate or to his representatives and next of kin?—Supposing a judicial tenant on my estate died to-morrow, under the law as it now stands each of his children could now claim a *releasable* proportion.

22,712. That is a judicial tenant, but we are now speaking of the Purchase Act of 1885?—But the purchase would not be completed for a great many years.

22,713. The President.—But the fee would vest in him the moment the sale was made?—That might be so.

22,714. But you think it would establish pauperism?—I am perfectly satisfied that it would do so, that it would simply under the Act make matters worse than they are now.

22,715. Are your tenants anxious to purchase, do you think?—I never asked them, and I do not intend in the present state of things to sell till I can drive

out, because I think I should have to sell at very much less than the fair value of my land. The fair value of my land, or what it was before the Land Act, was 25 years on the gross rents, and those rents, had they been too high, could never have been paid, as they were paid to my knowledge, for more than 20 years without any change.

22,716. Then you disapprove of the Purchase Act altogether?—No, not exactly that. I think that where it was wisely and judiciously done to a small extent it would be very useful; but anything like a general purchasing of land throughout Ireland I think would be productive of the worst possible effect. I think these things are better done by the law of supply and demand. By all means where a man is a fit subject for it assist him to purchase in every way you can, but do not drive men into a corner and force them to sell, as they are now driving the landlords into a corner, till they are disposed to say, "Let us gather up anything we have left and let us get out of this 'accursed country.'" That is the position of affairs in many cases.

22,717. Have your rents been paid?—My rents have been paid as well as they ever were, because I refused to yield to illegal combinations; what I say is, my rents are fair and I insist on their being paid, and they are paid, and my impression is that it would be well for the country if the landlords generally would do this. Some of them are not able to do so for want of means, but I think if the landlords put the law in force with greater courage they would find things improve and that rents would be better paid than what they are.

22,718. Have you had combinations on your estates?—Indeed I have had combinations on my estates in the county of Leitrim worse than anywhere.

22,719. But you have succeeded in overcoming them?—I have succeeded in overcoming them; but then I have had money saved which enables me to make an effective resistance.

22,720. Still you would be very unwilling to leave the country yourself?—No, I do not think I would. If I could get what I consider the value of my property and get rid of my house and demesne, on the improvement of which I spent thousands of pounds, if I could get that back I would shake the dust of my feet and leave the country and be glad to do so, because I think prosperity in this country is quite out of the question. How can there be prosperity where a man may be defended of what he exports in it? For instance, in the county of Leitrim I may tell you my rents are now being cut down to far below the poor law valuation. Now the poor law valuation in the County Leitrim was made before the time of railways, before the opening up of canals, before the main drainage. The late Lord Leitrim, who was my uncle, told me that when I was a boy he remembered my Leitrim estate in flood times, an archipelago of islands. He so described it. In 1857, or thereabouts, the main drainage of that district, what is called the Rynn and Blackwater drainage, was effected, and my share came to the sum of 2,300*l.*, all of which I have paid out of my pocket, and every farthing of which I have been defended of, because my rents are being now cut down below the poor law valuation that was made before that, and cut down very considerably below that valuation. In fact I may tell you this, that the rents that the sub-commissioners fix do not at all depend upon the value of the land. The value of the land has nothing whatever to say to it. Whatever the rent may be, down the rent must come, and I have to be satisfied in saying this before the Commissioners now, that if my rents originally had stood at what they are now cut down to, I believe that they would be cut down 25 per cent. more than what they are now.

22,721. Sir James Caird.—Would you repeat that?—I say that my rents, if they had stood originally at what they are now cut down to by the commissioners, would simply have been cut down by another 20 or 25, or even 30, per cent.

22,722. If they had been cut down as much as that

before?—If I had reduced them before 1881 to present judicial rents that would be so.

22,723. Supposing you had spontaneously reduced them?—Supposing they stood at that. They would surely be cut down again. That is my opinion. In my opinion the real value of the land has nothing whatever to say to the rent the commissioners fix upon it. They do not take the time to examine the lands. They simply walk over them, and I defy any man to value land in the way that the sub-commissioners do. In one case I may tell you the sub-commissioners actually refused to look at improvements that cost 150*l*. of my money, because the land was a little wet, or because they had not time. They refused to look at it at all. In another instance the chairman of the sub-commissioners turned round the moment my solicitor rose to explain the case in my behalf, and began to talk in the most open manner so as to poison him, and my solicitor turned round to me and said, "Mr. Madden, it is useless for me to attempt to address the court in this case." That took place in the court in Clons.

22,724. Have your rents been authorized to the judicial commissioners?—Some of them have.

22,725. Were they much reduced?—Much like the others.

22,726. And those were rents which had been unchanged for many years?—For 50 years and more.

22,727. Mr. Neillson.—And punctually paid for 50 years?—Yes, during all the bad times. There was a reduction given by my agent in 1846 and 1847, but that was merely temporary, and I would not of course object to a bad season. In point of fact, in 1875 I gave a reduction before the Land Act. That was in 1875. There it was necessary and right.

22,728. Mr. Knappe.—Do you think, as a general rule, that the sub-commissioners gave too large reductions?—Yes, I do.

22,729. From the time that they commenced to fix rents?—Yes, and I think now they are giving larger reductions than even as a rule, from what I can gather by the papers.

22,730. So they are determined to continue in their usual mad course notwithstanding everything that has been stated?—That is the presumption. I may tell you that I do not think the value of the land has anything whatever to do with it. I say it is impossible that these men can value land in the way that they attempt to do. For instance, I could not value this house by coming in at this door and walking out again. I see require to try every part of the farm, and it takes time, and my valuer, who has valued my estate, has told me that he could not value possibly more than one or two hundred acres in a day, and the commissioners have valued much more than that.

22,731. And your remarks would apply to a large number of the commissioners?—To those commissioners whom I have seen at work, Sir. I would not like before this Commission to say anything about the commissioners that I have not seen at work, but I have seen a number of commissioners at work. I have been one of the only landed proprietors who fought all his cases himself. I have attended in court and fought every case, and my solicitor, Mr. George Knight of Clons, who is one of the most experienced solicitors in that part of the country, told me that I was the only instance of a landlord who fought his own cases himself that he knew of.

22,732. Did you appeal in any case?—I did, Sir.

22,733. Did you succeed in many cases?—I withdrew them because it was useless to proceed. My solicitor told me it was perfectly useless to go on, and not because my cases were cases that I ought not to appeal in, but because I had no confidence in the court.

22,734. And from the decisions that you saw given by the chief commissioners you thought it prudent to withdraw your cases?—Yes, I thought it would be utterly useless to attempt to go before them.

22,735. And you do not approve of the decisions given by Mr. Lifford and Judge O'Hagan?—I do not

approve of them. I do not think those gentlemen know anything about the value of land.

22,736. They know about law?—Oh! about law. If I want to value a field I should require to know about the value of land. And I say deliberately that it is impossible that you can value land in the way the commissioners do. They should take time. They have not the means of valuing land, nor yet the technical knowledge.

22,737. Has there been quite a number of judicial rents fixed in your neighborhood?—Yes, a good many, and these men who have had the highest rents have got off best invariably, that is to say, the worst landlords suffered least.

22,738. Are you able to say whether any landlords in your locality have given reductions on judicial rents this year or last year?—I believe not. I believe landlords in my neighborhood have not given reductions on judicial rents, but I do not know whether I am right in this. It is no criterion that rents are too high, because a landlord gives a reduction on judicial rents. Those men may have been forced to do it by compulsion and coercion, and they may have charges on their estates, and may have to take whatever they can get.

22,739. I do not want to know the reason, but has such a thing come under your own observation?—Yes, it has.

22,740. Has any reduction of judicial rents come under your own observation?—No.

22,741. But by reading in the papers, did you see that some landlords have found it necessary to give reductions on judicial rents?—Yes, because those men are forced to do so. The Government will not maintain order, and those men must have the means of carrying on their business, and the only way they can is by taking what they can get. Many of those men have no capital to fall back upon, as I have fortunately. If a tenant said to me "I will pay no rent," I would say, "pay no rent and I will put you out." I would say, "just try it."

22,742. And then you have an objection to selling to the tenant under present circumstances?—Yes, I have.

22,743. And you are not disposed to part with your land to your tenants at present?—Not disposed, because the amount is not sufficient.

22,744. How many years' purchase would be sufficient to compensate you?—It would require to be 25 or 30 years' purchase on the old rents.

22,745. Do you think has the tenant's interest increased since the passing of the Land Act of 1881, or diminished?—Increased, of course.

22,746. And the tenants and landlords are now joint occupiers or owners?—Of course they are to a certain extent in a different position to what they were before.

22,747. And would you say that the tenant's interest is now greater than before the passing of the Land Act?—Yes, I say so.

22,748. And notwithstanding that, you still think that you ought to get 25 years' purchase?—I think the value of a thing is what it would bring in the market, and the value of everything is what it brings in the market. So Lord Bacon has laid it down.

22,749. Looking at the fall in the price of produce and cattle, and the additional cost of cultivating farms, do you not think that 25 years' purchase would be too much?—No. I will tell you why, because it is merely temporary, and these things will all rise again.

22,750. Perhaps the commissioners thought so when they were fixing rents in 1881, but it turned out differently?—I do not think the tenants' rents are, as a rule, too high now. Ireland is probably one of the lowest rented countries in Europe.

22,751. The tenants do?—The tenants may think any rent too high a rent. The object of this movement throughout Ireland is to destroy the payment of all rent. It is not to resist the payment of unjust rent, but it is against the payment of all rent.

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Mr John
Madden.

22,751. You have had a large portion of land in tillage yourself?—Yes.

22,752. And you would be able to give a fair opinion as to whether it is as profitable now as five or six years ago?—Not as profitable at this moment as five or six years ago, but tillage is not as a rule what makes profit in Ireland, but stock farming.

22,753. But every farmer cannot do that?—Every farmer should aim at employing his farm in the most profitable manner, and stock farming is the most profitable in Ireland, and 100 years ago or 120 years ago that Ireland was almost entirely a stock raising country.

22,754. A number of farmers in your locality have not more than 10 or 20 acres?—No, that is about the size, 10 to 20 acres.

22,755. They depend very much on the prices of cattle and butter then?—They depend on the price of everything, oats and potatoes, pigs and cattle, and so on. All those are the principal articles; also upon eggs, poultry, and so on.

22,756. It is said that butter was very low this year?—Butter was low this year. Flax was good.

22,757. And have you any idea of what reduction has taken place in the price of cattle?—The price of cattle has fallen from the excessive rate of some years ago, but the prices of cattle are now a great deal higher than when the rents were paid formerly, the old rents.

22,758. Do you mean 1881 or 1880?—No, I am going a little further back. You must remember your rents were unchanged for 60 years or so to my knowledge. Now, sir, during my recollection the price of meat, for instance, has doubled, the price of butter is greater, the price of every article of produce is greater than it was then.

22,759. What is your experience in cultivation about the cost of producing those crops?—The cost of producing those crops is pretty nearly what it always was. The mass of labour have not materially increased. For instance, the rate of payment of my labourers is reduced. I pay my labourers lower now than I have paid them for the last 50 years. Why? because this movement is destroying the investment of capital in this country, these men are obliged to take what they can get. For instance, in the beginning of this year, in the month of March, it was reported in the "Times" newspaper that working men in the town of Tullamore, in the south, were asking sixpence a day and could not get employment.

22,760. Is it your experience that the cost of what you require for your own household is less than what it was 10 years ago?—A great number of the articles are.

22,761. Clothes?—Yes.

22,762. Boots?—Yes, I should say also many articles of consumption in daily use, especially tea, flour, and sugar, and all those things.

22,763. And farm implements that you require for the cultivation of land?—Yes, so much more effective machinery is used; for instance, mowing machines and all those things have enormously decreased the cost of haymaking. One of our most valuable crops is the hay crops. Now we can save our hay at very much less cost than 20 or 30 years ago, because in those days we had to do everything with the scythe, now we do it with the machine; our mowing is done by machinery; our cutting and raking by machinery; so also with reaping of standing grain crops.

22,764. Every farmer has got those machines?—Because the cultivation in Ireland is of the most miserable description, and what we want to do is to increase the size of the farms so as to enable people to have proper methods of cultivation.

22,765. Sir James Caird.—To increase the size of farms?—To increase the size of farms, there can be no improvement without that.

22,766. Mr. Neill.—You cannot do that at present?—You cannot do that at present, because the Land Act entirely destroyed that and prevented that.

22,767. Mr. Keble.—Look at the price of oats, wheat, and barley?—We do not grow wheat.

22,768. In many parts of Ireland they do. Now, looking at all those things, do you not think it is more difficult for farmers to pay their rent now than it was in 1881 or 1884?—No, I say certainly not. I say decidedly not. I think the old rents that were always paid could be paid if there was a desire to pay. When there is a desire to pay, those combinations against the payment of rents are got up. Those combinations against the payment of rents are got up for the simple and sole purpose of driving the landlords into such poverty as to force the landlords to accept any rent that may be offered them.

22,769. Sir James Caird.—You say anything like a general purchase would be objectionable for the country?—In my opinion very objectionable.

22,770. Then, I suppose, you have an objection?—No, that must depend upon the circumstances. Each case should stand upon, and be dealt with, upon its own merits. I think that where there was a fair demand for it, and where the tenants were in a certain position that it would be a most excellent thing to increase as far as it was possible to do so the number of landed owners, but I think anything like a forced sale such as is now going on, because there is persons being put upon unfortunate landlords. I think anything of that sort does an infinite deal of harm, and taking a whole estate, perhaps a dozen men are fit for it and 100 men unfit.

22,771. What would be the proof of the usefulness?—In the first place, they should be men who have a considerable amount of capital at their back, and more than that, the farms should be of a certain size.

22,772. Would you think it advisable that they should be able to pay a portion of the price themselves?—Most decidedly I should say so.

22,773. Mr. Neill.—A fifth at least?—Well, I should say so. I should say they should be able to pay down a certain sum themselves.

22,774. Sir James Caird.—That would be a guarantee in your opinion of their capacity to become landed owners?—Of course, if a man pays a fifth, that is 20 out of 100, it shows he is so far that he is a fit purchaser.

22,775. Have you any knowledge of what are called the congested districts?—No. In my lifetime estate holdings are very small, and thus there has been always poverty and misery, and my whole aim and object has been always to try and get rid of that, where I could do so without injustice, by consolidation of farms.

22,776. Would Government be safe in advancing money to them for the purchase of their holdings directly?—No; I do not think that it would be wise. I think you will have a general strike against the Government, and you will be unable to get those rents unless you collect them by a British army at the point of the bayonet if there is a purchase on a very large scale throughout Ireland. If throughout the length and breadth of Ireland the same thing takes place as has taken place in the county Derry with regard to the estates of the London companies that have carried out sales of their estates there, you will have a general strike against payment of State rent throughout all Ireland, and you will find that impossible to collect unless you collect it at the point of the bayonet by a British army, and remember the whole of that money will go out of Ireland, therefore it must increase Irish poverty.

22,777. And you think anything of this kind would be very unsafe for the British Government?—Yes; but I think that the British Government deserve a little of this country that I would not put myself about at all to save it from money losses in this matter.

22,778. Lord Milnes.—The money would not belong to the Government but to the taxpayer, of whom I presume, Mr. Madden, you are one?—Oh, I should wish to get out of the country, and if I could get the value of my land I would get out of it tomorrow.

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Mr. John
Madden.

22,778. Mr. Knapp.—And these are a great many tenants who would be glad to go away too if they could get what the land cost them?—I am sure of it. It would subvert the whole relations of landlord and tenant, and leave everybody worse off than they are now.

22,780. Mr. Nelgren.—I understood that your tenants managed to hold on very comfortably for 50 years?—Yes, that was before the Land Act. Since the Land Act I have had endless troubles.

22,781. Mr. Knapp.—They made all the improvements in their farms?—Nothing of the sort, sir. I may tell you that all my lands were on long leases, and those leases fell out on the death of George the Fourth in 1830. Old documents prove that my family expended very large sums in the improvement of their estates.

22,782. And have not the tenants made improvements on your property?—They made improvements, but all the houses and fences belonged to me at the fall of those leases, and the lessees show the houses and fences existed before the tenants executed those leases.

22,783. But the tenants erected them?—If they erected those houses it was done long before my time, and before those leases, but under a lease, mind you. At the fall of those leases all those houses and fences and everything on the land reverted to the landlords. That was in 1830.

22,784. Although the landlord never put a stone in those houses?—I beg your pardon, the landlord very often did, and I can produce letters of 130 years ago, showing where the landlord had advanced money, where my predecessors had advanced money for the building of houses in very many cases.

22,785. But is it not your experience, you must know in the part of Ireland in which you live that the tenants make the greater part of all the improvements on the property?—Sometimes they do and sometimes they do not. The landlords have done a great deal too.

22,786. Do they not sower the land?—Certainly not, as a general rule.

22,787. Do they not make the fences?—The fences were there for generations. They were there before the leases. The fences are, as a rule, what they always were before my time. The fact is that if the tenants merely got what was rightly their due for improvements actually effected by themselves, say, within 20 or 25 years, I would venture to say they would get very little for unmechanical improvements. Of course there are exceptional cases where a man has built a good house.

22,788. Improvements will naturally go to the bail from year to year, but still he has had out the money?—Oh, well, if a man laid out 100*l*. in building a house, and the roof is in bad order, would you expect that he should get a good house and money back at the end of the time?

22,789. At the expiration of the lease the house is yours?—At the expiration of the lease the terms of the lease should be carried out. If he is bound to give it up to the landlord as he received it he should do so.

22,790. But if he did not receive them from the landlord, but bought them from his predecessor?—But he could not buy it from his predecessor if he got it at the beginning of a lease; the terms of the lease prove that.

22,791. Did tenant right not exist on your property?—Yes.

22,792. And did no such thing take place as one tenant buying from another?—Yes.

22,793. And did that tenant not buy his predecessor's improvements?—Yes, he paid a certain amount for good will, but that was where there was no lease.

22,794. And made additional improvements?—Sometimes, but in other cases some of them allow them to go down.

22,795. And made new fences?—No. As a rule I

tell you the fences on my estate are practically unchanged, and that the permanent improvements made by tenants on my estate are very small, and the drainage has been done in a very injudicious way, without a proper main drain, and in a great number of those tenants' drainages, in point of fact, the outfall has not been attended to and the land is just as bad a condition as before it was done. Of course where there are cases where drainage and buildings are properly executed the tenant should get the unexhausted value of his improvements, and I have never objected to it, and no reasonable-minded man would object to it.

22,796. I do not say for a moment that where the landlord has made the improvements they should not be taken into account in the fixing of the rent, but where there was a sale of tenant right or where a tenant made all the improvements or bought his predecessor's interest, I think they should be regarded as the tenants'—Oh, of course at the expiration of the lease the terms of the lease should be good by. Where the terms are that he is to give up the land and the fences and houses in good condition, then he has a right to do so. Now, for instance, I have an instance in the county Fermanagh, where the leaseholds of my estate are. Those leaseholds were mostly let to two tenants, and I actually bought the tenant right myself and paid 2,700*l*. nearly. Still the rent was cut down when the lease fell out, and I have been defrauded of the money that I paid for the tenants' improvements to the former tenant—the present tenant paid nothing for improvements—the improvements were paid for by me entirely.

22,797. The President.—I am very much obliged to you for your evidence?—I should like to make a suggestion for a change in the law to prevent combination against payment of rent.

22,798. Yes, what would you suggest?—I have taken down a few headings.

22,799. I think it is hardly within the limits of our inquiry; we have only to do with combinations, and to find out how far it has prevented the payment of rent.—Would you not allow suggestions, for instance, for preventing those combinations?

22,800. I think that is hardly within the scope of our inquiry to entertain suggestions for the purpose of putting a stop to combinations against the payment of rent.

Sir James Caird.—I should think it would be
22,801. The President.—Then we shall be glad to hear your suggestions?—In the first place, many of the difficulties arise about ejections. One of the difficulties is as to the service of ejectments. I would let service of ejectments be all done to be made by posting on the nearest police barracks.

22,802. Lord Milltown.—Is not the case now?—In the disturbed districts it is, but this ought to be for all ejectments. It would save the risk and trouble of going to the man's house, and he knows what his rent is unpaid. At present you must get leave from the courts before it is done.

22,803. And sending him a notice in a registered letter?—Sending him a notice in a registered letter.

22,804. It is done now generally?—Where there have been disturbances. In my own case, in the county of Leitrim, there was at one time serious apprehension of disturbance. Really, that the six months for redemption of holdings should run from the date of the ejectment decree. Really, the execution of ejectment decrees by the sheriff in the first instance should be made by a notice to vacate the holding, and then if the tenant does not vacate the same, and the sheriff has to go and evict him, let him fulfill his right of redemption. If a man chooses to resist the law you should put some penalty upon him. The proper way would be, in my judgment, to notice him, to say, "By this day week take care that you have vacated this holding and given it up to the landlord," and if he chooses to vacate it well and good, but if he says "No, I will not, and you must come

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and get me out by force." I say in that case he should lose his right to redeem.

22,803. I thought you proposed that the time for redemption should begin from the date of the decree?—Yes, provided he vacates his holding by giving up quiet possession.

22,806. Then your remedy would be ineffective?—Pardon me, they still have six months to run. When you have a decree of ejectment, you should be able, as I propose, to serve notice by that day week, say, to vacate the farm. The sheriff would say, "I hold a decree for ejectment. I can put you out. I call 'upon you to give up possession by a certain day,' and if he does not do that, but chooses to resist the law, then the sheriff goes with a force of police and puts him out, and that man should lose his right of redemption as a penalty for resisting the law. Also when bodies of persons assemble to prevent the execution of legal process the expenses of sending a protection party should be levied off the district in the same way as when damage is done by malicious injuries.

22,807. The President.—Levied from the district?—Levied from the district, yes. Another suggestion I would make is as to presentments. Presentments of assizes for malicious injuries are often defeated by traverses, after the grand jury have granted an amount of money for the malicious injury that has been done. Sometimes there is a traverse, and the traverse goes before a petty jury, and the petty jury refuses to certify that, and the thing is defeated in that way. I would suggest that the injured party should then have a right of appeal to the court of Queen's Bench, and that the issue should be tried by the Court itself without a jury, supposing that the verdict of the petty jury is adverse to that of the grand jury.

22,808. Mr. Neligan.—A presentment for a malicious injury can only be questioned by traverse before a petty jury, and then if the verdict of the petty jury was in favour of the traverse and against the grand jury, you would give an appeal to the Queen's Bench?—Yes, to the court itself without a jury, to the judges.

22,809. Lord Alton.—On what ground, on the

ground that the verdict was against evidence?—No, but on the ground that there was a conflict of decisions between the grand jury and the petty jury.

22,810. Then your proposal would come to this, that unless the petty jury endorse the decision of the grand jury, there must be an appeal?—Not necessarily, but where the petty jury did not endorse the opinion of the grand jury, that would be a case where you would have two juries going different ways, and then I would give the court of Queen's Bench the power of re-trying the issue.

22,811. That comes exactly to what I have said, that in case of the petty jury not agreeing with the grand jury it would be a matter of course for the injured party to have an appeal generally, not on any particular point.

22,812. An appeal now against the verdict of jury can only be on certain grounds, for instance, that the verdict is against the weight of evidence, or that the verdict is perverse or for misdirection?—I think that on a traverse there is no appeal now.

22,813. What I was asking you was whether your suggestion was that there should be an appeal on the ground that the verdict was against evidence?—You might have it on that ground if you liked, but the ground I would suggest would be that the two juries had come to different conclusions on the same evidence.

22,814. Mr. Neligan.—That 23 men went one way and 12 another way?—Yes, and that being so, that the Queen's Bench should itself try the case without a jury.

22,815. A traverse need not necessarily be tried before a petty jury, a judge can try it himself?—But they always call for a petty jury.

22,816. Some do, and some do not?—I never saw a case tried without a jury.

22,817. Last night I saw a judge refuse a jury?—In that case my suggestion would fall to the ground. As a matter of fact, judges, as a rule, do not like that responsibility, and as a matter of fact, judges like to leave the matter to the jury almost always.

The Commission adjourned to the following morning.

Monday, December 6th, 1886.

The Commissioners met at No. 26, Merrion Square, Dublin.

PRESENT :

THE RIGHT HON. EARL OOWFER, President.

THE RIGHT HON. THE EARL OF MELLTOWN.

SIR JAMES CAHILL, K.C.B.

MR. NELIGAN, Q.C., Recorder of Londonderry.

MR. KNIFE.

Mr. E. F. LITTON, Q.C., examined.

Dec. 6, 1886.
Mr. E. F.
Litton, Q.C.

22,818. The President.—Mr. Litton, you are, as we all know, one of the Court Commissioners appointed under the Land Act of 1881?—Yes.

22,819. And you have heard appeals from the Sub-Commissioners and also in the land cases from the Civil Bill Courts?—Yes.

22,820. When appeals are heard, at all events at the beginning, used you to have the advantage of a Court valuer and have the holdings valued on your own account?—That is so.

22,821. But I think the value fixed upon the holdings by this Court valuer was not made public, so far as I recollect?—They were communicated to the parties after the evidence had been closed on both sides. The valuers of the Court value the holding as they find it, and irrespective of any buildings. They give their opinion of the value of the land as an agri-

cultural holding, and then we communicated the report to the parties at the close of the evidence to comment upon if they pleased.

22,822. And any allowance that was to be made for the tenant's improvements was made by you, after receiving the report?—After hearing the evidence and reading the report.

22,823. And you have now, I believe, dispensed with the Court valuers?—We have dispensed with the Court valuers for some time past.

22,824. Was that done with your own desire? You considered that for yourselves to go entirely by evidence worked better?—Yes, we considered after gaining considerable experience, for three years or thereabouts, that the practice might be safely discontinued.

22,825. And you find no reason to regret having done so?—No, we still have Mr. Gray, the chief

of that staff, and in any special case, where we think it necessary, we obtain his special report; therefore we have not lost the benefit of the system of Court valuers altogether in cases where we think it specially necessary to have a report. But we do not sell ourselves of the power very often.

22,826. Do not answer the question, if you object to answer it, or if you do not think it necessary; but do you think really, from your experience as a head Commissioner, that on the whole the Sub-Commissioners did value fairly, and did give just decisions throughout the country, and fix the rents as they ought to be?—My belief is that, taking them all in all, and considering they had to perform duties that were novel and new to them, they exercised their judgments certainly with the utmost effort as farmers.

22,827. Impartially and fairly?—Yes.

22,828. Do you think on the whole, in their decisions, that they leaned towards the tenant or towards the landlord?—To neither.

22,829. Neither?—Neither towards the tenant nor the landlord; and I have no reason to believe that the Sub-Commissioners were actuated by anything but the deepest desire to do their duty fairly between both classes. That is speaking generally.

22,830. And I believe, as a fact, that the tenants generally had the rents made too high, and the landlords that they were made too low?—That is so.

22,831. Mr. Neligan.—Which is a tribute to their impartiality.

22,832. Sir James Caird.—Were they on the whole competent men to form a judgment?—I think they were. I think, on the whole, they must be regarded as competent men. It was very difficult to get so many men as were required having the different qualifications, but I think, on the whole, they were competent men.

22,833. And of course further experience will be leading still further to competence?—Certainly; the gentlemen now employed have the last five years' experience of their duties.

22,834. The President.—We have been told by several Sub-Commissioners that in rent-fixing during the last year they allowed, some say 10, some 12, and sometimes 15 per cent.—taking that amount more off the rent than they would have done two years ago. Do you believe that to have been the case?—I apprehend it is the case. Through the last year or 18 months they have been striking a lower average.

22,835. And in the appeals you had lately, are you inclined to fix the value lower than two years ago?—When dealing with rent fixed in the year 1883 and the early part of 1884 we are. We are influenced very much by the evidence given in each case on the re-hearing or appeal; and our effort is to adjust, by the acquired experience of subsequent years, the rent that was fixed without that experience in the year 1883 and the early part of 1884; 1884 was a better year than any of the series, I think it is admitted generally.

22,836. What is the difference, would you say, roughly speaking? What sort of per-centages do you deduct now, compared with what you would before?—To answer that question I think you must have regard to the district from which the case came. I do not think the depreciation in value is at all equable all over the country or in regard to all classes of holdings. I think tillage holdings would be entitled to a larger consideration, than more grazing holdings, and grazing holdings probably should be the lowest in the scale.

22,837. Lord Milnes.—How do you mean lowest?—I mean entitled to the least regard. Then, probably, next to that, mountain grazing, where young stock is raised, deserves greater consideration, and probably tillage is entitled to most of all.

22,838. Where young stock is raised than grazing?—To more consideration.

22,839. Very much more?—Well, I should say to marked difference. With regard to grazing holdings, such as in the county Meath, where stock is brought in the western counties, brought down to the holding

itself and sold off the land, I do not think there is the same ground of complaint, because graziers buy cheap and sell cheap; and the expense is not very much on that class of holding. Where people breed their stock it is otherwise; but the holdings which require most consideration in my mind are tillage holdings, or mixed farms.

22,840. Mr. Neligan.—Would that include dairy farms or purpatures? When I speak of pasture farms or grazing farms I do not mean dairy farms. Are you speaking of the Land Act?—Not at present.

22,841. The President.—Do you think for the purpose of fixing rents it would be desirable to have, if possible, a mode of sliding scale?—I have thought an arrangement on something like a sliding scale might be arrived at; something upon the principle according to which the rent-charges used to be adjusted, but there is enormous difficulty.

22,842. Have you thought it advisable establishing something of that sort?—Yes, but the difficulty is in having so reliable statistics of prices; first, and secondly, of quantities of produce. The area in respect of the statistics should be a very narrow one. Even county returns would not give sufficient information. The difficulty would be to start, and unless it was a self-acting procedure, such as landlord and tenant could themselves apply directly and be able to settle their revision, the system could not possibly work.

22,843. And do you think it possible to establish a self-acting scheme? Would there be any great difficulty except finding out the prices?—Well, if you gave me the prices, and the produce derived from a sufficiently narrow area, I do not think the difficulty insuperable.

22,844. I suppose it would be most difficult to arrive at these prices?—It would, owing to the character of the holdings in Ireland. They vary so much in each county. You should have a different standard for dairy farms, for mixed farms, for tillage farms, for grazing farms, for mountain grazing farms, and the various classes of farms. I had at one time thought of asking the Treasury to allow us to originate a department in connexion with the Commission for the purpose of collecting such statistics, but having regard to the practical difficulties of the question I did not make the application. The Treasury are slow to entertain any application involving expense, as we all know.

22,845. Indeed they are. Then, although you have turned your attention seriously to the matter, you have not been able to satisfy yourself that it would be possible to adopt the proposed plan?—I would be sorry to say it is impossible. I think one's ingenuity and experience ought to be able to frame a scheme if it was thought desirable, and if those difficulties I have mentioned could once be got over.

22,846. It has nevertheless been represented to us that this sliding scale would be very satisfactory to the tenant and for the peace of the country, so long as it went sliding down, but that if ever it took the other turn and began to slide up again, it would be very difficult to enforce. Is that your opinion of the case?—My opinion on that would be, that if the tenants were not interfered with by outside influence, they would not object to allow the rents to rise according to the sliding scale, if the sliding scale was a reasonable and fair one, and could be applied. I do not believe the tenants are, speaking at large and generally, at all unreasonable in their views. I think that they would be prepared to admit the propriety of the rise of rent under conditions that would justify it, if they were not interfered with.

22,847. But supposing the proposed scale to be impossible, what term do you think advisable for fixing rents? Do you consider the limit of years should be five, or should you have any period?—No. I should think five years too short. A revision of rent every five years, with such arrangements as we have existing now, would keep people constantly in litigation.

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Mr. E. F.
Lubbock, Q.C.

22,845. Do you think that a more frequent periodical revision would not be practicable?—I do not think it would be practicable under existing conditions.

22,846. Well, supposing this fall to be continuous or be permanent, and that it was found year by year impossible for the farmer to pay his present rent, which was judicially fixed, what remedy would you propose?—Well, that is a very serious question. A fair rent can only be fixed according to the circumstances existing at the time of its fixation, arrived at by the experience of gentlemen who understand the subject, and have knowledge of it, and who apply their general judgment as to what is to come, and what has gone by. If they arrive at the conclusion that a certain sum is a fair rent for 15 years, I think that ought to be adhered to.

22,850. But if the case is impossible, the tenant ought to go?—If the tenant fails to pay his rent legally he should give up his farm; but I need hardly say that in seasons of distress, great forbearance should be shown.

22,851. And if the landlord cannot find anybody to take it?—Then it must settle itself on the ordinary principle of supply and demand, or he must farm it himself.

22,852. Do you think that up to now it has been impossible for the tenants to pay the ordinary judicial rents, except by drawing on their capital or some other resource?—I think not. I think tenants ought to be able to pay the ordinary judicial rents, probably with the exception of last year, 1885, and the year 1886 has been a very bad year also, and in most cases they ought to receive an allowance for those years.

22,853. Then nothing has been ascertained yet, in your opinion, to justify an alteration?—I cannot conceive anything to justify legislative interference with the rents fixed under the authority of the Act, if there is to be any finality, or if there is to be any trust in the Legislature.

22,854. And do you think, supposing a revision was made, that it would be more unfair to the landlord to revise the rent again than was fixed four years ago, than it would be to convert that rent into a produce rent in such a manner, that at the moment four years ago, when the rent was fixed, that rent should be the same as the rent you actually did fix?—If a produce rent was adopted, I would not apply it to judicial rents already fixed until the terms had run out.

22,855. Oh, you would not?—No. I look upon judicial rents as almost sacred. Fairly ascertained according to the best judgment, and according to the best experience that can be applied under the authority of what is a court of arbitration, nothing would induce me to vary them by Act of Parliament unless the parties consented.

22,856. Not even after the fall that has taken place?—No. I think that ought to be left to the parties themselves. As regards the future fixing of rents, I would apply the produce and price system in connexion with produce dependent upon the harvest, for prices might go up by reason of a scant harvest; but as regards things gone by, I do not see, if every five years there is to be a re-negotiation, there ever would be an end of it.

22,857. Would you be able to convert the old judicial rent into a produce rent by looking at the prices that existed at the time that the rent was fixed?—I think that might be done with the consent of the parties, and probably very many landlords and tenants would concur upon the subject, though not consenting to any revision at the instance of one party alone—I mean at the instance of the tenants without a corresponding right.

22,858. You think, still, possibly it might be done, but you doubt about the justice of it?—I think it might be done. I should be sorry to say it could not be done.

22,859. Lord Malmesbury.—But you doubt about the justice of it?—As applied compulsionally to existing judicial rents I think it would be most unjust.

22,860. The President.—I believe certain holdings, as we know, are excepted from the Land Act of 1881—first of all, the case of leaseholders?—Yes.

22,861. Do you see any reason why they should be excepted?—As regards leaseholders, I do not, speaking generally, see any reason why they should be excepted so far as the revision of rent is concerned. I think the lessee ought to stand, and I think the rent might be revised, but I consider that observation to certain classes of leases, that is agricultural leases, where there is the ordinary agricultural term of 21 or 31 years, or lives and years; not to a long term of years, such as a term originally created for one hundred years or upwards. I would also exclude leases which were sanctioned by judicial authority under the Land Act of 1881, and perhaps also under the Act of 1870. I think that where the contract was subjected to judicial examination and sanction the lessee ought to be regarded as possessing a validity which leases not so sanctioned cannot possess.

22,862. Do you think it easy to define the kind of leases that might be excluded?—Yes, I would confine the exclusion to all leases originally created for a term of so and so. I would admit all agricultural leases for the ordinary terms of 21 years, 31 years, or lives and years, and I would exclude those made under the Act of 1870 or 1881, of which there has been a considerable number.

22,863. With regard to perpetuities, there are certain perpetuities, it has been represented to us, which were created and forced on the tenants for the purpose of evading the Act of 1870, and which do not come into the same category as those which the Court has got the power to break; do you think these might be broken in the same manner?—I see no reason why every lease, where it was forced, by pressure or coercion, upon the tenant, should not be broken.

22,864. Do you think it would be easy to define leases which might be broken?—I should not think of applying the power to all leases, only to those agricultural leases which seem in the opinion of the Court unfair, or which were forced on the tenant at any time under threat of eviction. The 21st section of the Act of 1881 was a very unworkable section, and it was limited in duration to applications made before a certain date. That section is out of the Act practically now. It has ceased to operate. I think that out of some dozen or twelve hundred applications, we set aside comparatively few.

22,865. Lord Malmesbury.—Do you think it ought to be extended?—I would allow it to be general, for I think it is a right thing to do.

22,866. There seems no reason why it should be limited to six months?—No reason on earth.

22,867. The President.—Presumably you would admit all leaseholders to end perpetuities of a certain nature?—No, not perpetuity leases, or leases of long duration substantially equivalent to perpetuities.

22,868. For the purpose of setting them aside?—I would extend the 21st section now existing so as to enable leases to be set aside, not on the ground of equitable fraud—the Court of Chancery having already the power to deal with that—but on the special grounds of equity created by that section. I would allow all agricultural leases, excepting judicial leases, or leases made under the authority of the Acts of 1870 and 1881, and those exceeding the term of 100 years, to have the rent revised, though the lessee would stand. I would not revise a perpetuity rent unless on special ground of threat of eviction.

22,869. But you would not revise a perpetuity in the same way that you would an ordinary lease in the way of rent?—I would not, because I take it that if the parties creating the perpetuity acted honestly and honourably between each other it ought to stand; but if it could be shown that it had been created through fraud, coercion, or pressure under threat of eviction, I would give relief in the case of any instrument.

22,870. You would exclude perpetuities and leases exceeding 100 years?—Yes, or some such term.

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22,871. Then there is another kind of holding excluded, land let for the purpose of pasture. Do you see any reason for altering that?—I think that might very well be eliminated out of the section.

22,872. Lord Millican.—Altogether?—Well, I think so. I do not see any reason why land let to be used for pasture should be excluded from the Act.

22,873. The President.—Do you suppose that the farmers that the large farmers could take care of themselves, or what was it?—No, because very often it applies to a comparatively small farm as well as to a large farm. Most of that class of holdings are mountain holdings. They extend over a very large acreable extent but generally are of small sitable value.

22,874. Mr. Nathan.—These valued over 50*l.* are within the statute?—No, it is the other way.

22,875. Lord Millican.—Then it gets over a very difficult point, because it would be a very considerable mountain holding that would be valued over 50*l.*?—That is true.

22,876. Do you think that any pasture should come within the Act, no matter how large the holding?—On the whole, I do not think there is any sufficient reason for excluding pasture holdings.

22,877. Sir James Caird.—But is not there a very large proportion of the best land in Ireland in permanent pasture—not mountain land, but fine grazing land?—There is a proportion of land in Limerick, Meath, West Meath, and Roscommon which is only used for pasture.

22,878. Mr. Nathan.—The exception from the Act is:—“(1) Any holding which is not agricultural or pastoral in its character, or partly agricultural and partly pastoral; or (2) any domestic land or any land being or forming part of a home farm or any holding ordinarily termed ‘town-parks,’ adjoining or near to any city or town which bears an increased value as accommodation land over and above the ordinary letting value of land occupied as a farm, and is in the occupation of a person living in such city or town or the suburbs thereof; or (3) any holding let to be used wholly or mainly for the purposes of pasture, and valued under the Acts relating to the valuation of property at an annual value of not less than 50*l.*; (4) any holding let to be used wholly or mainly for the purposes of pasture, the tenement of which does not usually reside on the same, unless such holding adjoins or is ordinarily used with the holding on which such tenement usually resides.” &c. That is the whole thing.

22,879. Lord Millican.—Then they stood already in the Act?—They stood already in the Act, provided the Poor Law valuation is under 50*l.*

22,880. Sir James Caird.—Under? If over 50*l.*?—They did not.

22,881. So that the Act does not apply to large grazing farms?—Precisely.

22,882. Whether higher or not?—Whether higher or not.

22,883. Lord Millican.—And do you think that these holdings very large grazing farms require to be protected by the law?—I do not. It was a very great question at the time the Act was passing whether there should not be a limit of valuation beyond which the Act should not be applied. It was thought better to have a universal law extending to all them to have an exception, as these large holdings were, after all, few. No doubt these men are quite able to take care of themselves.

22,884. Sir James Caird.—They are generally truly tenants, are they not?—I think so generally. But at the same time, if that section was rightly applied a large portion of the West of Ireland tenantry would be excluded entirely, because the Court of Appeal has held that “let to be used” does not mean by contract but by purpose; and therefore they would look at a mountain district and say, What was present to the minds of the two parties when they took the land? Was it to be used as pasture? And if, looking at the circumstances, the Court came to the conclusion

that the purpose present to the minds of the parties was pasture farming, the holding would be held to be excluded. Every one knows that in the West there are large tracts of land that cannot be used in any other way. Nine-tenths of the holdings are used for rearing young stock, and in Kerry and Limerick for butter; and if that view of the section was rightly enforced there would be a number of holdings excluded from the Act.

22,885. The President.—You go on the principle of bringing in as many as you can?—Yes.

22,886. Lord Millican.—Would not enlarging the valuation from 50*l.* to 100*l.* meet your case?—It would certainly improve the position. I would prefer to alter the section by making it a matter of contract and not purpose. If the parties come together and take the holding and expressly say, “I take this for the purpose of pasture,” then they might be excluded. Our Court so decided, but we were held by the Court of Appeal to have decided wrongly, and that “purpose” rules the section, and not merely contract. Once you get to purpose you are on a very uncertain ground.

22,887. Lord Millican.—Do you think that the working of this decision has caused any very great hardship?—It has caused hardship in some individual cases, but it has not been relied upon very largely by the landholders.

22,888. I suppose the graders do not employ any considerable amount of labour, do they?—They do not. They are men who simply keep a hand.

22,889. So far as the community generally is concerned, they are not very useful members of society?—No, and they have not very much sympathy.

22,890. Sir James Caird.—They do not invest much capital in the land? I suppose that is the distinctive principle between arable and pasture land?—It is. In point of fact, they only invest money in the purchase of young stock in Spring.

22,891. Mr. Nathan.—I thought what the Court went upon was that there must be a contract expressed or implied, for the purpose of the letting indicated.

22,892. The President.—And that the land was not capable of being otherwise used?—That would be quite sufficient. That was the case of *O’Brien v. White*. It was a district in Clare, and the land was almost covered with rock, but there was very good land between the rocks here and there; the man lived on the holding. He tilled some portion of it, but it was small in relation to the whole holding. There was nothing in the way of a contract to show that the land was to be used in that way; but it was proved beyond doubt that it was precisely impossible to till the land or use it otherwise than as a pasture farm.

22,893. So that he was excepted?—He was excepted.

22,894. With regard to pasture you would not admit every one indiscriminately?—I think, as Lord Millican says, it might be extended to a larger number. The 50*l.* might be extended to 100*l.* Something like that, I think, would include most of the cases, which otherwise, if dealt with on the principle established by the Court of Appeal in *White v. O’Brien* would be hardly dealt with.

22,895. Lord Millican.—Would you still continue that section’s provision with regard to residence and other things?—I would not. It would only complicate it.

22,896. The President.—With regard to town-parks, would you make any alteration in the law, which excludes them?—With regard to town-parks, I am of opinion that it is desirable to maintain town-parks, but I would not have them in the position in which they now stand. I think they are of enormous advantage as accommodation land to the inhabitants of small towns; not to villages, of course, nor to large towns, but to ordinary country towns in Ireland they are of enormous public advantage, and I think they ought to be maintained.

22,897. You think they should be left in the position they are in now?—No. The alteration I would

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suggest with regard to town-parks would be, to allow them to have their rent fixed, but I would not give them a statutory term. I would provide that the town-park rent might be revised by the Commission, but that the landlord should have power to resume possession at any time for building purposes, giving compensation for actual improvements; and I would do more than that, because I would prevent or prohibit assignment. One of the main features of the Act no doubt is to give free sale, but I would not allow the holder of a town-park to sell his interest except where the right existed under the Ulster custom.

22,908. Then they would be in a peculiar position by themselves?—I would deal with town-parks specially, and not bring them within all the provisions of the Act, but I would allow the rent to be revised, and I would maintain the town-parks in the owners' hands for the benefit of the town, and not allow it to become the property of the town-park holder, who might immediately after leave the town. I would provide that so long as he held it there should be no revision for 15 years, but I would not allow it to attract ownership or free sale. I think that ought to meet all classes of town-parks in Ireland, and I certainly think that town-parks are for the public advantage.

22,909. Lord Midleton.—You would not allow the landlord to resume possession during the running 15 years term, except for building purposes?—Except for building purposes. Your Lordship is aware that one of the chief features of the Act of 1881 is that no landlord can as a rule resume possession during the first 15 years.

22,910. You think he ought to be permitted to resume possession for a certain specific and limited purpose?—For the purpose of building, or for schoolhouses, or churches, or for the general benefit of the State.

22,911. The President.—I now pass to the Purchase Act of 1885. Have you watched its working? I suppose you have?—Well, since the Act of 1885, the administration of that Act has been given altogether into the hands of my two colleagues, Mr. Lynch and Mr. McCarthy. We have not interfered with the administration of the Act, and therefore I can only speak from general knowledge. Under the Act of 1881 I assumed it to be my duty to see that the price spread upon between the landlord and the tenant was a fair price in respect of which they should advance three-fourths; under the Act of 1885, as I understood, the landlord and the tenant settle their own price, and the Commissioners secure the Treasury by the power given to them of requiring a guarantee deposit, not less than one-fifth of the advance. They apply their minds to ascertain whether under the circumstances of the contract they should not demand that the deposit should be more than the one-fifth.

22,902. They can exact more than the one-fifth?—They can exact more than the one-fifth, and where the duty is not cast upon them, to ascertain whether it is a fair price between landlord and tenant, it is possible to protect the Treasury by saying "if this is too high a price, we will secure the Treasury by making you deposit more than the one-fifth."

22,903. Lord Midleton.—Have they that power?—Yes.

22,904. The President.—And they may also say they will not allow the purchase without giving any reason at all?—They may say that; they may reject the purchase as *totæ*.

22,905. And indirectly, in protecting the Treasury they would protect the tenant from paying an exorbitant sum?—Well, except they go to the extent of rejecting the contract altogether.

22,906. Practically, they very often reject the contract altogether because the price is exorbitant?—They have, I believe, in some cases.

22,907. Mr. Nelson.—They do not fix the price?—They do not, but the very object of the Act was avoided. The complaint which was made against the administration of the Act of 1881 was that the Land Commis-

sioners prevented the landlords from getting what they tenants were willing to pay. The landlords would name a price with their tenants, and it was alleged that the Land Commissioners interfered in some cases and would say to the tenants that they were giving too much, and were not getting value for their money. That was the allegation.

22,908. Lord Midleton.—They cannot take less than one-fifth, but they may take more?—Exactly, so far as I understand—I do not speak positively—the way they act is, where the price is fair and reasonable, they retain the deposit of one-fifth; and in case there is a suspicion is the matter that too much is proposed to be given for the land, they say to the landlord, "We will sanction this, but require you to deposit more"—or reject the application altogether.

22,909. Sir James Caird.—Then, the tenant might be led in that way into paying very much too much for the property?—Doubtless.

22,910. And the security of one-half might not be enough?—It might not.

22,911. In congested districts one might imagine that?—Yes.

22,912. Sir James Caird.—They are able to retain the price, or stop the sale?

Mr. Nelson.—Yes; they say "We will not sanction more than so much," or whatever it might be. That is their master's word.

22,913. Mr. Nelson.—I only speak from what I have been told. I have no actual knowledge, because I do not interfere. But undoubtedly they do require a larger deposit in some cases than in others. I point out this, that the result is, and I believe there is no doubt about it, that landlords require a larger sum in consequence of the fact that they have to leave a deposit, than they would be willing to take if it was a cash transaction.

22,914. The President.—Therefore the deposit in some cases acts injuriously?—It acts injuriously in the sense indicated, and in another sense it is of no value, because if the Government have confidence in the Commissioners doing their duty, the transaction ought to be a fair cash transaction between man and man. If you handicap one or the other, the result will be that the terms will be made to suit. The landlord discounts the transaction. If it was a cash transaction, he would sell on more reasonable terms, and thus a fictitious value is put upon the land.

22,915. That is a very important point, as that is the reason why the tenants are so anxious that the one-fifth should be done away with, because it affects them so much as the landlords. But you think that in some cases the retention of the one-fifth would be necessary, that there would not be sufficient security without it?—My idea, and the idea which I believe, Mr. Justice O'Hagan and Mr. Vernon hold, and which we have held for the last two years, is, that the fair price ought to be settled by the Commission, and the entire purchase money advanced, unless in special cases in the discretion of the Commissioners. In other words, that they ought to arbitrate between the landlord and tenant; that the Commissioners ought to have the power to ascertain whether or not the price is the price that ought to be given.

22,916. Not upon appeal, but in every case?—In every case.

22,917. Lord Midleton.—I should like to understand that. In every case the Commissioners ought to have power to arbitrate as to the price. Does that mean compulsory sale?—Oh, no.

22,918. The President.—You would still advance the money under Lord Ashbourne's Act for voluntary arrangements?—Yes, and those are voluntary arrangements. I am only speaking of voluntary arrangements.

22,919. Lord Midleton.—In such cases where the parties have agreed to sell, but not as to the price, the Commission should interfere?—Yes. My view is this, that the parties having the right to come in under the Acts of 1881 or 1885, naming the price, that the

Quasi-vendors ought to have the responsibility of ascertaining that the price is a fair price; and if they were of opinion that the price was too high, that they ought to have the power to say "this price is too high," and if a fair price was offered, that they should proceed to carry it out.

22,930. The President.—That actually comes to the fixing the price?—In that sense. It controls the price, I would rather put it.

22,931. Mr. Nelson.—That is what they do at present.

22,932. The President.—That gives them more power than the power of arbitration when the parties differ?—I was not contemplating forced sales, because I am against it.

22,933. You are decidedly against compulsion?—I am, decidedly; I cannot conceive anything more unjust. I do not see on what principle at all compulsory sale can be maintained.

22,934. It has been represented that in the quiet South, and up in the North, where the tenants have always been very well behaved, and the landlords, I believe, very happy and comfortable, that these landlords will not sell, at all, and that therefore these tenants have no chance of hope of becoming owners, whereas in the West and South some of these landlords are only too willing and anxious to get rid of the land at 17 years' purchase, so that the tenants by their misconduct will benefit and get their land cheap, and this apparent injustice would be obtained by compulsory purchase?—I think that, any Irish owner of land has as much right to live in the country as any tenant farmer. The expropriation of landowners from a country by force is equivalent to a sentence of banishment, even if they are compensated; and in the case which has been put, the conditions of society in the North may be such that the landlords value their tenants and that the tenants are satisfied with their landlords, and I do not see that there is any reason why the landlords should be forced to sell.

22,935. These are not my own arguments, I am only turning the case round and round?—I know. As regards churches, colleges, corporate bodies, and companies, I would be quite prepared to adopt the principle of compulsory sale. These institutions ought not to hold land.

22,936. Lord Milnes.—No corporate body?—No corporate body.

22,937. The President.—You would apply compulsion to corporate bodies?—I would.

22,938. Then there is another point. Sales are stopped by combination in the South, but if they were allowed you think they would buy and sell?—I have no idea of it.

22,939. You are against compulsion, because you think it is opposed to justice?—Yes. The argument applied with regard to railways taking land for public purposes is wholly inapplicable to the wholesale expropriation of one class. It would be equally just to forcibly expropriate every tenant out of the country.

22,940. And if you go according to the principle of strict justice, the same would apply to the Act of 1881?—I do not agree with you; I always had a high opinion of the equity of the Act of 1881.

22,941. Mr. Nelson.—The Act of 1881 was framed on the principle that one of the parties affected by it was not free to contract?—That was the basis of it.

22,942. The President.—Therefore you think that the Act of 1881 was practically justified by an argument that does not apply to compulsory purchase?—I have always held that opinion. Then, with regard to the Purchase Acts of 1881 and 1885, there are certain hindrances to the success of the Acts, chiefly legal or technical. The difficulties of title connected both with the landlord's and tenant's title

present great obstacles to successfully working the Acts.

22,943. The difficulty of title?—The difficulty of the landlord's and tenant's title.

22,944. Before we leave this subject I shall ask one more point and dispose of it. I suppose you find head-rents and other charges very much in the way?—Yes. Head-rents and other charges are what I call one of the hindrances to the title.

22,945. Do you think that there is any other way out of the difficulty than by compelling the owners of the head-rents to sell? Am you in favour of compulsion going that far?—Well, the owners of head-rent do not stand in the same position as the owner of property, I think, regarding him socially.

22,946. Lord Milnes.—But really he is the owner of the property? The owner of the head-rent is seized of the fee simple?—Of the fee, provided it be a tenable interest out of which the rent issues; assuming it is not a fee farm grant.

22,947. Even if it is?—No. It is then a rent-charge.

22,948. Surely he has the reservations of his lease?—No doubt he has; the minerals, and the rights of sporting and fishing, and the like.

22,949. The fee simple must be in the owner of the head-rent, for he was originally the owner of the land?—It is not a matter of surprise that your Lordship should entertain that opinion, but that is not the law.

22,950. But tell me how I am wrong in that statement?—You are a rent-charger upon the fee simple, and the tenant is a fee farm grantee. If the Leased Estates Court was selling an interest—

22,951. What do you call the landlord of land let by a lease for lives renewable for ever?—I call him the landlord or owner in fee; and if the State compulsorily changes that lease into a fee farm grant, he ceases to be owner in fee.

22,952. He does! Then it works a greater injustice than I was aware of.

22,953. Mr. Nelson.—Practically none.

22,954. The President.—Your opinion is that he is in a different position from that of an ordinary landlord?—Yes, I think a man who leases a fee farm rent out of his property is in a different position from that of the owner of an estate in the hands of ordinary tenants. I think that in the former case it is more easy to justify the compulsory redemption of his quit-rent or fee farm rent.

22,955. That if?—That if an estate should be sold to tenants subject to a fee farm rent, covering the whole of it, I think there ought to be a power of apportionment, and there ought to be the power of redemption. The idea I would suggest with regard to that would be this, to make it optional with the owner of the rent-charge to require his rent to be redeemed if dissatisfied with the apportionment. I would give the Commission power to apportion by force.

22,956. Among the different purchasers?—Among the different purchasers, making each subject to a proportion. That would be undoubtedly an injury to the owner of the rent-charge, because he would have to collect it from a number of tenants instead of one, and I think he ought to have the option, if he pleased, not to accept that position, but to require the Commission to redeem his rent-charge.

22,957. And I suppose, even if you give the power of apportioning, all the objections will not be done away with; because the tenants will not be so willing to buy if there is a charge upon it?—It is not possible to get rid of them altogether, but that is the way I would propose to deal with the difficulty; you cannot say I will take your rent-charge, and pay you off at 15 or 18 years' purchase. The rent-charge issuing out of a sufficient estate ought to be as sale as the funds. Well, if the owner says, "I am dissatisfied with your apportionment because it throws on me the burden of

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"collecting from a number; I require you to redeem," he should have the right to do so. The proposal I would venture to make would be that the redemption price should vary according to a scale, having regard to the security out of which the rent-charge issues.

22,945. Sir James Caird.—The number of years' purchase?—Yes. Allow me to read for you portion of a draft Bill which I framed in the early part of 1881. (Reading.) "When the estate so purchased is, together with other lands not the subject of the sale, subject to any rent, rent-charge, or annuity sum, the Land Commission may, by sealed order, after notice given to the party entitled to the rent, rent-charge, or annuity sum, apportion the same between the estate purchased and the other lands out of which the same may issue, and may also, by the same, or any subsequent order, apportion the amount of the apportioned part issuing out of the purchased estate among the holdings constituting the purchased estate, so that no holding shall be liable for more than a fixed part of the rent, rent-charge, or annuity, provided that the owner of any such rent may require the Land Commission to redeem the apportioned part affecting the estate purchased by them, according to the following scale, that is to say:—(1.) If the apportioned part of such rent does not exceed two-thirds of the annual value of the land as rated under the Acts relating to the valuation of property, and out of which it is by the sealed order declared to issue, the redemption price shall be at the rate of $\frac{1}{2}$ years' purchase, and if the apportioned part of such rent exceeds one-half of the like rateable value, the redemption price shall be at the rate of $\frac{3}{4}$ years' purchase. (2.) When any rent is so apportioned and redeemed by the Land Commission, the money paid for such redemption shall be included in the price of the holdings, each holding bearing its ratable proportion thereof."

22,946. Sir James Caird.—Do you suppose it always would be so?—I presume it would if the sale was fixed at all an liberal terms. This is the Bill that I drafted, and which I communicated to Earl Spencer when he was here, and which I read him very strongly to take up, and it deals with these questions of the amendment of the Act of 1881 with regard to purchase, and amongst others that was a clause of it. It is a public document now. Perhaps you will allow me to hand in a copy of the Bill, because I think it contains a great deal of matter which would be interesting to you. It embodies the result of the Land Commissioners' experience during over three years' administration of Part V. of the Land Law (Ireland) Act. The first clause, as is explained in this memorandum "(1.) authorises the Commission to advance the whole of the purchase money, but only where the security is full and ample, without any guarantee. (2.) To fix the annuity in repayment at four per cent. for 99 years, so as to make the annual payment by a tenant purchaser, having at the average rate of purchase that has prevailed, less than his former rent. (3.) To give power, where the Land Commission buys an estate for resale, and difficulty as to the title arises, to pay the purchase money into the High Court for distribution by the Land Division of that Court as if it were the proceeds of a sale of land by that Court. (4.) To empower the Land Commission, on such payment of the purchase money into Court, to vest the purchased lands in themselves in fee simple." The Bill would authorise that every advance made by the Land Commission should have priority over all estates, charges, and interests affecting the holding in respect of which the advance should be made, save and except quitrent, tithe rent-charge, and charges due to the Commissioners of the Board of Works under the Land Improvement Acts which should be subsisting at the date of such advance.

22,947. The President.—Have they machinery for administering an estate?—Yes, entire machinery.

Under the Railways Act, where land is taken for the purposes of the Act, the money goes into Chancery to be dealt with there, as if the land and the expenses of the distribution of that money fell upon the railway company who are called the promoters. Here, in order to avoid throwing all the expense of administering the land upon the Land Commission, who would, under the proposal, vest in themselves, land, however incumbered but contracted to be sold, it was suggested that five per cent. would be a fair sum to add to the purchase money, to create a fund to meet the expenses of solicitors in the Land Division of the High Court.

22,948. Then the tenant would pay that?—Yes, the land which would be bought by the Commission would come over as it is, and they would then sell it to the tenant free from all charges.

22,949. Mr. Nelson.—Would not that put the tenant to the disadvantage that in buying he should have to pay five per cent. additional?—No doubt, but that could be provided for out of the funds voted for the administration of the Act. "All moneys lodged with the Accountant-General of High Court of Justice in manner aforesaid shall be subject to all the estates, rights, interests, charges, and incumbrances in which the parcels of land named in the vesting order, and by the sale of which the fund was produced, were, at the date of the vesting order, subject, and the High Court of Justice, Land Division, shall deal with and dispose of the said fund in all respects as if the same was the produce of a sale of said parcels of land by said Court under the provisions of the Act of Parliament passed in the Twenty-first and Twenty-second years of the reign of Her present Majesty, entitled, 'An Act to facilitate the sale and transfer of land in Ireland,' save only that the said fund shall not be subject to the duty imposed by said Act." It is proper to be borne in mind in relation to the subject of purchase that the security "the State gets is not only the landlord's interest, but the tenant's interest, and with the view to show that that is a substantial interest, would I refer to a report prepared by Mr. Mierrough O'Brien, a gentleman of great experience and high official position as our Commissioner, which is an interesting one, and a very strong one, practically showing that the Tenant would be safe, by the experience of the sales that have been made of tenants' interest, of a fair and proper contract was carried out on the principle of no guarantee. These prices were in 1885. This is the report:—

MEMORANDUM ON THE SECURITY FOR LOANS GRANTED FOR THE PURCHASE OF LAND UNDER THE LAND LAW, 1881.

1. The security of these loans is not insured by limiting them to a fixed proportion of the price; the whole of a low price may be better secured than a portion of a high one. 2. The proportion should not be reasonably be to the value of the holding; i.e., to the value of the fee and the tenant's occupancy together. 3. The Land Act Amendment Act, 1875, limited the loan in this way; and as Judge Flanagan pointed out in his evidence to the Select Committee on the Land Act (p. 395), the whole price might have been advanced in those cases where it did not exceed two-thirds of the value of the holding. This construction of the law, however, was never acted upon, and the Land Law, 1881, reverted to the principle of making the proportion one between the price and the loan, instead of between the value and the loan. 4. So far as the sales under the Land Law throw any light on the security afforded by the full value of a holding for a loan of the entire price of the landlord's interest, it is clear that in many cases there would be ample security for a loan of the entire price. 5. The following table, taken from a paper read to the Statistical Society, shows the relative value of the fee and the tenant's right of the same farms in some cases of recent sales.

COMPARATIVE PRICES RECENTLY PAID FOR THE
TENANT-RIGHT AND AFTERWARDS FOR THE FEE
OF TWENTY-FOUR FARMS.

County.	Rentable Value.	Rent.	Price paid for		Number of Years' purchase of Rent, &c.	
			Fee.	Tenant- right.	Fee.	Tenant- right.
Aberdeen	6 4 6	8 6 4	1,041	1,400	28	32
	18 20 3	26 12 0	1,125	1,775	25	30
	11 10 0	12 12 0	588	800	21	25
	14 10 0	16 7 0	588	800	21	25
	27 0 0	15 7 10	375	600	16	20
	27 0 0	15 7 10	375	600	16	20
	27 0 0	15 7 10	375	600	16	20
	27 0 0	15 7 10	375	600	16	20
	27 0 0	15 7 10	375	600	16	20
	27 0 0	15 7 10	375	600	16	20
Dumfries	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
Glasgow	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
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	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
High	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
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	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
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	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
High	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
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	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32
	18 0 0	22 12 0	1,000	1,400	28	32

clauses to produce are thus lost or weakened. 15. No better evidence of value could be given than a cash payment of part of the price by the buyer; but under the present system, this need not and does not generally take place, and when the loan is proportioned to the price without there being any cash payment, it is far more difficult to estimate the real value; an advance of three-fourths is claimed as a right, and it is considered sufficient evidence of value that the tenant is ready to agree to a second mortgage for the fourth not advanced by the Government. Such agreements have sometimes been entered into by the poorest and most ignorant tenants to avoid ejection or other proceedings for rent recovery. 16. No limit of years' purchase on the rentable value or on judicial rents would provide security against over-leasing; any such limitation would tend to bring in all bad estates that were not worth the rate at which the limit was placed, and would prevent the sale of good estates. The rates at which sales we made last year through the Land Commission varied from 7 to 31 years' purchase of the rent, and the farms sold at the higher rate were far cheaper and better bargains than those sold at the lower rate, and would have been good security for an advance of the entire price. 17. It is evident that judicial rents—say in a western district, where the average rentable value of holdings is 32, or 41, and where the population near their rent by labour outside the district—are not worth as much and are not as good security as judicial rents of substantial farms on first class estates in North, Austria, or any prosperous district. 18. Limiting the loss to a proportion of the price does not ensure the selection of a better class of tenants as proprietors; it is just as often the least prudent, thrifty, and energetic who are ready to borrow the required fourth at a high rate of interest, or to agree to give the vendor a second mortgage, as those who are more prudent and industrious. 19. While I advocate power being given to lend the entire price, it is only where fully secured by value that I do so; the first consideration should be the security of the public money; and this should be strictly provided for and repayment most stringently and punctually enforced. The whole price could only be lent where it was low; but low, measured not by any number of years' purchase, but in relation to the consolidated value of the fee and the occupancy. 20. Security would be as effectually provided for as at present, by asking loans in proportion to the value, and not to the price, which may be very high or very low, by making the interests secured by tenant purchases more easily and cheaply saleable than they are at present, and by giving power for the summary recovery of the loan itself from defaulters. 21. If part payment were encouraged by making the rate of interest lower for loans of less than the whole price, where the buyer made a cash payment to or through the Land Commission, or other lending body, those buyers who had money available would readily pay what rent they could. Early repayment should also be encouraged by similar means. 22. Until the entire price—where fully secured by value—can be lent, to great number of sales can take place, and few estates can be sold to the tenant. 23. There are many properties now in the market which—granted such powers as I suggest—might be bought and disposed of without the smallest fear of loss. 24. Among other officers, overtures were recently made to the Land Commission for the sale to them of a large estate belonging to a public company, for a price at which I believe a result might have been effected, not only without loss, but at a considerable profit if it were thought desirable. 25. In the case of loans made under s. 24 (b), which permits an advance of one half the fine for a fee farm grant, reserving a rent not exceeding three-fourths of a fair rent to the landlord, it seems to me that the security is very bad, the rent reserved having priority over the loan; no loan of public money for the purchase of land should in my opinion be made except as a first charge on the fee simple, or on an estate equivalent in value to fee simple. 26. The state of the law relating to title and

Dec. 5, 1886.

Mr. E. F.
Latham, Q.C.

6. Of course there are not many cases where recent sales of tenant-right can be compared with the prices, under the Land Law, of the fee of the same farms, but statistics of sales of occupancy in different parts of Ireland establish beyond doubt that the value of the tenant's interest is often quite as much as, sometimes more than, any price likely to be obtained for the fee. 7. I do not however mean to suggest that every tenant has a valuable and marketable interest in his holding; there are many farms let at their full annual value, in which there is little or no occupancy interest, and there are districts where, owing to the general poverty and declining prosperity, there is but an uncertain market for occupancies. 8. The security for a loan of the entire price to tenants buying from their landlords depends on:—The value of the tenant's interest (or company); the price given for the fee; and the circumstances of the district. 9. In many districts the value of occupancy is as ascertainable and more capable of being correctly estimated than the value of the fee, inasmuch as occupancies are more often in the market than the fee. 10. The price at which the fee is sold may be and sometimes is so low that, independently of the occupancy, the holding may afford ample security for a loan of the entire price—good bargains are as often obtained in land as in other commodities. On the other hand, there are holdings so disadvantageously circumstanced and let, or sold at such high prices, that in some cases I have advised the Commissioners not to advance three-fourths of the price agreed on, and in some cases not to make any advance. 11. In some districts there is a much more certain market for occupancies than in others, and small holdings are usually more saleable than large ones. 12. Where the loan is made proportionate to the price, there must be on every sale either a cash payment by the buyer, or a second mortgage of the holding, or some other similar charge previous to the Government loan. 13. The disadvantages of this are—It encourages fraud, or sales at unduly high prices; the lender sometimes intimates that he will not press for payment of his one-fourth; or he looks on his second mortgage as a probable bad debt, and, if he goes paid in full without having to incur the legal and other expenses attendant on it, would often sell for three-fourths the nominal price, or a little more than £. 14. The second charge, created for a different term and at a different rate of interest from the Government loan, and payable to a different party tends to make the tenant's interest unmarketable, and prevents him having the sense of ownership that would exist if the whole purchase money was in course of repayment by the same annual instalments. The moral or economic effects that many persons expect the policy of the purchase

Dec. 3, 1884.
Mr E F.
Linn, Q.C.

sales of real property is such as to make all small parcels of land in one sense a bad security for loans. An owner in difficulty and wanting to realise cannot do so without delay, uncertain expense, and incalculable trouble. The preparation of the necessary documents of transfer is in itself a costly matter in proportion to the price of small holdings. Encumbrances in connexion with these loans which would provide for keeping the title always clear and easily ascertainable would vastly improve the security. This might be done by registering the title to the land when claimed for the purpose of obtaining the Government loan, by prohibiting the creation of any lesser estate than that taken by the first tenant purchaser, and by making such land personal property at law, but subject to any restrictions which it might be deemed advisable to impose whereby part of the Government loan remained unpaid.

MURDOCH O'BRIEN.

13th February 1884.

22,953. *The President*.—That tends to prove that the one-fifth deposit might safely be done away with?—It tends to prove that the one-fifth deposit might safely be done away with.

22,954. In all cases?—In all cases where the application was sanctioned by the Commissioners.

22,955. *Sir James Caird*.—In some cases the tenant-right may be of no value?—It may be in some cases, but we have every reason to know that that is not so, though the prices have decreased very much.

22,956. Your recommendation applies to the whole country?—Oh, yes. Of course it applies less strongly in other parts of the country than as regards Ulster.

22,957. *The President*.—You propose that the Commissioners should buy the land in the first place, and then sell it again to the tenants?—Yes. That is one of the alternatives in the existing Act.

22,958. But where the tenants agree to buy an incumbered estate, they buy just the same, only, instead of paying off the landlord, the Court keeps it. The tenants would be in the same position?—Exactly; only that there would be an additional five per cent. added to the purchase money and handed over to the land judges to distribute in the High Court.

22,959. It would not be fair to charge five per cent. to the seller?—The five per cent. would be part of the expenses connected with the administration of the Act, or would form an element in the consideration paid by the tenant. There, another difficulty with regard to the Act as with regard to the tenants' interest. There is considerable difficulty even at present in investigating the title of tenants. A tenant may have incumbrances affecting his interest, and if he holds especially under a lease you have to trace the title of the tenant to the lease.

22,960. In order to show that he can give security?—The tenant must show that he is really the party who ought to have the fee vested in him.

22,961. He must be the occupying tenant?—He must not only be the occupying tenant, but the tenant having the legal interest. Therefore, I propose that any legislation on the subject should proceed, as was worked out in that Bill, on the basis that the fee simple should vest in the tenant, subject to all liabilities affecting his interest, just as in the Fee Farm Grant Act, which has worked thoroughly well. Where a party obtains a fee farm grant, the estate created accrues to all who have a right, title, or interest in the holding.

22,962. If it is the wrong man, the right man has his remedy against him?—Yes, and you get rid of the difficulties which are now blocking the administration of the Act upon this point.

22,963. *Mr. Nelson*.—That has worked so well that you think it ought to be applied to encumbrances and rights "propter preteritum," such as the right to take turbaries of which we hear so much?—Exactly. You cannot apply it too far. I think the amount of the application for loans is three times more than the amount which has yet been issued. This difficulty

would be got rid of by the adoption of such a suggestion as this, and if it was in the Act of 1883, a far greater number of transactions would have been concluded.

22,964. *The President*.—Have you any other suggestion as to the working out of the Act?—No other.

22,965. You say that by this means you might get through three times the work?—Yes.

22,966. I suppose there would be no difficulty in doubling the staff, and then you could get through six times the work?—Certainly not, if this legal difficulty was out of the way. We found the same under the Act of 1881. Legal difficulties were what we had to contend with—the legal difficulties standing in the way.

22,967. Was this Bill which you framed not known outside the Cabinet?—I may say so. I gave a copy of it to Lord Ashbourne about a month ago, and to Mr. Holmes, the Attorney-General.

22,968. Then with regard to the congested districts, do you see any reason to make any restriction to the working of the Act?—No. I would allow the working of the Act to take place naturally. I would not enforce it and I would not restrict it. I would leave that to the discretion to be exercised in each particular case. I am entirely against applying Union guarantees; it would be most injurious.

22,969. Then as to the congested districts, have you anything to recommend, or would you merely let the law take its course?—I have nothing to recommend in relation to congested districts, as regards the working of the Purchase Act. I do not think anything ought to be done of an exceptional character as regards congested districts under the Land Purchase clause.

22,970. There was one idea with regard to congested districts that a company should be formed for the purpose of purchasing very large tracts of country?—That has been tried by what has been called Mr. Parnell's company, and up to this it has proved anything but successful, as far as I can judge.

22,971. *Lord Milnes*.—Did they obtain a grant of money by which they purchased that land on the ground of facilitating migration?—Such I understood to be their original object; but, in fact, the object stated in their contract with us was that of selling to the tenants their holdings.

22,972. And not a single human being did migrate?—No, so I understand.

22,973. *Sir James Caird*.—Still it is the case that a large portion of the tract is still in the hands of leaseholders, and therefore it is not yet open to be entered by migratory persons?—Well, I do not understand that to be so. I rather think a large portion of the land is in the hands of grazing tenants; the company can take that up at any time, and I believe they have taken possession of portions and divided them among the existing tenants.

22,974. So that they are still open for migration?—Yes, as regards the unleased portion of grazing holdings.

Lord Milnes.—It is confined strictly to tenants.

Sir James Caird.—I assure you as a matter of evidence that the land occupied by graziers is intended to be applied, when the time comes, for the purpose of migration. I am speaking of the evidence before us.

22,975. *Witness*.—So far as I apprehend, it is intended to apply that land to enlarging the holdings existing now on the estate.

Sir James Caird.—As I understand that has not been exactly done.

Lord Milnes.—As I understand Mr. Tyle's evidence that was what he said.

Sir James Caird.—I beg your pardon, I am perfectly correct.

22,976. *Witness*.—I think migration an entire delusion.

Sir James Caird.—That is another question.

22,977. *The President*.—Do you think taking a mountain district and dividing it among them and then getting them to cultivate it—do you think it would

be difficult?—I do not object to the effect being made, but I think it would be far better to spend the money in purchasing good land.

22,978. *Sir James Caird*.—You do not think people would do much good on bad land?—I think bad land not worth buying at any price.

22,979. *Lord Millican*.—You think it would be folly to think of putting tenants on land without horsesteads or capital?—I think it would be very great folly.

22,980. *The President*.—You have examined that plan of putting some of the tenants on to neighbouring ground, and you think that it is a delusion? No; but I think the ordinary idea of migration is a delusion. I do not see what can be done for the congested districts by direct legislation. The only possible thing is in course of time to open up the country by light railways and give them markets, or outlets for their industry.

22,981. *Mr. Nelson*.—That is what I want to come to—by special legislation?—Yes. You cannot improve the condition of these people by exceptional legislation; if you made there a present of their holdings it would not improve their condition. In Greenock, Swallowbank and other districts the people could not live if they had their holdings for nothing.

22,982. *The President*.—But by developing the resources?—Yes, opening up the country. Time must be allowed to work. No heroic effort is likely to do any good.

22,983. There is a plan suggested, that instead of in all cases purchasing by Lord Ashburton's Act, that in some cases instead of actual purchase a perpetuity might be granted at much less rent than at present?—I have not considered that suggestion, nor heard of it; but I do not think that would be likely to work. I do not think people like perpetuities of that kind. None of the schemes which enabled purchases to be made on payment of fines and subject to a rent have worked.

22,984. The idea was that if you could reduce the rent one-fourth what it is at present it might be an inducement to the landlords to live in the country, and have a certain amount of possession of their estate, and that some of them might perhaps be quite as happy as if they were owners?—Well, I see no reason why that should not be allowed as an alternative proposal at the option of the parties.

22,985. *Sir James Caird*.—But I understand that when that was mooted here the proposal was that the Government should be made the first charge on the land?—Yes, in every case of an advance, the Government must have the first charge.

22,986. How would the landlords like to be made the second charge?—They would not like it at all. If you give the Government a first charge you leave the landlord in pretty much the same position as he was before.

22,987. *Lord Millican*.—Do you think it would be possible to enlarge the powers possessed under the 24th section, by which the Land Commission have power to advance to the tenants for the purpose of purchase by perpetuity any sum not exceeding one half of the fine payable to the landlord? Do you think they might be enabled to advance the whole?—They might, but the Government should have the first charge, and I doubt if in such case the provision would be acted upon.

22,988. Quite so, and perhaps that might be the reason?—Yes.

22,989. On the other hand the plan would have this disadvantage, that it would subordinate one landlord for two?—I do not quite see that.

22,990. With regard to appeals, you spoke of re-hearing. Does an appeal before your Court amount to a re-hearing?—Yes.

22,991. You go into a *case de reove*?—It is open to the parties to go into the *case de reove*.

22,992. And do the Commissioners consent to that?—Oh, yes, we are bound to.

22,993. And what do they form their judgment on?—They apply their judgment to the evidence that is given—regarding its weight and value.

22,994. The evidence given before themselves?—Before them. They examine that judgment upon the evidence given before them. They do not, however, leave out of sight the fact that the court of first instance has arrived at a certain conclusion.

22,995. They do not?—No. It is a re-hearing, not an original one.

22,996. But was not it the intention of the Act that the High Court should do exactly what the Sub-Commissioners do?—I think not. That was not the intention. The distinction between a re-hearing and an appeal is rather a fine one.

22,997. What I wanted to know was whether it was an appeal or a re-hearing?—Oh, it is a re-hearing, strictly speaking.

22,998. But it cannot be a re-hearing if you take into consideration the decision arrived at by the Sub-Commissioners and the only point before us is, whether that should be confirmed or altered?—Well, practically that is the question before us—whether it should be confirmed or altered. But we re-hear the evidence, and it is open to the parties to give new evidence or to rely on any new point of law. It is not so much an appeal—appealing on the evidence before—but it is a fresh case. Still at the same time it is not a hearing for the first time. It is a re-hearing.

22,999. You do not visit the land?—No.

23,000. Then what is the evidence upon which you act?—Generally speaking, the tenant is first produced and then his value; then the landlord is produced and then his value. Formerly we had the reports of our Court valuers, as we call them, which we had authority under the statute to use and apply, and upon the whole came to decide what the fair rent should be if the case came within the Act.

23,001. Then you have no independent valuers?—No, we have no longer valuers, with the exception of Mr. Gray.

23,002. On what do you act now?—On the evidence produced, and our experience. We retain power to appoint a valuer in special cases.

23,003. But you have no Court valuers?—We have no Court valuers except Mr. Gray, who was examined before you.

23,004. Yes, but do you act on that gentleman's recommendation?—We are guided by it.

23,005. You do not act upon it?—We take it for what we deem it to be worth, in each case where it is given at our request, as the opinion of an expert.

23,006. Are there cases where you have noted in opposition to his evidence?—His report is not evidence.

23,007. And you form your judgment in that case on the landlord's and tenant's evidence?—Yes, and on the general circumstances of the case. There a man may have come recently into his holding, and given a large amount of money for it. In the absence of special circumstances we consider that such a man is a competent judge himself, and if he took a holding, say in 1880, and agreed to pay a certain rent, and perhaps a fine, we take those circumstances into account as important factors in our decision.

23,008. Would the fact of his having paid a very large sum of money for the tenant-right have any influence?—It has always an influence more or less.

23,009. Considerable, or not much influence?—It depends very much upon the circumstances of the particular case. Men are found who will give exorbitant prices. Perhaps a man has come 5000 out in America; he comes home and finds a farm offered for sale; he insists on getting it and gives a sum far beyond the value.

23,010. Do you mean for the mere right to pay rent?—Yes, so strong is the desire to get into occupation. They will give a large sum for the right to pay rent.

23,011. And will not the fact that a man gives a large sum for the right to pay rent influence your

Dec. 9, 1906.
Mr. E. H.
Lives, Q.C.

Dec. 4, 1886.

Mr. E. H.
Lorton, Q. C.

judgment?—It does influence us; we regard it as a consideration to be held in view.

23,012. It is only a fact in the case?—It is only one of the facts in the surrounding circumstances.

23,013. I understood you to say that it is within your knowledge, indeed we have evidence to that effect, that the Sub-Commissioners are now making greater reductions in the rent brought before them than they did in the earlier part of their career?—Yes, the year 1883 probably was the year rents were fixed highest.

23,014. Are they justified in your judgment?—I think they are.

23,015. On what ground?—On the ground of the depreciation of prices in nearly all products of the soil, and on the ground that, that depreciation had not entered into calculation as a factor when the rent was fixed.

23,016. Depreciation since when?—Since 1883, 1884 moderately, 1885 more largely, and 1886 equally largely.

23,017. Do you give that answer on the assumption that these prices are likely to last?—No, because whether they are likely to last or not does not altogether affect the question your Lordship asked.

23,018. Pardon me, I think it would materially, because if it was only an exceptional fall from which we might fairly anticipate a recovery, it would be hardly fair to fix the rent for 15 years on such a fall?—No, but the fall in prices during three years must, when taken into the series of years, affect the average and reduce it, even though the depression may not be permanent. The recent fall, as an ascertained fact, must affect the average when spread over 15 years.

23,019. And the two bad years?—Yes, the extent of the depression far, say, two years was 20 per cent. per annum.

23,020. Then you are taking the average for 15 years?—Yes, we endeavour to arrive at a fair average, and the average is lower because the last two or three years have been bad years.

23,021. But should you be surprised to hear that the Sub-Commissioners take an average of five or seven?—I would be surprised. A five years' average would be too short, in my mind.

23,022. Do you mean in bad years?—I am speaking of rising rents in the current year. When we come to deal with rent in 1886, which was fixed in 1883, and when we find that values have been reduced by 20 per cent. for years succeeding 1883 that have come under our notice, then it is only fair to adjust the rent by spreading the reduction over the 15 years.

23,023. How do you arrive at the conclusion that the average has been already reduced by 20 per cent.?—I take the fact that there has been a fall in prices far, say, two or three years since the rent was fixed, and that reduces the average for the term I am fixing the rent on—for 15 years.

23,024. And on the average of so many years preceding it?—The result to be arrived at is arrived at on a number of years according to the discretion of the judges.

23,025. It would be of enormous importance on how many years the average was struck?—It might. In taking the rent fixed in 1883 probably it would not be of so much importance, because there was very little variation during the preceding 15 years. But having ascertained a certain average as the fair rent, and fixing that as a fair rent for 15 years—to come, it is on the assumption that that average will be maintained for 15 years; and when you find by actual experience for four or five years past that average has not been maintained, then I think the depreciation should be distributed over the term. I do not lay down that the reduction ought to extend from ten to five per cent.—in some cases more, in some less, in some perhaps no reduction at all. As I mentioned at the beginning of my examination, you cannot apply any fixed rule.

23,026. Suppose the next two years were very good ones, and if during the term you had again to fix a

fair rent, you would make a considerable rise?—Yes, that would be so, if a revision were to be had.

23,027. Well, would not that be extremely hard on that tenant, and extremely hard on the previous landlord, who for the next 15 years in the one case would have to pay considerably more, and in the other receive considerably less than his neighbours, and for similar land?—Do you mean rising or falling rents?

23,028. It comes to the same thing?—With great respect, I think not.

23,029. Take the case of another tenant, who comes to you after the lapse of two good years, you raise his rent to a much higher rent than the others. The next year may be a very bad one; is not that man in a much worse position?—That is the result of the necessary inability to foresee what is to happen in the future.

23,030. And these are the necessary results of an attempt to fix a fair rent, which is to be maintained in the future?—No doubt.

23,031. As regards the sliding scale, would not it be extremely difficult to work among small holders at present—men who consume most of the produce of their own farms?—If any idea could be worked out, I think not. For example, if you were able to get the average prices of half a dozen staple commodities or products in each union in Ireland, and to make it more perfect it might be more desirable to take even a smaller area; and if, having the price of the produce, and a reliable statement as to the quantity of produce comparing year by year stock, and fat stock; and when fixing the rent, classified the holding by endowment upon the order as a grazing holding, or a tillage holding, and so forth, I do not see any reason why, by a reference to an official return at the end of any given number of years, parties should not be able to fix the rent across the table without going into court. It would be a simple case in arithmetic.

23,032. But I have in view the case of small holders, who consume the greatest part of their produce?—You should not look at the country at large in that respect.

23,033. But there are a great number of holdings less than ten acres, or even less than five?—I do not see even in those cases that the rent could not be adjusted from time to time on such a principle.

23,034. Do you think the tenants themselves would desire it?—I do. I think they would like the idea of it. I spoke on this subject to a respectable tenant farmer in the county where I have my property, when paying me his rent. "Well," said he, "I would have the rent fixed according to the prices."

23,035. Do you anticipate that there would be no difficulty at the end of the judicial term in raising the judicial rents? As things stand at present?—Well, I hardly know what to say to that point. I suppose there will be considerable difficulty.

23,036. But supposing the money to be tolerably quiet? If it were just and fair to raise the judicial rents, do you think the tenants would accept such a rise with equanimity?—I think it would be extremely difficult to raise the rents at the end of 15 years.

23,037. And therefore by analogy it would be very difficult to raise them by the sliding scale?—I do not think the case is altogether the same.

23,038. With regard to leaseholders, what do you say to the position of a leaseholder who is a middle man, and who receives, owing to the reductions made on his tenants' rent, less or certainly not more than he himself is obliged to pay to his head landlord, who has been placed in a very odious position, and who is an obstacle to the working of the Purchase Act, what would you suggest in such a case as that?—The only thing I can suggest under such circumstances is that the intermediate tenant should be released from the rent.

23,039. Mr. Nelson.—A right of surrender?—A right of surrender.

23,040. Lord Millican.—And a landlord by so doing would go a step towards the solution of the last question?—Yes, to a small extent.

23,041. With regard to your suggestions that the Land Commission should fix the price at their discretion, do you think that that would tend to increase the desire of the landlords to sell—the notion that the price would be fixed by some external body?—I think yes, if the landlords had that confidence in the judgment and fairness of the Land Commission which the Commission is entitled to.

23,042. The President.—As you think they ought to have?—As I think they ought to have.

23,043. Lord Milnes.—But supposing they had not confidence?—I think so.

23,044. Do you think they ought to be quite satisfied?—I do.

23,045. But do you think that it would be an encouragement to them to come into the market that someone else should fix the price?—Well, if a landlord is desirous to sell he ought to be desirous to sell for a fair price, and I think he ought to trust to the experience of the Commission.

23,046. You think he ought to open his mouth and shut his eyes and wait for what the Commission may send. But you are not anxious, I understand, to accelerate the purchase of the land by the tenants?—No. When I say that I think I ought to qualify it in this way, I think that looking at the progress of events that it is desirable to have a large scattering of peasant proprietors over the country, but I would regret to see the middle class excluded from social position in this country as landed proprietors to any large extent, and I think it would be injurious in every aspect of the country. I gave an answer to the same effect to a question on the subject when examined before a committee of the House of Lords.

23,047. Mr. Nelson.—Exactly what you have been saying to-day. And then you went on to say, I think, that any system which would have the effect of turning the landlords into peasant proprietors, if carried too far, would be most disastrous to the connection between the two countries?—I think so; I am quite of that opinion.

23,048. Lord Milnes.—Then you do not think, as has been proposed to before us, that the result of purchase by these peasants that one of the results would be to make them more loyal and anxious to uphold the constitution of the country?—There is a good deal of difference of opinion upon that subject. My own impression is that among the better class of them, the more respectable members of the class,—the large farmers,—they probably would be interested in maintaining law and order, but I think that the general run of small farmers would be quite as much open to influence and perhaps more so.

23,049. But they would have gained a considerable stake in the country?—Their stake would be equally secure under altered conditions.

23,050. Under the Act of 1881?—I mean under altered political conditions, and that their national feeling would be equally excited then, as now, in favour of Independence.

23,051. Well, you are in favour, as I understand, of the head-rent, the owner of the first estate, as I should call him, having power to call upon the State in the case of selling his property, or what was his property, to purchase up the head-rent?—Yes.

23,052. I suppose at a price at which he would not be a loser on his income?—I do not say that. That would be merely to say he should get 33½ years' purchase or so as not to be a loser on his income.

23,053. This security is as good, if not better, than money invested in the funds?—Yes.

23,054. And hitherto it has been a principle of English law and justice that if you compel a man to sell his property for the public good, you should see that he should not be a loser by the transaction?—That is the reason I would not compel him, but make it optional.

23,055. But you might injure his property?—Yes, so much to some trifling extent. I consider it to this way: if it is so injuriously affected as to prejudice his position, he should have power to call upon the

Commission to buy; and accordingly they should give him a reasonable and fair price, and I would give the highest price to a man whose head-rent was least secured.

23,056. Allow me to ask you as a matter of courtesy what is the estate of the owner of land, the tenure of which has been converted under the Renewable Leasehold Conversion Act into a fee farm grant—what do call it?—A reversion in fee, but practically a rent.

23,057. But if he had all the usual reservations—if he was entitled to go in and search for minerals, to hawk, fish, and shoot, would not he be more than a reversioner?—The grantee takes a fee simple estate, anything, inconsistent with the fee, is expunged from the grant.

23,058. That is not expunged at any rate?—True, but still you are a reversioner.

23,059. Surely the fee simple rests with the head landlord?—That is not so in my opinion.

23,060. Well, I will not dispute the matter further.

23,061. Mr. Nelson.—You said just now, that when lowering the rent payable to the middleman below what he was paying to his superior landlord, you would give him the right of surrender?—Yes.

23,062. I suppose that right would be still accompanied by his right to be compensated for unexecuted improvements made by himself?—If he was able to establish a case of that kind, he probably, but I doubt it, would be entitled to consideration.

23,063. You are aware of the great distinction in purchases under the different sections of the Act of 1870 with reference to covenants, which would you consider the most satisfactory way of dealing then with reference to purchase, to adopt the principle of the second or third portion of the Act?—I think it would be better to convey subject to all existing rights.

23,064. The whole object, of course, is to give the tenant the most facile mode of purchasing, and the Court the readiest and most efficacious way of distributing the purchase money?—Quite so.

23,065. You remember what I would call the Bright clause of the Land Act?—Yes.

23,066. Would not it be the best way to take advantage of that clause of the Land Act of 1870 in all these purchases, and bring them at once within the jurisdiction of the Landed Estates Court, which would at once have the power to hold the money and give up the land? Would not that be the quickest and cheapest way of getting rid of this matter?—I do not know, further than that I would leave to that Court the distribution of the purchase money.

23,067. Why distribute the business between two courts?—The Landed Estates Court has a machinery better adapted for the allocation of funds among incumbrancers than the Land Commission has in administering the Act of 1881. If I remember rightly, the Bright clause of the Act of 1870 only—

23,068. I shall just read the section for you. It is the 32nd section, Part II, of the Act of 1870:—“Subject to the restrictions herein-after mentioned, and landlord and tenant of any holding in Ireland may agree for the sale of the holding to the tenant at such price as may be fixed between them; and upon such agreement being made they may jointly, or either of them may separately with the consent of the other, apply to the Landed Estates Court, in the part of the Act referred to as the ‘Court,’ for this sale to the tenant of his holding.”—That is with reference to a case that is pending in the Land Court.

23,069. No. An application can be made to the Court at this moment with regard to a purchase under this section. Perhaps you are not familiar with the operation of that section?—No, that is new to me; I am not aware that it has been taken advantage of—the expense probably is the cause.

23,070. If you look at the 32nd section of the Second Part of the Act of 1870 you will see that it is as I state. But we have so many different modes of purchase under the different Acts of Parliament, that people always ask for the best. With reference

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Mr. K. F. Linton, Q. C.

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Mr. E. F.
Lowe, Q.C.

to the question of easements and rights of way, and rights of way, we have had a great deal of evidence; have you considered the operation of Lord Cairns' Act of 1875 as to how it affects all those rights?—I cannot say I have. I would wish to refer to the position of purchasers under the Purchase clauses of the Church Act, but I do not know whether that is within the scope of this inquiry.

23,071. *The President*.—Yes. With regard to the provisions of the Purchase clause under the Church Act?—Yes. In administering the Act of 1881, we have met several cases in which our predecessors having sold estates to parties at a high rate of purchase upon the rental. Our Commission, coming immediately after, has reduced the rental from 20 to 30 per cent; we have reduced the rent sold by our predecessors very considerably in many cases. I might mention that there are four classes of purchasers. First, occupying tenants; second, outside purchasers, as I would call them—those who bought residues not bought by the tenants, and which were sold to the public at large; third, the owners of perpetuity leases; and fourth, the purchasers of globe manorial land. As a rule they were sold at from 22½ to 25 years' purchase; three-fourths of the money was secured by simple mortgage at four per cent. or, by instalment mortgage, at five per cent. Now these several parties, in addition to the occupying tenants, have bought at very high rates, and many with borrowed money; they have been suffering accordingly. Those who bought estates relying on the rental published by the Church Commission (at the time no doubt correct), we, the Land Commission, under the Act of 1881, have been reducing the rentals twenty-five per cent in rental matters, while they remain subject to the same rate of interest in respect of the portion of purchase money remaining due by them to the Commission: Lord Ashbourne's Act, by its 23rd section, gave some relief, but it failed to many classes of purchasers.

23,072. *The President*.—The classes are the occupying tenants, the perpetuity holders, the outside residents, and what else?—The purchasers of globe manorial lands. The provision made by the 23rd section was to this effect:—Parties who came within the class specified in the section get a benefit to the extent of reducing their interest from 4 per cent. to 3½, but that was fettered with the condition (as you will see on referring to the Act) that the party applying for a reduction should have discharged all preceding instalments or interest (as the case might be), and the result of that has been, first of all, only the one class, namely, the occupying tenants, are entitled to the benefit, and secondly the members of that class who required consideration most—namely those who fell into arrears by reason of the hardness of the times—being unable to pay up arrears have received no relief.

23,073. They were allowed to go into arrears?—They have fallen, some of them, into one, two, or three years' arrears. The position of these parties is such that it is well nigh impossible for them to get the money to discharge the arrears due. The result is that the parties who have got the benefit were of all others those who had least need. Now, it seems to me there is no reason why all the classes that I have mentioned of purchasers under the Church Act should not have their interest reduced to the 3½ per cent.

23,074. Whether occupying tenants or not?—Whether occupying tenants or not.

23,075. And whether they pay the arrears or not?—Oh, no; provided they either discharge the arrears or compound for the arrears by re-mortgaging the annuity payable where there is an instalment mortgage. The plan proposed to be adopted is, in the case of simple mortgages to require the arrears to be discharged, while in the case of instalment mortgages the arrears should be converted into an annuity and cast over the residue of the period, and thereby extinguished. That would be only doing justice to all these parties, and it would be a very considerable relief. The question then might arise as to whether the Treasury would be

affected, considering the charges now upon the land. Well, with regard to that, I think it can be shown that the reduction from 4 per cent. to 3½ per cent. will not reduce the interest payable to the Church Fund more than 9,000*l.* a year, and the reduced income would be more certain.

23,076. *Sir James Caird*.—It is not an act of justice but of consideration?—Well, of consideration.

23,077. *Mr. Neeson*.—Would not that apply to the Land Commission?—The question is not a question of right, but the reason would not apply with anything like equal force to a Landed Estates Court conveyance. It guaranteed the title, but not the rent. With regard to the bulk of Church purchases, I think that they deserve very great consideration.

23,078. *Sir James Caird*.—Is there any large portion of the purchasers in arrears?—Well, regarding the whole income of the Church Commission, including interest on mortgages, annuities, rent in lieu of title, and perpetuity rents, we collect over half a million a year; and I should think there is now a considerable arrear. Mr. Finlay, whom you propose to examine, can give you all the figures on this subject.

23,079. *Lord Milnes*.—Is there much of the Church property unsold still?—Oh, yes. I should say about five millions.

23,080. Five millions worth?—Yes.

23,081. What does it consist of?—The unsold property consists of unsold perpetuity rents and unconverted title exchanges, and a very small portion of unsold globe land.

23,082. You sold a great number of perpetuity rents?—Yes.

23,083. And you would not take less than 25 years' purchase, for any of them?—We considered that they were worth 25 years' purchase, and that is the rate indicated in the Church Act.

23,084. You would surely not make those who purchased them now take less than they gave at your solicitation and at your valuation?—We have up to this never sold at less than 25 years' purchase.

Mr. Knipe.—There are just a few questions with regard to town parks which I wish to ask you. One question about the definition of what you consider a town park?

Mr. Neeson.—Is not that really done by a decision?

23,085. *Witness*.—Town parks are defined by the 59th section of the Act of 1881. The owner or tenant of the town park, to be a town park, must be living in the town, the land must be in the neighbourhood of the town, and it must bear an increased value, as accommodation land over the value of ordinary agricultural land.

23,086. *Mr. Knipe*.—And that would have no reference to the population of the town, or anything of that sort?—No; but in applying the principles of town parks we have not gone down to towns much under 500 inhabitants. We look upon these as villages, except under very special circumstances.

23,087. I understand you would recommend that they should be admitted to the Land Act to have a fair rent fixed?—To the fixing of rent, but not to the other provisions.

23,088. And if the tenant had made some improvements would the tenant be entitled to the improvements?—I would compensate him for any agricultural improvements made on the land.

23,089. One question with regard to leaseholds. Leases go under a great number of names. With reference to those *tenes quous* leaseholds, prior to the passing of the Church Temporalities Act, in many cases the owner gave a consideration to the landlord, so I right in saying that it was compulsory to have them converted into perpetuities?—No. There are a great many of these *tenes quous* leases in Armagh. Generally speaking, the immediate tenant of the fee was under no covenant whatsoever either to renew, and the fee was not bound to renew by covenant, nor was the lease entitled to get a renewal by covenant. The immediate lease covenanted with the under-lease

to renew to him as often as his own interest was renewed by the see.

23,090. But where there was a high rent reserved in these leases the landlord was very anxious that the tenant should take out perpetuities, and in fact insisted that they should do so?—Yes, where the tenant lessee had consented to take out a renewal.

23,091. Should leases of this class be admitted to the benefit of the Land Act?—I am not prepared to say that I would admit these perpetuity leases.

23,092. Is it not a great hardship to tenants that gave a consideration for the purpose of protecting themselves at a time when rents were raised by landlords all round?—Well, you would have to go up the whole scale. It altogether depends upon the covenants contained in the sub-leases.

23,093. In these cases no mines or minerals are reserved to the tenant, they are all handed over to the landlord?—They are.

23,094. These are peculiar leases under the Church Termination Act, there I think the tenants were forced?—In some cases it was optional on the part of the sub-lessee to renew, and in some cases it was not.

23,095. Mr. Nelson.—That is because it is a perpetuity lease?—Yes. They were bound by their own covenant to take a renewal as often as their landlord renewed.

23,096. Mr. Keble.—Now, with reference to Lord Ashbourne's Act, I think you said that the Commissioners should have the power of controlling the prices as between landlord and tenant?—Yes.

23,097. And in some cases the Commissioners have not seen their way to confirm the sales which have been made between landlord and tenant?—Yes.

23,098. The contract?—Yes.

23,099. That was in consequence of the security not in their opinion being sufficient?—Yes.

23,100. In any case of dispute between landlord and tenant, where they are not able to agree as to the price, or for some other cause, do you see any reason why your Court should not have power to interfere?—I see no reason why, if the parties come into the Court to fix a price between them, we should not do it.

23,101. Mr. Nelson.—That is if both come in and asked you to do so?—Certainly only in cases where both come in.

23,102. Mr. Keble.—Where 75 per cent. of the owners on a property are willing to purchase on fair terms would you bring no pressure to induce the landlord to sell?—I would bring no pressure whatever to force any man to sell. I think it would be unfair.

23,103. And do you think it would be unfair to compel him to reduce his rents?—I think it would be unfair to compel a reduction beyond what the Court considered a fair rent, acting on the principle laid down by the Land Act.

23,104. Do you know when effect would be produced on a poor many tenants in the North if they did not get an opportunity of becoming owners?—I think that the tenants of the North are sufficiently sensible to recognise the unreasonableness of forcing a man to sell to them what he was unwilling to sell. The tenants in the North I have always found very fair and very reasonable. Most tenants have recently acquired an exaggerated view of their rights.

23,105. But they have not been placed in any better position than the tenants in the South and West of Ireland under the Land Act?—I should say not. The benefits of the Act were not so widely needed by them as they were by the tenants of the South, where tenant right existed. Still the right of free sale, and the right of permanency of tenure, and notice to quit, is a great advantage to tenants all over the country.

23,106. It is a great advantage so long as they have some valuable interest in their holdings, but when tenant right becomes worthless in the market that

advantage is lost?—True, and both parties will suffer. If there are good prices and prosperous times, the interest of both parties ought to go up equally; and where there is a loss they ought to recognise it, and the loss ought to be divided equitably between the two parties.

23,107. I wanted to know from you if the tenants in the North, having a desire to purchase, were unable to become owners of their land, what effect that would produce?—I think that the tenants in the North of Ireland may very naturally feel that they are placed in a more injurious position than their brothers in the South as regards the terms of purchase by their adherence to legality and law and order. Tenants of the North of Ireland have suffered severely as much as the tenants in other parts of the country, and have not obtained as large concessions from their landlords as those in the South are offered, but that is not a matter of right. That is a fact to be lamented. That is because in the South and West of Ireland the population is less educated in obedience to law, and are more easily led to resist it.

23,108. But it might lead to discontent and disorder in the North?—I think the Northern tenants are too sensible for that.

23,109. Have you found the landlords very much more liberal in the North of Ireland than southern landlords?—I have a very high opinion of the landlords of the North of Ireland.

23,110. Sir James Connel.—Have you had occasion to consider the question of non-payment in some districts, and whether it arises from excessive rents or combinations?—I am hardly qualified indeed to give an opinion upon that. I do not know that I have any more information than any other member of the public as that particular question. My own rents have been fairly paid, down in the county Cork. I have heard of other people who have not been paid. Whether there is combination or not; do you mean prior to recent date, or what is going on now?

23,111. Yes; prior to the rent campaign. Better take it that way?—Well, I do not think, prior to the rent campaign, there was any wide combination against the payment of fair rents.

23,112. But the question is whether, if there was combination, whether it arises from the difficulty of the farmers in paying their rents, or from other reasons?—Well, I would say, from other reasons quite as much as inability.

23,113. You do not yourself think that the fall in prices, and the other difficulties the tenant has to meet, have greatly influenced it?—It would not account in itself for the refusal which exists in many places to pay rents.

23,114. Do you think that hereafter you would apply produce rent, if you had it in your power, in fixing fair rents?—Produce and price?

23,115. Well, I mean the value of produce?—Yes, a rent adjusted at intervals according to prices taken in connexion with the abundance of produce—both being regarded; but I think, from the want of statistics, it could hardly be applied under five or six years.

23,116. Would not it be better to confine the prices that you see to take the averages of, to those articles which are really sold by the farmers, and not consumed at home?—Yes, such as butter, wheat, flax, oats, store cattle, and fat cattle.

23,117. Potatoes you said, see?—Yes, potatoes for the purpose of meeting famine.

23,118. The fewer the number of articles of produce the more simple, if you could make those articles out of a district?—Out of a particular locality, but I think the articles could not be fewer than those produced on the different classes of farms.

23,119. With regard to the congested districts, I think you have rather a strong opinion as to the possibility of each district offering sufficient security if the Government advanced the price upon them?—Quite so. I believe it would be wholly impracticable, and I do not believe it would be just.

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Mr. E. F. Loftus, Q.C.

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Mr. E. F.
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23,130. Lord Williams.—Just to the taxpayer, do you mean?—Just to the solvent taxpayer, to make him pay for an insolvent purchaser.

23,131. Sir James Caird.—I did not mean that. I meant security to the Government?—I do not think the Government can get adequate security in these districts.

23,132. The experience which you have had under the Church Temporalities sales would rather lead to the deduction that there might be great difficulty in getting the instalments paid under circumstances of low prices or depressed times?—Certainly; but looking at the payments made by the purchasers under the Church Act, taking them altogether, they have up to this paid very fully.

23,133. And there is about a year's repayment of the whole in arrears?—About 200,000*l.*, chiefly by landlord purchasers to 31st March last.

23,134. That is the natural result of sales to poor people who had not much margin to ask?—No; landlords paying the bulk of the revenue, the bulk of the arrears is due by them.

23,135. Mr. Nelson.—The sale to them was at 22 years' purchase?—Twenty-two and a half for the rents and 22 for the land.

23,136. Lord Williams.—You said that the pressure arose?—As far as tenant purchasers are concerned, partly from their having to borrow the money and pay too high a rate of interest.

23,137. Sir James Caird.—You seem to think that it would not be right to apply the proposed sliding scale to fixed judicial rents?—Yes; not until the end of the existing term.

23,138. On the principle that one bad year may have a corresponding good year?—Yes. It is very

much like taking a wife for better or worse. You have taken the rent for better or worse for 15 years.

23,139. You could not relax the basis of your fixture then; so that—say the rent is fixed at 25*l.* a year—well in the year in which it was fixed that represented so much for perhaps three different qualities of the products of that farm, would it not be possible to say that hereafter the rent is to be regulated by the yearly average price of those three qualities?—After the end of 15 years?

23,140. Why not before the end of 15 years?—Well, because it is a contract entered into by the two parties on the form of the Act of Parliament, entered into without fraud, entered into in the most deliberate manner, worked out, after full inquiry, by competent persons, with the whole prospect taken into consideration; and I would consider it as unjust to set that aside to the prejudice of the landlord or a would be to allow the landlord to raise the rent to the prejudice of the tenant.

23,141. It might not be to the disadvantage of the landlord in the course of 15 years, because prices might rise above the basis. It would be a perfectly equivalent arrangement?—To some extent you are right there.

23,142. But why should there be even during the currency of the 15 years, because you still adhere to the basis of the rental, but you move it according to the average price? You cannot really give up your basis?—No.

23,143. The President.—You have no other point, I think, on which you can give us any information? I think we have exhausted all?—It does not occur to me that I have.

MR. ROBERT BRIDGES DAILY EXHIBITOR.

Mr. R. B.
Daly.

23,144. The President.—Mr. Daly, I believe you are a proprietor in the county of Louth?—I am, my Lord.

23,145. And also a tenant farmer. I believe you hold land from other people?—Oh, yes, I am both an owner in fee and hold land from other people.

23,146. And you let a good deal of land that you own?—Oh, no, none.

23,147. You farm it all yourself?—I farm it all myself, with the assistance of one of my sons, but then I let very extensively lands for situated gentlemen who prefer letting them to stocking them or letting them out to farms. My Lord, I wish to mention to you that this matter of letting land is a thing that you may not be acquainted with, but it is a thing very extensively followed, especially in the county Meath.

23,148. Pasture land?—Pasture land; and owners of property now are very anxious of letting any of the land so held out of their hands, and prefer letting it by the year, and the letting to terminate at the end of the year, and another letting is made for the next year; and it is carried on, for pasturage only, in order to hold the land in their own hands to prevent it being taken by people who would bring them into the Court, and look for a fair rent being fixed.

23,149. Yes?—And by that means they hold it very extensively in Meath in their hands, and make very good rents by letting pasturage.

23,150. Do the same people often take it year after year?—Very often, very frequently.

23,151. Then part of your occupation is to arrange these yearly lettings between the landlord and the tenant?—Yes, and wherever the money is required to be advanced, which is very often the case indeed, I advance the money upon notes taken of these people, say, at eight or nine months. I advance the money to the party who is letting.

23,152. To the landlord?—To the landlord, to the owner, but that is not confined to landlords merely. The tenants that have large grazing tracts and pay rent themselves, and hold leases, re-let to others, and thus make a considerable profit.

23,153. Then your experience lies in grazing land?—Oh, yes; I have a very good knowledge of tillage land in Louth, and so far as the tillage of Meath goes also.

23,154. The grazing land has suffered less than any other, has not it, in these times?—My experience in land is that very good lands that will sustain let very well indeed. It is with the lower class of lands that the difficulty exists. Lower-class lands that will not put up beef are difficult of letting.

23,155. Has the yearly value diminished during the last year, do you have to let land for less now than you could get two years ago or one year ago?—No, not less than one year ago. It is rather better this year.

23,156. Mr. Nelson.—The letting of it?—The letting value, sir, is rather better this year than in the last two or three years.

23,157. Sir James Caird.—That is of the letting land?—Of the letting land; but you may attribute that a good deal to the system of boycotting that we very extensively used, and that is a comparative failure this year.

23,158. The President.—And this system of boycotting was in force last year?—It was.

23,159. And diminished this year?—And the year before, and for the last three years it was very extensively used—that system of boycotting—but it has failed in the end, for people could not do without the land.

23,160. Mr. Nelson.—Is that the boycotting of grass land?—The boycotting of grass land.

23,161. Sir James Caird.—Is what very ill they boycott the grass land?—In every parish they had a branch of the Land League. I have seen some of their letters. The secretaries see very often ignorant people. For instance in my own locality.

23,162. Do not name anybody?—In my own neighbourhood the secretary was a lad behind a counter, and a letter of his was shown to me, directing a poor blacksmith to give up a plot of land taken for

his cow, and which he gave up lest he should be injured in his trade.

23,153. The *President*.—What was their object, to make the prices go down, or to secure his being let to certain people as preference to others, or to assist upon it lying vacant altogether?—It is to secure it being let out in terms to tenants who would afterwards have the advantage of going into Court.

23,154. Lord *Millsam*.—It was not anybody's land as particular that was boycotted?—The rule that they made is that where a farmer is hard up and wanted to make something of his land they would let him alone. The act is made upon the owner in fee.

23,155. And as a general rule they do not allow the letting of grass land by the seasons?—They do not do it. They will not allow it if they can help it. That is the orders of the League.

23,156. The *President*.—They want to bring it under the Act so that there may be a fixed tenure upon it?—That is one of the reasons, my Lord, but they seem to have a dead set against the landlord as a rule.

23,157. Anything that will annoy the landlord they are glad to do?—Yes, as regards land.

23,158. Then is one reason?—Yes, that is the general rule, but the ostensible reason is that, the pasture land bringing a good price, it affects the rent of the other land. That is the principal reason that if those lands are let high the landlord has an opportunity of seeing that some people can make more than others, and by that means it affects the rents of all.

23,159. But this combination in Louth has failed?—In March, my Lord, very extensively.

23,160. In fact in most of the grazing counties it has failed?—It has. I have heard from others in the business that it has failed to a great extent.

23,161. You say that from one cause or another the letting of these grazing lands is better this year than it was last?—Yes, this has been a good year for letting grazing lands.

23,162. Beef?—What we call lands that put up beef.

23,163. Sir *James Caird*.—Fattening lands?—Fattening lands, that will really fatten.

23,164. The *President*.—And you think that they make as much now as they used to do because they can buy their more cattle much cheaper?—Oh, yes; I never remember in my experience the grass to do better than last year—that is the grazing. The price is low but the grass itself has done more to fatten last year and held longer than I ever remember—at least for a number of years.

23,165. Lord *Millsam*.—What time does the letting take place?—It takes place now, my Lord; from the 1st of December to the 1st of December.

23,166. Is it lettings that are just now concluded that you are speaking of?—Yes, most of the lettings are completed, but in the Kells district a good deal of business is still in the market. Owners often hold them over for some time.

23,167. Mr. *Nelson*.—To break the continuity of possession?—Exactly, sir.

23,168. The *President*.—You have also got experience of tillage too, you told us that?—I have.

23,169. Do you do much in that way yourself?—Not a great deal, my Lord, but I have to look at it every day and I have a great deal to do with people that do till a great deal.

23,170. I suppose if you had the letting of tillage had you would not find that you got the same price for it that you used to do?—No, except in peculiar circumstances. There is a very large letting at Clogher Head, but it has to do with people who get for nothing quantities of sea weed, and there the rents are high; but in other places, if you were to let tillage land, they would be decidedly down. Wheat-growing with us, I suppose you are aware already, is nearly altogether given up.

23,171. Yes, and the price of all other produce is lower than it has been for some time?—Lower than it has been for some time, but I remember it lower in my younger days.

23,172. Yes, 25 years ago?—Yes.

23,173. People have often told us that 25 years ago prices were lower than now, but rents equally high, and that rents were paid without difficulty. Is that your recollection?—That is my recollection, my Lord, but it is only fair to state that wages are much higher now than they were then.

23,174. And it is chiefly on account of wages being so much higher that there is a difficulty of paying rents now?—It is.

23,175. Lord *Millsam*.—You have a good deal more of machinery now than then?—We have.

23,176. That must counteract, must it not, to a certain extent, the price of labour?—It does; no doubt of it.

23,177. The making of hay costs less than in those days?—Provided you get the weather. It is a simple operation if you have the sun all the time, but it is an annoying crop to make up, and the use of machinery is of little use in wet weather.

23,178. But machinery has enormously simplified the making of hay, has not it?—Yes.

23,179. And rendered it much cheaper?—Yes.

23,180. The *President*.—Do you think that the occupiers of tillage land had a great difficulty in paying their rents out of the produce of their farms during the last year?—Well, really, my Lord, I must say that they have. I must say that tillage pays very badly.

23,181. And I suppose that the occupiers 25 years ago did not live so well as now?—Not at all.

23,182. And having got accustomed to a different style of living it is very difficult for them to go back?—Yes. What I find by observation is that the men whose families are all working at the land, and their sons holding the plough, are able to live; but what you call the gentleman farmer, he is altogether done up; he cannot live—on tillage I mean.

23,183. On account of the rise in wages?—On account of the rise in wages and that he is not able to live as he would wish to live. It is only the working man that is actually working himself and all his family that can live, and those people are pretty snug where all the family are industrious.

23,184. Has your attention ever been turned to what is called the sliding scale or produce rent?—Never; I never had anything to do with it at all.

23,185. Sir *James Caird*.—Your country is chiefly a grazing country is not it?—Mostly is, sir, but in Louth I hold no estate of 800 acres or so, which is nearly all tillage land.

23,186. The *President*.—I do not think I have anything more to ask you?—There is only one thing my Lord, I would wish to urge upon yourself and the Commission, that there is one class of people dreadfully overburdened and in a dreadfully bad state, that is people that hold leases that they took during the high times.

23,187. And they ought to come under the Act?—They ought certainly to come under the Act. I know a great many holders of those leases of my own knowledge, most excellent people, who are really bleeding to death, and very often where the owners would do something for them if they could, they are totally unable from their own means being less too; some of those people are on the brink of ruin.

23,188. They ought to have their rents fixed by the Lord Court?—Decidedly.

23,189. That would meet your views?—Decidedly.

23,190. Lord *Millsam*.—Do you know of many cases of middlemen holding leases of that kind, leases where the rents have been reduced by the Court—that is the rents of the tenants under them?—Well, no, they are nearly all direct from the owners.

23,191. A middleman is a man who pays rent to a superior landlord?—I know; between him and the owner in fee. You mean that the middleman is the man between the owner in fee and the tenant.

23,192. That pays rent to a superior landlord; but the question that I was asking you was whether you had come across any case where the middleman's rents had been reduced to as low or lower a figure than that

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which he was himself paying for the land to a superior landlord?—Oh, yes, I have come across cases like that, but they are few generally speaking amongst us in Meath and Louth. The leases are held direct from the owner in fact.

23,198. But you have come across such cases where the middleman held under lease?—And was charged as much as what he got himself.

23,199. Pardon me, his tenants do not pay him as much as he has to pay?—Oh, I misinterpreted you entirely.

23,196. Where the tenants, having had their rents reduced under the Land Act, no longer pay him as high rent as he has to pay to his landlord?—Well, I do not know. I have not seen many of these cases.

23,196. You have not come across any of those cases?—Well, I could not charge any memory with any cases of that sort.

23,197. Then you have not come across them?—I do not think I have met them.

23,198. I understood you to say that where a man is able to till his land with the aid of his own family he is pretty strong?—He is.

23,199. He is able to pay his judicial rent?—Yes, his judicial rent.

23,200. Do you think that as a rule tenants are able to pay their judicial rents this year?—I do; but then I must make a remark. A great number of these tenants did not go into Court, and these judicial rents were made between the agents and the tenants in the early part, without getting the Commissioners to look at the land at all, and they very often have had to pay more than what they would have got if they had gone into Court.

23,201. Mr. Nafziger.—That is, a larger reduction?—A larger reduction.

23,202. Lord Midleton.—But then it would have been still easier for them to pay their rent?—Oh, yes. I was now speaking of judicial rents made by the Court.

23,203. Not of those made by mutual agreement and registered by the Court?—No; I saw a great many of those very fairly reduced, but I have known instances of where they have agreed to rents that are now very high.

23,204. My question was a general one?—My answer is that all the judicial rents that have come across me that have been made by the Court have been at fair and reasonable and good reductions.

23,205. And that there is nothing to prevent the tenants from paying them?—Certainly not, certainly not, except combination.

23,206. Of which there is a certain amount?—Oh, yes, a certain amount.

23,207. Should you consider this a better year than last year?—I should; a better year for grass and better for produce crops.

23,208. And indeed I think that you said that you had never known a better grass crop than this year?—Never.

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23,209. The President.—I believe you are a tenant farmer?—Yes, my Lord.

23,210. In the counties of Louth and Meath?—Louth and Meath.

23,211. How much do you hold?—In Louth I hold upwards of 70 acres, and in Meath 45.

23,212. Are they near one another?—Well, about 12 miles, my Lord.

23,213. Are they pasture or tillage?—One is pasture, and the other partly pasture and partly tillage. The one in Louth is partly pasture and partly tillage.

23,214. And I believe you have had experience of farming in other counties also?—Yes, my Lord, in Galway, Roscommon, and Westmeath. My father is a considerable holder in Westmeath as well as a good many of my relatives.

23,215. And you have also been engaged as a valuer?—Yes, my Lord.

23,200. And it is there on the land still at this moment to a great extent?—Oh, yes, it is, a great deal of it. Sometimes you will have plenty of grass and very little fattening properties in it from it being sloppy and too much rain, but this is a peculiarly good year.

23,210. Not only a good crop but a good fattening crop?—Precisely. You have said it.

23,211. Mr. Keppel.—Do you think this is a better year for paying rent than the year 1881 or 1882?—Than 1881 or 1882?

23,212. Yes?—Do you mean now the tillage land? 23,213. I am speaking generally just of the position of the farmers?—Well, 1881 or 1882, that is four years ago.

23,214. That is the time those rents were fixed that you were speaking of in reply to his Lordship?—Oh, I do not think it is worse except whatever influence the reduction in prices might have. You know the price of beef is very low, and of course you must take that into account. That is a fact that certainly is a fact, and I should say that if the price of beef goes much lower it will be very difficult indeed to fight against the state of things. Some people say it will be worse.

23,215. What is your opinion about cattle, looking at the quantities we are getting from America and other countries?—Well, I am a little alarmed, if it goes much lower I say that it would be very difficult to make beef pay. It is only astonishing to me the prices they are giving for grass and pasturage. It appears to me that prices are going down very much.

23,216. Steadily going down. Stores were lower last year and this year than they were the preceding years?—They are much lower.

23,217. And if beef continues to fall, as it is likely, according to your own ideas, stores must become lower?—Yes, stores. If they do not rather rear all their calves and go in very much for breeding stock, I should say that the margin between the buying of stores and the getting out of the beef will be an exceedingly small one, that is provided that there is any further drop.

23,218. That would affect a large number of small tenant farmers very seriously?—Indeed it will, and large ones—gradually.

23,219. Sir James Caird.—I think your explanation of the difficulty mentioned in the question just put to you—I think your explanation was that the difficulty was more with the tillage farmers than with the grazing farmers in paying their rents. Tillage land, you said, was falling in value except on the coast where there was sowings?—Yes, I think the tillage farmer has more difficulty.

23,220. The tillage farmers for two years, you said, had a difficult time of it?—Yes.

23,221. And you made that distinction between the tillage and the grazing lands, I understood?—Yes, I did.

23,222. Is it your opinion that lately in tillage farms it is more difficult to pay rent than before—that there is any real difficulty in paying rent the last year?—Certainly, my Lord; every year it is becoming harder and harder. I went to a good deal of trouble in collecting statistics of one kind or another about the prices prevailing in my neighbourhood, and if it would be convenient to the Court I could mention them.

23,230. Well, we have had a great deal of evidence about prices, and unless there is anything particular it will scarcely be necessary?—Well, just from the neighbourhood that I live in, I do not know whether it is necessary to give it or not.

23,231. Just give us a few of them?—Sir James Caird.—As briefly as you can?—I have it on a slip.

23,232. Just read it?—One crop, wheat, we grow pretty extensively in that part of the country. Wheat

sold in 1881 at 25s. 6d. and now, in 1886, 16s. Oats sold in 1881 at 11s. 6d. and now 8s., and it has been sold for a good deal less, but that is the average price in October. I have known it to be sold for 7s. this year. Barley was, in 1881, 16s. 6d., and now 12s. 6d. I put these figures from the Castleblinham brewery, where they buy upwards of 20,000 every year. Hay in 1881 was 3s. 6d., clover and eye grass. 7 his year it was 2s. 1d. Straw, in 1881, was 2s., and now it is 1s. 6d.

23,233. The President.—From your experience of your farming, have you made the rent this year out of produce?—No, my Lord, I have not made the rent for the last two or three years. I have calculated here as accurately as I possibly could from my books what the actual cost is per acre, what has to be made out of each acre before I can count anything as profit. It costs on the whole, on the average of 68 acres, it costs 3s. 17s. 3d. per acre.

23,234. Sir James Caird.—Does that include rent?—That includes the rent, but it is not calculating the interest of capital, nor is the seed necessary to sow and so forth. It would be 11s. 8s. an acre more for corn land.

23,235. Lord Millican.—You are now speaking of tillage?—Yes.

23,236. Not grass?—No, the average would be 3s. 17s. for the grass land.

23,237. Sir James Caird.—The interest on capital and the seed are certainly fair charges?—Well, for any corn land you would have to add interest on capital, but I did not calculate that; but I would have to add 1s. 8s. an acre for seed.

23,238. Farmed alone?—Yes, seed alone. At 14s. a barrel it takes two barrels to sow an acre in my part of the country.

23,239. Lord Millican.—Is that the Irish acre?—Yes, the Irish acre. I put down the cost of three horses at 6s. a week each, 2 labourers at 10s. a week. There were 2 extra labourers for harvest at 10s., blacksmith 5s., and rent 131l. and taxes 10l.

23,240. Sir James Caird.—All these items you are giving us are calculated to 8d. 17s. 3d. and 1s. 8s. You do not give us the interest of capital?—No.

23,241. What is it?—It would be 10s. more, I dare say.

23,242. That would be 3s. 15s. 8d. altogether?—That is only for the corn portion, but I only had about 20 acres out of the 70 or 80 corn land.

23,243. Lord Millican.—And then your answers only apply to those 20 acres?—Well, with regard to the corn land, I may tell you that I have had 11 barrels of corn only this year, which was sold at 10s., so that on my corn crop I was out 5s.

23,244. Sir James Caird.—And the corn crop only raised?—Only 5s. 10s.

23,245. Lord Millican.—You are not calculating the straw?—No, and it is a thing we cannot do without at all.

23,246. And it is much more valuable than it used to be?—I cannot say that.

23,247. Is it not?—No, it is only 1s. 6d. a cwt., and it was 2s. and 2s. 6d.

23,248. Sir James Caird.—Is not it necessary to maintain the productiveness of the land?—Undoubtedly, sir.

23,249. Lord Millican.—Some years ago it was not more than a shilling a cwt.?—With regard to the question of the query sent out with regard to combinations, there is nothing of the kind in our neighbourhood.

23,250. The President.—You have nothing more to say about prices. Your figures go to prove that you have made no profit this year?—No profit this year.

23,251. No profit at all? and therefore you must have been living out of other sources than your farm?—I do not pay any rent for my land in Meath, and if it were not for that I could not live at all.

23,252. Then with regard to the pasture it is different; you still continue to make a fair rent out of

that?—No, my Lord, except with regard to sheep. Well, a trifling sum over the actual cost of keeping sheep, of keeping sheep and lambs for the early market. Those are the only things that pay any way well at all. But if you take the average on the whole, as in, I have not made anything of it at all.

23,253. Pasture land and tillage together; I thought that only applied to the tillage?—It applies to both.

23,254. And to both farms does that apply, in both counties?—No, my Lord, with regard to the Mount farm anything I made there was profit, because I had no expense whatever except the cost of a herd.

23,255. Then you were saying something about combination?—Well, there is nothing of that kind in my county, except where the tenants of a particular estate would join together and go to the landlord to solicit a reduction, but nothing illegal or further than that.

23,256. You have been valuing a little for tenants for the Land Court?—Yes, my Lord.

23,257. And is it your experience that the Land Courts have been fixing rents at less value than they used to do?—Yes, surely.

23,258. They have done so?—Yes, they have done so, and the rents fixed, at least in the Drogheda direction, were considered very fair. I may mention that the rents that I put down at the value of farms that I valued were those adopted by the Land Court.

23,259. You have been valuing for the tenants?—Yes.

23,260. Lord Millican.—Under those circumstances I do not wonder at your saying that the rents were very fair?—I suppose so, but it was the opinion of the tenants that they were fair.

23,261. Did you ask any landlord?—No, I had not much intercourse with the landlord at all.

23,262. The President.—How long are those rents fixed?—Six months ago the Land Commissioners were seated in Drogheda. I have not got the dates, but it would be fully six months ago.

23,263. I see you are prepared to give evidence about leaseholders. I do not think we want to go much further into that, we have gone into it so often, but you are of opinion that leaseholders should be admitted for the purpose of re-adjustment of their rents into the Land Court?—Oh, surely, my Lord, if it was necessary for one class of tenants in Ireland it is necessary for the other, because where the smaller tenants are losing a pound, the larger ones are losing two.

23,264. And you see no reason why they ought not to be admitted?—Certainly not.

23,265. And if they could be admitted it would meet their complaints entirely?—It would meet their complaints entirely provided they should not be shut out of any purchase still. You know they have been the great sufferers in Ireland. They have improved their farms more than any other tenants in Ireland, and they would be anxious to secure their improvements if it could be done on any fair basis whatever.

23,266. With respect to purchase, is there any great desire on the part of tenants to buy?—I think so to a greater extent even amongst leaseholders than tenants at will. They have got into combinations and are deterred.

23,267. Lord Millican.—What do you mean by tenants at will—there is no such thing?—I mean judicial leaseholders. They are deterred by agitators from coming forward. I have had experience in my own neighbourhood. There is an estate to be sold there, Mrs. Cole's, and it is in the market for the last six months, and they did offer 15 years' purchase and she would not take that because it is so heavily mortgaged. She would require at least 20 years' purchase to pay off the mortgages and they have been advised not to give that, but I have advised them to come to terms.

23,268. The President.—And you think if they were left to themselves they would?—I think they

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would be inclined to give 18 or 19 years' purchase at least.

23,309. Do you think it would be a good thing to leave the price to be adjusted by Commissioners?—Yes, my Lord, it is the only way to settle the thing. You cannot arrive at it properly without having an arbitrator authorised to do so. I think that is one of the modifications that would be necessary to place it in the hands of the Land Commissioners or some other body appointed to settle the number of years and the rental.

23,370. That and the rental should be settled by them too?—Of course would be settled by the Commission before that.

23,371. And the number of years?—The number of years; and I think it should be also made compulsory on the landlord to sell where any considerable body or proportion of the tenants were willing to buy.

23,372. Would you make it compulsory the other way, on the tenants to buy, supposing the landlord wishes to sell, or would it only be compulsory on the one side?—I say where the tenants are willing to buy.

23,373. But would you make it compulsory on the tenants to buy, if the landlord wishes to sell?—Well, I think not, my Lord.

23,374. Lord *Milltown*. Why not?—Well, I think they should be left at greater freedom. The men who had actually to deal with the soil one year with another should be left greater freedom.

23,375. I suppose that the reason that you advocate compulsion is for the national good?—Surely.

23,376. Then if it is for the national good, should not the tenants be equally compelled to buy as well as the landlord to sell?—I do not know how you can make it compulsory on the tenant to buy.

23,377. Then it is a difficulty in the machinery?—Yes.

23,378. But the principle there can be no doubt about?—Do not know, my Lord.

23,379. Mr. *Nelson*.—It would be a one-sided transaction; whenever the tenants did not wish to buy they need not?—Yes.

23,380. The *President*.—You would make it compulsory if?—If any considerable body of the tenants were willing to buy.

23,381. And the number of years to be fixed by?—By the Land Court or by specially appointed arbitrators.

23,382. As far as you can make out are the landlords unwilling to sell in the part of Ireland that you know about?—They are. I have known a couple of cases where they would have sold but for the intervention of the agent throwing obstacles in the way, one way or another. And there is another great obstacle to the tenants going into the Land Court, that is the hanging gale. I have known considerable distress from selling in the hanging gale when judicial rents were settled. That has prevented a good many tenants to my knowledge going into the Court.

23,383. But that was to be met by the Arrears Act?—Yes, but there were some of these arrears contracted since, and there were a good many cases where men did not go into the Arrears Court at all. In hundreds of cases a hanging gale is due. I have a hanging gale myself.

23,384. Mr. *Nelson*.—What would you propose on that subject?—I have no proposition to make on that subject whatever.

23,385. Sir *James Caird*.—What is the hanging gale?—It is the half year's rent previously due.

23,386. Suppose you enter in November?—Then there is no rent asked till the following November, and though there are two gales due, but one is asked for.

23,387. And the one due in May is then payable in November?—It is, but then it is not asked for till the following May.

23,388. The *President*.—There is always one half year in arrears?—Yes.

23,389. Sir *James Caird*.—That is a rule in Ireland?—It is a rule.

23,390. Lord *Milltown*.—There are a great many exceptions?—Oh, yes.

23,391. Sir *James Caird*.—Then do you say that before the estate was sold the tenants would have to pay up this hanging gale?—It was not with regard to side that I mentioned it, but with regard to going into the Land Court. They would rather submit to a small reduction from the landlord than take the case into Court, on account of having to pay up this hanging gale.

23,392. Is it a necessity that this hanging gale should be paid before the Commissioners can adjudge?—I have always known it to be called in when the cases were settled.

23,393. By the landlord?—Called in by the landlord.

23,394. Not by order of the Court?—Oh, no, the Court has nothing to say to it at all, but in two particular instances I have known those who got rents fixed obliged to pay this hanging gale.

23,395. Lord *Milltown*.—The condition precedent is, that all arrears shall be paid up?—Yes.

23,396. And then if the landlord requires it, it must be paid up?—Yes.

23,397. In many cases he does not require it?—In the only cases that came under my knowledge they were required.

23,398. The way to have wiped out that was by the Arrears Act, but now they cannot do it?—There should be a certain amount of arrears due before you could have waived yourself of the Arrears Act.

23,399. I think not?—You could not go in for one half year surely.

23,400. The *President*.—Have you any other suggestion to make about the Purchase Act?—There was one suggestion, that I would ask to have it left open for future examination, and that was the extending of the number of years for redeeming to 60 or more, instead of 49, so that the interest should be much lower. It is feared that we have not seen the worst in Ireland, and that we may not be able to pay even the judicial rents within a year.

23,401. And the one-fifth deposit, you think that stands in the way?—Oh, that stands good. There could be no better arrangement than that.

23,402. Does not that prevent landlords selling?—It ought not to do so, I think, where they are allowed very liberal interest on the money lent.

23,403. Mr. *Nelson*.—What do you call a liberal interest?—They are getting five per cent on the money, are they not?

23,404. Three?—But if they put it into three per cents, they would not get more. It is very much safer than a bank.

23,405. The *President*.—You do not often say opinion as to the one-fifth?—I do not.

23,406. Sir *James Caird*.—You are speaking as a tenant, not as a landowner?—Oh, as a tenant. I was not a landowner at all.

23,407. You have one of your farms (Lord *Milltown*). But he takes very good care not to have a tenant?—It is very difficult to get one if you wished to.

23,408. Lord *Milltown*.—Do I understand you to say that you have made no profit out of any of your farms?—I did not say any of my farms, my Lord.

23,409. Do you confine that observation to your tillage farm?—Yes, anything that I made myself was made on the grazing land.

23,410. But you have done very well with the grazing?—Not what I consider very well, then. I have not made more than 10s. an acre.

23,411. In March?—In March.

23,412. Do you agree with the last witness in thinking that this was one of the best years for grass that we have had for many years?—No, I should be greatly surprised if any witness stated that. I think it would be contrary to the truth.

23,413. But a great many witnesses have stated it. You do not agree?—No, surely not.

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23,314. Both for quality and quantity this year?—
(6, I did not understand you, my Lord. It certainly
was a good year for grass.)

23,315. And then a grazing farm would be a great
advantage to you?—Undoubtedly, it would be an
advantage.

23,316. But, notwithstanding that, you have not
made a profit?—Not made a profit.

23,317. Do you consider this was a better year than
last year, both for produce and for grass?—I do not
think so.

23,318. We have heard that it was in Louth?—I do
not consider that it was one whit better, at least in my
neighbourhood. I am only speaking of my own
district. It is very heavy land, that requires a
tremendous lot of working.

23,319. Are you aware of the prices given for
grazing land this year?—The only case under my
notice, was what I saw in the paper the other day of
a Mr. in Meath selling for 52s. an acre,

which I thought a monstrous thing.

23,320. I am speaking of the letting of grazing
lands?—I do not speak of that. That is not usual in
my neighbourhood at all.

23,321. But I suppose if they were let at rather a
higher rate than last year, that would be rather
evidence that the people did pretty well by them?—It
would, my Lord, but I was speaking to Mr. Daly, who
is very largely employed in the letting of grass land,
and he states that it is 5s. to 10s. an acre down from
last year.

23,322. But he has just given us evidence that it
was considerably advanced on last year, by 10s. an
acre?—About a year ago.

23,323. It is ten minutes ago since he told us, which
is very recent information. Ten shillings an acre
higher was what he gave us (Sir James Caird: That
is on the letting land)?—There is not a man in
Ireland that could give you evidence as to the price of
land in Meath better than he could.

23,324. And we have also had evidence that grazing
land and crop land was selling at a pound an acre
more this year than last year?—That would surprise
me very much.

23,325. Would not that be evidence—and we have
had it uncontradicted—that the persons who had it last
year did pretty well with it?—It would, my Lord,
surely.

23,326. Sir James Caird—Does tenant-right exist
in your part of the country?—No, sir.

23,327. Have there been any sales of farms in the
last few years?—No, not recently. Well, there was
one sale last year, I think, at a place called Moormount.
Yes, I remember that; there was one sale. We thought
it went very high, but then there was an excellent
barron on it that must have cost a thousand pounds to
build. It went for 1,200s.

23,328. And you do not know whether tenant-right
has gone up or down in the country?—No, I do not.
I do not know whether it is now more valuable than it
was.

23,329. As a rule are landlords willing to sell in
your part of the country?—No, not willing to sell.

23,330. About how many years' purchase would
induce them to sell?—About 20 or 22; say that I have
heard of at all are asking 20 or 22.

23,331. Are the tenants willing to buy?—They
would buy at about 15 years.

23,332. They would buy at a price that would give
them an additional reduction to what they got in the
last Court?—Yes, because it is the general opinion
that we have not yet reached the bottom of agricul-
tural matters.

23,333. Is that opinion based upon the fact that we
are getting a large quantity of cattle from America?—
Yes, foreign competition and the increased prepara-
tions that they are making in foreign countries to feed
our markets with meat and food of all descriptions.
We are in some cases that great cattle buyers in this

country are erecting works out in South America to
kill sheep and send them over here.

23,334. I think you said you were called upon to
value land?—Yes.

23,335. And you have had a good deal of experience
of the state of the country?—Yes.

23,336. What is your opinion of the financial state
of the tenant farmers?—I do not think they were ever
so poor.

23,337. And do you think it is merely caused by
their inability to pay that they are not paying more
this year?—There are cases where it is the case. I
know several cases myself, where, if they got 50 per
cent. reduction, they could not pay.

23,338. Was your attention called on any occasion
to the rents fixed for the last year or two by the
Commissioners?—No, there were not any cases at all
in my neighbourhood; not more than ten or twelve.

23,339. But are not the men who got rents fixed
originally in the Land Court complaining?—Yes, and
most unsatisfactory these turned out to be.

23,340. And do you think that the rents fixed
in 1881 and 1882 were too high?—They would be
very high rents now.

23,341. Does your experience of the financial state
of the farmers extend over a considerable district?—
I have had a great deal of intercourse, more especially
since I have joined this last year the defence associa-
tion. I have in the towns of Drogheda and Dundalk,
and round about that, had a great deal of conversation
with tenants for the last two or three years.

23,342. And you have never known them in a
poorer financial condition than now?—Never.

23,343. Over what period of time do you think
this financial period of depression has prevailed with
them?—Only for the last year or two or for the last
few years. Men who were working and thriving with
a small capital, have lost that capital now, and it is
worse their position would be getting every day.

23,344. Then the difficulty with them in paying
rent has nothing to do with combination?—Nothing
whatever.

23,345. But the fair want of means?—It is
downright poverty, and I believe the first question
now will be, not how to meet foreign produce, but
where to get exposed to work their farms for the future.

23,346. Does that apply specially to tillage farms?
—Specially to tillage farms. I have not had so much
experience in the county Meath at all.

23,347. You are speaking of tillage farms as a
rule?—Yes.

23,348. You have not had so much experience of
grass farming?—Not literally, not for the last five or
six years; but before I left my father we were always
in the grazing way, and had no tillage whatever, and
I know he has become poorer, although he is a grazier.
I know from my own experience that he has become
poorer than he was.

23,349. Do you suppose that that applies to a good
many graziers in that part of the country as well as to
your father?—I suppose it does.

23,350. And that his is a fair example?—And that
his is a fair example. He is not too highly rented,
and he has not had to pay more than anybody else.
The market is as well for him as for anybody else.

23,351. Mr. Nathan—In the present unsatisfactory
and unsettled state of affairs, it would be rather a
ticklish time to stimulate sale and purchase while things
are so unsettled and unsatisfactory?—Yes, things are
getting worse every day.

23,352. Sir James Caird—Are tenants very eager
to buy at present?—Well, they are not. They are not
showing very great eagerness, as I understand. The
only estate in my neighbourhood is just applying my
gate, and they are willing to give 15 years' purchase
for that. They would not give any more, and then
they say they would not be able to pay any interest
for a year or two.

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Mr J. J.
Russell.

23,353. Fifteen years would reduce their rents 40 per cent.—Well, Mrs. Cole has given 30 per cent. reduction already even to the judicial rent holders.

23,354. Mr. Keape.—Even to judicial leaseholders?—Even to judicial leaseholders.

23,355. Mr. Neilson.—Are statements being made?—Oh, everywhere. I got 15 per cent. myself.

23,356. Mr. Keape.—Just one question with reference to the Land Court. I think you said that it might be usefully employed in interfering between the landlord and tenants?—Well, I think something of that kind.

23,357. And do you apprehend that sales would not be carried out largely if left to themselves?—Well,

there would be great difficulty in getting them to come to terms unless somebody is to interfere.

23,358. What are the difficulties that you apprehend?—Well the arranging of the number of years' purchase, in the first instance, and then there are so many other difficulties to be met with, tenants, some of them, claiming to have too little land, and some of them having more land perhaps than they ought to have, and where sub-divisions have been carried out there is no end of trouble that would arise when you go into the thing minutely.

23,359. And have you thought of the effect it would produce if a number of landlords sold to their tenants?—No.

Mr. Edward
Malone.

Mr. EDWARD MALONE CHAIRED.

23,360. The President.—Mr. Malone, where is your farm?—I have one farm at _____, at Santry, on Sir Charles Donnell's property.

23,361. Lord Midleton.—In the county of Dublin?—They are both in county Dublin. Where I live is in county Dublin also, just convenient to Santry Lock.

23,362. The President.—And is it a leasehold or a judicial rent?—One is a leasehold, and the other is a judicial rent.

23,363. And is the leasehold much higher than the judicial rent?—Not as high as the judicial rent.

23,364. Is it an old lease, then?—Yes, an old lease, a lease for ever. I purchased the tenant's good will, I think in 1879.

23,365. What number of years did you give for the good will?—The value was 158*l.* 5*s.*, and the rent was 308*l.* a year. I should mention first that the farm I held when I was living, the lease was expired just then, and I had not a very good opinion of my landlord, and I expected that I would be put out on the road and have no place to go to, which induced me to give more than the value for this place. I paid 1,350*l.* for it.

23,366. Lord Midleton.—What year was that in?—That was in 1879.

23,367. The President.—And the rent was 308*l.*?—308*l.*, and I spent then on the house and improvements 700*l.* or 800*l.* I had to build a new house on it, I may say, because I was a young man and I wanted to make a home and get married, and at that time land was paying very well, and I had not at that time months when I would have lost 1,000*l.* if I wanted to put it on the market again.

23,368. You have no reason to think that if you went into Court you would get your rent lowered?—Not the slightest.

23,369. Then you have no wish to go into Court?—Yes, I have a wish certainly to get the rent reduced on that.

23,370. I think you said you would not get it reduced?—Oh, I believe I would get it reduced.

23,371. I think you said you were paying less on your leasehold than on the judicial holding?—So I am. The leasehold is less than the judicial rent on the other farm.

23,372. And you state that in spite of its being less you think you would get it reduced?—I believe I would. I may tell you, my Lord, that this year I have more produce on the leasehold than on the judicial holding for the rent.

23,373. Then you think that the judicial rent was put too high?—Yes, my Lord, it was indeed, and if the Court cared to see the condition of it, it would not take them very long. They could see the way it was valued and fixed by the Commissioners.

23,374. Sir James Caird.—What year was it fixed?—It dated from the passing of the Act. It was nearly one of the first in the district.

23,375. 1881 or 1882?—1881 or 1882, I am not certain.

23,376. The President.—Had you made improvements?—I made no improvements on the judicial farm. I got that in 1870, and I paid 300*l.* for that,

23,377. And they put it too high?—I got it valued by two or three parties, and the highest they valued it at was 198*l.*

23,378. Lord Midleton.—What is the acreage?—About 161 statute, for which I was paying 330*l.* a year.

23,379. And you gave 300*l.* for the tenant-right?—Yes.

23,380. Sir James Caird.—And you were to pay 330*l.*?—Yes.

23,381. Is that very fine land?—Very good land.

23,382. Is it near a town or the sea?—It is within four and a half miles of the city.

23,383. Of Dublin?—Yes.

23,384. Then I suppose you produce articles for the Dublin market to a large extent?—Nothing only potatoes. I do not grow vegetables. It is too far. It is a mixed farm of potatoes and corn and meadow.

23,385. Lord Midleton.—Why is it too far?—To work it as a kitchen garden, the cartage is too expensive, the carting of farm produce and carting of manure in.

23,386. No railway?—No railway, none whatever.

23,387. You are not near a railway station?—No; no nearer than the Broadstone.

23,388. The President.—Continue the account of what happened?—It was valued by the landlord's valuer at 227*l.* 18*s.* There was another gentleman who did not exactly put a value on it, but said he would take off 70 per cent. in view of the depreciation of farm produce; he valued the world, at least 20 per cent. Well, the Sub-Commissioners went out and valued the farm, and fixed the rent at 280*l.*, over the landlord's valuator.

23,389. Why was this?—I could not tell why it was. They did it, my Lord.

23,390. For 100 acres?—For 100 statute acres. I appealed and the landlord appealed.

23,391. Both appealed?—Both appealed.

23,392. The landlord appealed even though they put it higher than his own value?—Well, both appealed, and they summoned that valuator that put it at 227*l.* 18*s.*, and he was so ill that he did not produce him, and on the appeal case he got another gentleman who said it was value for 4*l.* 12*s.* 6*d.* an acre, and I think that is about the rent that has been fixed on it.

23,393. And what did the Head Commissioners do? They confirmed the decision of the Sub-Commissioners, and each party had to pay their own costs.

23,394. And in spite of this you think you would like to go into Court with your lease?—I would, because I believe it is a great deal too high.

23,395. And you see no reason why you ought not, and you do not see any reason why any other landlord should not?—None. There are some very good landlords that leaseholders have to bear at present. This place that I have, it cost me 2,000*l.*, and I put it on the market to-morrow there isn't one bidding an interest in it along with the rent, not one bidding.

23,396. Is that 2,000*l.* the tenant's interest?—It is the purchase I paid for it and the money I spent on it.

23,397. The money you spent on it?—In building a residence.

23,399. Not in farming it in any way?—I do not take that into consideration at all. That I expect has yielded me a return.

23,400. How much did you pay for the tenant's interest?—1,350*l*. All that is swept away, the same as if it went down the river. There is no return whatever for that.

23,400. With regard to purchase, have you any wish to purchase under the Act of 1885?—I would have a wish to purchase, but I think it would be quite useless, because, for instance, that judicial rent, if I offered 10 or 12 years' purchase of the judicial rent, I suppose I would not get it, and I would not accept it at 12 years' purchase.

23,401. Yet it is a judicial rent?—It is a judicial rent, and besides, there does not seem to be a desire on the part of the people to purchase, because they think it is useless; and there are some cases, where the agents of properties have no desire whatever to allow the tenants to meet their landlords. Their desire is to keep them as far apart as possible. There was a case where a gentleman wished an abatement of the rent in his lease. He would not be listened to, and then he wished to purchase under Lord Ashburnham's Act, and he was carrying on a communication through the agent. Well, before the agent would undertake to recommend his case to the landlord, he wrote to the agent to know how many years' purchase of his rental's face was he going to get, before he would recommend that case for his consideration; so that they have an interest in keeping the tenants from meeting their landlords.

23,402. Mr. Neligan.—Have you any objection to mention the name of that agent?—The letter can be produced. I can get the letter if you wish.

23,403. Lord Midleton.—Did you read the letter?—I have seen the letter.

23,404. What was done to prevent the tenant writing to the landlord when there is a penny post?—It should not prevent the tenant. In my case I would go straight to the landlord myself.

23,405. There is no necessity to go to the agent?—Oh, they would not like to displease the agent, because, if the agent put in a bad word for them to the landlord they would feel it.

23,406. As long as he pays his rent, he may snap his fingers at him?—Yes.

23,407. And if he is going to purchase, he may care just as much for him (The President: I suppose he would be afraid that the agent would be harder on him, if he were in arrears, or anything of that sort)?—That is the reason.

23,408. You say that they think it useless to purchase?—They think it useless trying, because the landlords would not accept what the tenants would think a fair offer.

23,409. You said you were anxious to purchase at a fair offer, having got a fair rent: what would you call a fair rent?—I would be inclined to give 50*l*. an acre for the land I hold at present.

23,410. What is the rent of it?—I am paying 3*l*. 12*s*. 6*d*. for one farm, which is the judicial rent.

23,411. You would give about 10 years' purchase?—Well about 10 to 12 years' purchase of the judicial rent.

23,412. Mr. Neligan.—There are, as I make it, 100 acres?—101 statute acres.

23,413. Lord Midleton.—And being prepared to offer 10 to 12 years' purchase of the judicial rent, you have come to the conclusion that it is useless to attempt to purchase?—I am quite sure it would be.

23,414. Well I quite agree with you?—I am quite sure it would. I would give about 14 years' purchase at the leasehold rent.

23,415. I suppose if you were the owner of the property you would be inclined to take that for it?—It is very probable I would not. I would try to get the best price that I could.

23,416. But you are trying now to get the lowest price that you can?—Oh, yes.

23,417. If you were in his place do you think you would take an offer of that kind for your land?—Very probably I would not.

23,418. You gave in 1879, I understand, 1,350*l*. for this perpetuity lease?—Yes.

23,419. 1879 was a very bad year?—Not with me; not with the county Dublin farmers.

23,420. All over Ireland?—Not with the county Dublin farmers; and I know, as far as I was concerned, it was not a bad year; but, as I said, three months after I purchased it,—that was in the month of April,—I would not have got within 1,000*l*. or it would not have brought within 1,000*l*. of what I paid for it.

23,421. Did you try?—No.

23,422. Then how do you know?—From the way farm produce came down. At that time we were getting 2*s*. and 2*s*. 6*d*. for wheat, 1*s*. for barley, and 1*s*. 4*d*. to 1*s*. 6*d*. for oats. Last year I sold wheat as low as 1*s*. 2*d*. This year—

23,423. Tell us what it would fetch in the market. Have you ever offered it for sale?—The place?

23,424. Yes?—No.

23,425. It is merely your own idea of what it would fetch if you did offer it?—Yes, merely my own idea, and besides that I have been speaking with other of the matter.

23,426. You have not had the slightest intention of selling?—I never had the slightest intention, because I bought it to make a home out of it.

23,427. And you have laid out a considerable amount of money and you do not wish to part with it?—No, I bought it to make a home of it.

23,428. Mr. Neligan.—At 50*l*. an acre you would be giving very nearly 18 years' purchase?—At 50*l*. an acre.

23,429. Sir James Caird.—I think you said that somebody that valued for you said that the farm was worth 102*l*.?—192*l*.; and he also said in giving his evidence before the Appeal Commissioners that after three years that rent would be a rockrent.

23,430. And you say that you would be willing to give 14 years' purchase of the 320*l*. that you pay?—Oh, I am not paying 320*l*.

23,431. Not 320*l*.?—No; the Commissioners fixed it at 280*l*. About 12 years' purchase on the judicial rent, and about 14 years' purchase on the leasehold rent.

23,432. Mr. Keape.—Is there any tenant-right existing in your part of the country?—Tenant-right?

23,433. Yes?—It does, of course, because in both instances I purchased the tenant-right. Even on the judicial rent in 1870, it was the tenant's interest I purchased there.

23,434. Have any farms been offered for sale on which judicial rents were fixed in 1881 or 1882, in your part of the country?—I am not aware.

23,435. Have farms of any sort been offered for sale lately?—No, I am not aware.

23,436. Sir James Caird.—I was wrong in the figure I gave you, but taking the figure you say, you now pay for the farm 280*l*. Would you say that you would give 14 years' purchase upon that?—No, no, no; about 12 years' purchase on that.

23,437. Mr. Neligan.—I think at 50*l*. an acre you would be giving more?—It is about 4*l*. 12*s*. an acre, and 12 years of that would be over 50*l*.

23,438. That would be 5,000*l*.?—Fifty times 101?

23,439. Sir James Caird.—How much do you say you would give upon the present rent you are paying, upon the 280*l*. you are at present paying?—About 12 years' purchase.

23,440. Mr. Neligan.—That would be very close on 18 years' purchase in the way I make it. You are offering a little over 17 years' purchase on the 280*l*.?—It is the Irish acre I am talking of. It is about 61 Irish acres; it is the Irish acre I am speaking of.

23,441. That accounts for it. At the English acre it would be over 17?—Oh, yes.

23,442. Mr. Keape.—I think you said you appealed in your case against the decision?—Yes.

23,443. And the landlord appealed?—Yes.

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—
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Mr. Edward
Malone.

23,444. Was it general at that time for appeals to be lodged against the decisions of the Sub-Commissioners?—It was. As soon as the case was decided in Kilmalech I said to the solicitor who conducted the case for me, "You may appeal as soon as you like." He waited till the time for appealing was expiring, and he then lodged the appeal and he found that the landlord had appealed as well.

23,445. Could you suggest any reason for the landlords generally appealing at that time?—No, I could not.

23,446. Lord *Milltown*.—You have not said any-

thing about the landlord's appeal; you have stated that you appealed, and then found that landlord was also appealing?—Oh, yes, both appealed.

23,447. Mr. *Kaige*.—And a number of those appeals were withdrawn afterwards?—I am not aware. By some parties they were. People had faith in the Sub-Commissioners, and if I was as wise then as I am now I would not have gone in then. If I had waited till now I would have got the judgment lost.

23,448. Your feeling is that the rents fixed after the passing of the Act were too high?—Much too high.

Mr. F. J. FREEMAN EXAMINED.

Mr. F. J.
Freeman.

23,449. The *President*.—Mr. Freeman, you agree with the last witness that leaseholders should be admitted to the Court?—Most certainly.

23,450. You have got a lease yourself?—Yes; at least my father, who is a very old man, and I manage for him.

23,451. Mr. *Nelson*.—Is it a lease for ever?—For 80 years. He took the farm in 1864, and it is for 80 years.

23,452. The *President*.—Is this the only farm that your father has, or is there any other?—Oh, no, there are others.

23,453. Are the others under judicial lease?—No, under fee farm lease.

23,454. And you have no remark to make about that?—I hold land in the Queen's county and also in Tipperary, as well as in Kildare.

23,455. Therefore you have had a good deal of experience of the fall in prices lately?—Yes.

23,456. And on the whole has your father been able to make the rent of the farms?—Not for the last five or six years.

23,457. He has been drawing upon capital during the whole of that time?—Very largely; he laid out a large sum of money on the lease when he took it, building a house and residence and offices, and improved the land very considerably, and I suppose paid out 1,500*l.*, and he advertised the place last September and so on ever since to look at it.

23,458. Lord *Milltown*.—Where was this?—In Kildare.

23,459. Does your remark apply to all your holdings?—No, only to the leasehold holding.

23,460. You have told us that you have land in four different counties?—In three.

23,461. I want to know about which you are speaking?—The fee farm grass that we hold in the Queen's county has been in the family for 200 years, and that is only subject to a nominal rent.

23,462. The *President*.—It is almost as good as a freehold?—It is only on the farm taken in 1864 that we have to complain of the rent.

23,463. With respect to all your farms, which are in three different counties, speaking generally, do you think that you have been able to make the rent out of the produce? You told me that your father has not made the rent for five years; does that only apply to the Kildare farm?—Only to the Kildare farm, because the other is only subject to a nominal rent, a few shillings an acre.

23,464. At any rate you are not referring to that?—No.

23,465. What is the Kildare farm in—pasture or tillage?—Principally in pasture.

23,466. And even with that you have not been able to make the rent?—Not anything like the rent, because the rent is very high—it is nearly 90 per cent. over the valuation.

23,467. Would you have been able to pay a fair rent out of it?—Most decidedly.

23,468. It is on account of the rent being so high that you cannot?—Yes.

23,469. What you really complain of, what you chiefly want to give evidence on, is your not being allowed to come in under the Land Act?—To come in under the Land Act of 1881.

23,470. Mr. *Nelson*.—The lease standing in your way?—The lease standing in the way.

23,471. The *President*.—And if you were admitted that would meet your wishes?—Decidedly. The landlord is a middle landlord, and we made application to purchase his interest in it. He was willing to sell, but he asked how many years' purchase we were willing to give of the present rent. Well, we could not make an offer at the present rent, because the rent should first be reduced to a fair rent, and the middle landlord has a mortgage on the property of 1,000*l.*, which would be too much to ask us to give for his interest in it; and even if we were to take that 1,000*l.* and pay the mortgage, he would have nothing going away out of it. The middle landlord would derive nothing.

23,472. Mr. *Nelson*.—What is the present rent under the lease?—The present rent is 394*l.* 2*s.* 10*d.*

23,473. The *President*.—For how many acres?—143 acres, including roads and waste land.

23,474. Lord *Milltown*.—How many acres?—143 Irish. I think 143*s.* 3*rs.* 0*ps.* and the valuation 268*l.*

23,475. The *President*.—Then how many years of a fair rent would you give, do you think?—I do not think we could purchase at the present rent unless there was a fair rent fixed.

23,476. But if a fair rent was fixed how many years?—I think I would be willing to give, I suppose, 18.

23,477. Mr. *Nelson*.—What would you call a fair rent?—I think about 10 or 12 per cent. over the valuation.

23,478. How much would that be for (Sir *James Caird*): That would be 225*l.*?—Mr. Thomas Fitzgerald valued the place at 202*l.* 15*s.*

23,479. The *President*.—When you made the offer to the landlord did you name any sum?—No, because we could not get near each other. When I found that he had 1,000*l.* of a mortgage on his interest I thought there was no use.

23,480. Mr. *Nelson*.—Would you think 200*l.* a year too much to pay for the place by leaseholds?—No; that would be the valuation, and I would pay a little more than the valuation.

23,481. Would you pay 200*l.*; that would be very nearly 20 years' purchase?—Yes.

23,482. Sir *James Caird*.—That would only be half your present rent?—Yes.

23,483. Mr. *Nelson*.—At 20 years' purchase you would be only paying the Government what I got, 200*l.* a year?—Yes.

23,484. Lord *Milltown*.—As I understand, you hold under a middleman?—Yes.

23,485. And he has mortgaged his interest for 1,000*l.*?—Yes.

23,486. And you think that that is about the value of what his interest is?—No, I would not be inclined to give him 1,000*l.*

23,487. You think it is more than the value?—More than the value, decidedly.

23,488. What rent does he pay his landlord?—He pays his landlord 12 per cent. over the valuation.

23,489. In point of fact he pays the full value of the land?—He pays the full value of the rent.

23,490. So he has no interest in it at all?—No interest by right.

23,491. Suppose you are right, your landlord has no interest in it?—As I tell you, Mr. Fitzgerald valued the property for the head landlord at 268*l*, and the head landlord's rent is 226*l*.

23,492. Your landlord has practically no interest in it?—Decidedly.

23,493. And he has mortgaged his interest for 1,000*l*?—Yes.

23,494. Therefore of course he will not sell to you unless you are prepared to give him something that will produce 1,000*l*. more than the value of the land?—Yes,

and he would still have nothing. He would walk away without any surplus.

23,495. Mr. Neilson.—If you are prepared to pay 200*l*. to Government in instalments, that would represent over 2,000*l*, and that would give your landlord his mortgage and about 1,000*l*. into his pocket.

23,496. Lord M'Donnell.—But then he would have to pay the head landlord (Mr. Neilson) Well, he would have 1,400*l*. to do it?—But the head landlord's rent is 226*l*.

23,497. Mr. Neilson.—I made a mistake. He has practically no interest.

Dec. 6, 1886.

Mr. F. J. Freeman

The Commission adjourned to the following morning.

THIRTY-SECOND DAY.

Tuesday, December 7th, 1886.

The Commissioners met at No. 36, Marston Square, Dublin.

PRESENT:

THE RIGHT HON. EARL COWPER, PRESIDENT.

THE RIGHT HON. THE EARL OF MELLTOWN.
SIR JAMES CAHILL, K.C.B.

MR. NEILSON, Q.C., Recorder of Lendinerry.
MR. KNIFE.

The Right Hon. M'MONRODOR KAVANAGH examined.

Dec. 7, 1886.

The Right Hon. A. M'M Kavanagh

23,498. The President.—I think, Mr. Kavanagh, you said you were prepared to read some evidence, and saying it might save time if I was to let you take your own course, and not ask you any questions until you have finished reading, unless anything occurs to me or any of the rest which requires explanation?—Yes. I will read your lordship a copy of my evidence, so as you can follow me, and then of course you can stop me when any of the Commissioners like. My lord, at the beginning of the sketch I have always been asked at other Commissions to put in a description of myself. It sounds rather comical to begin like that.

23,499. The President.—I think it would be a good plan. *Witness*.—I will read it through then (reading): "I am a member of the Irish Privy Council, a magistrate for the counties of Carlow, Kilkenny, and Westford, and Her Majesty's Lieutenant for the county of Carlow. I was a member of Parliament for county Westford from 1866 to 1868 and for county Carlow from 1868 to 1880. I am a landed proprietor in the counties Carlow, Kilkenny, and Westford. In the county Carlow I have 16,974 acres let in 307 agricultural holdings, 325 out of this number are under £10 valuation. In Kilkenny I have 7,166 acres let in 233 holdings, 51 of which are under £10 valuation. In Westford I have 4,063 acres let in 129 holdings, of which 38 are under £10 valuation. That gives a total of 894 holdings, 434 of which are under £10 valuation. It gives a

"general average of about 32½ acres per holding. "I give these figures as the simplest way of showing "the general nature of the property. I have been "in possession of the property since 1854. From "1858 till 1880 I managed the Carlow and Westford "properties myself, without an agent; since then on "account of the agitation and strikes against paying "rents I have been forced to place the management "in other hands. Since 1877 I have managed the "Kilkenny property myself without any agent, and "continue to do so still, but I am very doubtful of "being able to do so longer. In 1880 the average "rates at which the lands were let were as follows: "In the Carlow and Kilkenny properties the village "lands were then let at something less than an average "of 1 per cent. over the peer law valuation; in Westford the letting was higher, about 50 per cent. over "the valuation; the grazing lands in Carlow and Kilkenny were let at from 50 to 50 per cent. over the "same. Since 1880 considerable reductions have "been made on the Carlow and Westford properties. "Up to 1879, when the agitation against the payment "of rent began, the rents were always paid cheerfully, "and I had every reason to believe were considered "reasonable. I believed them to be so, relying on "the following facts: First, that by far the largest "proportion of rents on all three properties had not "been raised for more than 50 years; second, before "my time, large sums were laid out in improving "the property, draining—under the Act known as

Dec. 7, 1886.

The Right
Hon. A. M. M.
Kavanagh.

"Lebanon's letter"—helping the tenants to build,
"and since 1856 I have for the same purpose ex-
"pend over £27,000, and, that within the last
"30 years lines of railway have been made through
"the entire length of all these properties."

23,500. Sir James Carril.—I observe that the
average rent of the tillage land was 1 per cent. over
the valuation, whereas the average rent of the grazing
land I understood to be from 20 to 30 per cent.—
Yes.

23,501. Does that arise from any great difference in
the quality of the land?—Oh, yes. Some of the
grazing lands are in Kilkenny, and some in Carlow.
Paris have been valued at 47 per acre, but they are not
rated at more than 23.

23,502. But the fact that it is valued at from
20 to 30 per cent. over the valuation would seem to
show some great superiority, as compared with the
tillage land. And I correct in saying so?—Yes, on
these small bits of grazing land.

23,503. Lord Milnes.—What do you mean by
being valued at from 20 to 30 per cent. more than the
poor low valuation?—Oh, I do not mean local value;
I never let them at that.

23,504. I only want to know?—Yes. [Continuing]
"Since 1879, when the agitation commenced, hardly a
"year has passed without some combination against
"payment, either to refuse it altogether, or to make it
"conditional on some exorbitant reduction. As an
"instance I will give an account of what happened
"last year. In October 1885 the tenants, or a very
"large majority of them (it would be unjust to say
"that they all joined) on my Carlow and Wexford
"estate attended a meeting summoned by the
"branches of the Land League of their respective
"districts, and presided over by three priests, they
"then, as it was reported to me, decided to demand
"an all-round abatement of from 25 per cent. to
"30 per cent. on the year's rent then due, and unless
"that was granted to refuse any payment. It was
"further agreed to start a defence fund and to 'stock,'
"as they call it, i.e., to put in some bank in the name
"of certain trustees, the difference between the
"amount of rent they proposed to offer and what
"was due, any tenant who paid his rent without the
"consent of the others was to forfeit this difference.
"On hearing of this meeting I sent out the following
"circular.

"To the tenants on my Carlow and Wexford
"Estates."

"October 30, 1885.

"Having heard that at a meeting held on Sunday
"last at Slough cross roads resolutions were passed
"relative to the payment of rent now due to me, I
"think it better to let you all know at once that I
"will give no general abatement. In my opinion
"any reasons that may have existed in former times
"for giving such have been more than met by the
"Land Act of 1881. But even if that Act had not
"passed, the fact that the Land League has issued
"orders to the tenants to 'hold the rent and starve the
"landlords' would be sufficient to make my landlords
"who possessed the smallest feeling of independence
"fiercely resist any claim made in compliance with
"that order. Now, as to what I am prepared to do;
"I am ready, as I always have been, carefully to
"consider the individual case of every tenant on my
"property. I frankly admit that although the
"harvest has been a fair one, and although prices
"are not lower now than in 1867, the general
"depression, mainly due, I believe, to the deplorable
"agitation which has unsettled everything and
"driven capital out of the country, has made it
"extremely difficult to sell cattle or other produce,
"and having regard to that fact, I am quite ready to
"give time for the payment of the rent now due to
"any tenant who requires it. To every tenant who

"pays up a year's rent at the coming month, I will
"return as 'discount for cash,' such an amount as
"under the general and individual circumstances of
"each case appears to me to be fair, and to every
"tenant who has suffered exceptional losses, I shall,
"as heretofore, consider how I can best help him.
"But as I have before said, I will make no general
"abatement, and any combination to exact such will
"only have the effect of preventing me from making
"any concession or allowance to those who are
"part in it. I can only add that I am truly sorry
"if the report to which I have referred is true, that
"you have again allowed yourselves to be led by
"those whose real object is, not your good, but to
"sow dissensions between us."

"(Signed) ARTHUR KAVANAGH."

"Borris House."

"In November 1880, headed by two priests, came in
"a body to the rent audit when my son was sitting,
"and stated to him that no rents would be paid
"unless an all-round reduction of 25 per cent. were
"granted; this being refused they left in a body
"without paying anything. Writs were then served
"on 21 of the ringleaders, but they were not executed
"until February in order to give them the oppor-
"tunity of reconsidering their determination. In the
"meantime many of the tenants came to me privately;
"some of them paid their rents, others stated that
"they had the money, and that they believed the
"majority were quite willing to pay if they dared,
"but that they were in dread if they did so of having
"their houses burned or themselves injured. Two of
"those who were served with writs paid privately,
"and said that they were unwillingly dragged into
"the combination; others sent me word that they
"could not do so before the sheriff seized their
"holdings, as if they did the League would not pay
"their costs. In February the writs were executed,
"the holdings put up for sale, and all were bought in
"by the tenants for the full amount of rent and costs.
"The combination was thus broken down and the
"rents were paid. During the struggle large
"meetings were held nearly every Sunday, at which
"most inflammatory speeches were made. I, as the
"head of the Land Corporation, was pointed out as
"the most fitting object of attack, and the people
"were counselled to fight it out to the bitter end,
"and if I attempted to take legal proceedings they
"were advised to ring the chapel bells to assemble
"in their thousands and re-enact the scenes of
"Mullinest. The real difference which existed
"between me and the tenants was not so much the
"amount of the abatement as their conditions that I
"should be an all-round one, and that include the
"cases of those tenants who had gone into court and
"had judicial rents fixed on this point upon principle.
"I was determined not to yield, and the Land
"League, knowing this, inserted it as an essential
"condition. With regard to the abatement which I
"said in my circular I was ready to give as discount
"for cash, I had gone through the rental and
"marked in each case of a non-judicial rent the
"allowance to be made varying according to the
"circumstances of the tenants or of the holding
"from 5 per cent. to 10 per cent., in some few cases
"15 per cent., and on the large grazing farms over
"20 per cent. I told several who came in to talk to
"me privately the amount that I marked for them,
"and they said they were perfectly satisfied to leave
"the matter in my hands if they were let, but the
"system of intimidation was so great that they dared
"not face it. That is the history of my own case.
"It affords an example of the course pursued by the
"tenants generally throughout the country since
"under the orders the Land League. I would ask
"permission to put in as evidence the following list
"of over 100 other similar cases, the particulars of
"which were sent to me individually in reply to a
"inquiry I was asked to make upon the subject.

LEINSTER.

Dec. 5, 1886

The Right Hon. A. M.M. Kinnear.

Landlord.	County in which Estate is situated.	Number of Statutory Tenants on Estate.	Gross Rental of these Tenancies.	Number of these Tenants who demanded arrears.	Percentage of Arrears paid.	Observations.
Donohoe, D. R. F. Kinnear, A. M. -	Carlow and Wexford.	50 274	887 4,870	30 274	25 to 50 25	Tenants lodged a certain proportion of rents with trustees which any were to forfeit who paid without consent of the others.
Boss, Right Hon. H. -	Carlow and Kildare.	104	4,270	34	25 to 50	Most of these have since paid.
Coertson, Earl of -	Carlow -	53	1,641	37	30	
Weldon, Sir A., Bart. -	Kildare and Queen's.	4	107	4	—	All applied for statements which were refused; they then paid.
Verey, Capt. A. -	Kildare -	2	32	2	25 to 30	
Possell, Mrs. C. -	do. -	1	12	1	25	Landlord offered 15 per cent. Tenant promised to pay.
Colley, Henry T. -	do. -	10	522	10	25 to 30	
Kerris, Mrs. Sophia -	Sligo -	4	111	4	50	Tenants at first demanded 30 per cent then 20 per cent, and on this being refused, lodged rent in bank less 20 per cent. in present's name.
O'Donoghue, The -	do. -	33	173	13	25	
Mealy, H. B. -	do. -	5	133	5	15	
Anderson, T. W. -	do. -	7	134	7	20	
Bishop, Mrs. A. -	do. -	1	25	1	20	
Do. -	do. -	2	48	2	20	
Dagby, Lord -	King's -	87	4,500	87	30	The rents have since been paid in full. Local Branch of National League raised resolution that rents should be lodged with trustees.
Arch, G. C. G. -	King's and Meath.	1	24	1	40	
Bonnet, John H. -	King's and Wicklow.	21	300	21	20 to 30	
Hopwood, Col. Dopping -	Longford -	50	555	39	35	On being threatened with legal proceedings all paid but two.
Gray's Estate -	do. -	25	708	26	25	
King-Harman, Col. -	Lancaster and Westmorland.	175	3,000	175	25 to 30	
Thompson, Hon. R. -	Queen's -	10	966	10	—	
Remond, William -	do. -	47	711	47	—	
Dunne, L. E. Dawson -	do. -	75	969	25	50	
Dunne, Maurice -	do. -	—	—	8	15	
Stephens, Major J. O. -	Westmorland -	25	300	25	25½	
Smith, Captain -	do. -	9	63	2	—	Amount of statement not specified. Landlord willing to avoid legal proceedings, offered 20 in pounds; not yet paid.
Humphreys, Wm. -	Wexford -	27	662	27	30	
Boasman, the Minor -	do. -	5	166	5	25 to 30	
Drum, Right Hon. H. -	do. -	10	620	10	30	Tenants have collected a defence fund to resist any legal action taken by landlord.
Scott, James E. -	Wicklow -	1	76	1	20	
Waterford, Marquis of -	do. -	79	1,460	79	50	Statement refused by landlord.

MUNSTER.

Landlord.	County in which Estate is situated.	Number of Statutory Tenants on Estate.	Gross Rental of these Tenancies.	Number of these Tenants who demanded arrears.	Percentage of Arrears paid.	Observations.
Ingham, Devereux Lady -	Clare -	10	4	10	30	
Fitzgerald, Sir A., Bart. -	do. -	68	147	—	—	
Stall, Mary C., and another -	do. -	11	259	11	20	Some asked 30 per cent. Tenants came in body to make this demand, headed by one priest, and a woman stated that the parish would be paid too but to hold any tenant who paid the rent without the statement. Most have since paid.
Woodward, Mrs. -	do. -	20	370	20	20	

"MUNSTER—continued.

Dec. 7, 1888.
The Right
Hon. A. M.M.
Kerruish.

Landlord.	County in which Estate is situated.	Number of Statutory Tenancies in Estate.	Gross Rental of these Tenancies.	Number of these Tenancies in which the amount of the rent is not specified.	Percentage of the amount of the rent demanded.	Observations.
Flanagan, P.	Clare	88	825	Some of them.	20	These have since paid.
Marshall, Reps. of W. J. H. Fraginold, W. H. W. Wadd, & H.	do.	95	1,150	95	20	
Wadd, & H.	do.	43	565	46	25	
Wadd, & H.	do.	20	565	25	25	Said they would lodge amount offered with trustees.
Steeple, R.	do.	50	1,700	50	20	Trustee came in body, headed by priest, and refused to pay without this statement. A few have since paid by bank orders, but asked to have the receipts sent through friends.
Steeple, R.	do.	47	670	47	20	These men were tried August 1885, when tenants strongly represented to the Commissioners the badness of the case. Some have since paid; adjustment processes having been made against them.
Bagleton, Edward Vandeker, H. J. Nerbary, Earl of	do.	54	804	54	25	
Bagleton, Edward Vandeker, H. J. Nerbary, Earl of	do.	165	5,049	164	26	
Bagleton, Edward Vandeker, H. J. Nerbary, Earl of	Clare, Tip., and Sligo.	32	564	22	26	On Sligo estate, the eight tenants who had their rents fixed on the only tenants who have not paid.
Brade, Miss A. J.	Clare	27	584	27	30	Tenants came, headed by the curate, who advised them, in agent's presence, to spend all they required for their family expenses, to keep a store for contingencies, and if there was anything left to give it to the landlady.
De la Haye, Madame	do.	15	226	15	15	Many have since paid.
Edin, R. W.	do.	25	595	25	20	
Mills, Misses	do.	5	41	3	20	
Edin, R. W.	Clare	88	5,628	82	20 to 40	Agent believes most of them lodged amount offered with trustees.
Colley, H. F.	do.	2	60	2	25	1880s.
O'Grady, Miss K.	do.	2	25	2	20	20 per cent. was offered to non-polluted tenants, but they refused to pay unless the same statement was given to the two statutory tenants also.
Donnell, Vincent	do.	23	1,023	20	—	Amount of statement not clearly specified.
Longfield, Richard Finney, Lord	do.	19	419	17	26	
Longfield, Richard Finney, Lord	do.	45	1,540	45	25	Tenants on one townland having been refused statement, lodged half-year's rent, less 25 per cent., in the bank in names of leading men of local branch of National League. A possession order was subsequently obtained to attach this sum.
Pennery, C. W. E.	do.	41	1,222	41	20	Many of them lodged amount with trustees.
Warren, Sir A.	do.	3	308	3	20	2nd lodged with trustees.
Crooke, P.	Kerry	14	225	14	—	Tenants have refused to pay, but have not demanded any definite statement. General statement was given to the two statutory tenants also.
Stoughton, Reps. of T. A.	do.	66	1,482	66	—	Asked 25 per cent., others refused to pay.
Fitzgerald, See Maurice (Graft of Kerry).	do.	22	412	22	—	Refused to pay, have not demanded any definite statement.
Chale, F. H.	do.	34	503	10	20	
Burke, Reps. of T. F.	do.	33	122	13	25 to 30	
Rae Estate	do.	47	201	47	40	Estate in Chancery. Receiver Judge refused application for statement; rent not since paid.
Landowners, Margate of	do.	120	2,000	120	40	
Do.	do.	50	400	50	20	
Crooke, Col. James	do.	113	2,000	90	20	Twenty tenants who paid March (1885) rent in December have been boycotted since.
Do.	do.	51	1,200	Most of them.	20	
Baker, Mrs. Maria	Limerick	7	490	7	20	
Cooper, Col. B. A.	do.	11	323	11	18	
Finney, Lord	do.	52	732	22	20	
Pigott, H. A. H.	do.	21	664	—	—	Agent accepted 20 per cent. of rent on account. He declines to let as had to get judicial rents as any other.
Thack, Reps. of	Tipperary	26	406	25	25	
Bagwell, Richard	do.	56	1,204	56	—	Amount of statement not specified by tenants.
Kearney, Major	do.	24	415	24	25	
Senesi, Mrs.	do.	22	328	22	25	A fund was raised by the tenants for their defence in any legal proceedings which might be taken against them.

"MUNSTER—continued.

Dec. 7, 1884.

The Right
Hon. A. M.M.
Kernagh.

Landlord.	County in which Estate is situated.	Number of Statutory Tenants on Estate.	Grass Rental of these Tenants.	Number of these Tenants who have demanded their rents.	Percentage of Arrears paid demanded.	Observations.
Charteris, Lady M. - Baker, Lady E. - Baly, Hon. Foss - Denny, A. - Rev. Mrs. Spring - Sunderby, Earl - Fonsbacher, the Misses - Low, F. W. -	Tipperrary - do. - do. - do. - do. - Queen's - Tipperrary - do. -	299 5 12	5,000 168 450	— 5 10	30 to 40 20 Griffiths' valuations.	Nearly all the tenants on these estates demanded statements, but, having been refused, the greater portion of them have since been paid. These have since paid, with costs, legal proceedings having been taken against them.
Chumley, H. P. - Devonshire, Duke of -	Waterford - do. -	181 89	4,371 2,130	131 25	25 40	A subsequent memorial, asking 30 per cent., has been sent to landlord. Amount of statement not specified.
Deber, R. J. - Anderson, T. W. -	do. - do. -	1 1	55 29	1 1	— 30	

"ULSTER.

Landlord.	County in which Estate is situated.	Number of Statutory Tenants on Estate.	Grass Rental of these Tenants.	Number of these Tenants who have demanded their rents.	Percentage of Arrears paid demanded.	Observations.
Key, Richard - Arms, Earl of - Twigg, Col. Genl. - Edl, Captain A. - Ophelt, Wybrand -	Down - do. - do. - do. - do. -	20 400 80 270 400	65 2,000 160 343 1,360	30 600 60 379 400	20 30 20 20 20	Frist wrote to say they would pay if 10 or 50 per cent. was allowed. Tenants valued in a body, headed by the priest, and demanded the reduction, which was refused. One tenant, whose rent was 11, was arrested some evening for drunkenness, and was found to have 20s. in his pocket. Joined with non-judicial tenants in asking statement. Tenants afterwards said they would pay if they got 30 per cent.
Teale, Col. - Needell, Col. -	Down - Tyrone -	15 51	322 519	15 45	up to 50 20	

"CONNAUGHT.

Landlord.	County in which Estate is situated.	Number of Statutory Tenants on Estate.	Grass Rental of these Tenants.	Number of these Tenants who have demanded their rents.	Percentage of Arrears paid demanded.	Observations.
Lambert, J. W. H. - Wormshead, Earl of - Polish, John - Deansdale Estate - Addison, Lord - Anon, Mar. G. P. - Pinner, Mrs. J. -	Galway - do. - do. - do. - Galway and Mayo - Leftrins - do. -	— 177 — 400 108 50 85	250 3,040 1,760 4,500 950 300 450	— 177 — 400 166 80 55	— 25 — 25 to 30 25 30 25	Legal proceedings taken; half-yearly rent and costs paid. Greater number have since paid on pending statement of 15 per cent. Only 30 have paid May (1885) rent. Tenants demanded 25 per cent. and all the poor rate. Tenants demanded 25 per cent. and all the poor rate. Several tenants refused the agent they would pay, but were afraid to do so. The tenant is badly depopulated.

Dec. 7, 1896.

The Right
Hon. A. M.M.
Kenny.

Landlords.	County in which Estate is situated.	Number of Distress Warrants on Farms.	Given Rental of those Warrants.	Number of those Warrants who obtained Amortisation.	Percentage of Amortisation demanded.	Observations.
Perry, Edmund H. C.	Mayo	524	1,560	All but a few.	50	One Protestant tenant who paid his rent told landlord he did so to terror.
Arms, Earl of	do.	220	1,000	250	30	Tenant stated they would lodge amount offered with trustees.
Browne, J. D. E.	do.	870	1,496	200	50	
Paul, Maryon	do.	261	2,051	281	40	Tenants stated they would lodge amount offered with trustees.
Kear, Col. C. W.	do.	150	800	130	50	Lodged amount offered with their agents.
Irvine, Mrs.	Barrowman	40	800	40	30	
Crofton, Lord	do.	15	207	15	30	
Hewson, Mrs.	Sligo	80	840	80	50	
Phibbs, William	do.	150	1,500	150	80	Were threatened with legal proceedings, and are now paying.
Yonckley, R. J.	do.	40	487	—	—	Asked an abatement on May (1896) rent, but paid without it.
Harleth, Lord	Sligo and Mayo	45	578	45	—	Abatement not specified. Ten demanded 40 per cent., and refused to pay without it.

It was suggested in this way: towards the end of 1895, Mr. Gladstone, who was then Prime Minister, expressed a wish to know whether any demand had been made by the tenants in Ireland for abatement on judicial rents. In order to furnish this information I sent out the following circular, the replies to which were tabulated on the form I have named, and a copy sent to Mr. Gladstone in January 1896:—

"INQUIRY as to PAYMENT OF RENTS which have been fixed under the Land Act of 1881.

1. Landlord's name and address?	2. REPLY.
2. Name of estate? Where situated?	3.
3. How many tenants had their rents fixed under the above Act?	4.
4. Gross yearly rent so fixed?	5.
5. Have these tenants refused to pay rents so fixed without further abatement?	6.
6. What abatement did they recommend?	7.
7. Did they lodge the amount they were willing to pay with trustees?	

"Please return the form, when filled, to W. GYAN, Malvern Street, Dublin."

I do not know whether I should put this in. The Commission may do what they think best about it. The President.—Better leave it with us.

Sir James Covel.—Perhaps you can leave it for our consideration?

23,503. The President.—You might state the general result?—I think the general result was that there were over 100 of these cases where tenants who had judicial rents fixed struck for a reduction. I cannot say exactly what it was, as it varied. I think it was from 15 to 20 or 30 per cent.

23,506. Lord Millican.—What part of Ireland does that affect? Is it any particular county?—Oh, dear no; I sent out, I think, 800, and this is the reply what I call lodged down.

23,507. All over Ireland?—All over Ireland, Shall I go on, my lord?

23,508. The President.—Yes, please?—Witness (continuing).—From all the circumstances which have come to my knowledge during the course of

"this agitation I think it is clear that the real object of the League in adopting the 'no rent' cry was not the plausible one which they have been enabled to put in the foreground of getting reductions for the tenants but by preventing them from paying their rents to force the landlords to have recourse to evictions. With some view they have used their influence to prevent the exercise of the tenant right as also to prevent tenants purchasing under Lord Ashbourne's Act. There are a good many instances now in many parts of Ireland of a disposition on the part of landlords and tenants by these means to settle their differences without the interference of the National League. Tenants brought about in this way would be simple ruin to the agitators and destruction to their trade. It would put a final stop to the stream of American dollars upon which the majority, if not the entire, of Mr. Parnell's party depend for their very existence, and would prove in the most unmistakable manner the moral and hollow nature of the cry for home rule, as far as the great majority of the farmers in Ireland are concerned, and therefore it cannot be wondered at that every effort should be made to prevent these settlements. To prevent the payment of rent is the first and most important principle in the policy of the League, because it is the shortest and most direct course to bring landlords and tenants into collision. The alleged object of obtaining a reduction in rent for the tenant is too plausible a covering and too good a bait for the tenantry, not to be put in the foreground as the real purpose, and although the insidious manner in which this is done is marked by great cleverness, that their real object is such as I state is clearly evident from their own speeches and publications. In support of this I would offer the manifesto on the rent question called 'Plan of Campaign' published in 'United Ireland' of October 21st (last) as important evidence." Perhaps you have it?

The President.—We have it.

23,509. Mr. Neligan.—Yes, two or three copies of it.

Witness.—I also give a few extracts from speeches and papers with particulars as to dates, &c., to afford means of verification. I have a big book here (book produced) containing an immense number of extracts.

The President.—I think if you put the principal specimens into evidence it would be sufficient.

Mr. Neligan.—Such extracts as Mr. Kenny may select from his book.

23,510. Lord Milford.—What does this go to prove?—Proving clearly that the Land League has been holding the people not to pay rents and in fact not to comply.

23,511. The President.—That their object is to force evictions?—Yes; that, it is my belief, is their main object.

23,512. Lord Milford.—And cause collisions between landlord and tenant?—Essentially. The first extract I shall give is from the "Ressomon Herald" November 9th, 1886 :—

"Speech by Mr. J. J. O'Kelly, M.P., at Broombridge, county Roscommon :—We on our part have told 'the people of England that you are not able to pay 'without taking from your farms those things which 'are necessary for the proper cultivation of them. 'If you allow yourselves to be intimidated by agents 'and landlords into parting with your stock to pay 'a rent which the land has not produced, there will 'be a strong argument next year when Parliament 'meets, to show we were not speaking the truth 'when we said you were unable to pay, and that 'fact will not only tell against our political power 'and influence with the English people, but it will 'tell heavily against you in the settlement of the 'land question when it comes.'

"'Weekly Freeman' of October 9th, 1886 :—At 'the meeting of the Glin (Limerick) Branch of the 'League it was decided that 'Mark O'Donnell be 'recompensed for allowing the sheriffs to seize his 'cattle for rent, he being well able to pay at the 'time.'

"Mr. Dillon at Woodford said : 'There is no way 'to deal with a traitor except to keep his money 'under lock and key. If you find that he pays his 'rent and betrays the organization, what will you 'do with him? I will tell you what to do with 'him, close upon his money, and use it for the 'purposes of the organization.'

"On November 14th, Mr. Lane, the member for 'East Cork, speaking at Youghal, is reported to have said :—'That, I think, should be 'as reported in 'the paper, said : 'It was the custom some years ago 'in the British army to shoot the man who turned 'his back on the enemy, and they should do the 'same thing to any tenant who went behind the 'backs of the other tenants, and paid his rent. He 'did not mean that they should shoot them, but 'they had a more peaceful weapon in boycotting, 'and such he recommended should be done.'

"The following was published in 'United Ireland' 'of the 30th October 1886 : 'If I (Mr. Healy) were 'a tenant pressed on one hand by Mr. Sam Hanny 'and a sheriff's writ, and on the other hand pressed 'by Mr. Hanny with a purchase deed, and if I 'were compelled to buy at too big a price, I would 'repudiate it by-and-bye, when I had the place in 'my possession.'

"So long ago as October 20th, 1885, at a meeting 'of the Central Branch of the League held at his 'office in Backville Street, Dublin, Mr. Dillon said : 'He did not want to give advice, but if he were 'a tenant he should lodge the money which he was 'prepared to offer for rent in the hands of trustees, 'and use it afterwards as a campaign fund against 'the landlords.' Here he foreshadowed that dis- 'tinct scheme of the Parallels—'a Plan of Cam- 'paign,' which was published in 'United Ireland' 'on October 23rd, 1886. On the 27th of last July '1886, at a meeting held at the same place, Mr. 'Dillon gave the following advice respecting the 'rents due to the landlords : 'These (the landlords) 'were the people whom they could strike at. They 'were the people who had invited it; and if they 'endeavored to force the Government to declare 'war on the people, why the people must retort by 'declaring war on their rents. . . . If the 'Castle was to return to its old traditions it would 'compel them, in self-defence, to recommence a 'campaign of the utmost activity against the rents 'of the landlords who supported such a system, and

"'he should say that the people under such circum- 'stances would be justified in taking from the land- 'lords everything they could possibly take.'— 'United Ireland,' July 31st, 1886. Again on the '23rd September 1886, at another meeting of 'the Central Branch, Mr. Dillon said that they (the 'Parallels) wished to compel the landlords 'to give 'the League breathing space for the work which it 'had now undertaken,' and referring to the Com- 'mission which had recently been appointed by the 'Government to inquire into the alleged inability 'of the tenants to pay their rents, proclaimed : 'They '(the tenants) were asked to submit to the verdict 'of a body in which their interests were wholly 'unrepresented, and on behalf of the Irish people 'he utterly refused to submit their cause to such a 'tribunal.' That is this Commission he refers to. I could have given hundreds more extracts, but I thought that these would be sufficient. If your lord- ship were to look at that book.

23,513. The President.—Yes. (Book handed to President.)

Witness.—It was on the last or 30th of August I began it. It is a most extraordinary thing—a cutting from every local paper in Ireland giving reports of the meetings of the League.

23,514. The President.—The universal admission that a great number of these people can pay is shown?—Yes, and these are all extraordinary cases. This is since the 30th of August.

23,515. The President.—This present year?—This present year.

23,516. Mr. Neilligan.—Very little more than three months.

Witness.—I get all the local papers. "United Ireland" is the usual paper people look for these things to be in; but they are losing a great deal by not looking into the local papers where the true reports are. My attention was first drawn to the matter by a case which was reported to me in London, one of the most hard cases I ever heard of. The wife of a labourer who had disobeyed the League was about to be confined, and every woman was driven away from him; and he had to send to the North to get a nurse tender to attend her. These are things which the English people do not hear of, and they do not believe it.

23,517. The President.—They ought to be kept circu- larized, and I believe your association, the I. L. P. U., is doing so?—Yes, we are publishing notes every week, and a great many of these are in that book, and what I look upon that book as its value, if it could be brought before the eyes of the English people. I know it would be very unreasonable to ask you to take it in and put on your minutes.

The President.—I think they have already been taking down what you have said. I think it will appear in evidence that there is a large book in existence full of similar extracts taken from papers during the last three months.

23,518. Witness.—If your lordship likes I shall leave it with you while you sit in Dublin, if you care to look at it.

The President.—It might be interesting, but we shall have very little time, I am afraid, to look at anything.

Mr. Neilligan.—I should be glad if you would leave it.

23,519. Witness.—Certainly.

Mr. Neilligan.—Is each of these capable of imme- diate verification?

23,520. Witness.—Oh, yes. The clerk who is cutting them out for me and watching the papers takes care to do that. I do not think quotations worth a pinch of snuff unless they can be verified. I might invent them. My lord, shall I go on?

The President.—Yes, please.

23,521. Witness (continuing).—The agitation has 'been based upon two assertions which have had 'unfortunately within the last six years just a suffi- 'cient basis of truth to affect these agitators a start- 'ling point. The first, the depression in trade and

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" its material consequences, the depreciation in the
" price of all agricultural produce, is unfortunately
" true, but I believe both the effect and extent have
" been purposely exaggerated. A comparison of the
" prices of agricultural produce at the present with
" those of past years will show the facts with regard
" to that. To this branch of the subject the agitators
" have added the assertion that the land itself has
" deteriorated both in quality and in productive
" power; this, I believe, can also be refuted. The
" second assertion upon which they ground the agitation
" is the impoverished condition of the Irish
" tenantry. So far as this is true, it is, I believe, to
" no small degree due to the agitation, which has also
" been a most important factor in aggravating the de-
" pression in trade, as well as precipitating and con-
" firming the fall in prices in agricultural produce;
" the one is but a natural consequence of the other.
" The origin of the depression in trade is a very
" grave and difficult subject and outside the scope of
" this Commission's inquiry, but its effects upon Ire-
" land is directly connected with it, and it is only so
" far as that is concerned that I would refer to it.
" Let the origin of the depression in trade be what it
" may, it seems clear to me that the agitation which
" this unfortunate country has gone through during
" the past six or seven years could not possibly
" have had any other effect than to aggravate and
" perpetuate it. All confidence has been shaken, no
" man knows from week to week what to expect,
" trade of all kinds has been paralyzed, capital driven
" away, enterprise checked alike in commercial as in
" agricultural undertakings: this stagnation, this stop-
" page of the normal circulation of money, has most
" seriously crippled the means of all classes of
" consumers with—as must be the case—like detrimental
" effect upon the interests of the producers, whether
" merchants or farmers, general poverty has been the
" only possible result, naturally increasing discontent,
" and rendering the sufferers more malleable or open
" to the designs of agitators whose main interest it is
" to foment it; thus the main results of this agitation
" go on acting and re-acting upon each other, and
" will continue to do so in an increasing ratio while
" remains uncheckered. Unceasing agitation is now
" and has been for years the cause of the country. It
" is the main cause of crime and of the difficulty of
" governing Ireland. That it has been left so long
" uncheckered is a problem for the solution of which
" we must look deeper than the surface, but I believe
" it is not difficult to find. It is a case of history
" repeating itself and Ireland being made, as of old,
" the battle ground of English party strife. The
" British Constitution is a grand one, guaranteeing to
" every subject the greatest amount of freedom con-
" sistent with the safety of the Commonwealth; the
" system of party government is also as near perfec-
" tion in its theory and conception as any human
" device can hope to reach, but for either of these to
" have a fair trial there are conditions absolutely
" needful, and they are that those who govern and
" lead the parties should have a conscientious regard
" for the first principles of right and wrong, and make
" ambition subservient to patriotism. An impartial
" review of the history of this country, more especially
" for the last 30 years, will show, I fear, how often
" these conditions have been ignored. We have had
" during the period I have named, and in a very
" marked degree within the last 12 months, instances
" too palpable to be questioned, of words eaten,
" pledges broken, principles repudiated, and policies
" which were declared to be outside our party's
" sphere, not only brought within reasonable dis-
" tance, but as warmly advocated and adopted as they
" were before by the same lips denounced and con-
" demned. Invariably this sudden change of opinion
" has been in the direction of blinding for the support
" of whatever political section appeared most likely
" to be in the ascendant, or to hold the balance of
" power. Even in England, where the majority of
" those holding the franchise are capable of indepen-

" dent thought, such a course must be most dangerous,
" but in Ireland, with an excitable population, pecu-
" liarly open to the influence of agitators, the
" numerical majority reared in disloyalty from their
" cradles, whose only source of information or means
" of forming an opinion upon the question of the day
" are derived from the Nationalist Journal and other
" treacherable and unscrupulous publications, the only
" probable, I might say possible, results are a hun-
" dredfold more dangerous and have already brought
" us to this crisis. The people have become so
" demoralized by concessions to agitation that it is
" impossible to look forward with much hope.
" Having regard to the present system of party go-
" vernment, a fact which we cannot ignore and
" cannot change, the prospects of the future are very
" gloomy. If law and order were restored, continuity
" of policy secured, and a firm government per-
" manently established, the case would be very
" different, peace and prosperity would return, but
" with the chance of a change of party at the
" next general election and a reversal of the policy
" of the present Government. It is not wonderful
" that the people should refuse to believe in any
" fidelity in legislation connected with the land,
" and instead of availing themselves of extensive
" benefits conferred upon them in the past prefer to
" wait in the firm and not unreasoned belief that a per-
" sistence in the course of crime and agitation which
" has hitherto proved so successful will ultimately
" result in giving them the land for nothing and in
" realization of those revolutionary hopes which the
" teaching of the agitators has kindled in their breasts.
" It is the system of party government carried on
" under the circumstances I have named that gives
" the question its most grave and serious aspect. It
" is having regard to the fact that we cannot alter it,
" to the fact that while the system of party govern-
" ment continues, it is impossible to convince the Irish
" people that there can be any fidelity in legislation
" as regards the land, that I look upon the purchase
" scheme as the only reasonable or available solution
" of the question. I believe the land question practi-
" cally underlies the whole agitation, and if it was
" settled there would be very little force left in the
" cry for home rule or separation. The Purchase
" party prove this by their using all their influence to
" prevent the tenants purchasing; they know that by
" the Purchase Act the land question would be
" settled, that the cry which gives them their follow-
" ing and their power would be gone; their policy is
" therefore to dismember the tenants from availing
" themselves of its provisions, holding out to them
" the promises of larger and greater concessions by
" persistence in a course which has already brought
" them so much. I have before said that agitation
" has been based upon two assertions, which are,
" shortly these, the depreciation in the price of all
" agricultural produce and the impoverished condition
" of the Irish tenantry; they are inseparably bound
" together because if the first is true it would as a
" natural consequence tend to produce the second,
" therefore, with your permission, I would deal with
" both together and I think I can prove much more
" is made of this argument than the facts warrant.
" In the first place I think I can prove the position
" of the Irish tenant is in a very marked degree
" higher than that of his English and Scotch brethren
" in respect of both security and independence of
" tenure. By the Act of 1870 the Irish tenant was
" protected against capricious eviction by his landlord,
" and had further secured to him, not only the value
" of the improvements that he really had made, but
" also of those which by presumption it was possible
" he could have made. By the Act of 1881 he was
" given practically a lease renewable far over, subject
" only to the condition of his paying his rent, and so
" to that he was most effectually protected against the
" undue exercise of the landlord's right to raise the
" rent. He was given, moreover, gratuitously, the
" power to sell his right of occupancy or 'tenant

"right" as it is termed, a right which, save in the province of Ulster or on those holdings (few in number) in the other provinces subject to the Ulster cess, he had never bought nor was in any other way equitably entitled to. . . . But besides the advantages thus secured to the Irish tenant he was before these Acts passed as regards rates and taxes in a better position than either the English or the Scotch tenant; the two latter pay the tithe rent-charges, the Irish tenant pays none; they pay the whole poor rate, the Irish tenant only pays half, on holdings under £4 valuation he pays none. It is true that in common with the others on "old holdings" he pays the whole county rate, but on all future lettings he need only pay half, and it must be remembered that on the English and Scotch county rates all the expense of the police force is charged, whereas in Ireland the whole of that, save in special cases under the late Crimes Act which has now expired, is borne by the Consolidated Fund. The Irish tenant pays no assessed taxes; the only way he contributes to the Imperial Exchequer is by the indirect taxation levied as duty upon the articles he consumes, such as tea, sugar, spirits, tobacco, &c. On this point Mr. W. J. Harris comments what I say in his letter to the "Economist" of January 24th, 1886: 'In the case of England and Wales the burdens of all sorts incident to agricultural land, other than rent, amount to nearly 16 per cent. of the gross produce value. I cannot find that these burdens in Ireland amount to more than 7 per cent., thus it may be proved that at the present time the Irish tenant is much better off than the English in this respect.' In the matter of rent I think it is clear that the Irish tenant is in a position of no small advantage. I have shown that by the Act of 1881 he is most effectually protected against the undue exercise of the landlord's right to raise the rent. It is asserted, I know, by the agitators that before the passing of this Act, this power of raising rent was exercised by the Irish landlords to an unremissable extent; they have been and are called 'robbers,' 'extortioners,' and all kinds of hard names. I find in an article in the 'North British Agricultural Gazette' of March 1882 the following statement: 'The rental of England increased 23 per cent. between 1842-3 and 1879-80; that of Wales 34 per cent.; that of Scotland 49 per cent.; within that period the rental of Ireland decreased, and has further been reduced 15 per cent. since the passing of the Act of 1881.'

Sir James Caird.—With regard to that I venture to interrupt you for a moment. That statement, so far as I know, is not correct. We really do not possess any rental of Ireland. The people of Ireland do not know what the rental is, and they can never know, so far as I know. In England and Scotland it is steadily known.

23,522. *Witness*.—The taxes are levied as the valuations.

Sir James Caird.—The valuation?—Yes, but it is not the real rental or anything like it. No, that is what is known as the poor law valuation, which is no rental. It is perfectly obvious that the proper letting of land would be 12 per cent. over that. I merely interrupted you to say that that comparison would not at all hold between England and Scotland and Ireland with regard to the rent, because we do not know the real rental in Ireland.

23,523. *Witness*.—You mean that the gentlemen who wrote this in the "North British Agricultural Gazette" had no grounds to go upon?

Sir James Caird.—I merely say that the public in Ireland have no means of knowing what the real rental of Ireland, whereas we know what the rental is in England and Scotland.

23,524. *Witness*.—You mean the writer had not sufficient statistics to base this statement upon?

Sir James Caird.—Here are the Statistical Abstracts which are made up every year, and they give what

used to be the rental of Ireland; but I am assured that that is not at all founded upon a reliable basis like that of England and Scotland. They do not mention the real rental. Oh, no, I have not got them. Well, I forget; I think it is about 10 millions, and I suppose it is generally understood that the rental of Ireland formerly was very much below 10 millions.

23,525. *Witness*.—I do not know. I never saw any statement of the rental of Ireland.

Sir James Caird.—I only want you not to draw the conclusion that we admit that that is a fair comparison.

Lord Milnes.—Would you give me the date?—

23,526. *Witness*.—Between 1842-3 and 1879-80.

Lord Milnes (to Sir James Caird).—You mean that that article in the "North British Agricultural Gazette" contains false statements?

Sir James Caird.—Yes, I think it cannot be correct. If I had the Statistical Abstracts here I could quote the exact figures and set at once.

23,527. *Lord Milnes* (to *Witness*).—During this date were there any increases to your property?—No.

Mr. Nelson.—Not for 30 years.

23,528. *Lord Milnes*.—Not for 30 years?—Is it your experience that a similar state of things prevailed on a great number of estates in Ireland?—It is, certainly.

Sir James Caird.—Here it is. The gross amount of the annual value of property and profits assessed to income tax upon the various classes of property. In England, upon land, for 1883, £47,494,000; in Scotland, for land, £7,461,000; in Ireland, for land, £3,961,000. In the two former the figures are taken from the returns to income tax; and with regard to Ireland, I understand, that the income tax is paid upon some valuations which is not the real rent.

23,529. *Witness*.—The income tax is paid upon the valuation, if you are correct?

Sir James Caird.—Which is not the real rent. I find that in England the rental rose in 1880 to £51,798,000. We know that it has fallen about £4,000,000 since that time. The Scotch rental rose in the same year to £7,700,000; the Irish rental being £3,000,000; now it is £3,961,000. So that really there is no change except that the return is upon the valuation and not upon the real rental.

23,530. *Witness*.—Might I ask you what are the years?

Sir James Caird.—1880 and 1885.

The President.—Of course we know that the rental has been cut down immensely between 1880 and 1885.

Sir James Caird.—And yet in this return it is rather higher in 1885 than in 1880, showing that no real dependence can be laid upon the returns.

Lord Milnes.—You are supposing that it was from that return this gentleman took his figures.

Sir James Caird.—I do not know any other source that is open. The test is not considered applicable to Ireland.

Lord Milnes.—Supposing the statement to be correct, the large reduction would only bring the British rents down to what they were 10 years ago.

Sir James Caird.—I cannot go back to that. I can only go to what I have here.

23,531. *Witness*.—I was led to believe that the man who wrote this was rather well-informed, and that therefore he would not be likely to make a favourable case for them, and therefore I thought that that was more favourable.

Sir James Caird.—If these were the returns he took them from; I have seen it stated that the rental of Ireland was 14 or 15 millions, and that this had been reduced to 12 millions; but the returns give barely 10 millions.

The President.—But you give it for what it is worth?

23,532. *Witness*.—I only give it for what it is worth.

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Sir James Caird.—I know that they hold in England that they have really no knowledge of what the real rental of Ireland is.

23,532. *Witness*.—I have been told that the proportion in Ireland and England per acre is considered about the same. The Irish acre is one third larger than the English; everybody knows that.

Lord Millican.—It is more than one-third larger. The President.—To make a fair comparison between each case you must take into account what goes back to the land in the way of improvements.

Sir James Caird.—The English rent includes all the landlord's capital laid out on permanent improvements, but I believe that that is not the case in Ireland.

23,534. *Witness*.—No. As a rule, it is rather the other way.

TABLE showing AVERAGE PRODUCE, 1867-1885.

Years	Wheat.	Oats.	Barley.	Turn.	Peas.	Turneps.	Maize.	Potatoes.	App.
	Cwt.	Cwt.	Cwt.	Cwt.	Cwt.	Tons.	Tons.	Tons.	Tons.
1867	11.7	12.5	10.7	10.5	10.2	11.4	12.7	5.8	1.5
1885	12.4	12.6	10.1	10.4	12.7	11.9	13.4	4.9	2.0
Increase	2.7	1.1	—	—	2.5	—	—	—	—
Decrease	—	—	—	—	—	—	—	—	—

23,537. Sir James Caird.—Mr. Kavanagh, have you considered whether these two years, 1867 and 1885, were of similar fertility of season in every way, or otherwise?—No.

23,538. Because we may have a year very good and another year very bad, and yet there is no deterioration of the soil?—I was guided in taking these years by the simple fact that they were the only two years in which I could put the figures to compare. I do not exactly know why it is. If you look at 1868, certainly 1868 was a better year than 1867, and therefore I suppose he did not take 1868, because it would have told rather against him.

Sir James Caird.—I am afraid there is not much in this comparison, unless you really know the character of the season. They vary so much in consequence of the character of the season.

Mr. Nelson.—In 1867 the prices were very high according to the return before us.

Sir James Caird.—That would rather imply a very small crop to the tenant.

Mr. Nelson.—It was the highest year that has come before or after.

Sir James Caird.—Well, that implies that there was a very short crop.

Mr. Nelson.—In 1866 the price of wheat was 13.2; and in 1867 it was 15.4.

23,539. *Witness*.—I suppose the best way would be to take the average for five years. If you take the general value of the whole statement, it would prove that the productive power of the land is not deteriorated, if this is worth anything. I never heard this return disputed.

Sir James Caird.—Another answer might be the diminution of tillage land since that, and therefore, I suppose, the land under tillage is of a better quality than it was then.

23,540. *Witness*.—Oh, but I only put it in for what it is worth to you.

Sir James Caird.—I think it may be fallacious, do you know.

The President.—We have got a great many fallacious figures already.

23,541. Mr. Kavanagh.—Could you give us a return for the last five years and the five preceding years?—I am sure they are in this book (produced).

Sir James Caird.—We have the book at our own command ourselves. We have really all this information that we can utilise ourselves. You need not trouble Mr. Kavanagh upon it.

The President.—No. I think we may go on to the next point, the fall of prices.

Sir James Caird.—I mean you have a far better authority than you could get from the newspapers in the published returns every year.

23,542. *Witness*.—Yes. Shall I go on, my lord?

The President.—Please.

23,536. *Witness* (continuing).—Under the heads of the fall in the prices of agricultural produce and the impoverished condition of the Irish tenant, the agitators include another grievance, which is, that on account of wet seasons and other climatic influences, the soil of Ireland has deteriorated and its productive capabilities been impaired. . . . I am fortunate on this point to have the returns made to the Government by the Registrar-General to refer to. In them I find that the average produce per statute acre is greater in 1885 than in 1837?—

23,543. *Witness*.—That is the return, which I have given in. My remark on that is: "On all save here an increase is shown, in 1885 there were only 364 acres under here out of a total of 4,962,132 acres under all crops. I take those figures from the same return. I now come to the average fall in prices of agricultural produce, and I ask to put in a return which I got last summer from the 'Irish Farmers Gazette' Office, showing the average prices of agricultural produce each five years from 1830 to 1885. (Returns put in.) From those figures it will be seen that on all items save wheat and wool there is an increase in 1885, as compared with the average prices of 1830 to 1834, and all are higher than the prices upon which Griffiths' valuation was based."

The President.—I think it is sufficient to state that every product is higher now with the exception of wheat and wool.

23,543. *Witness*.—And all higher than the price upon which what is called Mr. Griffiths' valuation was based.

Lord Millican.—Very considerably higher.

The President.—Some see.

Lord Millican.—Oh, all he says. It shows that in 1885 was 44 per cent. higher than in Griffiths' year; mutton 17 per cent., butter 37 per cent., pork 25 per cent.; and wheat 34 per cent. higher than was in Griffiths' year; beef 55 per cent. higher, and mutton 60 per cent. higher.

23,544. *Witness*.—It would show that, certainly.

23,545. Lord Millican.—That is the average prices of the Dublin and Belfast markets?—Yes.

The President.—That has occurred will be seen by comparing the prices of 1885 with those of the years from 1835 to 1879, the year in which the land agitation began, but those were years of admittedly high prices, and it was not on those prices that the rental of Ireland existing up to the passing of the Act of 1881 was fixed. It cannot be therefore on the ground of low prices that the inability to pay rent exists. Besides those figures we have other facts which throw a very strong light upon the subject; we have the large sums which are still given for tenant right, notwithstanding the ban of the Land League against such sales. It is quite true that in many districts the right of free sale given by the Act of 1881 is a dead letter, those who originate and direct the policy of the Land League and carry on the present agitation are well aware that the continuance of those sales would be most damaging evidence against them, upsetting all their assertions as to the

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The Right
Hon. A. McH.
Kearney.

	Yours	Amount	Interest
Jesse Stock Bank deposits	1886	£ 14,389,500	1
" " " "	1885	29,370,980	
Post Office and Trustees Savings Banks	1882	3,587,600	14,981,800
" " " "	1883	4,525,000	
			2,016,800
			£18,997,600

The returns show that there have been fluctuations from time to time in the deposits in these banks, but notwithstanding that the evidence which they afford of material progress is very important. It may be argued that these details belong mainly to landlords, and therefore prove nothing from my point of view, but the number of farmers who were hit by the failure of the Munster Bank, and the large sum of, I believe, over 300,000*l.*, that was drawn from the Bank of Ireland by the farming class within a very few days, when the order went out from the Land League to boycott and ruin that bank are incontestable proofs to the contrary. As to the landlords class we have very different evidence of the progress of their financial prosperity. In the return of Government and Indian Stock held in Ireland, given by the same authority, we find these figures, I take the same years. In 1882, they stood at 38,031,000*l.*, in 1885, they were only 29,880,000*l.*, showing that within the same years while the class of funds appertaining chiefly to farmers had increased by a sum of 16,997,000*l.*, that of the landlords had decreased by that of 8,151,000*l.*

23,546. Sir James Colville.—But these savings in deposits and other banks may include a great many people other than tenants?—Yes, of course.

23,547. The tenants are not a great deal beyond a misery?—I thought the majority of the inhabitants of Ireland were in agricultural holdings.

23,548. They may be the majority, but, I believe, there is a very large minority, at any rate, who are not connected with land in Dublin, Belfast, and Cork, and places of that kind?—They would all have something more or less to do with land.

23,549. Still you could not hold that the sum you mentioned comes wholly from the agricultural class?

—Not entirely, but I believe the majority of it is contributed by them; so I have been told. I remember the time the Tipperary Bank broke, a great many were hard hit in my neighbourhood, and a great many more than I thought had money in the bank.

23,550. There is no means of really ascertaining who are the depositors, or what class they represent?—I suppose it could be done if a return was ordered from the banks; they must have a nominal list.

23,551. The banks might very fairly say we cannot reveal our business?—No, unless they choose to do it you could not compel them.

23,552. Mr. Knipe.—Has not the financial position of mechanics and tradesmen improved very much?—Not about here; they have fallen off.

23,553. Are not the wages much higher?—Yes, but they do not get employment. I am only speaking of the district I know. Masons and carpenters are all wanting employment.

23,554. Does not labour cost more?—Yes.

23,555. And everything is very low?—Yes.

23,556. Mr. Neilligan.—The only test we have had lately was the run on the Bank of Ireland. The great majority of the depositors there were agriculturists?—Yes, that is the case I referred to.

23,557. Somehow or other the accumulated wealth of the country seems to have increased?—Yes.

23,558. Sir James Colville.—That part which is shown by deposits in bank?—Yes.

23,559. Mr. Knipe.—Would you say that the greater part of the money is lodged by farmers in the bank?—Yes, I should think so.

23,560. Is it your opinion that the farmers position has improved within these last few years?—I do not

think they are worse off. I do not want to say positively that all does belong to them, but I do believe they are saving. Another proof that the tenantry are not in such an impoverished condition as they are represented to be, is that there is a very marked improvement in their condition as regards manner of living and clothing in former days, 30 or 40 years ago, shoes and stockings were an exception, now they are the rule; tweed and cloth have now taken the place of frieze and corduroys in the clothing of the men, and anyone who has lived in Ireland must have remarked an immense change in the attire of the women, especially on Sundays and Saints days when attending chapel, or on fair days, or at local races, which are now much more common; fashions and hats, bright-coloured shawls and dresses are now the rule, instead of the worn-out faded cloaks or wraps of days gone by. Now there is scarcely a single farmer, holding over 20 acres, who has not a jannet car or spring vehicle of some kind, in which he goes about. Distillery carts, with springs, for the women attending markets, are now the rule; in former days there was not such a thing to be seen, this has developed an entirely new line of business, and in every village or town of any size there are builders of these kinds of vehicles who get as much as they can do. All these are gratifying signs of a material improvement in the condition of the people, but they are evidence against the prevalence of the general poverty that is asserted to exist. There are other circumstances which, although they do not directly touch the land question, bear upon it, as affecting the farmer's expenses of living, they are the prices of articles of consumption, I give the returns of them taken from the same sources, and for the same years as that of the prices of agricultural produce.

The following TABLE shows the VARIATION IN PRICES of four of the chief IMPORTED ARTICLES of general consumption.

Average Value of	Wm. per lb.	Sugar, per cwt.	Tobacco, per cwt.	Flour, per 104
6 years from 1854 to 1860	s. d. 6 2	s. d. 22 0	s. d. 84 8	s. d. 15 9
10 years from 1861 to 1870	1 5	5 0	108 0	13 9
10 years from 1871 to 1880	1 4	35 0	78 0	17 9
4 years from 1881 to 1884	1 0	38 0	70 0	15 0

Another proof, and a very material proof of the same fact, is afforded by the large sums contributed by the people of Ireland towards the purposes of this agitation, from the time of the start down to the present. I have no doubt myself that from many these sums were extorted by threats and intimidation. Of this I have personal knowledge in the case of several who came to me for advice, as to what they should do, but whether they were drawn by compulsion or paid reluctantly does not affect my argument. The figures I give are those of the Parallels themselves, i.e., they represent the different sums of money which they acknowledge to have been received by their treasurers and collectors, and which acknowledgments have been published in the Parallel prints from time to time, commencing in October 1879 down to the present time. These sums are quite distinct from any funds

received from America, but they include subscriptions from England and Scotland, they are given under the head of subscriptions from "Ireland and Great Britain" and are as follows:—

	£	s.	d.
Amounts acknowledged by the treasurer of the Land League from October 1879, the date of its origin, to October 1881, when it was suppressed by Government	17,804	18	6
The amounts in addition acknowledged for other specified purposes from same sources and within same dates were as follows:—			
The "Fair Trial Fund" in 1879	1,094	0	6
The relief of distress fund	942	9	1
(The total of this fund amounted to 60,672 <i>l.</i> 9 <i>s.</i> 11 <i>d.</i>)			
The Parrell defence fund	17,961	0	0
(The total of this fund amounted to 20,461 <i>l.</i> 4 <i>s.</i> 6 <i>d.</i>)			
The Dr. Kenny and Father Sheehy testimonials	2,500	0	0
Sundry collections for suspects	2,500	0	9
Total for the two years from 1879 to 1881	£42,732	8	1
On the suppression of the Land League in 1881 it was succeeded by the Ladies Land League, and Producers Sustentation Committee. Their managers acknowledged subscriptions from Ireland and Great Britain amounting to	39,176	12	2
They were succeeded by the Mansion House Committee for relief of evicted tenants. The sum of their acknowledgments from Ireland and Great Britain amount to	5,500	0	0
Then came the Parrell Testimonial, towards which the contributions from Ireland amounted to	33,808	0	0
(The total amount of the fund was 40,000 <i>l.</i>)			
The National League was started in 1883, and from that time to the present the total amount acknowledged to have been received by the treasurers from Irish branches amounts to	23,640	18	2
Concurrently with these subscriptions there were others raised for different specified purposes, viz.—			
Mr. E. D. Gray's fine	000	0	0
To defray law expenses of Mr. W. O'Brien	8,300	0	0
To Messrs. Lalor, O'Connor, O'Kelly, Sexton, Harrington, Healy, and other members of Parrell's party in acknowledgment of their services in Parliament	7,200	0	0
Special testimonial to Mr. T. Sexton in recognition of his "invaluable services"	6,363	16	3
Mr. Egna also includes in his accounts contributions from the "faithful Irish for patriotic purposes" specifying the Dublin Exhibition (this, it is to be presumed, represents the loss of the shareholders in that national enterprise)	25,000	0	0
Finally the amount subscribed by the Irish people to the "Irish Parliamentary Fund" (the latest fund)	6,592	19	3
	£200,714	13	11

In addition to these sums others were collected, of which no record is available, save Mr. Egna's (the ex-Land League treasurer), he declared to the com-

pendent of an American paper some three years ago, that the costs of public meetings, law, and other costs expended locally, independent of the central treasury, did not fall the short, for the three years ending October 1882, of 80,000*l.* During the four years that have elapsed since then a considerable amount must also have been spent for similar local purposes, but as these are hypothetical, I rest only on the attested figures which I have given for proof of my argument, and I maintain that a sum of 200,714*l.* 13*s.* 11*d.* subscribed by the Irish people during the last seven years, giving an average of over 28,000*l.* a year, shows that very extensive general poverty cannot exist.

That this heavy tax upon the people must have tended to make them poorer there can be no doubt about, and that is one way in which this miserable agitation has aggravated and increased the general depression.

Large sums were also subscribed and sent over for the purposes of this agitation from America, I believe more than double the amount that was subscribed by the Irish people, some of the objects which they were applied to are evident from the enormous increase of agrarian crime since the agitation commenced. It may be urged that the criminal statistics of the country are outside the scope of this Commission, but I would, with all submission, maintain that such facts bear upon the subject of the present inquiry, in this way. It is not to be wondered at that Acts of Parliament, no matter how honestly or beneficially devised, do not work in a country distinguished for lawlessness, and in which all the efforts of a great foreign conspiracy are brought to bear to defeat the object and throw discredit upon every action of the British Government. The immense increase of crime since the League began its work shows the enormous influence and power which it has over the people, and this influence has been extended to deter the people from availing themselves of the provisions of those Acts, into the working of which the inquiry of this commission is especially directed. I give the figures for the two previous years 1877 and 1878, to afford means of comparison.

1877	-	-	239	These figures are taken from a return presented to the House of Lords, and quoted by the late Duke of Manchester on June 7th, 1880.
1878	-	-	301	
1878, commencement of agitation	-	-	860	
1880	-	-	2,460	
1882	-	-	4,469	
1882, 6 months to June 2, 1882	-	-	5,443	{ In July 1882, Crimes Act passed.
1882, 6 months to Dec. 31st	-	-	335	
1883	-	-	588	{ Crimes Act in force.
1884	-	-	744	
1885, 7 months to July 31st	-	-	873	{ Crimes Act expired.
1886, 5 months to Dec. 31st	-	-	442	
1886, 6 months to June 30th	-	-	382	

The yearly average of crime which the two years 1877 and 1878 give is 268.

The same average which the seven years from 1879 to 1885 inclusive give is 1080, during three out of these seven years the "Prevention of Crimes Act" was in force.

I now come to the subject of evictions, they have been the favourite theme of the agitators discourse, and form the gravest item in the very heavy bill of indictment brought against the landlords of Ireland; they have been described as wholesale depopulating districts, exterminating the people, and so forth; but the facts are different. There are in Ireland at the present time, I believe, about 465,000 agricultural holdings of all sizes, the number of ejectment decrees put in force throughout the whole of that country in the six months ending June 30th, 1886, were 2,607, in 54 of these cases the parties were re-admitted as tenants, in 1,953 cases they were re-admitted as cottagers, leaving 850 as the number of actual evictions, i.e., about three cases out of every 2,000 of the total

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number of holdings. I take these figures from returns as to evictions compiled by the Irish Loyal and Patriotic Union from statistics carefully tested; they are figures which are open to anyone, and are easily verified. With regard to them it must be borne in mind, that no landlord can bring an ejectment for non-payment of rent until at least a year's rent is actually due, in the ordinary process of law a further term of 8 or even 10 months must elapse before he could get possession of the holding, and during 6 months out of the 8 or 10 the tenant has the right of redeeming, therefore as regards the 860 cases, it does not at all follow they all resulted in real or permanent evictions, as many of the tenants may have redeemed their holding within six months, and of such cases we should have no record. It must further be remembered that the 1,098 cases in which the families were re-admitted as caretakers are only those where they were re-admitted immediately after the eviction, while the sheriff or his deputy were on the ground. It is more than probable that out of the remaining 860 a very large number were subsequently put back as caretakers, or those arrangements are in very many cases not possible at the moment, so that if we had the means of following out the history of each case, I believe, the number of

860 would be materially reduced, but even if the number stood as a fact, instead of substantiating, it would prove the entire falseness of the accusation of ruthless extorsionism so recklessly brought against the Irish landlords. There is another point on this subject to which I must refer. I have shown that no landlord can bring an ejectment for non-payment of rent until at least one year's rent is actually due, from my own knowledge and experience I can unhesitatingly say that the bringing of an ejectment where only one year's rent is due is the exception and not the rule. There are cases no doubt where a tenant is hopelessly ruined either by his own thriftless conduct, or by having gone security for another, a very common case; and where leaving him in his holding would do him no good, and only result in further certain loss to the landlord, in instances such as these, proceedings for one year's rent is the only course open, but except in such cases I firmly believe that very few ejectments are brought where only one year's rent is due; seldom less than two, often three, four, five, are due before a landlord takes proceedings; such is the result of my experience, and in corroboration, I would ask to put in a return of all the evictions which have taken place on my property.

Return put in evidence as follows:—

ESTATES OF RIGHT HONOURABLE A. M.M. KAVANAGH, Carlow, Wexford, and Kilkenny.—RETURN OF EVICTIONS.

No. of Years Rent due.	No.	Name.	Townland.	Year's Rent.	Rent due.	Valuation.	Remarks.	Possession taken in.
COUNTY CARLOW.								
21	1	Thomas Clowen	Ballydoon	50 8 4	51 0 10	15 10 0	Caretaker	1853
21	2	Thomas Magroth	Ballydoon	12 0 0	12 0 0	11 5 0	Sent to America	1859
2	3	David Doyle	Codnamore	72 8 0	68 4 0	24 5 0	Wife and family sent to America.	1853
21	4	Thomas Hennessy	Coomadillon	40 0 0	50 0 0	36 10 0	Caretaker	1859
21	5	Michael Murray	Do.	75 0 0	68 1 7	59 10 0	Caretaker for some time, now holds under an 11 months' agreement	1859
2	6	Liamson Fogarty	Deanside	30 10 0	27 0 0	27 10 0	Left the country	1859
COUNTY WEXFORD.								
24	7	David Doyle	Ballydoon	63 6 3	52 0 0	60 15 0	James Doyle, son of David Doyle, now holds under an 11 months' agreement	1864
5	8	Philip O'Leary	Do.	6 5 4	48 13 8	3 0 0	Repossessed farm	1864
21	9	Charles Hogan	Do.	4 0 0	22 0 0	4 10 0	Caretaker	1864
2	10	James Fogarty	Ballynashan	60 0 0	110 0 0	41 0 0	Caretaker for a short time, now holds under an 11 months' agreement	1864
5	11	John Murphy	Ballynashan	28 11 7	76 34 8	18 0 0	Same remarks	1864
21	12	John Lott	Clough	23 4 4	336 4 7	73 10 0	Repossessed possession	1864
5	13	John Curry	Do.	12 2 6	90 37 6	34 5 4	Repossessed farm	1864
COUNTY KILKENNY.								
—	14	Charles Kennedy	Donatstown	14 9 4	20 15 8	—	Evicted at his own request to get rid of a labourer, re-occupied after expiration of the six months.	1863
—	15	David Treacy	Donoughmore	2 30 0	11 18 0	—	Let to him for the six months pending redemption, at end of which time he was forewarned all arrears and costs, and put back at a lower rent.	1864
—	16	Martin Loughlin	Foran	45 0 0	129 8 4	—	Let to him as a temporary letting for 11 months, which was renewed again up to November 1865; he is now a caretaker at 1s. a week.	1864
—	17	Patrick Lovell	Ballynashan	4 10 0	34 0 0	—	Put back into his house as the tenant at a weekly tenant, and give back his field at a lower rent.	1853
—	18	Patrick Delany	Do.	4 0 0	22 12 0	—	Put back into his house as the tenant at a weekly tenant, and he had let to another.	—

23,571. The President.—It shows that in almost all cases more than one year's rent is due?—Yes. Take the case on the Kilkenny property first. This Kennedy was evicted at his own request. He had an under-tenant whom he wanted to get rid of, and I evicted him; he allowed the eviction to go on and when the six months' redemption had passed he came in and paid and was put back again. That was one headless eviction no doubt. Daniel Tracy is a poor man, a small holder. I let it to him for six months, pending redemption, and after that time forgave him all arrears and put him back. Loughlin is put back as a caretaker; he was prevented by the Land League, I believe, from selling; he is a wretchedly poor man. There was a schoolmaster on the property who was willing to give a very smart sum for it, but he came back to me and shook his head, and said he dare not sell. Well, I have not evicted him. I have kept him on and tried to pull him through. Lawless is only a small holder; he owed 24*l.*—4*l.* 16*s.* being his year's rent. Pat Delaney's case.—4*l.* 8*s.* was the year's rent. 19*l.* 18*s.* was due, and he was put back into his house as a weekly tenant, and his land was let to another. He was an unfortunate man and never could get on at all. That is the entire amount of the evictions on the Kilkenny property so far as I can go back. I have not been able to trace any cases before this date. In the Carlow cases. Cliven was a man who was ruined by his outside creditors. I have left him in the farm; that was in 1879, and I have kept him in the house since, and given him the grating of a cow, and I work the farm for him, and he is there very comfortable. Patrick Magrath. 12*l.* was his year's rent, and he owed 42*l.*, that a over three and a half years' rent. 11*l.* 6*s.* is the valuation: He was sent to America. He was a poor man, and he never could have done good if he stayed. Daniel Doyle: 31*l.* 2*s.* was his rent; he owed 62*l.*, just two years' rent; the valuation is 24*l.* He was a man who quarrelled with his wife, and he was ruined in that sort of way; the priest interfered and he came to me and asked me to arbitrate, but I could not make peace, and it ended in his ruin. I sent the wife and family to America, and when they got to Liverpool they came back, and since then have been living, I believe, in Baginbunstown. Thomas Hannaway: his rent was 40*l.*; he owed 60*l.*, and his valuation was 35*l.* 10*s.*; he is a caretaker, he was ruined by his outside creditors, not by my pressure. I had to evict him to protect him; he could not have kept a single thing on his land. I have left him in the house and a mill free. I farm the land for him and give him a portion for potatoes, grass for a cow, and he has a mill to make what he can of; it is a goodish mill. Michael Murray: his rent was 25*l.*; he owed 58*l.*, and his valuation was 22*l.* 10*s.* He is a caretaker in the farm now. He holds on as 11 months' agreement, so that only two of those I have mentioned have been really turned out. Now, in the Wickford property. David Doyle's rent was 63*l.*, he owed 257*l.*; his valuation was 60*l.* 15*s.*, he is a wretched poor man; his son is now holding the farm under an 11 months' agreement; he could not take it because he has so many debts he would be sold up next month. Phillip Gaffney: his rent was 24*l.* 5*s.* 6*d.*; he owed 42*l.* 13*s.*; his valuation is 8*l.* He owns over five years' rent. He was put out, and that farm is boycotted; it is only a little farm. Catherine Barron's rent was 4*l.*, she owed 25*l.*; her valuation was 4*l.* 10*s.* She owes five and a half years' rent. She is in as a caretaker. James Pagarty owed 110*l.*; his rent was 35*l.*, and his valuation 41*l.*; he is in as a caretaker for a short time. John Murphy: his rent was 26*l.* 11*s.* 7*d.*; he owed 79*l.* 1*s.* 9*d.*; his valuation is 18*l.* He is in as a caretaker. He owes three years' rent. John Lett: his rent was 83*l.* 8*s.* 4*d.*; he owed 325*l.* 4*s.* 7*d.*, or over three and a half years' rent; his valuation is 72*l.* 10*s.* He surrendered possession; he was ruined by giving security for another man, and I would put him back into the farm, but if I did it would only go in paying the other man's debts that he went security for. John Curry: his rent was 15*l.* 2*s.* 6*d.*; the sum due is

80*l.* 17*s.* 6*d.*; he quarrelled with his wife, and he was ruined; that is another boycotted farm. I have three boycotted farms on the property and these are they. These are all the evictions I have had on any of my properties, that I have been able to find so far as I can trace.

33,572. Sir James Caird.—You were not able to get tenants for these three farms, from which the tenants were evicted?—No.

24,573. Are they being cultivated by yourself?—Yes, I am occupying them, one of them, Gaffney, went to live with his nephew, and the nephew would have been glad to get it, and I think had a right to get it as he supported his neck, but the League would not allow him. These lots of evictions exhaust the cases on my own property, and of my own individual experience, but there is a long list of cases which have come under my notice, and in dealing with which, I have had direct personal experience as Chairman of the Land Corporation, in that capacity I have no list of sales of tenant right to give. The boycotted or deserted farms which the Corporation took up, were selected as the most pressing out of the numerous applications that came before our Board, and are instances of a combination in entire districts not to pay rent, cases in which the landlords were forced to evict, to assert their rights, and naturally in such cases there were no offers for sales of the tenants' interests, as no one could be found to offer for them. The lesson which the Corporation taught by taking up these lands has had a very salutary effect, and I had hoped would have put an end to these district strikes in which tenants, although able to pay, allowed themselves to be evicted, but lately, as the Commission are aware, renewed efforts had been made by the "leaders of the people" with the result, that many tenants who would be willing to avail themselves of the benefits of existing Acts are deterred from doing so. I send in a list of the farms which the Land Corporation have taken up, varying from 20 to 2,500 acres in extent, and most of which we are still working.

Notices given in Evidence as follows:—

Estates.	County.	Average.
Lord Clonerry	Limerick	1,125
John W. H. Leach, Esq.	Galway	750
Sir Thomas Leonard	Monaghan	50
Henry Moore	Kerry	2,500
H. A. Herbert, Esq.	Kerry	280
Capt. H. Humphreys	Kilkenny	540
Mrs. Westropp	Cork	120
Capt. Larnage	Tipperary	1,025
Mrs. H. Fleming	Kildare	400
Major Percival, Esq.	Tipperary	920
Luke White, Esq.	Loughlin	125
Mrs. Walsh	Tipperary	212
J. C. Cooper, Esq.	Limerick	500
Thomas Browne, Esq.	Tipperary	750
Mrs. O'Connell	Tipperary	160
Capt. Newtham	Tipperary	22
John Murphy, Esq.	Cork	565
Knight of Olm	Limerick	50
Henry D. Reed, Esq.	Tipperary	140
W. E. Trevelyan, Esq.	Waterford	285
J. H. Cusack, Esq.	Limerick	145
Mrs. F. E. D. Cooke	Limerick	41
Mrs. E. M. Cusack	Queen's Co.	120
Harley Moore (Aghak)	Kerry	245
Mrs. Aldworth	Cork	99
Sir H. Barron	Waterford	224
Major Braddell	Wexford	1,260
Capt. J. W. Cough	Tipperary	1,400
Leah Barak	Limerick	218
George Leigh, Esq.	Tipperary	102
Rev. E. Pennefather	Limerick	50
John Smith, Esq.	Tipperary	124
Margaret of Omselle	Tipperary	56
Mrs. Rogers	Limerick	50
Mrs. L. A. Thompson	Kerry	319
S. E. Wraith, Esq.	Down	55
G. W. Leach's Trustees	Limerick	52
George Raymond, Esq.	Tipperary	22
Richard Spangish, Esq.	Clare	47

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Estate.	County.	Acreage.
William Bolton, Esq.	Wexford	53
Henry Bousley, Esq.	Tipperary	415
Robert J. Davis, Esq.	Wexford	113
Capt. Blackmore	Limerick	32
Sir Henry Barron (London)	Waterford	85
Dean Madden	Cork	200
W. B. Robertson, Esq.	Cork	134
Adam Johnston, Esq.	Cavan	37
Colonel White	Tipperary	350
Lord Fermoy	Cork	232
Gorges, Minors	Tipperary	660
William Dalton, Esq.	Wexford	80
Mrs. Skerbell and another	Waterford	258
Nicholas O'Leary, Esq.	Wexford	230
Mrs. S. A. Gabbott	Limerick	93
Harold Power, Esq.	Meath	278
Richard Sims, Esq.	Wexford	133
Marquis of Waterford	Waterford	235
Mrs. Dalrymple	Kilkenny	483
Vincent Dineaville	Waterford	137
		22,602

The whole return comes to 19,081 acres and about 62 cases. These cases are farms exclusive of any that were not boycotted. We had to take some farms for winterage to keep our cattle on, and I do not include these, these are simply boycotted cases.

23,574. *Our James Caird.*—Are these farms being cultivated now?—Yes.

23,575. And stocked?—Yes.

23,576. Can you say whether they are yielding any rent?—Well, it is very hard to say that, because we have to saddle on them a proportion of the expenses of our head office. It is a good deal, and if they were not saddled with these other expenses they could pay rent.

23,577. *The President.*—You are not by way of paying rent to the owners?—Yes, we hold some from very poor people, and we pay their rent whether we make it or not, but I never sanction an arrangement with a large landlord unless on conditions, "no profit, no rent."

23,578. *Sir James Caird.*—In your hands are not such farms boycotted so that they cannot get supplies as you might otherwise have done?—They have tried to do that, but that has broken down.

23,579. They dare not interfere with you now?—No, in Kerry they do, they attack a good deal of cattle and slaughter them, and we are obliged since the Government withdrew police protection to double the number of men on all our posts, that has increased our expenses very much. I do not think anything has been done since.

23,580. *Lord Midleton.*—Has the Government withdrawn the police protection?—Yes.

23,581. From you?—From all our posts and from as personally. I had to build a hut in the county Wexford, and I had a caretaker in it and he had a policeman staying with him, and they withdrew the policeman, and I was obliged to send another caretaker, and it doubles the expense.

23,582. When was this withdrawn?—Since Sir Redvers Buller came.

23,583. Were you under personal protection before?—Not me individually, but on my farm there was a man who was caretaker, and this man had a policeman in the hut with him, and I had to send another man when the policeman was withdrawn; it was not fair to expect a man to stay alone.

23,584. Had anything occurred in the state of the country to justify that withdrawal?—I cannot account for it.

23,585. As far as you know there was nothing?—No, nothing.

23,586. You think the danger just the same as ever?—Just the same, I was told more efficient protection could be given by patrols, and no doubt the patrols have been constant since the police were withdrawn from these posts.

23,587. *The President.*—There is no case of harm

having occurred to these caretakers since the police were withdrawn?—No.

23,588. *Sir James Caird.*—Are these caretakers all armed?—Oh yes, I also hand in a list of applications to the Company which will give some idea of the extent to which the letting of farms has been boycotted throughout Ireland.

RETURN OF APPLICATIONS TO LAND CORPORATION.

	County.	Acreage.
Acton, William	Leitrim	604
Acton, Hampden, E.	Tipperary	43
Adams, Captain Walter	Cork	47
Annally, Lord	Loughlinch	419
Aldworth, Miss	Cork	49
Aggle, M. M. Lloyd	Limerick	540
Armstrong, J. C.	Kilkenny	74
Aldworth, Miss	Galway	143
Armstrong, The Misses	Cavan	2,300
Brown, John	Galway	70
Brand, Archibald	Galway	343
Do.	Kerry	738
Do.	Kerry & Cork	118
Bowick, Ellen	Queen's Co.	—
Do.	Kilkenny	—
Brown, E. J.	Galway	240
Berry, Madame A.	Cork	258
Bracon, John E.	Westmeath	133
Begot, C. N. (Trustee of)	Galway	52
Begot, J. L. N.	Galway	30
Baxton, Sir K. D.	Queen's	513
Brablin, Major T.	Wexford	1,665
Brown, St. G. Garde	Tipperary	37
Brady, J. Cornwall	Queen's Co.	202
Do.	Clare	34
Bridges, John	Limerick	303
Binks, H. F. V.	Galway	310
Baker, Rev. H. Lefroy	Tipperary	394
Bolton, William	Wexford	319
Bonnamant, A.	Kerry	134
Bury, W. N.	Galway	309
Bradshaw, Henry	Tipperary	226
Burton, F. J.	Waterford	405
Baylor, B. U.	Tipperary	618
Burton, Mrs. D.	Kilkenny	63
Brown, J. B.	Clare	209
Boyd, Thomas	Tipperary	37
Barnard, Captain	King's Co.	1,870
Barnard, E. H.	Waterford	352
Brown, Miss	Limerick	134
Bally, W. F.	Limerick	82
Brown-Jammett, J.	Kerry	148
Bowley, Henry	Tipperary	405
Casper, Miss-Cat. R.	Tipperary	743
Chute, Miss Annetta	Kerry	83
Cowley, J.	Meath	25
Coughlan, John W.	Tipperary	1,895
Chambers, Lord	Galway	254
Do.	Mayo	1,898
Carew, R. R.	Tipperary	74
Cochran, Hon. R.	Londonberry	40
Cough, Francis	Clare	390
Croft, Col. James	Kerry	263
Clements, T.	Meath	36
Coomery, Lord	Limerick	1,134
Carey, Capt. J.	Cork	143
Cranby, Comr. H. C.	Limerick	173
Carey, T.	Cork	153
Carew, Miss	Tipperary	313
Clive, Colonel	Clare	71
Cowley, Mrs. L.	Kerry	72
Chatterton, George	Cork	279
Cowan, H. R.	Cork	333
Collis, S. E.	Kerry	305
Clanmill, Lord	Tipperary	—
Cooke, Mrs.	Limerick	41
Cornwall, Mrs.	Queen's	139
Davis, John	Cork	169
Do.	Waterford	183
Dawling, Thomas	Tipperary	734
Denny, Rev. E. and A. S.	Tipperary	154
De Courcy, M.	Clare	107
Dunne, Lord	Cork	645
Deberry, John	Galway	124
Dougherty, Marquis of	Kildare	233
Do.	Queen's	44
Delaney, Anne	Limerick	139
Do.	Kilkenny	488
Deputy, Rev. V. H.	Tipperary	37
D'Arcy, G. J. N.	Waterford	36
Deane, George, Esq. of	Wexford	134
Deane, Miss C. G.	King's Co.	92
Dowling, F. H.	Cork	111

Dec. 7, 1893.

The Right
Hon. A. M.M.
Kerridge.

	County.	Amount.		County.	Amount.
Dunally, Lord	Tipperary	350	Lavigne, Thomas	Meath	194
Dunn	Kilkenny	97	Lambert, Walter P.	Cork	103
Dun, R. J.	Wexford	111	Lyle, Col.	Down	47
Dopping-Heppelsted	Longford	78	Linsage, Stephen	Tipperary	237
Downes & Son	Kerry	570	Lisane, Miss	Tipperary	85
Dunlop, Andrew	Chief	600	Lisberry, Major	Kilkenny	406
Dunn, Edward	Galway	804	Lisleside, W.	Armagh	47
Mr. Rev. Cunningham	Limerick	1,424	Lisly, J. R.	Kerry	109
Edo, William	Down	271	Lisnakea, Sir J.	Cork	36
Egan, Rev. J. C.	Galway	617	Lisnakea, Miss	Cork	163
Ernest South's School	Tipperary	21	Lisnakea, G.	Wexford	77
Egan, C. B.	Cork	150	Lisnakea, G.	Wexford	143
Ernest, Timothy M.	Leath	212	Lisnakea, G.	Limerick	77
Fisher, The Rev. W. F.	Limerick	207	Lisnakea, G.	Limerick	92
Foster, Sir David, Bart.	Monaghan	66	Lisnakea, G.	Cork	393
Foster, The Marquis	Kildare	650	Lisnakea, G.	Kerry	178
Foster, John	Longford	30	Lisnakea, G.	Kerry	110
Frank's Estate	Limerick	34	Lisnakea, G.	Kerry	389
Fegan, William	Kerry	64	Lisnakea, G.	Tipperary	90
French, J. R.	Rosemount	1,532	Lisnakea, G.	Limerick	842
French, P. R.	Cork	124	Lisnakea, G.	Limerick	377
Foster, Mrs.	Wexford	85	Lisnakea, G.	Tipperary	126
Foster, Lord	Cork	282	Lisnakea, G.	Mayo	393
Garrick, Charles	Kilkenny	184	Lisnakea, G.	Tipperary	43
Garrick, Vincent	Meath	364	Lisnakea, G.	Kerr's Co.	511
Garrick, Mark	Longford	75	Lisnakea, G.	Down	79
Garrick, Rev. T. Hugh	Tipperary	30	Lisnakea, G.	Tipperary	853
Garrick, G. A.	Wexford	303	Lisnakea, G.	Kerry	126
Garrick, Moore	Tipperary	960	Lisnakea, G.	Kerry	982
Garrick, Col.	Cork	343	Lisnakea, G.	Kilkenny	276
Garrick, H. J.	Tipperary	46	Lisnakea, G.	Cork	665
Garrick, Sir Edward	Tipperary	39	Lisnakea, G.	Cork	435
Garrick's Estate	Tipperary	31	Lisnakea, G.	Cork	28
Garrick, Vincent	Tipperary	37	Lisnakea, G.	Limerick	65
Garrick, Nicholas, Esq.	Wexford	339	Lisnakea, G.	Kilkenny	418
Garrick, S. A. Mrs.	Limerick	83	Lisnakea, G.	Wexford	128
Garrick, Esq.	Limerick	80	Lisnakea, G.	Wexford	34
Garrick, John	Limerick	681	Lisnakea, G.	Down	418
Garrick, Esq.	Kilkenny	601	Lisnakea, G.	Limerick	70
Garrick, S. H.	Kerry	112	Lisnakea, G.	King's Co.	85
Garrick, Mrs. C. J.	Limerick	178	Lisnakea, G.	Kilkenny	100
Garrick, M.	Monaghan	15	Lisnakea, G.	Cork	224
Garrick, Deane	Monaghan	128	Lisnakea, G.	Monaghan	50
Garrick, H. A.	Kerry	391	Lisnakea, G.	Tyrone	300
Garrick, John H.	Kilkenny	222	Lisnakea, G.	Monaghan	17
Garrick, Moore	Kerry	278	Lisnakea, G.	Rosemount	100
Garrick, Esq.	Cork	37	Lisnakea, G.	Kerry	1,200
Garrick, John (a minor)	Cork	112	Lisnakea, G.	Tipperary	142
Garrick, James	Cork	90	Lisnakea, G.	Limerick	40
Garrick, Edward R.	Kerry	109	Lisnakea, G.	Cork	918
Garrick, Vincent	Tipperary	604	Lisnakea, G.	Wexford	150
Garrick, J. F.	Tipperary	107	Lisnakea, G.	Cork	208
Garrick, James	Wexford	59	Lisnakea, G.	Limerick	128
Garrick, Robert L.	Tipperary	311	Lisnakea, G.	Kilkenny	159
Garrick, George	Kilkenny	320	Lisnakea, G.	Tipperary	144
Garrick, Thomas	Wexford	56	Lisnakea, G.	Cork	37
Garrick, J.	Wexford	128	Lisnakea, G.	Limerick	34
Garrick, G. E.	Kerry	20	Lisnakea, G.	Cork	741
Garrick, R. J.	King's Co.	131	Lisnakea, G.	Leath	20
Garrick, Earl of	Wexford	128	Lisnakea, G.	Tipperary	82
Garrick, Esq.	Tipperary	694	Lisnakea, G.	Leath	14
Garrick, W. J.	Wexford	60	Lisnakea, G.	Wexford	153
Garrick, C. C.	Meath	60	Lisnakea, G.	Limerick	80
Garrick, Capt.	Limerick	61	Lisnakea, G.	Kilkenny	304
Garrick, A. J.	Leath	165	Lisnakea, G.	Leath	94
Garrick, H. D.	Tipperary	145	Lisnakea, G.	Tipperary	109
Garrick, Esq.	Limerick	64	Lisnakea, G.	Tipperary	34
Garrick, Rev. J. W.	Leath	45	Lisnakea, G.	Wexford	375
Garrick, Lord Commissioner	Dublin	28	Lisnakea, G.	Kilkenny	151
Garrick, Capt. B. C.	King's Co.	10	Lisnakea, G.	Tipperary	201
Garrick, W. H.	Tipperary	899	Lisnakea, G.	Wexford	600
Garrick, A.	Cork	37	Lisnakea, G.	Wexford	82
Garrick, Wm. F. de V.	Monaghan	42	Lisnakea, G.	Queen's Co.	125
Garrick, A. H. M.	King's Co.	188	Lisnakea, G.	Tipperary	49
Garrick, Mrs. Florence	Mayo	227	Lisnakea, G.	Galway	84
Garrick, Mrs.	Galway	170	Lisnakea, G.	Cork	114
Garrick, M. Dea.	Kilkenny	1,435	Lisnakea, G.	Tipperary	163
Garrick, Earl of	Kerry	764	Lisnakea, G.	Limerick	227
Garrick, Col. M.P.	Queen's Co.	760	Lisnakea, G.	Sligo	137
Garrick, G.	Meath	165	Lisnakea, G.	Rosemount	178
Garrick, Esq.	Tipperary	64	Lisnakea, G.	Wexford	333
Garrick, Esq.	Limerick	121	Lisnakea, G.	Meath	411
Garrick, Esq.	Wexford	145	Lisnakea, G.	King's Co.	123
Garrick, The Marquis	Wexford	120	Lisnakea, G.	Tipperary	111
Garrick, J.	Queen's Co.	8	Lisnakea, G.	Tipperary	120
Garrick, J. O'Connell	Leath	287	Lisnakea, G.	Tipperary	126
Garrick, J. W. H.	Galway	768	Lisnakea, G.	Tipperary	110
Garrick, William	Tipperary	1,667	Lisnakea, G.	Kerry	170
Garrick, Henry G.	Mayo	430	Lisnakea, G.	Cork	124
Garrick, Esq.	Dublin	160	Lisnakea, G.	Wexford	200
Garrick, Esq.	Longford	19	Lisnakea, G.	Tipperary	32
Garrick, Esq.	Monaghan	94	Lisnakea, G.	Cork	140
			Lisnakea, G.	Cork	186

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The Right
Hon. A. M. M.
Kinnear.

	County.	Acres.
Stargrove, Mrs. -	King's	124
Stearns, Wm. -	Tipperary	17
Stewart, James -	Wexford	169
Stewart, D. J. -	King's	56
Steyle, W. H. -	Wexford	38
Stevell, Col. W. B. L. -	Cork	45
Stewart, Rev. R. -	Louth	16
Stuart, Benjamin -	Kerry	45
Stuart, H. Vickers -	Waterford	300
Synott, Thomas -	Wexford	92
Synott, Thomas -	Cork	58
Searly, James H. -	Tipperary	33
Southern, Michael -	Clare	84
Sullivan, Rev. John -	Cork	292
Stewart, Rev. W. -	Cork	36
Sturley, William -	Carlow	65
Swaly, W. H. -	Cork	35
Swaly, Mrs. E. -	Cork	439
Swales, R. -	Louth	425
Swales, William -	Tipperary	45
Swales, J. H. -	Wexford	80
Swales, Mrs. and son -	Waterford	258
Swales, James -	Cork	505
Tatnell, A. L. -	Louth	1,369
Taylor, Hon. Othway -	King's	217
Taylor, Edward -	Louth	91
Todd, John -	Longford	63
Todd, Wm. H. -	Roscommon	136
Todd, J. -	Tipperary	140
Todd, L. L. R. M. -	Wexford	187
Todd, W. J. -	Galway	172
Do. -	Limerick	185
Twiss, Thomas -	Tipperary	140
Thompson, Miss -	Kerry	319
Taylor, Capt. -	Kerry	55
Thill, Est. -	Wexford	139
Thompson, S. -	Down	192
Thill, Est. -	Tipperary	213
Thill, T. H. -	Kerry	38
Thill, R. J. -	Waterford	83
Wall, R. -	Cork	100
Watson, Miss J. -	Cork	126
Whitfield, G. -	King's Co.	35
Warren, James -	Queen's Co.	100
Winn, Hon. R. -	Kerry	-
Wright, Mrs. J. E. Wood -	Meath	81
White, Luke -	Longford	127
Walsh, Mrs. -	Tipperary	212
Woodcock, J. E. -	Cork	130
White, Col. -	Tipperary	250
Whitford, Geo. -	Queen's Co.	63
Ward, Stephen -	Down	22
Do. -	Clare	50
Ward's Estate -	Queen's Co.	147
Ward, George of -	Waterford	286
Watson, R. -	Meath	194
Wade, R. G. -	Meath	128
Walker, Col. -	Wexford	411
Watson Estate -	Tipperary	139
Total -		78,245

This list is a review of numerous applications in which the owners of the lands were not stated. There were 319 applications.

23,588. The President.—You could not entertain them all?—No, our funds would not allow.

23,590. Lord Milnes.—You have been unable to attend to applications covering 50,000 acres?—Yes.

23,591. The President.—Knowing your funds were not equal to the demand many did not even send in applications?—No doubt.

23,592. The 78,000 acres would not include the farms boycotted?—No, my own three are not in it. I have met many landlords saying could we undertake farms, and I said we cannot do it unless you guarantee us against loss. They would be no better off, and it would cost us perhaps more to guard than it would cost them.

23,593. Lord Milnes.—Does the great expense arise from protecting property from outrage?—Guarding the farms from being trespassed; if you withdrew the caretaker every fence would be levelled and every head of cattle would be turned in to eat if there was anything to eat on it. As instances of the class of cases with which our company have had to deal, I would call attention to the circumstances connected with the Kilberry property, and I have recommended

Mr. Bowley, the owner, to give evidence before your Commission, but in case he may not be examined I beg to submit the accompanying statement. (Statement read and given in evidence as follows):—

"Bowley v. Moughan."

Details of Kilberry Farm, Co. Tipperary.

"I became possessed of the property of Kilberry in May 1879, prior to which date ejectment proceedings had been instituted for non-payment of rent against the then tenant, Henry Moughan. On the 30th May 1880, the sheriff handed over possession to my agent, Mr. E. D. MacLoughlin, who left himself in charge as caretaker. On the morning of the 29th July 1880, a party of men with their faces blackened visited Mr. Barry House, and presenting a pistol at the butler's head swore him to leave the place and have nothing further to do with it. They then reinstated the ejected tenant, Henry Moughan, who retained possession. The writ of habere was again renewed by order of Judge Lawson, dated 15th August 1880, and sent to the sheriff for re-execution. On the 24th August 1880 my solicitor, Mr. Robert Reeves, attended at Clonmel to be present at the eviction, and was informed that the tenant, Henry Moughan, was anxious to come to a settlement. On the following day Mr. Reeves met the tenant with his wife, Mrs. Moughan, in Mr. MacLoughlin's office in Clonmel, and there agreed to terminate the proceedings upon payment of £192 within one week, in full discharge of all rent up to the 1st May 1880, which amounted to the sum of £769 0s. 3d., and reduced the rent under the lease to £400 a year instead of £616 13s. 6d., the tenant to pay £192 for the first half year's rent ending 1st November 1880, and that there was to be no hanging pale, and the landlord agreed to borrow £300 from the Board of Works for drainage, and to pay interest thereon.

"These terms were endorsed on the original lease and signed by the tenant and the landlord.

"Mr. Reeves was then invited by the tenant to Kilberry, and found the house which had been strongly beleaguered and looted in a very dilapidated state. The tenant showed him over the premises, and the lines of defence he had adopted to prevent the sheriff from putting him out which were of a formidable nature.

"The tenant paid the £192 within the week as agreed in full for all arrears to 1st May 1880. He also paid the reduced rent under his agreement to 1st May 1881. He failed to pay the half-year's rent to November 1881. Mr. Bowley having frequently applied to him for payment of the rent due, received a letter from him dated the 5th December 1881 declining to pay, and considering immediate steps necessary, on the 4th May 1882 an ejectment was brought for non-payment of £400, one year's reduced rent to the 1st May 1882, and judgment was made, and an order executed on the 27th July 1882, and possession given up by the sheriff to Mr. MacLoughlin on behalf of Mr. Bowley, and emergency measures were placed in charge.

"There was a considerable resistance in taking possession, and damage done to the house and outbuildings for which claims for malicious injuries were made, and £80 was awarded for compensation."

On the 13th January 1883 the tenant again took forcible possession of a portion of Kilberry, and proceedings were taken before the magistrates for recovery of possession on the 13th February when he gave an order for possession.

I leased Kilberry from 27th July 1882 to the 26th April 1884 at great expense, having to keep several emergency bailiffs there.

On the 26th April 1884 Mr. Bayly of the Co. Cork agreed to take a lease of Kilberry for 35 years at a rent of £400, from 1st May 1884, and I undertook to repair and paper the house at an expenditure of £100, one moiety of which was to be paid by Mr. Bayly.

The lease was executed, and the repairs effected, and Mr. Bayly paid his moiety of them and went into possession.

Mr. Bayly was immediately boycotted, and I was informed that Mrs. Meagher, the wife of the evicted tenant Henry Meagher, went about telling everyone that Mr. Bayly was to be shunned for taking the farm.

Mr. Bayly put up another farm he held in the county Cork, near Mitchelstown, afterwards for sale, but Mrs. Meagher had followed him there, and prevented anyone from bidding at the auction.

Mr. Bayly had previously been offered £1,000 for his interest in this farm.

Mr. Bayly paid me one year's rent to 1st May 1885.

In October 1885 Mr. Bayly informed me that owing to his being boycotted he could no longer hold the farm, as he was utterly ruined by the boycotting, and offered to surrender his lease and give up possession of the farm to me, so as not to have to pay the half-year's rent to accrue due on the 1st November 1885, and if I would not take up possession he would assign his lease to Henry Meagher, the evicted tenant.

Mr. Beasley accordingly attended on the 10th October 1885, and got up possession from Mr. Bayly, and paid him a large sum for the hay and crops on the ground, and forgave him the half-year's rent which would accrue on the 1st November 1885.

Mr. Bayly then made an arrangement with the Land Corporation to occupy and work Killybeg, and they are still in possession.

In the autumn of this year, Mr. Beasley advertised the place for sale, and received the following letter:—

"Harvest Lodge,

"Londesborough,

"Hy. Beasley, Esq., "September 23, 1885.

"41, Eglon Road, Dublin.

"Sir,

"KINDLY give me the fullest particulars as to the land and offices, Killybeg House, and the purchase price, or annual rent, the former preferred.

"And oblige yours truly,

"R. WELLWOOD.

"If your reply satisfactory I will arrange to see the place," to which I replied, mentioning the sum I would take.

On the 3rd November I received the following letter from Mr. Wellwood:—

"Stonestown House, Cloughan,

"H. Beasley, Esq., "King's Co.

"Sir,

"YESTERDAY, November 1st, I went to see Killybeg. I called first to the Hotel. A man made answer that was a boycotted farm. I took a car to go see the place, when the driver told me on the way it was a boycotted farm. That the owner was a Mrs. Maher. I asked if she was a widow, he said not, but that she was the mistress of it, and living in a hut. I said, 'Drive me to her.' I called and told her my business. She said she would not allow anyone to have anything to do with the place, she seemed a fierce woman. I returned home without seeing the lands of Killybeg. I being a Protestant and a stranger in that locality, I am almost afraid to buy the place for fear of treachery being used to me. Please let me know by return if the statement correct, all particulars.

"I remain, yours truly,

"RICHARD WELLWOOD."

I replied by stating the facts, and telling him that Mrs. Meagher had no right whatever to interfere.

On November 5th I received a note from Mr. Wellwood, enclosing the following cutting from a newspaper, which I have since ascertained to be a copy of "United Ireland" of October 20th, which I now send in. It purports to give a copy of a resolution, adopted at a meeting of the Drangan branch of the National League, pledging themselves to resist the taking of Killybeg by any person except the late tenant Henry Meagher, whom the resolution states "to be the rightful owner."

"Drangan.—Mr. H. Britton in the chair. Letters from Central Branch, enclosing eviction forms to be filled up; also letter from T. Harrington, Esq., M.P., stating that, after careful study of the facts of decision arrived at in Shoes and Clancy business by committee, they saw nothing in said decision affecting the principles of the I. N. L. Resolution will be adhered to that this branch will not interfere in this case again. Letter of H. Meagher, Killybeg House, which contained his offer to rent or buy his evicted farm from the landlord, read, and following resolutions unanimously adopted:—That having heard read for us Henry Meagher's application for the purchase of Killybeg, from which he had been unjustly evicted some five years ago, as that property is now advertised for sale, we are of opinion that said offer is just, and though the landlord has deemed the offer inadequate, we think he should have stated his terms at least; and we again reiterate our determination to resist by every legal means in our power the occupation of Killybeg by any person save whom we look upon as its rightful owner, Henry Meagher. 'That we have no objection whatsoever to hunting as a National pastime, but we will not allow the open exercise of the National game to ride over our lands, and we wish to remind the owner of the bounds that it is our determination to step all hunting if such chivalrous characters are allowed to proceed.' Resolutions of sympathy with W. G. Fisher, Waterford, also adopted."

I also hand in "The Tipperary Nationalist" of the 30th October, which contains a special report of the National League Meeting, at which the foregoing Resolution was adopted.

Report from "The Tipperary Nationalist," given in evidence as follows:

"KILLYBEG FARM.

"A special meeting of the Drangan branch was held on Sunday, 24th October, Mr. H. Britton in the chair. Also present—Messrs. Fisher, Tansley, Crooke, Connell, Byers, Ryan, J. Tobin, Murry, Morris, treasurer; Beattie, T. Murray, Scannan, P. Crooke, P. Crooke, Casnak, hon. sec. The minutes of last meeting were read and confirmed. Circulars and letters were received from the central branch enclosing forms to be filled for evicted tenants for whom applications for grants had been made. A circular in reference to cases of boycotting by the I. N. L. P. U., and Landlords' Committee, were received, and the members requested to state any case they knew of at next meeting. It was decided in accordance with a suggestion from the central branch to the branches, that the committee of this branch meet every Sunday, at 1 o'clock, during the present crisis. With reference to the case of Clancy, who grabbed the farm at Clonsilla, it was decided that this branch do not interfere in the matter. The secretary reported that the famous Killybeg was advertised to be sold or let, and that Henry Meagher had made the following offer for it:—Killybeg Hut, Clonsilla, Sept. 25, 1885. H.

"Beasley, Esq.—Dear sir,—Having heard that you have advertised to sell or let Killybeg, I beg to propose—and hope some shall be acceptable as the ending of our long dispute—that I will purchase Killybeg, subject to survey, at 14 years' purchase of the old rent—viz. 17s. 6d. per acre; or if you would prefer to let I am prepared to pay 15s. per acre annually, provided the first half year shall not come due until November 1st, 1887. Expecting an early reply, I am, yours faithfully, —HARRY MEAGHER. The landlord replied, after a long delay, stating that the offer was inadequate. Henry Meagher then wrote to him by registered letter, asking him what he was prepared to sell or let it at, but to send no reply. The rent of Killybeg in 1843 was 17s. 6d.; it was then raised to 30s., and in 1867, under threat of eviction, of £2 per acre. The following resolutions were unanimously adopted, and ordered to be sent to Pethard and adjoining branches:—Proposed by M. Casnak, and seconded by J. Scannan—That having heard read for us Henry

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The Right Hon. A. M.P. Kavanagh.

Dec. 7, 1886.
The Right
Hon. A. M.M.
Kearney.

"Meagher's application for the purchase of Kilburry farm, from which he had been unjustly evicted some five years ago, and as that property is now advertised for sale, we are of opinion that said offer is just, and, though the landlord has deemed the offer inadequate, we think he should have stated his terms at least; and we again reiterate our determination to resist by every legal means in our power the occupation of Kilburry by any person save him whom we look upon as its rightful owner, Henry Meagher." The hon. sec. stated that he had received a letter from Mrs. Quirk previous to her departure for Australia, and as the executor Lindsay is trying to spread a false impression of his eviction of Mrs. Quirk, and to give landgrabbers a chance, and in justice to those under the Southern Cross it was decided to publish it. It is as follows:—"Ruthkenny, May 25th, 1886. Dear Mr. Cosack—I have not sold my goodwill of Ballyvaughan, nor do I intend to do, as I intend coming home after a few years. Should any person grab the farm in my absence, the people at large ought to know how to deal with them.—Truly yours, CATHERINE QUIRK." The following resolutions were unanimously adopted:—"That we have no objection whatsoever to housing as a national problem, but we will not allow the open enemies of the national cause to ride over our heads; and we wish to remind the owner of the bounds that it is our determination to stop all hunting of such obnoxious characters." "That the sympathy and best wishes of this branch be given to the Rev. Father Faly, Galway prison, for his noble self-sacrifice in the Irish cause."—"Adjourned."

(Report from "United Ireland," 30th October, given in evidence).

"CLONMEL."

"C. H. Meagher in the chair, subsequently Rev. W. O'Connor, P.P. Mr. Cosack read minutes of last meeting, and stated that until the Clancy case was disposed of the Rev. president would not attend. The hon. sec. also read a letter from Mr. T. Harrington, M.P., in reference to it. A good deal of displeasure was expressed by the members present that the decision did not say whether Clancy was to hold the land he grabbed. The matter finally dropped. Circulars were then read from the central branch relative to rent collections, &c., and questions, as far as possible answered. It was decided to have committee meetings once a fortnight to give any advice required by tenants. Next meeting on Oct. 31."

"Also 'United Ireland' of November 6th, in which the paragraph marked and headed 'A stubborn fight' refers to this case as the one which was 'the beginning of the hard war in Tipperary,' and 'which will continue to be fought with great spirit by the recent occupier and his supporters of the National League.'"

(Paragraph put in evidence as follows):—

"A STUBBORN FIGHT."

"The Kilburry farm, which was the beginning of the hard war in Tipperary, still continues to be fought with great spirit by the recent occupier and his supporters in the National League. After six years of loss and turmoil, the owners are anxious to let or sell, and Mr. Henry Meagher has made a fair offer in either case. The owners say the offer is inadequate, but would not state how much will satisfy him. In this state of the case the Deangon branch of the League resolves:—That, having heard read for us Henry Meagher's application for the purchase of Kilburry farm, from which he had been unjustly evicted some five years ago, and as that property is now advertised for sale, we are of opinion that said offer is just, and, though the landlord has deemed the offer inadequate, we think he should have stated his terms at least; and we again reiterate our determination to resist by every legal means in our power the occupation of Kilburry by any person save him whom we look upon as its rightful owner, Henry Meagher."

I also hand in a copy of the "Tipperary Nationalist" of the 10th November, and call particular attention to the report therein of the proceedings at the National League meeting held in Fethard on Sunday the 7th November, at which the following resolution was adopted:—

"That we use all the power of the National League, and persevere until the rightful owner, H. Meagher, be restored to his house and farm at Kilburry," and at which the chairman, the Very Rev. Archbishop Keane, P.P., V.G., read these words:—

"They all know Kilburry where the great fight of the Land League was begun half-a-dozen years ago, and where it was solemnly resolved that so sure as the sun shone in the heavens, so sure should Henry Meagher, the evicted tenant, be restored to his farm of Kilburry (cheers). There the landlord and his emergency following had also surrendered (cheers, and cheers). They were now trying to sell the farm to any bidder, but that great meeting would declare again that no tenant would ever leave Kilburry but Henry Meagher (renewed cheering)."

(Copy of the "Tipperary Nationalist" of November 10th, 1886, put in evidence containing the foregoing extracts.)

Another phase of "boycotting," which has been more prevalent during the past summer than previously, is the interference with the letting of meadow land which landlords have in their own hands. As an example of cases of this kind I submit a statement relative to the Turmachane meadows on the property of S. R. Woulfe, Esq., in the County Clare. The facts stated are vouched for by the agent.

(Statement read and further evidence as follows):

"Estate of S. R. Woulfe, Esq., Co. Clare."

"TURMACHANE MEADOWS."

"For the past 20 years Mr. Woulfe has had in his hands about 40 acres Irish or Coroneas meadows on the banks of the river Fergus, which he sold annually by auction till this year."

The sales realised from £100 to £300, the average being about £200.

In October 1885 I was appointed agent over the estate and held my first office for the collection of rents on 25th November in the same year. The tenants refused to pay unless a large reduction was granted, although their rents were all judicially fixed early in 1882. In January 1886 a number of the tenants sent their rents less 25 per cent., and having received collection letters about a fortnight afterwards most of them paid in full. In February 1886 I was obliged to issue three ejectments and three civil bill processes and these began subsequently and without my having to execute the decrees. I attribute the boycotting of the meadows to the issuing of these processes.

On 15th July 1886 I instructed Mr. Wright to soothe the meadows, and in reply to my letter he informed me that he had sent notices posted up that none of the meadows were to be taken.

On 26th July the auction took place and there were no bidders in consequence of these notices.

Immediately afterwards I tried to sell by private contract, and failing that tried to get men to cut and save the hay, offering them a larger rate of wages than was usual in the neighbourhood, but with no avail.

"I had no option left but to apply to the Property Defence Association for assistance, and they sent about 16 men, who cut and saved about half of the meadow. The hay is now standing in field corks, and I shall be obliged to send men, horses, and carts from Dublin to pick it up, at an expense, I fear, of far more than the hay will be worth when done with. The tenants are all comfortably off, and have meadow on their own farms."

*(Signed) E. WHITNEY LEACH.

"2nd December 1886."

The last instance which I venture to submit occurred in my own neighbourhood: the particulars of which I now hand in.

(Statement read and put in evidence as follows):

* Christopher Hughes (Graigae)

* Co. Kilkenny) indicted.

* James Staunton

* Tenant.

* James Staunton was evicted on the 14th March 1884 for non-payment of rent: extent of holding, 13a. 2s. 7p.; rent, 12s. 8s.; arrear due, £31, 2s. 7p. Staunton paid this rent punctual to Mr. Hughes' predecessor (Miss Begenall), for whom he acted as rent warner, for which he received a salary of £1 per annum. Previous to Staunton's eviction his landlord offered to reduce his rent by £2 yearly, and offered him time; this offer Staunton refused. Father Burke, C.C. Borris, I believe, went to the landlord to make terms for the tenant which the landlord would not agree to. The farm was idle till following October, when it was taken by a man named James Murphy, from Kilsnoed. Murphy had police living in the house with him till April 1885, and has still to be looked after by the police. This Murphy was boycotted and is still as far as the people of this locality is concerned; no person would speak to him, and he has to go to neighbouring towns in other counties to get his supplies and make markets. The house Murphy lived in at Kilsnoed was burned when he came to live on his new farm. This was done in the early evening; the people of the neighbourhood looking on and would not make any attempt to save it; a few who would be willing to do so were afraid, because the man was boycotted by order of the National League of Borris. A man named Terry Curry, who was married to this Murphy's sister, and who had a provision shop in this locality, was also boycotted, because it was alleged that his wife gave some money to her brother (Murphy refused to) to help to pay his rent. This Terry dealt with Murphy, of the mill, for flour and meal, and with James Kennedy of Borris, for bread for years. They both refused him goods. He was a subscriber for the "Weekly Freeman" newspaper, and although having his subscriptions paid in advance he was refused his paper by Mrs. Phelan's shopman. This poor man Curry had to go to Bernaghore Mill, Co. Kilkenny, for his flour and meal; the owner of that mill was asked not to supply Curry; those employed in the mill even threatened to quit the work if he was supplied; everywhere the poor man went to get his goods he was followed by the spies of the League. His workmen were obliged to leave although greatly in debt to Curry at the time; the end was that Curry died a persecuted broken-hearted man all through the law of the League.

Mr. Hughes was denounced at every meeting of the League held in open air, the people were ordered not to deal with him (Mr. Hughes, I may remark, is an extensive shopkeeper and millowner) to pass his door. If Mr. Hughes was a poor man, like Curry, his fate would be the same, but the people of the surrounding country were in his debt and could not follow the orders of the League; they knew that the consequence would be to them.

"THE LAND PURCHASE ACT."

The provisions in this Act are generally regarded by all who know anything about the condition of the country, or whose opinions are worth having, as affecting not only the most hopeful and simple, but also the only apparent practically available means of solving the present difficulty. Many wonder that the generous provisions contained in it are not more largely made use of by the country to benefit themselves. Were the circumstances of the country ordinary ones, or such as they were 30 years ago, I would share their wonder, but having regard to the condition of affairs now existing, the surprise to my mind is that the Act has worked at all. First, the main obstacle lies in the influence of the Land League.

The League has put its ban upon these purchases, and while it is allowed to wield the real dominant power in the country as it now does, it appears to me vain to hope for any change. I look upon the action of the League in opposing the working of this Act as the strongest proof that could possibly be obtained of the real value and utility of its provisions. They know too well that its general adoption would put an end to their power, and give peace to the country, and naturally they try every means and effect they can command, directly and indirectly, to prevent it. To those who see object and helplessness it is a simple command not to buy; to others, in cases where it is expedient to use tact, the word is, even in cases when judicial rents have been fixed, "Why buy now? Wait till 'your rents are further reduced to the 'prole value,' or to next to nothing, and then you can buy at little 'cost,' or, 'Why exchange for your creditor the 'landlord whom you can squeeze, and who before long will be unable to enforce the payment of any 'rent, for the Government, who you did not squeeze, and who will certainly enforce, not only payment, but punctual payment, of the instalments.'" That these are facts I can speak from my own personal experience, as they were answers given to me by two tenants, who I suggested should say their feelings not very long ago, taking them as a fair sample of the opinions on the subject generally held by the tenants in the country. I can see no reason for wonder that the Act does not work as extensively as one would wish. That is all I have to say about that.

23,591. The President.—Do you think most landlords would be willing to sell?—Oh yes, I do.

23,592. And keep their demesnes, and sell out their other lands?—Yes.

23,593. Do you think they would still continue to reside in the country?—Yes, I do. I would, most certainly.

23,597. Would you sell everything except your demesne, and continue to live there?—Yes, all except the woods and bogs that I have in my hands of course they could not be sold, because they are not wanted. They could not be sold under that Act.

23,598. Sir James Caird.—Have you finished that part of your evidence?—Yes. I now come to the application of Lord Ashbourne's Act to congested districts.

23,599. Is it the fact that the tenant is the only possible purchaser in Ireland of his holding?—Yes. I do not think anybody else would go into the market to buy land in Ireland now.

23,600. But under the law assistance is given to the occupying tenant?—It would be impossible for anybody else. Under the Ashbourne Act the tenant is the only man who has a home stand; the only one.

23,601. Then the tenant may be in the position that he believes that he loses nothing by waiting?—He is quite clear of that. He has everything to gain by waiting.

23,602. And that may be a strong reason for his abstaining from pressing to go in; he may be looking for better terms, or he may put it to himself, "I am the only buyer, I can afford to wait my time"?—Oh yes, and he has got this to look to, that by refusing to buy, and by exacting reductions from the landlord, he may gradually get the rent so reduced that he can buy for very little, say even at 20 or 25 years' purchase, and yet less than he could now at 15 or 17, or anything of that kind.

23,603. It is not surprising, under those circumstances, that he should hold on?—I think it would be rather surprising if he did not.

23,604. The President.—I suppose you are not in favour of making purchase compulsory?—I have thought of that, my Lord. I am not; certainly not. I think we have had a great deal too much of what I call paternal government in the past, and I do not intend to advocate anything in that way. I think there might be some indirect pressure put, but it is hard to know how to recommend it. I believe this, that if the law was enforced, and tenants were obliged

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to pay their rents, that they would very soon come round and avail themselves of the Act.

23,606. Lord Aliffness.—Would you be in favour of extending the term of payment of the purchase money. I have heard that suggested, and no doubt it would, to a certain extent, make it easier, but suppose it was made 60 years instead of 49?—That would reduce the instalments.

23,607. Would that be a good thing to do?—That is none for the party who advances the money than for me to say I think it would encourage sales. No doubt about that.

23,607. No doubt about that?—But as to what the British tax payer would say about it I do not know.

23,608. Would it not make the position of the tenant who is not allowed to purchase rather a hard one in comparison to his neighbour, who had his rent so enormously reduced?—It would certainly.

23,609. Under any circumstances that would be a difficulty, would it not?—I do not quite understand.

23,610. I mean in this way that one tenant who has to pay rent for his holding when he sees his neighbour buying his holding at a far less sum than he has to pay so rent will be naturally discontented, I should imagine, and unwilling to pay his rent as heretofore. I suppose there is nothing that an Irish tenant has a greater objection to than being put in a worse position than his neighbour?—Oh, no; that would cause great jealousy and discontent.

23,611. And they have felt very much the extra reductions of rent that have been given lately, by the sub-commissioners, as compared with three years ago?—Yes, no doubt.

23,612. That they are in a worse position than their neighbours?—No doubt the tenants who went first into the court did not come off with half such good bargains as those who are going in now.

23,613. And is it the result that those who went in before are extremely discontented?—Yes, seeing how they can possibly break their agreements.

23,614. And would not the same cause produce a considerable discontent?—Where one tenant succeeds in buying his holding under the Purchase Act he gets immediately a very considerable reduction of his rent, but if his neighbour is refused the right to purchase he would have to go on paying the whole rent for ever.

23,615. Refused the right to purchase, do you mean by the Land League or the landlord?—By the landlord.

23,616. And would not that feeling exercise under those circumstances a kind of compulsion over the other landlords to sell?—Look at the common case of the case. I do not think any landlord would be fool enough to hold on who was offered a fair price. Look at the whole position of affairs from the point of view I have stated to the Commission. Look at the political aspect of the question.

23,617. But you think it would have that effect?—Certainly. I do not know myself of any landlord who would not be willing to sell if he got anything like the fair value.

23,618. Even if his rents were well paid?—Even if his rents were well paid.

23,619. The President.—What would you consider the fair value, 50 years' purchase?—It is very hard to say. If the rent is high, according to now, 20 years' purchase would be a good price.

23,620. Of judicial rents?—Judicial rents are moderate now.

23,621. Mr. Nathan.—It is hard to lay down a general rule?—Very hard.

23,622. You must take each case on its own merits?—Yes. I come now to the question of congested districts. Great as I believe we may regard the advantages which this Act would confer upon the country as a whole, there are districts to which its application would have the effect more of stereotyping a case than conveying a blessing; the parts which I refer to are those which are known as congested districts, where the lands are over-populated and quite inade-

quate to support those looking to them for it; so a rule they are wild country districts where no employment, except what the land offers, can be got; there are no such open as local manufactures or public works and no prospect of any such occurring, and the majority of the population are dependent on their earnings in England Scotland to support them; in most of these districts the holdings are very small and scattered, a man holding a patch here and a patch there, and having no means of access to his different bits of land save over his neighbour's ground, the consequences are constant quarrelling and summonses for trespass; the land is in most cases poor and the dwellings wretched, subdivision is the common practice and can neither be detected or checked; the young men when they come to years of maturity, and earn a few pounds harvesting in England or Scotland come home and contract early and imprudent marriages; new houses are established and new families grow up on holdings that were insufficient to support their fathers. I remember one instance which came before us when I was on the Beaumont Commission, and I believe it was only an example of the general condition of such districts. The witness stated when he lived there were 18 families living on 14 acres of poor land; when asked, he said he did not complain of the rent, for he added, if we had it for nothing we could not live on it. Poverty is and must be a normal condition of such districts, and when any adverse change comes either from failure of crops, which at best are bad, or from loss of employment in England, the poverty at once becomes fatal; the local rates are increased to support them in even a condition of semi-starvation, and the unfortunate people become demoralized by dependence on public charity. Poverty such as this is the natural parent of discontent, and these districts become the centres of agitation from which the baddest poison spreads to the other parts of the country. Given a real grievance, such circumstances as I have described, afford an unquestionable instance of one, and the agitators will not be slow to represent it as applicable to the whole country. It is on the facts of which these miserable poverty-stricken districts are examples that they base their assertion of general poverty and want, and when given the cue, the rest of the Irish tenantry are ready enough to back them and to trade upon the wants of the real sufferers. These congested districts are scattered over the whole country, but are chiefly to be found in the counties of Clare, Cork, Donegal, Galway, Kerry, Leitrim, Mayo, Roscommon, and Sligo; in the Province of Leinster, there are a few, but neither in extent or in degree of congestion are they to be compared with those in the counties I have named. To apply the provisions of the Purchase Act to these would be, in my opinion, simple madness; it would be not only a risk but a certainty of loss to the State of the money advanced, and by converting the tenants or occupiers into the owners of holdings that could not support them it would be perpetuating a crying evil without conferring the slightest advantage upon the people themselves. Personally, I have not very much experience of such cases, and I am therefore diffident in offering suggestions as to how they should be dealt with. I have based many plans proposed, such as emigration, starting public works in order to give employment, and so on, but more or less plausible as they all are in themselves. My belief is that a broad scheme of State emigration is the only one, there are thousands of acres idle in the Colonies to which the surplus population of these districts could be sent—good land and good climate—but any such scheme should be carried out in a liberal manner; the people should be provided not only with good clothing and their passages paid, but also with means to support them when they first get there and holdings provided for them; they should be sent in batches, say in groups of twenty together, and a minister of whatever religious denomination they belonged to should accompany each detachment. I believe if it was done in that way it

would succeed, and the people themselves instead of regarding the English Government as tyrannically denying them from their homes would come to look upon it as a real benefactor. Schemes of State-aided emigration have already been tried, taken in hand by gentlemen such as Mr. Tuke, Mr. Vere Foster, and others, who have deserved the gratitude of their fellow-countrymen for the energy, time, and trouble which they devoted to the work; but while doing some good no doubt they have all failed in accomplishing the object for which they were started. Some districts have been partially relieved, but the evil remains with us still. The reason of this failure is, in my opinion, that the question has been taken up in too niggardly a spirit, the State aid to some of these schemes was made conditional on contributions from the local rates. Many of the unions in which these districts are situated were well-nigh bankrupt before, and quite unable to find the additional funds necessary to provide the required contribution. In some of these schemes, if I am rightly informed, was any provision made for the poor people when they arrived at their destination, whence to make any such scheme a success it is essentially necessary that the people when leaving their homes should be made to feel that they were exchanging present misery and want for at least a fair prospect of future comfort and independence. Thus they never could feel when they know that they were merely being emigrated to be thrown to shift for themselves in a strange land, to make it a success; it should be undertaken not merely as an emigration scheme, but also as a colonisation scheme, the two objects to be kept in view being the relief of misery at home and the strengthening and cementing of the bond of union with our Colonies abroad. That it would be a very large scheme and involve a considerable expenditure I do not deny, but that it would more than repay the British taxpayer I firmly believe, that it is surrounded with very grave difficulties I am equally alive to. The League would be to a man against it, the relieving of these centres of poverty and discontent from our midst would be a very severe blow to the prospect of their future trade, and they would naturally bring every alarm, art, and device in their power to defeat it; that may, perhaps the majority, of the Roman Catholic clergy would also be against it is also a fact, but while it is known that there are not a few among them, bishops as well as priests, who view the question in the same light that I do, and I believe with their co-operation priests could be found to organise districts and take charge of the inhabitants for emigration; that some clergy who undertake the work should be generously dealt with and remunerated by the Government for their work here and secured a liberal competency while they continued in charge of their flocks abroad is only fair upon the face of it; by the adoption of this plan I believe the main difficulties which would have to be met in successfully carrying out such a scheme of emigration as would effectually relieve the country would be overcome. As to other schemes such as "migration," "public works to afford employment," &c., &c., which have been proposed to meet the evil, I should be sorry to throw cold water on them, they are good so far as they go, but in my opinion they are quite inadequate to effect a cure. As to "migration," if the people from the congested districts were to be transported to good land it would be as expensive, if not more so than colonisation, and could at best give only a medium of relief lasting quite as much discontent and heartburning as it cured; if they were to be transplanted to mountainous waste districts, which could be doubt be acquired with less original outlay, it would be merely changing them from small bad holdings to larger ones of the same nature; dwellings would have to be built, and they would have to be supported as then till they had brought the lands into some state of culture. Public works to afford employment such as reclamation of waste lands, planting or reafforestation, as I believe it is termed, would be very good adjuncts to emigration; but that it at present means might no doubt be made

productive and the outlay turn out remunerative; but these undertakings would not last for ever, and unless coupled with emigration, when they were over we should be left in the same position that we started from. Another grave though not insurmountable objection to the proposal of public works to afford employment is the mismanagement and jobbery which past experience has shown such schemes have almost invariably been made the subject of. I believe it is impossible for Government to have sufficient supervision of such works to guard against this evil to entrust it to local authorities as at present constituted would be worse than useless, but while saying this I have no doubt that an efficient scheme could be devised to guard against these evils and to carry out such works in a proper manner. That is all I have to say about these congested districts. I have only a few remarks in conclusion to make.

23,623. *The President*.—You distinctly think that it would be a mistake to allow Lord Ashbourne's Act to operate in these districts, do you?—I do, my Lord, certainly.

23,624. And would you, therefore, by legislation, say that it is not to extend to certain parts which should be scheduled off and described for the purpose?—I think that would be a very proper safeguard, but I do not think myself that the present commission administering the Act would for a moment listen to any proposal from these congested districts.

23,625. Because these would not be sufficient security for the public money?—There would be none.

23,626. Then do you think that that would be a sufficient safeguard without enacting that the Act should not run in certain districts; that it would be sufficient to leave matters as they are?—How would you define the districts?

23,627. That would be difficult; I was going to say, that would be one of the difficulties in the way of not allowing the Act to take effect in certain parts?—The difficulty of defining the districts meets me there, but without altering my own opinion that it should not apply to them I should be quite satisfied myself to leave it to the administration of the Commissioners to carry out the Act. I do not see how any man in his senses could grant an application from a man holding a quarter of an acre of that kind for money to purchase it.

23,628. *Sir James Collier*.—You do not think there is any possible security for an advance for such a purpose?—No.

23,629. Out of the rent itself?—Out of the congested districts where these holdings are situated.

23,630. I am speaking of the congested districts?—I do not, certainly.

23,631. *The President*.—Sometimes the largest sums paid for tenant right are in these districts; in Donegal we have had evidence that the tenant right in congested districts sometimes sold high?—I have never heard of them. I have not had much experience of Donegal.

23,632. *Lord Millican*.—It has been asserted before us that at Greenore these small holdings are eagerly sought for, and that 50 or 60 years' purchase is not an uncommon price, and 100 years' purchase.

23,633. *Mr. Nelson*.—That is the only place where such a rate of purchase prevails?—Greenore.

23,634. *Lord Millican*.—It was also asserted that these people were fairly comfortably comfortable, that up to a recent time when agitation had not been introduced amongst them they lived contentedly and paid their rents with punctuality and cheerfulness. In such a case as that do you think there would be no security to the State?—I should doubt it. But when I speak of the congested districts I do not mean to say that that rule should apply to all small holdings.

23,635. *The President*.—There is, I believe already, in fact we have had evidence that there is a steady stream of emigration from those congested districts, that the superfluous children of a family emigrate, and

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that subdivision is not greater now than it was a few years ago; that the plots are not smaller than they were a few years ago?—I did not know, my Lord; I thought emigration was rather stopped; but as to the children going, that is Mr. Vane Foster's plan, and he looks after the people he sends out. I believe I was wrong in saying that they are not looked after, for he sends servants out, and nobody lands there without being provided for under his scheme, but he is sending the boys and girls out of the country and leaving the old people at home.

23,636. Lord *Milltown*.—But do not they send for the old people?—I do not think so.

23,637. The evidence before us was principally from Limerick, that the members of the family send for their relatives, and never rest till they get them over?—I have not known that.

23,638. It is also stated that early marriages have ceased in those districts?—I do not know that.

23,639. And has not it been stated that they might have an increased sense of responsibility and self-respect, and desire to keep a decent position and keep themselves from starving if they became owners, which does not exist now?—Well, I hardly think that would be the rule. I admit that it is the principle on which I have always advocated peasant proprietorship. I do not think it could apply in those small cases. My idea of their poverty is that it is so great that I believe that if they did not go to earn in Scotland or England where they go as labourers, they would be half starving.

23,640. And the failure of the potato crop might at any moment place them in a famine?—Yes, it might at any moment place them in a famine.

23,641. Sir *James Caird*.—They are always at the risk of that famine because no crop is so uncertain as the potato?—No.

23,642. The *President*.—But you do not make any recommendations that any districts should by law be excluded; you leave them to be excluded by the commissions on the ground, that they are not sufficient security for the money?—I do, my Lord. I would rather do that than attempt to define them, because defining them might shut out deserving cases, and I do not say all small holders should be shut out, by no means of course.

23,643. Sir *James Caird*.—We understand you to refer to what we call the congested districts in this opinion?—Yes.

23,644. Lord *Milltown*.—That is to say where a large number of people are huddled together on bad land?—Yes, certainly; such cases were mentioned before us on the Benbowrough Commission. I think it was Lord Dillon's estate; a man stated before us, at Galway I think, that there were 18 families living on 14 acres of land.

23,645. Sir *James Caird*.—And I look at it in this way. The rent is said to be paid by the earnings of the fathers and brothers who go to Scotland, and if the fathers and brothers do not go to Scotland it would follow that there would be no rent, and therefore there would be no security for any public money?—Certainly not. There is nothing in the holding that could support the people.

23,646. And pay the rent?—And pay the rent.

23,647. Lord *Milltown*.—Could it not without supporting the people; could not the holding pay the rent, supposing it did not support the people (that was the evidence we had from Mayo)?

23,648. The *President*.—And as long as migration takes place during the summer months they are tolerably comfortable?—Yes, the rent should be paid from extraneous sources, by going to England and Scotland and earning money and coming home.

23,649. Lord *Milltown*.—But is not the holding itself capable of paying rent?—No, not if it has to support the family as well.

23,650. No; but apart from supporting a family?—Oh, I suppose it might. The value of a holding of

land of that sort would be perhaps half-a-crown or 5s. an acre.

23,651. I mean that the people could not live on what they earn in England should it be not that they derive some benefit from their holdings. Suppose that a man could make £12, which I believe is pretty much the average?—Yes.

23,652. He could not live on that all the year round?—No, not if he had to provide himself with lodging. Of course the holding provides him with a place to live in, a lodging.

23,653. Mr. *Nelson*.—I suppose as long as the people continue to occupy those congested districts as at present there is no way in which they can be more cheaply supported, because a man has a holding and he keeps a house and he keeps the warmth and comfort of a house about him and he supplements that with his own labour outside. Of course it is not a state of things one would desire, but as long as that mode of people are there I do not see what else you are to do with them.

23,654. Sir *James Caird*.—Except that they ought to be emigrated at the public expense in the manner that Mr. Kavanaugh suggests. After all, is their condition more deplorable than that of thousands and thousands of the working classes in our great towns?—It may be that it is not, but our situation has not been enhanced to them, as it has to these congested districts in Ireland.

23,655. Do not you think that they are very much inclined and very properly to attract our attention?—They are; but in face of the two things I would very much rather be an occupier in a congested district in Ireland than the occupier of a fourth of a room in the slums of London.

23,656. The *President*.—And you might be inclined to think that both in London and Galway emigration might be adopted with advantage?—Quite so; I have long thought that.

23,657. Now will you give us your conclusions?—In conclusion I must add that while I assert that there is no such general condition of poverty among the farming classes as the agitators would have us believe, and while I deny that the refusal to pay rent is caused by any general inability to do so, I should be very that it should be thought that I did not realise or appreciate the peculiar difficulties of the present time. That there is a general depression in everything, and a consequent increased degree of poverty as compared with the prosperous seasons of 20 to 15 years ago, I frankly admit, although prices of agricultural produce are not lower now than they were in 1850, there is no doubt that the prices of all sorts of cattle, sheep, wool, and butter are much lower now than they were in the years I refer to, between 1835 and 1875. And falling markets must always hit the farmers, consequently they are in a worse position than they were then. Added to this we have had several autumn seasons, harsh dry springs, followed by cold and wet in the summer and harvest time, all these are circumstances which tell against the farmers, and which deserve not have received at the hands of the large majority of Irish landlords every consideration in the way of making allowances on their rents and giving time for the payment of them. One great difficulty which an Irish landlord has to meet peculiar to this crisis is that of discerning between what is real need and what is extortion, decreed by the Land League, to meet the first generously and promptly is the bounden duty of every landlord to yield to the latter to give force and strength to a foul conspiracy, the true and ultimate object of which is as I have shown not to benefit the people but by sowing dissension between landlords and tenants, to keep alive an agitation which has partly ruined the country. Of this fact I can speak positively from my own experience. In the example which I have given of the combination among my Ulster and Wexford tenants last year there were many instances in which I was prepared to give larger allowances than even the Land League demanded, knowing the individual circumstances of the tenants but when these

poor people came as members of a combination to exert an all-round abatement I was powerless to consider their cases, because deterred by threats and intimidation they dared not come in to make any settlement for themselves. No matter how liberally I was prepared to deal with them, they dared not pay or accept any terms unless I granted the terms dictated by the League. The League stood out for a principle, and on principle they forced me to take my stand also. Mr. Parnell had announced that the payment of even judicial rents were impossible, the branches of the League were bound to verify his words, and accordingly the edict went forth that no rents were to be paid unless abatements were given on judicial rents as well as others. My case is, as I have said before, only an example of hundreds of other cases throughout the country; the consequences have been that on those properties where the landlords possessed sufficiently independent means to resist dictation the tenants have had to accept much worse terms than they would have got had their landlords been able to deal with them individually, and in many cases instead of getting any abatement the unfortunate shaves have had to pay heavy rents in addition to their rents. The landlords are not responsible as they are represented to be for this condition of the country. I have both in my individual capacity and as chairman of the Land Commission a large and intimate acquaintance with landlords and agents in all parts of the country, and greater opportunities of judging of their dealings with their tenants than falls to the lot of many, and without any exception I can say that there is no disposition whatever to be harsh or proceed to extremities, where such can be avoided. All realize the adverse circumstances with which the tenants have to contend, and have been ready to meet them generously by giving time for payment and making liberal and adequate abatements, but in those cases where the influence of the Land League has prevailed, and they have been confronted with a combination to extort terms or pay no rent, the treatment of the question has been practically taken out of their hands, and they have been forced in defence of their own rights to have recourse to extremities. This is the true history of the tactics of the evictions which have taken place, and having regard to all the circumstances of the case the wonder to my mind is that they have been so few. That there is some sign of improvement now in the general condition of affairs is a fact I am glad to be able to bear testimony to. The League has, I believe, oversteered its power and the people are getting weary of its yoke, but so long as that illegal body is allowed to flourish unchecked, to hold its courts all through the country, issuing its decrees and demanding destruction on those who disobey them. As long as unprincipled men are allowed to go about holding meetings, leading the people to crime and outrage, we should be blind if we contented with any certainty upon a continuance of the improvement. If the Government had the courage to suppress the League, to proclaim those meetings, the same magic change which marked the adoption of that course in 1882 would at once become apparent now, and their action would be hailed with delight by a far larger number of the inhabitants of the country than anyone, judging from merely outward signs, could have any idea of. The main power of the League is based on terrorism; the poor and helpless classes are those who have suffered most acutely from it. At first it was organized by an appeal to the cupidity of the people, but when it had gained strength and sufficient back, its ranks were filled by threats of outrage and murder. The suppression of crime, or the manner in which the country should be governed, are hardly, I believe, questions which come directly within the scope of this Commission, but the facts that the whole power and influence of the League has been, and is still directed to prevent the working of the Land Acts, and have so far almost rendered them a dead letter, connects both the existence of the League and the continuance of the agitation directly, I submit, with the subject of your

inquiry. If peace and order, respect and obedience to the law, confidence, and the individual freedom of the subject, were restored and maintained even for a few years, I believe that the tenants of Ireland would gladly avail themselves of the enormous advantages offered to them by these Acts, and each year, as they did, we should have an increasing number ranked on the side of law and order, and removed from the influence of agitators who have been and will be, while they are allowed to continue their trade, the curse of the country. Thus this great question of how to deal with Ireland, which has so long been a dangerous thorn in England's side, would solve itself. Home Rule is but a hollow cry, not understood by one in a thousand who join in it, and by those who do, save in the case of a few fools and fanatics, only persisted in to serve their own personal ends. On the other hand, if the League is allowed to reign, and the system of agitation to be pursued unchecked, no extension of the advantages of these Acts will make them work, and even in such cases as the tenants did avail themselves of their provisions, agitation would be resumed and supported to obtain reductions in the instalments payable to Government, if not an entire remission of them. I can appeal to the League itself to corroborate what I have said. The signs of improvement to which I have referred are furnished by evidence in several districts of a disposition on the part of tenants to settle their differences with their landlords without the intervention of the League. The ominous nature of these signs those who guide the League have not been slow to see, and their mode of meeting them is shown by the increased vigour in their agitation, in the more barbed incitement to crime, and in the appeals to force in the speeches delivered at their meetings. How the Government can pass such by I cannot understand, but so long as they do, there is little hope of peace or quiet for this country. That is all I have to say, my lord.

23,658. The President.—I will just ask you one or two questions. Your conclusion is that there is no reason at this moment why the majority of tenants under judicial lease should not pay their rents?—That is my opinion, certainly.

23,659. But supposing matters got a little worse, and supposing that we were satisfied that rents were too high to be paid, we should find ourselves in a very great difficulty, either having to collect impossible rents or to make some change. Now has your attention ever been turned to the produce rent or to the sliding scale, have your thoughts ever been turned towards the sliding scale of rent, making the rent vary according to the prices of produce in each year, taking in an average of five years or seven years back?—I think, my lord, that is a splendid theory. I have often thought of it, but I am afraid it is impossible to carry it out. There is a witness whose name I submitted for examination, Mr. William Hooford, who has made this subject his study.

23,660. I am very glad of that. It is just what we want to inquire into?—He is a practical man and knows a great deal of the country, and is a very good witness.

23,661. What in your opinion would be the difficulty chiefly, I know there are a great many, but what do you think would be the chief difficulty?—You should start from some good ground. What would you start from.

23,662. In the way of prices?—Yes, because you are to make such an average that the sliding scale will rise when prices rise and fall when they fall. What would you begin with; would you begin with a fair rent?

23,663. Taking the judicial rent as it was fixed, and converting it into a sliding scale rent by looking at the list of prices as they were at the time?—Then that would ignore Parnell's contention that the judicial rents are a great deal too high.

23,664. Too high under present circumstances, but not too high when they were fixed?—Well, of course, it does not matter much what he contends.

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23,665. Because they would be lower now. If the rents that were fixed two or three years ago were changed into produce rents according to the prices that were then, they would have already become lower?

—They would, certainly, for prices have fallen.
23,666. Then as prices get better they would go up again?—I think it would be very difficult to carry it out. I should like the theory. I think the theory a very plausible one and a very grand one, but before rents were paid there would have to be a sort of natural hold to determine whether prices had fallen.

23,667. If you take certain returns there need be no dispute. An Act would provide that certain markets should send in returns at certain times, and you would take those returns, and there would be no wrangling?

—Yes.
23,668. Like the tithes in England?—If it could be managed I think that it is fair on the face of it, but I am told that it is absurd to think of its being possible to be carried out. I do not give that as my opinion. I say I have been told so by men whose opinion I respect very much. One has always to be careful to guard oneself against being suddenly taken by a plausible proposition. It sounds very well.

23,669. We want to hear all that can be possibly stated against it as well as in favour of it, of course?—I am not in a position to say anything either for or against it, because I do not understand it.

23,670. Sir James Caird.—But this gentleman you named, you stated that he had studied the question?—Yes, Mr. William Robertson has.

23,671. The President.—And do you think that the term of 15 years is too long to settle rents for?—Well, changes take place now so fast that it is very hard to say. I should not, looking at times that are past, have thought that it was too long to fix rents for.

23,672. Mr. Neilson.—Their fixing involves a great upset in the country?—Oh, yes, it must produce discontent and disturbance whatever time it takes place, with agitation and disturbance.

23,673. The President.—Then there is one other political question, evictions, of which I think you have been obliged to have some little experience against your will?—Yes.

23,674. With regard to proceedings on evictions, do you think that they could be simplified, that it would be not only to the advantage of the landlords, but to the advantage of the tenant also, if that could be done?—It would no doubt be an advantage to both parties if it could be simplified, but I think that is rather more a lawyer's question. I am hardly able to suggest anything on that subject.

23,675. Can you give evidence of anything in practice that would be useful, now as to this six months power of redemption, is not that very inconvenient, that after a man is turned out there should be six months during which he is able to go back again?—I think it is, certainly, and I do not think it is any advantage to him, because I do not think any man is turned out who could possibly redeem in six months.

23,676. And is it your idea that if the period of six months was made to date from the decree that would save a great deal of difficulty, for the landlord might, if he chose, leave the tenant in possession of the holding all these six months before executing the decree?—Yes.

23,677. And then get rid of the man for good and all, and the man would have all the advantage of those six months to pay up if he could?—Yes, I think that might obviate the necessity of the sheriff going down to get possession under the decree.

23,678. Mr. Neilson.—When the landlord was put into possession he would be able to let at once, instead of as now, when he is only able to let pending redemption?—Yes.

23,679. That letting pending redemption is extremely inconvenient?—Yes, very inconvenient.

23,680. The President.—And is you generally proceed by sheriff's sale or by other process?—Eject-

ment is one course, proceeding by writ is another. I have recourse to the latter only when the tenant combines to refuse to pay rent. That means sheriff's sale.

23,681. Then there is a double process. You have first of all to get the ejectment to give you the title, and then having got that you have a second action to enforce it, and actually get the man turned out, and it would be an advantage if there could be only one process instead of two?—I have never had a case of a writ allowed to go to extremes. I mean no tenant of mine ever allowed his farm to be sold. They have always paid up. They have always bought in for the full amount of the rent and costs, and there was nothing more about it; but supposing they did not, then that would be so.

23,682. Mr. Neilson.—You take a conveyance from the sheriff, and you bring an ejectment founded on that conveyance?—Yes, that is a very troublesome course.

23,683. The President.—Have you effected any sales under Lord Ashburton's Act?—No, I have not. I tried, but it would not do for me to appear anxious to effect a sale. Of course it would cheapen the thing, I mean if the seller appeared anxious to sell.

23,684. You have not had sufficient experience of the working of the Act to know if there are any suggestions to be made to facilitate it?—I have heard it talked of. Personally I have had no experience of it. I have heard people say that the retention of this one fifth would place a great deal of difficulty in the way of many encumbered landlords selling, because it would take away from them what they had to live on. That may be the fact, no doubt. I do not profess to understand it, but I do not like myself to advocate the doing away with that fifth, because I think it is a security that the British taxpayer should not dispense with.

23,685. But would you give the Commissioners the power to dispense with it or with part of it if they did not think it necessary?—Yes.

23,686. Or to retain it if they did think it necessary?—I have no doubt that to do away with that requirement would be an immense boon to a great number, in fact it would make sale possible where now it is not, where now it means simply the poor-house, because if they sold with the retention of that fifth they would have nothing.

23,687. They got interest on it at 3 per cent.?—3 per cent.

23,688. Have you any leaseholders on your property?—Almost all the grazing lands are held by leaseholders, but I have not very many.

23,689. Do you think that leaseholders ought to be admitted to the benefit of the Act of 1851, as far as revision of rent is concerned?—Well, I do not.

23,690. I suppose pasture land would be excluded from the Act anyhow, that is another matter, but my question is as to leaseholders in general. I suppose your word be excluded anyhow from the Act being pasture, but as to ordinary leaseholders do you think that there is any objection to admitting them to the Act?—I do. I tell you my reason, my lord. You know the Land Act of 1870 was framed on the supposition that the Irish tenants are such a helpless race that they could not help themselves, or guard themselves against the imposition on the part of the landlords.

23,691. Yes?—Well, the leaseholders were excluded from the operation of the Act because it was supposed that they were in a position to protect themselves, and I think that they have proved that they are quite able enough to make bargains, and to look after themselves on that account, and I do not think there is any just reason why they should be admitted.

23,692. Practically now you have two men side by side, one paying half as much rent as the other, and probably the one that is paying highest is the most industrious and thrifty, and the best man of the two, and it seems a great hardship to him to be in a worse position than his neighbour?—In general I think all

the large leaseholders are getting allowances on the rents. I am giving such to all the leaseholders on my property, every one of them.

23,693. But you must not take yourself as an example of all the leaseholders in Ireland?—I think there is a very general disposition to allow what is fair. I have a great many landlords who are allowing them.

23,694. As far as the position of the landlord is concerned, is there any difference between breaking his leases and taking away the right of free contract? Is it harder upon him to do one than the other?—I do not know that it is harder upon him, but you might just as well say, that because a man has committed one crime he may go and commit another crime.

23,695. But some people call one a crime and the other not, that is my point?—Well, I supposed the clause giving compensation for disturbance in the Land Bill passed in the year 1870, in the House of Commons, because I had known cases which I thought were shocking cases of injustice; and in the same way, on the Beasborough Commission, I supported the establishment of some court of arbitration for fixing rents, because I had heard of cases where the rents were exorbitantly high.

23,696. But you would keep out the leaseholders because you think that they have shown that they were able to take care of themselves?—Yes.

23,697. Lord Milltown.—But is not it the fact that in a great many cases in Ireland, leases were only granted at increased rents?—I am not speaking of that.

23,698. I suppose it was a great privilege before the Act of 1881 to give a tenant a lease?—Why, a tenant would pay a high fine for a lease.

23,699. Quite so, and now he is in no better circumstance than his neighbour, who has got a judicial lease for which he paid nothing, and in fact he is in a worse position, because he may have to pay so much higher, and still he must take his chance of the times?—I do not think you can say that because he is in a worse position you should benefit him. Why should not you benefit the landlords, who are in a far worse position. I should be very glad if I could, I am sure.

23,700. Mr. Nelson.—The landlord is the common enemy?—Put him hard, he will not swell.

23,701. Lord Milltown.—As to breaking the lease, the law has already broken the most important covenant in the lease, that was to give up possession at the termination of the term?—Yes.

23,702. The one fixing the rent is a subsidiary covenant I should say to that, and it seems decidedly rather a hardship, rather a very great hardship, that a man who had been induced to take a lease for the sake of getting security, and to obtain that lease had been compelled to pay a very high fine, or to give an increased rent, should now have to continue to pay that very increased rent, although he has not any better security than his neighbour, whose rent has been reduced, and whose rent being reduced makes him able to compete with him on very advantageous terms. Does that strike you?—No. I look upon leaseholders, or men who are in that position, as quite independent enough. They were not forced into their bargains. They were of their own free will.

23,703. But in some instances you have had evidence—I do not know whether it was true or not, I cannot say—that they were forced into them?—If there was any evidence of being forced that would make a difference in the case, but otherwise I certainly should not assent to that proposition. I think we have had a great deal too much of breaking of these contracts, although I recommended two in the case of protection to tenants.

23,704. I did not recommend either; but looking upon them as part of the law of the land, I put it to you whether it is quite fair now to exclude these particular people, who have paid increased rents or fines, as a reward for being good industrious tenants?—I cannot see that, if they choose to take their lease with their eyes open.

23,705. Mr. Keefe.—They did not know that they would be in a better position if they did not take the leases?—Oh, certainly they did not.

23,706. Lord Milltown.—Still, if the exclusion of these men from the fair rent clause of the Act is a cause of very great dissatisfaction amongst a very large proportion of the tenantry of Ireland, do not you think it would be desirable if it could be equitably done?—I do not think it so; I have never heard of it.

23,707. You have never heard of the leaseholders complaining?—None of mine have complained. I have seen paragraphs in the "Daily Express" about the Leaseholders National League, or something of that kind, having met. I forget what it is called.

23,708. This Commission has travelled over a very large part of Ireland, and the largest portion of the complaints that we have heard, have been on that particular point?—Well, I cannot offer any opinion upon it.

23,709. That shows at any rate that the complaint is a widespread one.

23,710. The President.—And there is no doubt that the Commission, of which you were a member, deliberately left them out?—Yes.

23,711. And your opinion has not changed?—Not in the least, my lord, with regard to that.

23,712. Lord Milltown.—Except where the leases have been forced?—Oh, where there has been force, in that case I would agree to it.

23,713. Mr. Nelson.—Undue pressure ought to invalidate any contract?—Yes.

23,714. Lord Milltown.—I understand that you are of opinion that the tenants are able to pay the judicial rents as a rule?—I think they are.

23,715. Do you think that anything has occurred within the last two or three years to make rents, which were fair in 1881 or 1882, unfair rents now?—No, I do not.

23,716. Do you think that the fall in prices from which we are now suffering is an exceptional fall?—I do not think that the fall is so great as people have stated it to be. I think I have shown that by the figures. I do not think there is any fall to warrant a total inability to pay rents, or to make the rents that were fixed in 1881 or 1882—in 1881 of course they were not fixed, but in 1882 and 1883—unfair now. I cannot see it.

23,717. Do you see anything to warrant the Sub-Commissioners in making greater reductions now than they did two or three years ago?—No, indeed I do not. I am what might be called rather a prejudiced witness on that point, as all my tenants are now going into court.

23,718. Would not the fact of their doing so cause extreme dissatisfaction amongst the tenants whose rents were fixed in the earliest part of the proceedings?—No doubt it would, and most naturally.

23,719. And place them in an unfair position?—No doubt it would, and very naturally prevent tenants buying under Lord Ashbourne's Act now, because they would say, "We will wait a couple of years, and our rents will disappear; we will wait for the reduction."

23,720. Has there been general satisfaction with the way in which judicial rents have been fixed?—Well, up to the last six months I cannot say that I have heard many complaints. I have heard individual cases of men saying one man's rent was too high and others too low, but as a general rule I have not. Lately of course it has been very different, but the commissioners are siding, and I hardly think it is right for an interested party as I am to give an opinion about them.

23,721. Do you think that it would be a desirable thing for the purpose of purchase or of fixing rents that there should be a new valuation of the entire country undertaken by the Government?—Oh, I have long thought that. Long ago I think I recommended that when I was on the Beasborough Commission. I

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think every turn you take brings you face to face with that point.

23,722. The present valuation is acknowledged on all hands to be absolutely fallacious?—I do not know that; that it is absolutely fallacious.

23,723. The poor low valuation?—Griffith's.

23,724. That it is not a safe guide to follow?—I think it is the safest we have.

23,725. That is another thing, but we have had evidence that it is not to be depended upon?—On some mountain land which rear stock it is a great deal more than half too low, and on other land it is quite up to the value.

23,726. At any rate it did not profess to give the letting value of the land?—It did not. That Sir Richard Griffith himself stated in his own evidence before the House of Commons.

23,727. I thought that the Besborough Commission reported that it could not be considered a guide to the value?—I do not know.

23,728. And the Richmond Commission?—I do not know, but it may be. I know this that we all agreed that there ought to be a new valuation made, and I have not heard of a second opinion of anybody who has gone into the question about that.

23,729. But for the purpose of the Purchase Act it would be very important?—Very important.

23,730. I believe it would not take more than two years to carry out if there was a proper staff supplied?—If there was a proper staff.

23,731. Do combinations against rent still exist to any great extent?—Yes, since this "Plan of Campaign" has been published.

23,732. At this very moment there are strong combinations?—Yes, tremendous combinations.

23,733. And they interfere with the payment of judicial rents, I presume?—Yes, and with every rent.

23,734. And with the working of the Purchase Act of course?—Of course.

23,735. Do you think that these combinations exist through the terrorism which the League is able to exercise over the tenants?—Gladly. Of course at first when this proposition was made to start a combination for non-payment of rent or for holding the rent is suited many a promoter's pocket; his expediency is in favour of it, but there are many who would not join in it if they were not afraid.

23,736. Do you think that if law and order were re-established these combinations would not take place?—No, I am sure they would not.

23,737. Do you think that the people at large would look with feelings of relief at having terrorism removed from the land?—I am sure of it.

23,738. Have you heard them express surprise that Her Majesty's Government is so supine in the matter?—I have.

23,739. And I suppose as a large taxpayer you yourself feel it somewhat of a grievance to be left to the mercy of these lawless bodies?—Indeed a very considerable grievance.

23,740. And I understand from you that it is hopeless to look for any amelioration of the condition of Ireland by legislation or otherwise until law and order is once more established in the land?—That is my firm belief.

23,741. Mr. Keir. Referring to the purchase clauses of this Act, I think you said that it would have a good effect on the tenants?—That is my opinion, certainly.

23,742. Purchasing their own holdings or being assisted to purchase their own holdings?—Yes.

23,743. And it has been stated here that if the landlords were to sell their holdings to the tenants they would not live in the country; is that your opinion, Mr. Kavanaugh?—Certainly not. I can only speak for myself. I would go on living in the country.

23,744. And you believe a great many landlords would?—I believe every landlord in Ireland would. They like their places, and they would have no reason to go away, if they were to sell their farms to the tenants they would remain where they are.

23,745. Can you give any reason why they would not remain?—I cannot. I think it would be a much more comfortable country to live in than before. I would not have the slightest inclination to go. I have the greatest inclination to go now, if you ask me the truth, but then I would not.

23,746. Do you think that the Land Court might be used to interfere in any way between landlords and tenants on certain conditions?—The Land Court, that is the Commissioners for settling rents.

23,747. The Chief Commissioners?—I do not know how. It does not occur to me how they could well.

23,748. Do you apprehend that the landlords generally would be quite willing to sell in all parts of Ireland?—I believe so.

23,749. In all parts?—My opinion is worth very little of course, but I assume that it would be to the interest of every landlord to sell if he got a decent price. I have no evidence before me, except that I think so myself. I cannot myself understand any landlord in his senses refusing to sell if he got a fair offer, having regard to the present position of affairs and the way they might go on after.

23,750. And if one landlord would not sell to the tenants, and the adjoining landlords were willing to sell, have you thought what effect it might produce?—No, I have not, because it seems to me such an impossible contingency that I never thought of it.

23,751. But might it not arise?—If it did I think the tenants would make it so but for him that he would quickly change his course.

23,752. But you think it would have that effect?—If they were very anxious to buy no doubt it would. I should think so.

23,753. Naturally you would expect that the tenants would have a desire to buy inasmuch as it would reduce their rents and terminate the payment of rent at some future time?—As I have already stated I cannot understand their withholding from coming under this Act. I cannot ascribe to it any other thing than the influence of the League to prevent them, because the advantages seem to me to be so great, seeing that what they have always been looking forward to was being what they call being rooted in the soil and that this roots them in the soil at once.

23,754. In the event of such an occurrence taking place do you think that the Land Court might not interfere between landlord and tenant with the effect of bringing about an amicable arrangement?—I dare say they might. Do you mean that compulsion should be put upon the landlord?

23,755. Under certain conditions only?—I am against compulsion of anybody on principle. I am against compulsion on the tenants who I think require it now much more than the landlords do, and as I am against it on them I am against it on the landlords. I do not like that idea of forcing people to sell or to buy. It may be merely prejudice on my part.

23,756. Can you see much difference between compelling a landlord to sell and compelling him to accept what a court will decide to be the rent his tenant will pay in the future?—Practically there may not be certainly. I should not myself think there was. I should not hesitate for a moment myself.

23,757. Do you approve of that portion of the Land Act interfering between landlords and tenants?—I have already stated that I recommended courts of arbitration for settling rents when there were disputes. I did not go to the length that the Act has gone.

23,758. You did not approve of all the clauses?—Oh, indeed I did not. I think some of the clauses are the very cause of a great deal of our troubles now.

although those other clauses that I point at are ones that if they were adopted would obviate the necessity of eviction. As to that of tenant-right, I objected to that being applied to the south without any purchase or compensation made for it, because I objected very much to conveying one man's property to another without any reason for it. But now that it is the law, I am loyal, and I look at the Act as it has passed as the law of the land, and I now wish that they would adapt it, and I have often advised them and pressed them to it, and they will not.

23,759. Although you could not approve of it, you are satisfied that it is the law at present?—No, I will not say that. As it is the law, I will do my best to make them loyal and avail themselves of it, but I cannot say that I approve the principle of it a bit more.

23,760. But you would like them to avail themselves of it now?—I would; but I should disapprove of the principle of it still as strongly as I ever did.

23,761. But where those tenants have made a good deal of improvements and expended a good deal of money on their property, you would not say that it is now unfair to give them that tenant-right which they now enjoy?—The tenant-right has nothing to do with improvements. The Land Act of 1870 compensated them, as I have said, for all the improvements that they made and were known to have made, for all that they could possibly have made, and for all that it was possible that they could be presumed to have made. In fact, if the landlord could not prove that he himself had made the improvements they were adjudged to the tenant.

23,762. I do not know so much about the tenants in the south of Ireland, but it is the custom in the north for the tenants to make all the improvements?—So it is in the south.

23,763. And would you think it a very unfair thing to take the privilege of selling these?—Certainly, I say they should be compensated for every bit of improvement in it.

23,764. And though it was the custom in the north, you do not think that the Government had a right to extend it to the south?—I think north or south every man has a right to be compensated for improvements, but that is quite different from tenant-right. Tenant-right is an inherent right of property which a man can sell. You have that in the north, and no one could interfere with it by law; it is legal. In the south it is very different.

23,765. At all events, you would be glad if the Act was put into operation now?—I would do my best to have it carried out.

23,766. Mr. Nelson.—You would respect the law as you find it?—Exactly.

23,767. Mr. Knipe.—I think his lordship has asked you about the number of years purchase that you would consider fair, taking everything into account, and I am not aware that you have given a definite answer?—No; I said I could not give a definite answer, because I said it would depend upon the rent. The number of years purchase is a certain number of sums of money added together. Well, you must define what those sums of money are.

23,768. You must have some basis to commence with?—Yes.

23,769. Would you think that Griffith's valuation was a fair basis?—Well, I would expect a great many more years purchase for that than for a rent that was over Griffith's valuation.

23,770. And the tenants are complaining that the rents fixed in 1881 and 1882 are too high?—They will go on complaining of that till they are reduced to nothing.

23,771. You do not think they are too high?—No, I do not.

23,772. Taking the judicial rents, what number of years purchase do you say?—There is not evenness in the judicial rents. One is high, and another low; some over the valuation, and others below it.

23,773. But the commissioners had a great desire to arrive at a fair rent, I believe?—Well, they might have. I do not know.

23,774. It would be hard to say that they all made a mistake, and there have been many charges brought against them by landlords as well as by tenants?—I never made a charge except what I stated here to-day, and I do not think that is a very great charge. I could not tell you how many years' purchase you should give for a holding until I knew what that holding was held at.

23,775. There have been a number of sales in your locality, I presume?—Not under Lord Ashbourne's Act; not one that I know of. The instances of sales that I gave were purchases of tenant-right.

23,776. Would you think 18 years?—18 years of what?

23,777. Of the judicial rents?—I could not tell you. If you specify the holding and tell me what the judicial rent is, and I happen to know the holding, and be able to form an opinion as to whether that is a fair rent or not, then I could give you an opinion.

23,778. I have no way of arriving at an opinion except taking everything into account, both the position of the landlord and the increased interest of the tenant under the Land Act of 1881, and I should like to know from an experienced gentleman like you what ought to be, so far as you can form an idea, the number of years?—So far as I can form an idea, I do not think 18 would be enough.

23,779. Would you think 20?—Twenty would be more reasonable. Formerly, when lands were let at much higher rents, men paid 24, 25, 26, and 27 years' purchase. Now, putting it at 20, I do not think it sounds very high; but, after all, my opinion is worth very little.

23,780. I think you stated that you did not apprehend that there was any reason why the tenants should not pay the rents now that were fixed in 1881 and 1882?—That is my opinion.

23,781. Has your attention been called to the reductions that the English landlords have been giving to their tenants?—Yes.

23,782. Is not it as great, if not greater, in proportion than the Irish landlords have been giving to their tenants?—No, I do not think so. I should think myself that the reductions that the English landlords have been giving are not at all out of proportion to what their rents were, as I am informed, but as to that I can only give you hearsay, because I do not know really what the English rents are, but I hear that they are a great deal higher in proportion than the Irish.

23,783. I have no doubt that they are, but is it not the fact that the English landlords made all the improvements?—Yes, no doubt of it.

23,784. And spent money on the land in improvement?—Yes.

23,785. And that the Irish landlords, as a rule, did not make the improvements?—But even taking that into account, I am told that the rate per acre in England is a great deal higher than in Ireland.

23,786. At all events, your attention has been called to the reductions given there by the landlords for the last few years?—No doubt of it.

23,787. And would not that make a strong impression on your mind that the times were not so good now as after the passing of the Land Act when the rents were fixed?—I think times in England have been a great deal worse, and the English farmers have been a great deal harder hit than the Irish farmers.

23,788. And are not we depending on the English markets for the sale of our produce?—Oh, yes; but, looking at the price of beef now and young cattle and stores, and at the time I compared them, you will find that they are not lower.

23,789. Looking at the store cattle reared in this country by the small farmers, they seem to be hit very hard by the prices?—I do not know.

23,790. I have had a great deal of experience of it in the last five or six years, and I know store cattle

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are very much reduced within the last five years?—In the "Irish Farmer's Gazette" two-year old cattle in 1850 to 1854 are put down at £8 12s. a head. I cannot say that these figures are right or wrong, but they are taken from a very good authority; and in 1885 they are put down at £10 a head. That shows a rise of £3 8s., does not it?

23,791. Is that during the last few years?—No; 1854.

23,792. I am only speaking from the passing of the Land Act in 1881 down to the present time?—Excuse me there. I cannot take the passing of the Land Act as the basis to go on at all, if you assume that the rents must be fall.

23,793. I am speaking of the rents fixed after the passing of the Land Act and the price of produce then compared to what it is at present?—I have got no way of giving it. I have no figures as to that. 1880—1884, yes, no doubt about it, there is a reduction there. From 1880 to 1884 young stock were £12 10s. In those years stock were exceptionally high. As I have already admitted, there is a fall there, and falling markets must hit the farmer, because unless he buys low he must lose; but if the stock he sells be bought at a much lower price I do not see how he loses.

23,794. I have been putting the case from my own experience. I was obliged to buy at a very high price, and when I came to sell I lost money by it?—But these low prices have been going on since 1884 I think; so that farmers now are coming to the times at which to realise the stock that they bought low.

23,795. And they have had a little margin this year off these fat cattle, or cattle fattened upon good land?—Yes.

23,796. But at the same time that affects the small farmers very seriously?—But I do not think that the fall in prices has been anything sufficient to warrant this cry, and I should be glad to believe that it did, because I would a great deal sooner that people were coming to ask me for statements from need, and not from being put up to it.

23,797. I wished to ask you about the prices, and you did not rightly understand. Is it your opinion that the financial position of tenant farmers is as good now as it was a few years ago?—I think it is, and I think everything proves it.

23,798. All the evidence that we have got is against it?—Their clothing, and the way they live, show they have more money. They may not have money in bank, but the way they live is much better.

23,799. Everything costs more to cultivate a farm?—But they make it up in the cheapness of tax, and all articles of consumption.

23,800. Sir James Caird.—Have you had any opportunity of observing the results of the sales of the globe lands in Ireland?—No, I have not. There are none in my neighbourhood at all. You mean the Church lands?

23,801. Yes?—No, I have not.

23,802. You were a member of the Beasborough Commission, and did not sign the report?—Yes.

23,803. You put in a separate report of your own?—Yes.

23,804. Could you shortly tell us the principle on which you differed with the Beasborough Commission?—If I had notice of the question.

Mr. Nelson.—We have the report here.

23,805. Sir James Caird.—It is too long?—It is long.—If I had known you wanted it I would have looked at it. I think I differed with them in the giving of tenant-right.

23,806. In extending it over the whole country?—Yes, in extending it over the whole country. In the north I never objected to it being legalised; but extending it over the whole country I objected to. I objected to what is called fixity of tenure.

23,807. There is not fixity of tenure now?—Yes, there is.

23,808. For 15 years only?—But a man has got a right to come and have his 15 years renewed. It is what you call a lease renewable for ever.

23,809. Is not the same thing as fixity of tenure, for it is subject to a change in the rent, and the tenant would come to have fixity if the rent were put too high for the tenant to go on?—Yes, in that way it would, but practically it is a lease renewable for ever.

23,810. It may become that you think?—Yes.

23,811. Lord Millican.—But it is that now?—That is what I look upon it as being now.

23,812. But it is that?—Well, I do not know, because it might be liable to the condition of the rent being raised, making it impossible for the tenant to hold on.

23,813. Sir James Caird.—It might be made impossible for the tenant to be fixed in his tenure, because the rent might be raised beyond the value.

23,814. Lord Millican.—Then it would not be a fair rent?—No, practically.

23,815. Sir James Caird.—What was the leading cause of your differing in with the Commission was what I wanted know, and whether, with the experience we have had since 1881, you have modified your opinions, or were prepared to think that your opinions were right, and the Commission wrong, upon any principal matter?—I think still that the opinions I entertained were right, in thinking that the extension of tenant-right generally to the country was wrong.

23,816. That was one of your main points of difference?—Yes, taking one man's property away, and handing it to another, without any reason, or recompensing him for it; and that seemed to me to be an injustice and a wrong; and perhaps a great deal of this present agitation may be attributed to it, because I do not think you can do a political wrong without suffering for it. That is one of the causes of the demoralisation of the tenant which, I think, is one of the very greatest reasons of the continuance of this agitation; the prime reason.

23,817. You stated that at the time: "I should expect greater prosperity from those peasant proprietors who were created, and had means themselves to pay some portion of the price"?—I should, certainly. I did not know that I had said that, but it certainly is my opinion.

23,818. Look at it in your report?—You mean the Beasborough Commission.

23,819. Yes?—Yes, certainly.

23,820. And you hold to that opinion?—Yes, certainly I do. In the first instance it gives a sort of warrant that the man is a thrifty man to have saved money; and then the fact that he does not owe the whole of the price to Government must be a great advantage in his favour too.

23,825. Then you have been able to make a rent out of it during the last year?—Yes, my lord. I am ready to submit my balance sheet since 1881, when the judicial rents were fixed on my estate.

23,826. It would be interesting to see it?—It need not necessarily be published.

23,827. Not if you do not wish it?—I may state that I fixed the judicial rents on my property with

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REV. WALLER DE MONTMONTREY examined.

23,821. The President.—I believe you are a landed proprietor and farmer in the county Kilkenny?—Yes, my lord.

23,822. How many acres do you farm?—About 1,330.

23,823. And what sort of land is it?—Well, a good deal of it is inferior land.

23,824. Is it tillage or pasture?—It is mixed; a mixed farm, but chiefly pasture.

the tenants without going into the court in 1881. Nearly all were fixed in 1881.

23,828. With your tenants?—With the tenants on my property.

23,829. But I was talking about your farm at this moment?—What I wanted to show is that my farm is a very fair sample of my property, because it runs in a thin slice through the property, and therefore that the judicial rent that would be fixed for the tenants would be about the judicial rent for my own farm.

23,830. Sir James Caird.—But you farm 1,300 acres yourself as I understand?—Yes.

23,831. Of your own property?—Yes.

23,832. You charge yourself an average rent for this land?—Yes, and there is a plan of the demesne land (plan and balance sheet landed in).

23,833. The President.—What do you consider that the rent should be?—I consider that the rent should be £800 in accordance with my other rents.

23,834. Sir James Caird.—That is for the 1,300 acres?—For the 1,300 statute acres.

23,835. The President.—And what has the last year produced?—Is that up to the average?—Well, last year with me was better than the year before, than the year 1884.

23,836. And you have not got out this year yet?—No.

23,837. And you yourself might have had no difficulty in paying rent and living at the same time?—That is what I consider.

23,838. And do you think that your tenants are in the same position, except so far as their own improvidence and mismanagement are concerned?—I consider that they should be in the same position.

23,839. And do you consider that in your part of the world there ought to be no difficulty in paying judicial rents during the last year?—I think a solvent and industrious tenant ought to be able to pay his judicial rent.

23,840. Have you been making any abatement during the last year?—Yes, my lord.

23,841. In spite of all that?—Yes.

23,842. On judicial rents?—Yes, on judicial rents.

23,843. To what extent?—I had to give 20 per cent. They refused to pay except they got that abatement.

23,844. It was not because you thought they really required it, but to smooth matters?—In order to get to the money. In fact I have heavy annuities and charges to meet, and I could not do without the money, and they refused to pay and went away, and did not come near me for three months, and then they dropped in one by one and offered to pay at 20 per cent. reduction.

23,845. Having originally asked for more?—Having asked 50 per cent. in the beginning.

23,846. Lord Milltown.—Where was this?—When did they come?

23,847. Yes?—Last year, after the November gale.

23,848. This time last year?—This time last year.

23,849. The President.—And do you expect to make an abatement this year?—Yes; I have had to continue the abatement up to this.

23,850. To a certain extent this is the result of a combination?—A combination. They refused to pay unless they got this abatement.

23,851. Was that at the dictation of the Land League?—Oh, certainly, my lord.

23,852. Do you think that the Land League allows them to pay, or that they have paid in spite of the Land League?—Oh, the Land League allows them to pay at this abatement.

23,853. And if they refused their consent the tenants would not have come?—They would not have come, and I should have been put to expense and trouble, and annoyance, in fighting them.

23,854. I will ask you a question or two about the Land Purchase Act. I suppose your attention has been called to that. Have you been attempting to

negotiate any sales under it?—No, my lord. I did not find the tenants inclined to come forward at all.

23,855. Would you be willing to sell at a good price yourself?—Oh, certainly; most certainly.

23,856. Might I ask about how many years purchase you would consider a fair price in your part of the world on your property?—Well, I should say I think we ought to get 20 years' purchase. I am only 14 miles from the market town of Waterford.

23,857. Then can you give any reason why you think that the tenants have not entertained the idea of purchasing?—One great reason is that they fear that the Government would not give them time. That is the reason that they nearly all oblige when you ask them why they do not purchase.

23,858. Lord Milltown.—That the Government would not be so liberal a landlord as you are?—That is what they mean.

23,859. The President.—Are they prevented from making any offers by the League or by intimidation?—Well, I could not say that there is intimidation as to purchasing, but I can give an instance of whose a man was prevented from taking a farm by the League.

23,860. You can. Not merely an evicted farm; but a farm which had been voluntarily surrendered to me.

23,861. That would not affect the question of purchase. They did not prevent the purchase of it?—No.

23,862. And the reason the Purchase Act is not working, you say, is only the reason that you gave, that they think that the Government would be more strict in demanding payment?—That is the reason that the tenants give, and I think there is also a feeling that they have not seen the best of the concessions in that line that will be made to them.

23,863. Have you any suggestions to make with respect to modifications of the Purchase Act?—My lord, we small landlords think that something ought to be done towards relieving us, small incumbered landlords, either by offering the tenants the money at a lower rate of interest and extending the repayment of it over a larger number of years, or by the State buying us out, at a fair price, or something of that sort.

23,864. And the one fifth?—That certainly has a strong influence in preventing encumbered landlords from trying to press forward sales, the retention of the fifth. They consider it a great hardship upon them.

23,865. I think you were going to give me an instance of the League preventing purchase of a farm just now, which was not a farm from which a man had been evicted?—No. It was held by a gentleman close to the city of Kilkenny, who got into bad health. He was a large agent and friend of mine, and with the best of good will he surrendered the farm to me. There was a man most anxious to get the farm who wrote before this man surrendered, that he heard that this man was going to surrender, and asking me to set it to him; and not only did he write himself to me, but he got all his friends, and everybody that he thought would have any influence upon me, to try and make me give him the preference of this farm. I put the selling of this farm into the hands of an agent, and I handed over these letters to him. He went to the man, and the matter was almost arranged, he was to come up and meet me, and sign a final agreement, when suddenly he seemed to get very lukewarm about the matter. The agent, when he did not come, went to him and he said, "On second considerations I think I will not take the farm." My agent said, "You had better think over it," and he then wrote to say that he found it would interfere with his business, taking this farm, and I have since heard that the Land League at a meeting thought that he was giving too much for the farm, and threatened to boycott him if he took it.

23,866. Lord Milltown.—Because they thought he was giving too much, not because they wanted it for another man?—No, simply because they thought that

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he was giving too much, that he would raise the price of land. And then as to combination there has been a very strong one put before me by Colonel Tighe's agent, Mr. Hamilton. The agent mentioned it to me and asked me to bring it before you. He said that he is agent over two estates for Colonel Tighe; one is rented higher than the other; he considers 10 per cent. higher. The tenants were offered on the two estates 10 and 20 per cent. reduction respectively, which would bring each of them 10 per cent. under Griffith's valuation, or 24 per cent. under the average judicial rents fixed in the year 1881 in the county Kilkenny. The tenants refused to pay unless they received 30 per cent. reduction, and their spokesman stated that they would bring pressure to bear on the landlord as the people of Ireland had never so much power as at present.

23,867. When was this?—Quite lately.

23,868. Within the last month?—I think so. Well, in my immediate neighbourhood there are two or three farms vacant from which tenants have been evicted. Of course that is a common thing through the country.

23,869. Vacant because no man dare take them?—The tenant of one is living in the neighbourhood. He grazes the lands with his cattle, and will not allow anybody to take them.

23,870. The evicted tenant grazes the land?—Yes, in one of the cases he grazes the land.

23,871. And is the law powerless to prevent that?—Well, occasionally he is summoned for it. He cannot be kept out without going to a very great expense in keeping a regular caretaker there. You cannot keep them off otherwise. Constantly fences are thrown down.

23,872. The President.—Is there any other instance you would like to give us?—Of farms that people are kept out of by intimidation? There are two or three of those in my neighbourhood.

23,873. That are lying vacant?—That are lying vacant; where a tenant has been evicted. I suppose that is such a common occurrence in the country that I need not mention it.

23,874. There are two or three farms lying vacant?—Yes. In my immediate neighbourhood. One of the farms is worked by the landlord himself, and at first he met the greatest amount of difficulty and annoyance in working this farm himself. The tongue of one of his work horses was cut out in a field, one of the horses that used to plough the field. The tongue was cut out one day. That was two or three years ago, but he has this farm still.

23,875. He has it ever since?—He has it ever since. No one would take it. He has had to work it himself.

23,876. And that is only one instance out of many?—Only one instance out of many unfortunately. Another farm where a man was evicted and went away to America having got some money and left no friends or relations behind him, a man in the village near who kept a store and sold goods—meat and things—took, but he was immediately ordered to give it up or be boycotted. A caretaker was put in and he was obliged to summon some people for trespassing on it, he immediately afterwards got a threatening letter, and he said that he could not continue as caretaker.

23,877. Was that quite lately?—Yes; the caretaker's case was about a month ago, and the farm has been derelict since.

23,878. And things are not at all better there?—No, not so far as intimidation is concerned.

23,879. And had they got better at one moment?—I think they did get better in the beginning of this spring.

23,880. But they have gone back again?—They have gone back again certainly the last month. Then there is a point as to higher rents having been well paid when farm produce was lower in value except wheat. I think, my lord, I can give a very strong example of that.

23,881. You might give us that, but we have had a great many of that sort already?—It is not on my own property, but on a neighbouring landlord's, and I asked him to write it as it was such a strong case, he says, "The following facts are worthy of notice and serve to rebut a statement constantly made as to the rents now existing. I possess a small property in this county (that is the county Kilkenny), and another in the county Galway. I find that in 1855 the rental of the former estate was £1,168, and that there were no arrears. The present gross rental is a little over £900, that is £254 less, and only two judicial rents have been fixed, the reductions, amounting to a few pounds only, which shows that the rental was considered fair by the Commissioners. The greater part of this estate is under grass. In the case of the Galway property the rental has decreased in a still greater degree. In the year 1814 a lease of one of the farms was taken out at a yearly rent of £190, and the tenant continued to pay this rent for the remainder of his life, extending over many years. The present tenant of the same farm pays a little over £90, that is £100 short. He received an abatement of 15 per cent. on that rent last year. The land is fine grazing pasture, and were it not for the existing legislation would be worth far more than the present rent. The value of agricultural produce does not affect this, as the land has not been broken from time immemorial. It has been in grass. On the other portions of this property the rental has decreased considerably. There are no judicial rents and the families of many of the tenants have been on the land for generations. Until recently the rents have been always well and cheerfully paid." And then he says, "Compare the prices now existing and those of 60 or 70 years ago, and contrast the facilities for disposing of cattle and farm produce."

23,882. Lord Milnes.—He does not say whether they are paid now or not?—They are not well paid now, he informs. He has had to give 15 per cent. reduction on that farm that was let at £190 in 1814 and now only let at £90.

23,883. He has had to give 15 per cent. reduction?—On that farm. In the year 1814 a lease of one of the farms was taken at a yearly rent of £190, and the tenant continued to pay this rent for the remainder of his life, extending over many years. The present tenant of the same farm pays a little over £90—and £190 it was in 1814—and received an abatement on that rent last year of 15 per cent. Then he also makes a very strong point about another matter. He takes a very great interest in trying to improve the make of butter of the farmers in the district, and he went over to England and visited some of the large towns, Manchester especially, with a view to trying to get the large provision men there to use Irish butter instead of the foreign butter, and they told him that they had to give up Irish butter on account of the deterioration of the quality, and he got down then Owen Bagot, and called a meeting of the farmers about, to try and start a cross-breed to improve the make of the butter. Well, the tenant farmers would not come forward as well as he expected them, and some who were convinced told him that it was not their policy to let it appear that the land could produce anything good, and the project dropped to the ground, although he offered to take shares in it largely himself.

23,884. The President.—Is there any other point you would like me to ask you any question about, or like to give any information about?—I think not, except just to mention what strikes me as one of the reasons why the tenants are not able to pay higher rents. I think, as far as I can ascertain, there has been an increase in the tenants' personal expenses and their style of living. There has been a considerable increase in that for the last few years.

23,885. And I suppose wages are higher?—Labourers' wages are higher, but of course that would not tell much against farmers who are working the

and through their own families. Then after the Land Act of 1870 the credit system was greatly extended in the country. Some farmers complained to me themselves that they could not go into a town to sell butter or anything, without almost being forced into shops and obliged to buy things, and offered unlimited credit to buy; and with that credit system the system crept in—I know about my district—of large use of artificial manure instead of lime, and compost, and clay, which they used to spread out on the land before that. People could get this artificial manure on credit until after harvest, and they took no further trouble to collect farmyard manure or put as lime as they used to do before, and I think that the land has deteriorated from the use of this artificial manure as far as I can see. My own land I know being of poor quality would deteriorate very much if I did not use a very large share of farmyard manure on it, and I only use a little sprinkling of artificial manure to start the turnip crop, or something like that. And then there is a want of industry, and farmers are not going to their work as early as they used, and they leave off earlier; and certainly for the last couple of years, I am sorry to say, the cattle they are breeding are inferior. In my district I offered to my tenants a bull certainly over three-quarters bred, a bull chosen from my own herd. The tenants can have the use of this bull free, except to give a few pence to the herd for his trouble in looking after him, but very few of them come and take advantage of this. They have the service of two cows free, and they have any number more that they like at a very small fee.

23,886. Lord Milltown.—To what do you attribute that?—To carelessness.

23,887. I suppose they have to get some bull?—I suppose they get a bull from somewhere else.

23,888. They have not to pay?—No; I suppose they give a bull to one another free—a common bull.

23,889. It does not arise from any bad feeling?—Oh no, it is simply from the feeling of carelessness about the quality of their stock. A few years ago they seemed very anxious to take advantage of my bull, but they have not been so for the last couple of years. And then, of course the successful combination to get rents set down has had an effect in diminishing their industry. If they think they can get their rents reduced they do not care to exert themselves.

23,890. You think that those combinations will end?—Oh yes.

23,891. In full force?—Oh certainly, as strong as ever; and I think, also, that there are a great number of bankrupt tenants in the country that this agitation has of course to a certain extent prevented them being got rid of. In a large trading community there will be a certain number of bankrupts every year, but the number has increased during the years of agitation, and there is an excess of bankrupt tenants in the country at present, men who I verily believe could not live if they had their land rent free. They have no stock to take over these difficult times. I have had to take from several of my own tenants hay and straw in payment of rent, and of course that is a very bad system, and must lead in the ruin of the tenant and the deterioration of the land. Also I think that there was a certain amount of demoralisation introduced into the country by the Arrears Act. Tenants in debt got their debts swept away, and tenants who paid up some of those said to me, "Sir, we were too good pays." Look at those men who were two or three years in "arrear," they have it all wiped off, and of course that was increased last year by the introduction of that Land Purchase Bill of Mr. Gladstone's to wipe off all arrears, and let them go in as part of the purchase money, I think that had a great effect last year towards inducing the tenants to hold back and get into debt. Those are the chief points about the Land Act, my Lord, but we small landlords think that some sort of compensation ought to be given to us for the rights of which we have been deprived by the Land Act. I am holder myself of an estate that was purchased in the Land Estates Court, and there were certain rights

and privileges purchased at that time which have been taken away since, and I have received no compensation whatever for the loss of those rights. Whether it was right or wrong that the landlord should have had those rights originally does not enter into the question, but the rights were sold to the landlord in the Land Estates Court, and those rights were taken away by a subsequent Act without compensation.

23,892. The President.—What rights?—One right was the sole ownership of the land. Now the landlord is no longer sole owner. He is only part owner. A second right was that all the buildings on the estate were sold to the landlord in the Land Estates Court, and a third privilege was that he had the right of setting to the highest bidder. All those rights have been taken away from the landlord, and they have had no compensation for them.

23,893. Lord Milltown.—And the right of selecting his tenants too?—Yes, and setting to the highest bidder. Now you can only set at the Government price.

23,894. And the power of resuming your land if you thought fit?—Yes. That was a great advantage. All those rights have been taken away without any compensation. Even in the case of the Irish Church there was compensation given. There was special compensation given to the holders of livings under £200 a year value. Their curates were paid for them. That was a great boon to them, and their incomes were continued for life.

23,895. The President.—We should not be listened to if we asked for compensation which would apply to all landlords who bought in the Encumbered Estates Court?—Well I only instance that, because rights were taken away that were conferred on landlords, but the wrong appears more glaring when a man paid money for these rights.

23,896. Lord Milltown.—But most of them paid money for their rights. It was not alone in the purchases in the Land Estates Court, but almost the whole of the property in land was bought with hard money honestly earned.

23,897. The President.—Is there anything more?—I think not, my Lord.

23,898. Mr. Knap.—I think that you said that the tenants had yourself made arrangements without going into the Land Court for judicial rents?—Yes.

23,899. What reduction did it amount to in the prior tenancy?—Well, I could not tell you that. It was a considerable reduction. I should think over 50 per cent. all round.

23,900. And since that you have found it necessary to give 20 per cent. of a reduction upon those judicial rents?—Yes, since last year.

23,901. And are you able to say whether the rents would have been lower if the tenants had gone into the Land Court without what you fixed them at?—Well, I tried to fix them as near as possible on the scale of the Land Court, there were rents fixing above here and there, and I tried to take the average.

23,902. Some of the tenants did get rents fixed?—Some of them did, and the tenants were well contented at the time with the settlement that they got.

23,903. And you believed then and still believe that your rents were as low as the rents fixed in the Land Court by the Land Commissioners?—Well, I thought so, yes.

23,904. Was last year the first year that you gave a reduction on those rents?—Yes.

23,905. And did you continue it this year?—Yes.

23,906. I think you said that this was a better year than last year?—No, not this.

23,907. 1885 I should say?—1885 turned out better than 1884.

23,908. What do you attribute that to?—Well 1884 was a very dry season, and we had short crops all round, and the cattle did not do as well. I go in for a good deal of winter feeding.

23,909. Perhaps you had to give a higher price for the store cattle that you led on your own farm?—

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Well, I breed a lot of stores. I do not buy cattle much. I rear as many as I can. I have a herd of from 70 to 80 cows, and I try to rear all the cattle that I can, and buy as little as I can, and I keep these animals and feed them off after they are two-and-a-half years' old, from two and a half to three.

23,910. And looking at the price of butter would you say that this year will be worse than last year, as far as butter goes?—I have changed my system to meet this by starting a winter dairy, and have taken up a contract now for my butter to the 1st of May for delivery in London in skins at very nearly 1s. 2d. a pound.

23,911. And referring to Lord Ashbourne's Act, I think you said you would be willing to sell at 20 years' purchase?—Yes.

23,912. Have the tenants upon your property any desire to buy?—Only one tenant ever spoke to me about it, and he was in arrears, and wanted the arrears wiped out on the purchase.

23,913. Are you able to say are the landlords generally willing to sell in your part of the country?—I think so, at a fair price, not at the price that the League would allow the tenants to give at present. That would be utter ruin to the landlords.

23,914. But if the tenants were willing to buy I presume that you would take a little less than 20 years?—I do not think much less than 20 years would leave the small landlords of the country any margin at all, except something is done to relieve them of the charges that they are under which were put on in better years.

23,915. Do you think that where the landlords have given reductions this year, and last year rents have been better paid?—Rents have been better paid this year than last year.

23,916. And you had to give a larger reduction?—I continued the same. At the beginning of the year there was a great disinclination to pay my rent at all, even at a reduction, I had been my own agent up to that time, and I had to put on an agent during the summer, from the great disinclination to pay that existed.

23,917. That would apply to most of the rents in your locality?—I think so. I think it is the same everywhere. In fact I hear worse accounts about other estates even than my own.

23,918. Referring to the tenants living better and that you do not see any reason why they could not pay their rents, do you think that it costs more to cultivate a farm now than a number of years since?—I have heard that argued. As far as my own costs

are concerned they have varied very little, but of course I must be at a greater cost than ordinary tenant farmers. I have to keep on old retainers that are of very little use, and that ordinary tenant farmers would turn away or only employ occasionally if they wanted men.

23,919. Is it your experience that labourers as a rule get higher wages?—Oh yes, the rate of labour has gone up undoubtedly, but on the other hand the introduction of machinery has counteracted that to a very large extent, and if those machine binders come into use in the country it will counteract it still more. There is a tenant farmer in my neighbourhood who introduced one this year and said it was the greatest possible comfort to him and saving of expense.

23,920. From your position as a clergyman you have a general knowledge of the financial position of the tenant farmers. Is it your opinion that they have the money or that their circumstances are as good now as some years past?—No; I think that a great number have not the money, and that they have spent the money and let it run through their fingers, and I think I have mentioned before that there is an accumulation of bankrupt farmers in the country, men who should have given place to others and who have continued to hold on but never can succeed.

23,921. Would not that be accounted for by the prices of cattle and butter?—Oh, in the very best times there will be bankrupts.

23,922. Has your attention been directed to the reductions which the farmers have got from the landlords in England?—Yes.

23,923. There is no Land Act there to compel landlords to give these reductions?—People hear of reductions, but they do not take into account the class of land that the reductions are given on. I have been through parts of England that would not pay to cultivate at all at the present prices of corn, had the cost of cultivating which would swallow up all the profits, and there would be a dead loss.

23,924. Has not the English farmer a great advantage compared with the Irish farmer in a backward locality?—Certainly, but he pays a higher rent comparatively.

23,925. And in many cases the land there is as low as in Ireland at present?—I doubt it. I think Ireland is altogether far lower rented than England as far as my knowledge goes. A sister of mine lives in Oxfordshire and I was with her last year, and I went over all her farms and I remarked that her farms are paying for higher rents than we should get for a similar class of land in Ireland.

(The Commission adjourned to the following day.)

THIRTY-THIRD DAY.

Wednesday, December 8th, 1886.

The Commission met at 33, Merrion Square, Dublin, at 11 o'clock.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. EARL OF MELLTOWN.
SIR JAMES CAIRD, K.C.B.MR. NELIGAN, Q.C., Recorder of Londonderry.
MR. KNIFE.

COLONEL FORDE, examined.

Dec. 8, 1887.

Col. Forde.

23,925. The President.—I believe you are a landowner in the county of Down?—Yes, my lord.

23,927. And perhaps you would tell us the extent of your estate?—It is, I think, about twenty thousand acres.

23,928. Twenty thousand acres?—Yes.

23,929. How about your rents; are most of them judicial rents?—No; very few. About the year 1818, just after the famine, I had the property revalued by an agriculturalist that my father had for some time, a Scotchman. He made himself perfectly acquainted with the land, and he valued the property at that time; and, curious enough, that value that he put upon it came out, just about the same as when Mr. Griffith's valuation turned out to be in 1852. It has remained at that ever since; it is under Griffith's valuation. I have had very few cases before the land court.

23,930. And I suppose those that did go before the court were not reduced?—Very trifling. Some were confirmed, and some reduced a trifle.

23,931. I think it is needless to ask you anything about combination, because, so far as I understand, nothing of that sort exists in the county Down?—No, there is not what you would call combination at all. I could not say there was.

23,932. Have they asked for a reduction of rent?—They did, last year, ask me for a reduction of 50 per cent., but I refused them. I told them that I always considered my special cases, and would do the same again. And the rents were all paid, and no greater number of special cases were brought under my notice than had been in former years.

23,933. And special cases of hardship were taken into consideration?—Always.

23,934. Have you had any offer with regard to purchase?—No. I have not heard of any in the county, with the exception of one case, and that was for 50 years' purchase on the judicial rent. That, perhaps, I heard about a week ago, had been confirmed by the proper authority.

23,935. That was not on your own estate?—No, but bordering on it.

23,936. And you don't think that any of your own tenants wish to change their position?—I don't think so.

23,937. And you have no wish to sell?—I could not say that I have. Unless I got a fair price. But, looking at the state of the country, and everything else, I should if I saw an opportunity.

23,938. Could you tell us what you would consider a fair price with regard to the number of years for your holdings?—I would think that 22 years was low enough; but it is so very hard to sell, land runs so much, under different circumstances.

23,939. Of course, only roughly speaking, because your land is worth less than 20, and rich land is worth more?—Yes.

23,940. I suppose you feel that if purchase became at all general in other parts of the country, particularly

in your own neighbourhood, and occupiers had their rents reduced with the prospect of becoming owners, that then your tenants would be discontented in not being in the same position?—I should say they might.

23,941. When I say discontented, I mean that they would feel that they were not in the same position as their neighbours, however great their regard for yourself and your family, and that they would feel that they ought to be put in the same category?—Well, I think they should have it open to them.

23,942. And if you sold the bulk of your estate—I ask you personally because it might be a sample for many other landowners in similar circumstances—if you sold the bulk of your estate would you continue to reside on your demesne in the same way as you do now?—Well, I think so; if it would not be too hot for us to stay there I should. We don't know what the future Government of the country may be. If we were sure of having the British Government there, then of course we would remain where we were before; but if it would fall into the hands of those who are trying to have it, I don't think it would be very pleasant.

23,943. Then very likely you would not reside where you see if you had sold your estate?—I don't know, I should be very sorry to give up residence.

23,944. I merely wish to show that landlords, after selling their estates, would not necessarily live out of the country?—I don't think so. I should remain as long as I could.

23,945. Is there any particular point upon which you would like to give evidence more than another?—I have some returns, my lord, to put in, some of these which have been made out showing the tenant-right that has been given on some of the large properties in the county, for instance, Lord Londonderry's, Lord Downshire's, Lord Kilmurry's, Lord Roden's, Lord Annesley's, Lord De Russ', Lord Donmore's, and my own, Mr. Kerr's, Captain Meade's, Major Hall's, Mr. Price's, Mr. Knox's, Mr. Crawford's, and others.

23,946. What does this return tend to show?—The value of land at the present time, I can explain my own, perhaps, better than the others. It commences from 1881, and shows the date at which the sale took place, the tenant where it was, who was the vendor and purchaser, the acreage, the rent, the amount for which it was sold.

23,947. That is the sales of tenant-right?—Exactly, and that is the number of years' purchase in one—that is this year.

23,948. Whose estate is this?—That is my own estate. I get all these returns in the same form, so that one can easily refer to them.

23,949. Sir James Caird.—It begins in 1881?—It begins in 1881 just after the passing of the last Act.

23,950. The President.—So far as I can see, there is no distinction in the value of tenant-right?—I think not.

23,951. Sir James Caird.—It is the best?—Yes, that was the other day.

1866. 23,952. *The President*.—It varies very much?—Yes.

23,953. Considering all these returns, do you think that there has been any fluctuation in the value of tenant-right during last year?—I don't think so. In some places it may have a very little, but not much.

23,954. *Mr. Nelson*.—Not on Lord Londonderry's estate?—I think not. There is the largest tenant-right of any on Lord Annesley's estate.

23,955. *The President*.—It begins at 50 years.

23,956. *Mr. Nelson*.—The lowest on Lord Londonderry's was in 1881 and the highest in 1885?—Yes. If you wish I will leave these returns, my lord.

23,957. *The President*.—I think they would be very useful.

23,958. *Mr. Nelson*.—They were very carefully prepared.

23,959. *The President*.—And are very useful. And these estates that are alluded to comprise almost the best part of the county Down?—Nearly all, because they are the largest properties of the county.

23,960. And we may take them as a fair sample of what is the state of things throughout the whole county?—Yes.

23,961. These are all the largest proprietors?—Yes.

23,962. Would you at all consider that the tenant-right on the small properties, or the more considerable properties—that is, the properties belonging to people who bought on speculation—would not be so valuable as these?—I don't think it would make much difference.

23,963. Is there any other question which you think would be useful to us?—I think Mr. Hodder told me that you have got a return that was headed in to me to give you—that was of the Belfast markets.

23,964. *The President*.—That I think we have got?—So Mr. Hodder told me.

23,965. *Mr. Nelson*.—We have got it. May we keep this return?—Yes.

23,966. *Sir James Caird*.—In looking at the return I see that 1881 shows only three miles?—On what property?

23,967. On your own property. Were they all included in that return?—They were only made out in September, after the passing of the Land Act.

23,968. Then you could not count that for a comparison?—No.

23,969. Then I notice that in 1882 there were 16 miles; in 1883, 17; in 1884, 17. Then in 1885 they have fallen off down to four, and in 1886, six?—Yes.

23,970. Was there any reason for that?—Well, yes. I don't think the farmers cared so much to purchase just about that time. They were a little bit nervous as to what the result of legislation would be.

23,971. Does that return bring it down to the latest?

Mr. Nelson.—It brings it down to December 1885.

23,972. *Witness*.—With regard to pork, they used to purchase it at the long hundredweight, 120 lbs., and the purchaser used to deduct 14 lbs. for the head and feet, and 8 lbs. from the gross from the vendor; but now it is sold at the regular hundredweight, 112 lbs., so that makes a very great difference.

23,973. *Mr. Nelson*.—What was the long hundredweight—120 lbs.?—Yes.

23,974. *The President*.—And nearly 20 lbs. was deducted?—Yes, very nearly 20 lbs. I forget now. I was on the Committee of the House of Commons when the weights and measures came before us, and from that time it has been sold at the 112 lbs.

Sir James Caird.—What year was that committee? *Mr. Nelson*.—I will get at that date. It was when the late Colonel Herbert was Chief Secretary for Ireland.

23,975. *Sir James Caird*.—I fancy I was on that committee too?—Very likely you were.

23,976. *The President*.—But they still deduct the 20 lbs.?—No, they now get for the whole weight, there are no deductions whatever. The feeding stuffs are very much reduced now from what they were. Within the last two years adze and corn-meals has been very much reduced, and particularly Indian corn, which is very much used by the poorer classes. I bought the other day Indian corn at £4 17s. 6d. a ton, which a few years ago I paid £3 for.

23,977. Of course, the general result of this return is that prices are lower than they have been for some time?—They are lower than they were a few years previous. When I say a few years previous, I mean three or four years ago; but I think that they were exceptionally large at one time.

23,978. But you would have to go back three or four years before you would find them large?—Yes, but with regard to that I may say that I don't think it greatly ruined the better class of farmers, because from the very large prices they lived quite beyond what their fathers lived before them. They were most hospitable amongst themselves, gave parties, and they brought up their families rather extravagantly; and I think it would be a great cause of their feeling the great depression in prices now—not the great depression, but the depression in prices compared with what they were before it came on.

23,979. And the labour?—The labour is higher, but I think that that is greatly compensated for by the improvements in farming implements and agricultural machinery; reaping machines, mowing machines, and ploughing machines save a great amount of labour, and those farmers who have not those machines themselves club together—what they call "neighbour" together in one part of the country—and they purchase machines and work them by turn, and that greatly lessens the amount of the cost of labour.

23,980. Your rents, you tell us, have been unchanged for?—Since 1848.

23,981. Therefore those rents were paid without difficulty 25 years ago?—They were.

23,982. When things were worse than they are now?—Yes, in 1846, and 1847 and 1848, the famine time, there was then, of course, great difficulty, and there were large deductions made then; but except that—

23,983. Except the famine time?—They were always well paid.

23,984. And you account for the comparative difficulty now partly by the improved mode of living of the farmers, and to a certain extent, but not so much, the difference in wages?—I don't think that the difference in wages tells so very much upon the comparison, with the improvement in machinery, &c., but, of course, it is a little more; but I don't think that it is so very much more, and I don't think that it should account for any great comparative difference.

23,985. Do you think there ought to be no difficulty now?—I think, on the contrary, there should not, I think, with prudence, that the farmers ought to live fairly and well. I don't see anything myself to prevent them. But it would require, of course, more prudence. Invariably, no matter in what situation you live you will have to live with more prudence at one time than another. Another point, there has been some talk about a compulsory purchase. I don't know whether such a thing would be thought of or not, as from a Government point of view I should think it would be rather a foolish thing to do.

23,986. In what point of view?—In a Government point of view.

23,987. You think they might not get the money?—They might not. I think very probably they would not.

23,988. *Sir James Caird*.—You think very probably not?—Why should they not agitate against the Government just as they agitate against the landlords now.

23,989. *The President*.—And the reason why they are forced to pay a greater price than they might have

to pay if they had wronged with their landlords would be very discontented?—They would have a great love to go by. They would tell the Government, "You compelled us to buy at a much higher price than we should have done;" and they should then say that they should not pay at all.

23,980. Sir James Caird.—They were not willing purchasers?—They were not willing purchasers.

23,981. Mr. Nelson.—Of course you are assuming purchase made compulsory as between landlord and tenant?—Yes.

23,982. And the disinclination to pay would be, when compulsion had been used as against the tenant?—But I would assume at once that the compulsion would be used on both sides.

23,983. The President.—And as a landlord, if the price was fair you would not object?—No.

23,984. But you would object on the part of the State?—I would think it would not be perhaps wise. This is another return showing the average price of agricultural produce for the last seven years—from 1880 to 1886, compared with the previous 30 years from 1851 to 1880, and also the lands of Griffiths' valuation, having special reference to the county of Down. It is a local return, and this is another return, something of the same sort. This is a similar return from the county Antrim. This I cannot speak for as authoritatively as I can of the others, because it is not on the same forms. But they are all returns, which, of course, are correct (documents handed in).

23,985. Lord Milltown.—Does this return indicate that the sale of the tenant-right on the smaller holdings fetches the highest price?—No, but some are so demonstrated that the smaller ones would bring the highest price. On Lord Annesley's estate they are the highest. They show the largest number of years' purchase of any property in the county of Down.

23,986. And to what is that to be attributed?—Well, I could not say.

23,987. Sir James Caird.—Would it not be because there are more people able to compete for it, if it is a small holding, than if it is a large one?—I don't know that there are, because this property is situated in a hilly district—a good deal of it—and it is not a very flourishing one.

23,988. We are only speaking of the general question, that a small holding does not bring a higher price than a large holding?—Well, a small holding would, because if it was adjoining a larger holding a man would be more anxious to get it to join with his own and give a higher price for it. That is almost always the case.

23,989. Lord Milltown.—I notice that these are nearly all small holdings?—Yes.

24,000. And they fetch a very high price?—Yes.

24,001. Several of these are 30, 32, and even 40 years' purchase?—They are, and I don't understand how it is, because some of the land is poor.

24,002. Sir James Caird.—This is the average price of produce for the last seven years and a comparison with earlier years?—Yes.

24,003. You land in that?—Yes, if it is useful.

Sir James Caird.—I think it is very useful.

24,004. Lord Milltown.—What county is Captain Macle's estate in?—The county Down.

24,005. There also the tenant-right is extremely high?—Yes, but there is much better land on that property. It is near Rathfriland.

24,006. Mr. Nelson.—I believe no case ever went into the Land Court from that property?—No.

Lord Milltown.—I see that the last sale was in April of this year, and there the tenant-right sold for fifty-five years' purchase, and is higher than it would be in old times.

24,007. Witness.—This is the county Down, Mr. Sturges Crawford's property.

24,008. Sir James Caird.—I see that the average of your own sales for this present year, 1886, is fourteen years' purchase?—Yes, I think it is very likely.

Formerly the way in which I arranged the tenant-right was this. They used to have an arbitrator each—the vendor and purchaser—and they came to the office to settle between them. If they had any dispute, there was one tenant who had the confidence of all the farmers, and he was always chosen as one, and I said to them, "You might as well have this man and let him value for all, and, if he cannot arrange the matter between you, come to me and I will settle it." That continued as long as he was able to do it, and then they reverted back to the arbitrators, and that remained on until the present Act came in, by which the tenant was allowed to sell for himself, and the average about that time I would say was about fifteen years' purchase.

24,009. When they had the right of sale for themselves?—When they had the right of sale for themselves.

24,010. Did it alter at all?—I don't think it did.

24,011. The arbitration and free sale were much alike?—Yes, I think they were very nearly alike.

24,012. There really was no competition previous to the late arrangements if it was always done by arbitration?—Well, of course, competition was greatly debarr'd, I may say, because I wished to enlarge the farms.

24,013. With the view really of enlarging the farms?—With the view of enlarging the farms, whereas since this new Act came into force that could not be done, because I could not interfere, unless I had some objection to the purchaser, whoever he might be, but that was what I always considered an advantage to enlarge the farms because they were very small.

24,014. Then your power of arbitrating in any way, or of enforcing arbitration, has caused its consequences at the Act of 1881?—The Act of 1881 took all that out of my hands.

24,015. Lord Milltown.—Have the landlords been anxious, so far as you know, Colonel Ford, to increase the tenant-right on their estates, or otherwise?—I don't know. I think ever since 1881 they have not taken any interest in it one way or the other.

24,016. But I mean in former days?—In former days they were inclined to keep it within moderation.

24,017. Whatever influence they exercised would be rather to restraining the amount given for tenant-right than increasing it?—Yes, certainly. I did that myself, because, although I liked to make one of the tenant going out, I had a greater interest in the tenant coming in, to see that he should not pay too much for what he was getting. Of course, I always saw that the tenant going out should get fair remuneration for what he was selling, but I did not see that I should make another man pay more than what he got value for.

24,018. The President.—It would be the landlord's interest that the tenant-right should be diminishing?—Not so much so diminish the tenant-right as to keep it within reasonable bounds, because, if the incoming tenant paid too much for the tenant-right, he had so much less capital to improve his farm.

24,019. Lord Milltown.—On the other hand, the less interest he had in his farm the less likely he would be to pay his rent?—Yes, but he would not be so well able to pay if he had a great amount of interest on the purchase money against him.

24,020. But I always heard that landlords don't look with disfavour upon a large amount paid for tenant-right, because it is always subject to their rent, and the larger the tenant's interest in his farm, the more likely he would be to pay the rent?—I don't think that we look at the matter in county Down perhaps like that.

24,021. Mr. Keble.—Have there been any applications for a reduction of rent in your locality this year?—None; I have had no application of any sort this year, not even for a percentage. I had as I

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have informed the Commission before, an application last year for 50 per cent.

24,022. Did you give your tenant a reduction last year?—I did not.

24,023. You did not think it necessary?—No, I did not consider it necessary. The rent was always paid, but, as I have told the Commission, I always considered an special case, and if there were any grounds, of course they either got a reduction or got time to pay. I tried to meet them in every way possible.

24,024. Looking at the financial position of the tenants in your locality, is it your opinion that they are in worse circumstances than they were at the passing of the Land Act?—I don't think so.

24,025. Pretty much the same?—Of course, the value of produce is a little lower than it was then,—not so very much.

24,026. Would it make it more difficult to pay rent, the price of produce being lower now?—Well, I don't think it is, because I think the value is higher now than when the land was let originally, as I said, in 1848. My property was re-valued in 1848, and the prices now are higher a great deal than they were then.

24,027. Yes, but I am not referring to your own property. There have been a good deal of increases made in the rent since 1848 by many landlords in the north?—I presume there has.

24,028. But, looking at the rents fixed in 1881 and the present price of produce, would you be inclined to think that it is more difficult for the tenants to pay their rents now?—Of course they would not have the same margin, but I think that they should be able to pay their rents.

24,029. Cattle have fallen considerably since that, store cattle especially?—Yes, since 1881 cattle have fallen very much. I don't know whether they were very high in 1881, but since 1881 they were very high.

24,030. They are getting lower year by year?—They are getting lower now.

24,031. Has your situation been drawn to the reductions given in the south and west of Ireland by the landlords?—No.

24,032. You have not observed the reductions?—No, I have not.

24,033. You did not observe where applications were made by tenants for reductions, and where they were conceded?—Yes. I have observed that from the papers. They shortly show where they were asking for percentages.

24,034. Speaking of the tenant-right on these farms that you referred to that were sold, did the tenants make all the improvements on these farms so sold?—Mostly they did, but always assisted by the landlord. I always, certainly up to 1870, the first Land Act, assisted them in every way in giving them timber and drains, and in drainage, &c.

24,035. There was a good number of landlords that did not assist them in any way?—Yes; some, I believe.

24,036. And they made the improvements themselves?—Yes.

24,037. And generally, nearly always, they made the fences?—Yes.

24,038. And these tenants in selling their tenant-right would be merely selling their improvements?—Their improvements at a certain sum, and their good-will another.

24,039. Speaking of Lord Ashbourne's Act, would there be a general desire on the part of landlords in your locality to sell?—I would think that if they got what they considered a fair purchase they would. I don't think they would be particularly anxious to sell. We got on very well with our tenants. If let alone I think we would do very well, and I would not object to remain so.

24,040. Looking at the relative position of the tenants in the north, and west, and south, you would have no great surprise that they would have a greater

desire to sell?—I would not have much desire to exchange my property for a southern one.

24,041. How many years' purchase would you consider to be fair for a landlord, taking these improvements into consideration?—Before the Land Act I could have got 28 years' purchase for my property, and perhaps I should have to be content with 22 now.

24,042. Perhaps you would take a little less, if you got it?—Well, I think that I should get that.

24,043. It has been stated that all persons who own land should be prepared to lose a little?—Well, I would lose the difference between 22 and 28 years' purchase. I think that is a very good sum.

24,044. You don't think that there is any necessity for putting any pressure upon landlords now, but just let the Purchase Act work as at present?—Well, as I said before, I think the Government would be very foolish to put pressure on.

24,045. Have you thought what effect it might produce upon tenants who had a desire to purchase, and the landlord was unwilling to sell or fix terms?—In what way, whether it would make the tenants discontented?

24,046. Yes?—Well, of course a landlord, if he found property going at a fair price, he would likely agree with the tenants and sell.

24,047. But if a number of landlords made arrangements with their tenants, and by mutual consent between both they arrived at a price, and that price gave a little reduction on the present rents, do you think it would have the effect of making them more industrious, and make them cultivate their farms better?—Well, it might.

24,048. Don't you think it would be desirable to have some final settlement of the land question?—I think it would.

24,049. Don't you think that where a landlord is obstinate and unwilling to give any reduction, some pressure ought to be brought upon him?—I think it would be his interest to sell.

24,050. Sir James Caird.—Have you any idea what proportion the labourers bear to the farmers in your neighbourhood?—I could not tell that.

24,051. Every farmer has at least one labourer?—Certainly not. I know a number of very small farmers, and these farms are worked by themselves and their families, and principally these small farmers have other occupations as well as farming. They deal in cattle, or they deal in pigs or poultry, and these small farms are a home for the family. In fact, the family stay at home and work the farm, and the principal of the holding goes about and jobs.

24,052. Do the larger class of farmers employ labourers?—Yes.

24,053. What is the condition of the labourers in your part of the country, compared with their former position?—They are very much better off.

24,054. They live better and clothe better?—Yes.

24,055. And have better wages?—No doubt of that.

24,056. There is a question that has been several times mooted before us with regard to produce rent. The fixing of rent by cattle is impossible unless you can fix the price, and that is impossible; but have you ever considered whether it might not be possible to fix rents upon the basis of the price of the produce for the year, of certain articles of produce, say, for instance, in Ireland, where two-thirds may arise from animal produce and one-third from oats or corn produce—that if you take the price of meat and of butter for the two-thirds, and the price of corn, of oats for the one-third—that by getting this average it might not be possible to get a sufficient basis upon which to fix the price, the rent varying from year to year according to this price without affecting the landlord?—Yes, I know, but I don't know that either landlord or tenant would like that, it would be so very uncertain.

24,057. You object to it from its uncertainty?—Yes. There is a great complaint at present that

the rents which were fixed in 1882 and 1883 are too high now in consequence of the fall in prices which has subsequently taken place. Now, if this rent had been fixed on the basis of produce at the prices of 1882 and 1883, they would themselves have lowered with the prices, they would have come down with the prices, and if the prices rose again they would rise with the prices, and that might be adjusted by a careful system. It would be undoubtedly liable to this valuation, but it would be a valuation in which both parties would be fairly treated; have you thoughts of that all?—Well, I have not thought of it myself, but by the principle of the reductions on the judicial rents now in the county Down they are about Griffiths' valuation.

24,058. They have come down to Griffiths' valuation?—They have come down to Griffiths' valuation, nearly all.

24,059. And that is something possibly below what it was in 1881 and 1882?—Yes. That return I put in would show you that the price of the different commodities under Griffiths' valuation in one column, and the other years in another column.

24,060. And if there should happen to be lower prices than there were then, the farmers who had their rents fixed at present would be in very much more favourable circumstances than those who had their rents fixed in 1881 and 1882?—Yes, but I say that in 1881 and 1882 the rents were fixed very nearly at Griffiths' valuation.

24,061. I thought you said now?—No. I beg your pardon, Griffiths' valuation was made in 1882.

24,062. I understand that Griffiths' valuation was made in 1882, but I understood you to say?—The judicial rents are very nearly about Griffiths' valuation.

24,063. That is as regards the judicial rents since 1881?—As regards the judicial rents since 1881. In looking at it they very nearly come to 1882.

24,064. A course that does not affect the principle of the question I am putting to you, with regard to the advantage of having the rents variable according to prices?—I understand what you mean, but I should not say that it would be a satisfactory way of dealing either with the tenant or the landlord. I think that both should have some more definite understanding between each other than a rent chargeable from year to year.

24,065. The rent, of course, would be only chargeable upon prices?—Upon prices; yes, but the prices might vary. Now, for instance, the prices two or three years ago were more than they are now, and, perhaps, now again next year the prices may get up again.

24,066. And you think it is better that they should take the risk of variation in prices?—Well, I think it would be better. I think it would militate more against the tenant than against the landlord myself; but then I cannot give a decided opinion upon the matter at all, as I have not thought over the idea.

Sir James Caird.—Then I won't press it.

24,067. Mr. Neligan.—The subject requires thought?—A good deal.

Sir James Caird.—Oh, of course it requires very careful consideration, and you being a large landowner, I thought you might have given it consideration.

24,068. Lord Milnes.—You say that the judicial rents which have been fixed are nearly about Griffiths' valuation?—Very nearly.

24,069. What is the average of the reduction—is it an average of 50 per cent.?—It comes very near it. I think in some cases it is more.

24,070. I know, but the average is about 20 per cent. less than they used to pay?—I should say it comes very near it, taking them all round.

24,071. But the prices in 1882, which were the ones upon which Griffiths' valuation was based, were about 50 per cent. lower than they are now?—The prices were lower.

24,072. According to the official returns for the Belfast and Dublin markets, which I hold in my hand, the prices of 1883 were some of them considerably more than 50, and on the average certainly 80 all round, higher than the prices of 1882, which was the year upon the prices of which Griffiths' valuation was based all over Ireland?—Yes, with the exception of wheat.

24,073. That is exceptional from the other articles. Well, taking that into consideration, and considering that the rents were then 20 per cent. higher than they are now, and that those rents were paid without very considerable difficulty, is there any reason why the tenants should not pay their rents now, which are 20 per cent. lower?—I said, in my examination that the tenants should be able to pay.

24,074. That makes an average of 70 per cent. is their favour now?—Quite so.

24,075. Have you considered the desirability of having a re-valuation of the whole of Ireland, on an equitable basis, which would really represent the value of the land, instead of Griffiths' valuation that does not represent the value?—I should say that if the case of compulsory sales was thought of, a re-valuation should be necessary.

Sir James Caird.—That is the actual rental. But would it not be better that it should be valued the way England and Scotland was valued?

Mr. Neligan.—The actual rental—that is what they wish to pay.

24,076. Witness.—The actual rental in some places is much higher than Griffiths' valuation.

24,077. Sir James Caird.—The tenants?—The tenants, because they would say they should have the rent at Griffiths' valuation. If they were made to purchase at a rent higher than Griffiths' valuation, they would not like to purchase.

24,078. I was speaking of the valuation as the basis of rating, which I suppose it is?—I beg your pardon, I did not understand.

24,079. Sir James Caird.—Well, on the other side of the water that valuation is the actual rental; and they pay income-tax upon the actual rental and not upon the valuation. The valuation is such that the landlord is allowed the option to pay on his rental or on the valuation, so that a landlord whose rental is lower than the valuation of course pays on his rental. The Government cannot go higher than the valuation. If you made every man pay on the actual rental, it would settle the matter. Does anybody know what the actual rental is?—I don't know at all events.

24,080. Would you be surprised to hear—to see a well-known expression—that though the rental of Ireland on the judicial rents has been reduced 25 per cent. since 1881, that the returned rental of Ireland in the public records is increased since 1881?

Mr. Neligan.—I think that can be explained.

Sir James Caird.—Well, no doubt it can be explained.

Mr. Neligan.—Because it is all returned as Griffiths' valuation; and, according as buildings are put up, these things would go into the rental, and that would account for the increase in the figures.

Sir James Caird.—Here is the gross amount of the annual value of property, the property assessed to income tax. Upon land, in 1881, the rental returned for Ireland was £9,980,000; in 1885 it was £9,983,000. It doesn't seem to diminish at all.

24,081. Witness.—I don't well know how that could be so large as you say. But there is a valuer sent round to all the different towns every year, and he is bound to value every new building that has been made in the town during the year; and he is bound to value that, and he is not allowed to take anything off. So that will account for a good deal. Whether it accounts for the amount or not, I cannot say; but I have been the chairman of a board of guardians, and I know it. He is sent round every year, and his business is to note the different changes.

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of tenancy, and, if there are new buildings, to put a value upon them; but he is not allowed to strike off anything for deterioration, or, even if they tumble down, unless the whole structure is taken away.

Mr. Néligan.—Another thing. Where a railway is made, the actual land occupied by the line, the line

itself, and all the railway buildings are put in. In that way the increase of figures may possibly be explained, because a railway will swell the thing tremendously.

24,082. *Witness*.—Of course it would.

The O'Connors now continued.

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Don.

24,083. *The President*.—You are a landed proprietor in the counties of Roscommon and Sligo? I ask you the question in order to get it on the notes.—Yes.

24,084. I believe, O'Connor Don, you have a considerable number of small tenants on your estate?—Yes, excluding the large farms, the gross farms. I have of the smaller class of tenants 445, and of those 117 pay less than £3 a year rent, 165 less than £4 a year; 246 tenants pay less than £5 a year, and there are 100 who pay between £5 and £10 a year. I have, therefore, considerable experience of that class of tenants, but still I do not consider my estates "compacted" estates. The remainder pay over £10 a year.

24,085. *Lord Milltown*.—What county do you particularly refer to?—Chiefly the county Roscommon. The tenants on my co. Sligo estate are not of such a very small class.

24,086. *The President*.—I believe you also farm considerably?—Yes, I have over 1,000 acres in my own occupation.

24,087. Now, as to the Land Act of 1881, I believe you have already phoned on record the fact that you do not altogether agree with the passing of that Act and its operation?—No; I do not think that the Act of 1881 has worked very well.

24,088. And as far as I can gather, since it has been in operation, you have not had any reason to change the opinion you originally formed?—No. I was a member of Lord Beauchamp's Commission, and I made a separate report, and I see no reason for altering the opinion I expressed in that report as to the probable results of any attempt to fix the value of land or to settle rents by such a system as has since been adopted.

24,089. *Lord Milltown*.—That was the point on which you disagreed with the other members of the Beauchamp Commission?—It was one of the points.

24,090. *The President*.—Do you think the operation of that Act has been since affected by any exceptional fall in prices?—I do not think so to any great extent. I believe we should have had the same difficulty, not so intensified perhaps, even if there had not been an exceptional fall in prices.

24,091. You think the tenants, whether there was a fall in prices or not, were unable to pay the judicial rents?—There was a great diversity in the judgment of the different sub-commissions, each having its own views. There being no fixed principle on which rents were regulated must lead to dissatisfaction. I am one of the believers in the old doctrine that the value of a commodity is what it will fetch in the open market, and that was a principle totally opposed to the views of the Land Commission; in fact, it was the last thing to which they seemed to attach importance.

24,092. Admitting the principle to be wise, do you consider the evil effects aggravated by the fall in prices causing a hardship to the tenants leading to discontent?—I admit the fall in prices has aggravated it, but if we had not had the fall in prices we should have had the discontent all the same.

24,093. What is your opinion as to how far its operation has been affected by combination?—I think that is a matter of acterity, and you have only to read the resolutions passed at the different meetings held throughout the country.

24,094. Combination, amongst other things, interfering with the sale of the tenant-right?—Yes. I have not and myself any combination against paying rent on my estate this year, but I may mention a case

with which I am acquainted. Until the agitation commenced in the district, within the last fortnight or three weeks, the rents were well paid, and even paid with hardly any reduction. The agent on this estate, however, went down, shortly after a public meeting had been held, to collect the rents, and he offered an abatement of three or four shillings in the pound. I will read an extract from a letter which he then wrote. He says, "No one came near me the first day nor the second day, until after night set in" "an old tenant strolled in, and others sent their rents" "through a third party, as they were afraid to be seen" "paying themselves. Tenants who were inclined to" "pay were intimidated by others who did not wish" "them to pay. A meeting of the tenants was held" "on the public street, and resolutions passed that no" "payments were to be made except at a reduction of" "ds. I refused to listen to this, and at last they" "accepted my offer." He adds that he succeeded in getting nearly all the rents at the abatement he announced.

24,095. *Sir James Caird*.—What was that?—Four shillings. He succeeded in getting nearly all the rents at that, the tenants coming in one by one after midnight.

24,096. This is a district which a fortnight or three weeks ago was perfectly quiet?—Perfectly quiet. The town in which he made the collection was the little town of Ballyhenry, and a public meeting was held before he went there.

24,097. The state of the country changes one month with another, so that you cannot ascertain what state it is in at a given moment?—No.

24,098. Unless you know there is a land meeting you can gauge it pretty accurately?—You can gauge it from the newspaper reports of the meetings and the results.

24,099. *The President*.—Have you any evidence to give with regard to combination in your district?—No. Until quite lately there was no combination this year against paying rents. I don't remember any year since 1879 when there seemed a better disposition on the part of the people to pay rents than this year until the agitation by public meetings began.

24,100. I don't know whether I need ask you much more about the general policy of the Act of 1881 beyond giving you an opportunity of reiterating your original opinion?—No; I have not much to say in addition respecting it.

24,101. You simply disapprove of the whole thing?—Yes.

24,102. Now as regard the small holdings, with respect to which you have considerable experience, there is one question I would desire to ask you. Do you believe the economic rent is lower than the actual rent on these small holdings?—I do not. On the contrary, I believe, understanding by an economic rent a fair return to the occupier after calculating for the amount he has spent on producing the crop, I believe the return the occupier receives from these small holdings is greater in proportion to the rent than the occupiers of larger holdings receive as a rule. I would like to give some reasons for that. In the first place, these small holdings are worked exclusively by the occupier and his family, and consequently he has the cheapest and best labour. He has not to employ labourers, for it is worked as I have stated by himself and his family. Then again, the labour employed is labour which if not so employed would probably not be employed at all. The wife and children, sons and daughters, who help in the working of the land, if they had not the land would probably not be em-

placed otherwise, consequently labour is economised in producing the results that arise from the cultivation of these small holdings. Again, I believe the actual return as money value from these small holdings is greater than that from the larger holdings. Take, for instance, a man whose rent is £1 or £4 a year, and who has eight or ten acres. One acre of that land, although it may be indifferent land, will produce after deducting the cost of the labour; I may say, the whole of the rent or the feeding of one pig on the holding will produce the rent. Then if we regard these men as they must be regarded, rather as labourers than as farmers—for a great many of them go to England to earn wages—I should like to compare the condition of a labourer with a small holding with the condition of a labourer without it. I know many instances of this sort myself, even in the case of brothers. One brother has one of these small holdings; the other brother has no holding of land, but has to pay for a wretched bovel, perhaps not the whole of a house, but part of it. He pays at the rate of a shilling a week, and for that he has nothing but this habitation. He is not even allowed to have a chick or a hen, and a pig would not be permitted. The other brother has eight or ten acres, for which he pays little more than this man pays simply for the house. Again, he has fuel free, or almost gratuitously free. There is, in fact, nothing charged for his turf or fuel, and it costs him nothing except the labour of moving the turf, which is done by his children, and if the year be a fine year it costs him almost nothing.

24,103. That is generally the case in these small holdings?—I am speaking now of these small tenants in the west of Ireland, who have generally bog attached to their holdings. I have known myself labourers who have nothing but a house to take what they call an-acre; that is, they hire the use of the land for six months of the year for the growing of one crop, generally the potato crop, and for the convenience they pay as much as £4 an acre, and they have to manure and till it, and one of those tenants who is paying this £4 or £4 a year rent for his entire holding can obtain the whole amount by letting an acre or two in an-acre. Again, if we are to test the value of these holdings by the test of what they fetch when sold in open market, the tenant-right paid for one of these holdings is far greater than would be paid for any other holding. I have collected a few instances on my own estate and on some other estates over which my agent also acts as agent during the last year, the best year of 1885 and 1886, and I will quote just one or two instances of the prices given for the right to occupy these small holdings. On my own estate, rent £1 10s. 6d., sold on the 15th November 1885, for £30, or 10 years' purchase; on the same estate, rent £7 6s., sold for £45, only six years' purchase, on the 30th November, rent £1 10s., sold for £30, or 10 years' purchase. Another case I have not the exact date of, but rent £1 6s. 6d., sold for £27, or 9 years' purchase. Then on another estate over which my agent acts, on 29th March 1885, rent 29 10s., sold for £184, or 13 years' purchase; on the 5th May, rent 28, sold for £195, or 34½ years' purchase; another, rent £5 9s., sold for £57, or 14 years' purchase; another, rent £8, sold for £90, or 11 years' purchase; another case, rent £1 10s., sold for £35, or 17½ years' purchase. These cases, I think, show the enormous value the people themselves set on these holdings, and they would not set this value on them unless they produced an economic rent at least equal to that produced by larger holdings.

24,104. Mr. Nelson.—These purchases are, I assume, rare, occupying small holdings?—I can answer that question only with regard to my own tenants, and with regard to my own tenants in the three first cases I quoted they were all small tenants, occupiers in the west of Ireland, but in the £1 for 8d. case which I quoted, that was bought by a shopkeeper in an adjoining town.

24,105. The President.—Where bought by people in the same townland were they added on to their

original holdings?—They were. I don't think in any case these holdings were adjoining the holdings of the occupier who bought. It was not the adjoining tenants who bought.

24,106. They were holdings bought by men who hold other land in the neighbourhood?—Yes, or by their sons.

24,107. Mr. Nelson.—The holding you referred to, where the rent was £1 6s. 8d., was bought by a shopkeeper in an adjoining town?—No, I made a mistake with regard to that holding; it passed into the possession of a shopkeeper for a time, and was sold by him for the amount owed to a small adjoining occupier. Another reason why I should say these holdings produce the rent placed on them is this. In some cases landlords have these holdings thrown on their hands, and I have had experience myself, in which holdings of the description were thrown on my hands by tenants not paying their rent, and not being anxious to get rid of these people or to turn them adrift, I have endeavoured to get the arrears paid by keeping the holdings for a certain number of years, mowing these farms to enable the original tenant to come back again, and he reinstated as a tenant, giving him, for his support while the firm was out of his occupation, an acre or so for potatoes, and I have found that a great deal more than the rent could be made out of those holdings each year, and through keeping the lands in this way I have had the arrears paid off, and after a time the tenants were able to re-enter their holdings.

24,108. Sir James Caird.—How was the additional money made?—Merely by letting the land for the year.

24,109. Is it your evidence that a man comes back having made more money than he could have done if he remained in the holding?—The tenant was ejected for non-payment of rent and put back as a mistake, and given an acre to support himself with, and the rest of the land was taken in hand by my agent and let out year by year to the neighbours for grazing or mowdowing, and at the end of a certain number of years the arrears in that way were paid off.

24,110. That was by the more economical management of an adjoining farmer who was able to pay rent on it the original holder of the farm could not pay. The adjoining farmer could cultivate it apparently at less cost, having all the cultivating power on his own farm at his disposal?—I don't believe the original occupier made less of it. I believe the original occupier failed to pay through misfortune, losing cows by disease or having a bad year of harvesting in England. From such causes he was not able to pay his rent, although the land had produced even more than the land produced in the hands of a neighbour. I should like to quote some figures with respect to this year, which has generally been represented as a particularly bad year. I was obliged last year to take out decrees of ejectment against a few tenants, and I wish to give the results in some of these cases. The rent in one case was £9 7s. 6d., the tenant owed considerably more than six years' rent. He held 16 statute acres, and he was evicted last May. We left to him and his family half the land to till, and the other half was let to grazing and mowdowing, and that half of the land has already produced in this very bad year one and a half years' rent of the entire holding.

24,111. Which half was it produced in?—The half in my hands let for grazing and mowdowing. The other half the tenant had. Half of this small holding produced what I have stated when let under not the most advantageous circumstances, for when an agent lets land he does not get what the tenant himself could get if he were able to let it out to the best advantage. The other case was in the same town land, and it was a holding where a widow had 30 acres.

24,112. In the first case to which you inquired the tenant owed more than six years' rent?—Yes.

24,113. Would not that show that the farm was not profitable, or that it was badly cultivated when the

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land would not produce the rent?—My belief is the land all through produced the rent.

24,114. He was six years in arrears?—Yes.

24,115. When you get rid of him the man who cultivates half was able to pay the whole rent, would not that argue the original tenant was unprofitable as regards his cultivation?—Certainly; but in that case it arose from family disputes; the family, the husband, wife, sons, and other children were all quarrelling, each of them individually making away with the profits of the land. The man himself complained to me that when he made anything out of the land the wife and sons took it away and sold it. It was a case of misfortune; the land produced each year to the tenant more than the rent led on it and a great deal more, for half of the land this year has produced a year and a half's rent for six months.

24,116. Was it let in one-acre?—Yes.

24,117. Then this production was the result of over-cultivation, not superior cultivation?—There was no cultivation. It was grazing and mowdown. Besides that it was only during six months' term of redemption. The land was evicted in May, and the six months term would not expire until November, and during that time my agent had care of the land.

24,118. Lord Althorpe.—Letting the grazing, is that correct?—The expression is not strictly accurate; it is called one-acre if you let it in meadow or to be broken up for potatoes or oats, but it is not called one-acre if let for grazing. In the other case the tenant was allowed to let the land herself. She was a widow, and she got £40 down in cash for the grazing of six acres of her land. She had 19 Irish acres altogether, but she got £40 down in cash for the grazing of six acres of it, and the man who gave it to her undertook to pay £5 rent for it besides. The £40 was given on this condition, that if she repaid him the £40 within three years he was to have nothing more to say to the six acres, but if she failed to pay him within three years the £40 he was to become tenant of the six acres for the future.

24,119. Sir James Caird.—It was a loan given on condition it should be repaid at the end of a certain period?—Yes.

24,120. Then the £40 could not be considered as rent?—No, for if at the end of three years she did not repay the £40 he was to become tenant, and she was not to have any claim to get back the land. Within the last week she has repaid the £40, and taken up that holding.

24,121. Don't back of those cases seem to imply that these small holders are really very much pinched for land, and pay an extravagant price for a little extension of it?—I don't think it can be said that it is an extravagant price when the land merely let out for a year to a person who uses it for grazing produces more than the rent.

24,122. You don't know whether it produces more than the rent. A man seems so anxious to get land that he pays a high price for it; you consider that goes to prove he must make by it?—I imagine he would not agree to give a high price for six months' use of the land, or of half the land, unless he got the rent out of it.

24,123. Unless it might be a great convenience to him in addition to the small farm he held?—Certainly.

24,124. But it might not be profitable?—I have no doubt it was profitable.

24,125. In that way?—Profitable in actual hard cash.

24,126. But you don't know that as a fact?—No, but I must judge a man by his acts. This is not the case of a tenant paying an extravagant fine to get into occupation of the land. This is the case of a man paying for six months' use of this land, and paying for six months' use of the grass that grows on it for his cattle to feed on, paying considerably more than the rent, and that is a proof that the economic rent of the land is greater than the actual rent paid on it. I know the case of one tenant whose rent was £1 a

year, and for the grazing of it for six months £2 2s. 6d. was paid.

24,127. A man taking land for grazing, he should not only get the rent he paid but he must have a profit besides to get anything out of it?—He must. He must not only have a profit on the rent for six months, but a profit on his capital besides.

24,128. The President.—The economic rent has no relation to whether a man and his family can live on it besides paying rent?—No, that is the fallacy involved in the statement that these small holdings cannot pay an economic rent. These small holdings undoubtedly by themselves cannot produce enough to support a man and his family and pay the rent.

24,129. That is because they are too small?—Because they are too small. I think it is a fallacy to say the rent of these farms is paid out of the earnings of a man in England. It may be the actual money handed over as rent is in the form of gold and acres owned as wages in England, but during the time the man himself has been in England, his family at home have been supported out of the produce of the land, and in that way they have received from it a far greater return than these notes and gold.

24,130. Mr. Neaves.—And the family had a house and home?—Yes, and support for the family, and they had fuel free, or at least the means of getting the fuel free, with, of course, the expense of saving it, and that question of fuel is no small item. I can give an instance of a tenant whose rent is £1 15s. 6d. He has no tithery attached to his holding, and he told me fuel cost him £2 2s. a year, that is to say, more than his rent, and his neighbours who have tithery free hardly set any value on it.

24,131. Lord Althorpe.—He paid £2 2s. a year for fuel?—Yes.

24,132. In a country where there is plenty of bog?—Yes. His holding is situated in such a way that he had to go some distance to the bog. I am not quite correct in stating that he paid £2 2s. a year for the actual right to cut the turf; that is what the turf cost him when he had it, however. He had to pay 12s. a year for the right to cut it, and the cost of saving it and drawing it home was another 30s., which makes the £2 2s.

24,133. That is not charging anything for his own labour in cutting it?—I could not tell you whether that is included. He represented to me the great hardships he was suffering, that when his neighbours had bog free he had not, and he had to pay more than his rent for supplying himself with that which others had free, not absolutely free, for you must calculate for the labour they had in saving the turf.

24,134. Sir James Caird.—These small holdings of themselves cannot produce enough to pay the rent and support the man and his family; is that your evidence?—Yes.

24,135. Then if a man did not go away to England or elsewhere to earn wages he could not pay the rent?—The quantity of land being so small he could not get out of the land sufficient to support himself and his family, and pay the rent.

24,136. The man who leases the land must live?—Yes, but the man does not give all his labour.

24,137. He gives all his labour during the time it is necessary?—He does, but that is not nearly all the year.

24,138. Then he leaves to earn wages elsewhere?—Yes.

24,139. But the farm itself does not yield anything more than is sufficient for the support of the family, and the rent must be earned elsewhere?—No; the rent is not really earned elsewhere. I hold that the land produces a return for the labour expended on it far in excess of the rent he pays, but the land not being sufficient to support the family and pay the rent, he has to earn wages elsewhere. The land, after calculating for the cost of labour, produces a great deal more than the £3 or £4 a year paid on it, but if it produced £10 it would not be sufficient to support the family for a year and consequently the

occupier has to supplement this by earning wages in England.

24,140. Would £10 represent the reasonable wages of a man working on that farm to raise a crop for the year he is there?—I should say it would; but of course the amount would depend very much on the quantity of land under tillage cultivation.

24,141. Mr. Nelson.—The contrary contention would involve that, if a man with a large family took a small bit of land, he should support his family and himself out of it, or if he could not, that he ought not to pay any rent for it?—It would not support him.

24,142. Mr. James Caird.—That is to say there would be no economic rent?—Yes, if the whole of the man's time and labour was taken up in the cultivation of this farm.

24,143. The President.—If you cut up a man's land in that way I should say there would be no rent payable out of it at all?—It might involve that.

24,144. Lord Millican.—Should not the theory be that unless a man took a holding of sufficient size to support himself and his family and pay the rent he should live rent free?—Yes.

24,145. Mr. Nelson.—If he goes into a town and takes lodgings. He must pay his lodging rent?—I understand by an economic rent—I may be wrong in the definition of it, but my idea of an economic rent is that rent or return which the land produces over and above the remuneration for the labour, a fair ordinary remuneration for the labour that is expended in producing the crops.

24,146. And paying interest on the capital?—Yes; and I say these small holdings of land produce a greater proportion over that than the large holdings; in other words if you were to calculate the amount of labour spent on the land in these small holdings at the average rate of wages, I say that the gross produce, if sold, would produce a surplus more than the remuneration for the labour and the rent and, therefore, the land, although a man could not live on it and support his family and pay the rent, it being so small, still pays the economic rent just as much as any other holding.

24,147. Mr. Nelson.—The extent of his holding would be an important factor in estimating the economic rent?—Yes, that is the substance of what I wish to say on this particular point.

24,148. The President.—Do many of the tenants on your estate emigrate to England and Scotland?—On certain portions of my estate they do very considerably.

24,149. Does that go to some extent in diminishing the effect of the depression of the last few years?—I don't remark very much change.

24,150. Do they bring back as much money?—This year was not at all a bad year in that respect. One young man was away only three months, and he brought back £10 clear over all his expenses.

24,151. You are very much in favour of the principle of a peasant proprietary?—I don't believe this land question can be settled except by the occupiers being made the owners of their holdings. The present dual ownership of the soil can never work or give satisfaction until a large proportion of the occupiers are made owners. I don't believe it would be possible by a stroke of the pen to abolish this dual ownership, but until it is abolished the agitation will go on, and the country will continue in such a disturbed state that no improvements will be made, and even at a sacrifice to the owners I think this change, which is inevitable, ought to come as soon as possible.

24,152. Your objection to the system of dual ownership is, in part, the landlord is in a disadvantageous position?—It does; he has no interest in his property or inducement to spend money on it. On the other hand, the tenants are always looking out for a change, and they think things will be better for them by selling. They are not either disposed to improve the land or take that lively interest in it they would if made the actual owners. In every country where dual ownership existed it was the object of the legislature

to get rid of it, whereas the result of recent legislation in this country has been to create that which in other countries was found most objectionable.

24,153. If the tenants were the owners, you consider it would have a tranquillising effect, and be in favour of good government?—I am sure of it. I believe a better policy could be adopted or a greater advantage conferred on the Irish people than if they were made the owners of the soil.

24,154. Do you think Lord Ashbourne's Act is calculated to bring about that?—So far as it goes it is strictly in the right direction, but if left to voluntary operation, as in Lord Ashbourne's Act, it will be slow in its operation.

24,155. What improvements would you suggest in that Act?—I would, as a first step towards what I believe to be the final result, provide that, when an owner wished to sell to the occupier on terms which would not increase the annual payment over the judicial rent, that such an owner's offer should be accepted, and the tenants on such estates should be made owners.

24,156. You consider that they should be obliged to accept such offer?—Yes.

24,157. Lord Millican.—How would you propose under these circumstances to have it carried out?—I would make the body appointed to carry it out in such cases go down the estate under Lord Ashbourne's Act from the owner, and record the tenants as owners of their holdings. On these terms, I believe most tenants would voluntarily enter into the contract, but in case the tenants did not they should be recorded as owners paying the judicial rent, as instalments of the purchase money.

24,158. The President.—You consider that would put a stop to the pressure from outside which prevents the tenants paying now?—Yes.

24,159. And also prevent the agitation by the tenants wanting for better terms?—Yes. If there were not found a sufficient number of landlords who were willing to sell their estates on these terms, so as to produce a considerable number of occupiers, I would go further, and compel the landlords to sell in case the tenants were willing to offer such terms.

24,160. Such terms as what?—As purchasing on the condition that the instalments should be no greater than the judicial rent.

24,161. With regard to putting compulsion on the landlord, would you compel him to sell at a loss?—It depends on what you call a loss.

24,162. If in any investment he could make, his income would be less than his income was before the transaction took place?—I am almost inclined to say that I would. I think the landlords will have to suffer.

24,163. Lord Millican.—Under your proposal the landlord would get 25 years' purchase?—I have not calculated it.

24,164. It would be about that; that would, of course, stop all sales at a low price?—It would.

24,165. The President.—Would not a tenant who left, if left alone, be able to make what terms he could with his landlord, be stayed at thinking that by law he was forced into taking it at 25 years' purchase?—He might feel aggrieved, but I think the enormous advantage to the country of having these men made owners would compensate and overcome any grievance he might feel. A tenant would have no just ground for grievance if put in such a position that he would be owner at the end of a certain number of years by paying an instalment which the Court considered a fair judicial rent of the holding.

24,166. The tenants are getting their land at 18 or 19 years, a great number at 20 years' purchase?—They are.

24,167. If obliged to give 25 years' purchase, would they not be indignant and be unwilling to pay those instalments, when, if left alone to make what arrangement they pleased themselves, the instalment might be less?—I dare say they would feel aggrieved, but I don't see how this question is to be settled if you are

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to consider the feelings of all the people concerned. I don't think they would have a just ground for complaint. By comparing themselves with neighbours who made better bargains, they might feel aggrieved. When the question is settled, I am afraid, there will be a certain amount of grievances on that head, for some estates will be sold at lower rates than others, and some tenants will be willing to pay less than others, and even at present that feeling exists.

24,168. Would there not be more discontent against the thing if it came by operation of law than otherwise?—There might not, when you put the compulsion on the landlord; in any case the disadvantages arising from such discontent would not be so great as to counteract the enormous benefit that would arise from making these men owners of their holdings. I also consider that as the purchase of the land of Ireland would be a very large undertaking, a great deal might be done by making advances for the purchase of free-farm rents, fixed down rents, that is to say, not purchasing the whole of the fee, but purchasing a smaller interest than the whole. I don't know whether you have had any evidence about this.

24,169. We have not had much evidence with respect to that, and we should be glad to have it strengthened by your testimony. Mr. Traill, I believe, wrote a pamphlet on the subject?—Yes.

24,170. Mr. Newman.—Before passing to that I want to see whether I clearly understand you. Your plan is based on the idea of a compulsory sale?—Yes.

24,171. Your idea of carrying it out would be to fix some standard of judicial rent, and lay down hard and fast rules as to a certain number of years' purchase for that?—It would come to that. I say the instalments should not exceed the judicial rent.

24,172. The tenant, instead of a judicial rent, should pay the same amount in instalments?—Yes.

24,173. And by paying these instalments every year he is getting an estate, buying it?—Yes.

24,174. Sir James Caird.—Have you any experience to show you that the farmers will be willing to purchase on these terms?—No.

24,175. Have you any experience to the contrary, for our experience goes to show that the tenants would not purchase on these terms?—I think at present there is, in my part of the country, a regular standstill with regard to purchasing, because the tenants are looking forward to changes that may give them a better bargain hereafter. Every day they think the landlords' property is diminishing in value, and the longer they wait the better.

24,176. You do not believe there would be the slightest danger of these advances not being repaid so long as Imperial rule exists in Ireland; that is the conviction you think it necessary to put on the probability of these advances being paid?—I don't wish to give any opinion on what would take place if Imperial rule did not continue to exist.

24,177. You think it depends very much on Imperial rule subsisting?—I do not say it would not be possible to secure repayments of the advances if Imperial rule did not exist. I only say if Imperial rule did exist there would be no danger of loss. Circumstances might arise in which, if there was not Imperial rule, there might be loss, but that is mixed up with so many other political questions reasons that it would furnish examination in itself for an hour.

24,178. It seemed to me to be a very important condition?—I do not state that these repayments would be in danger if Imperial rule did not exist, but I say if Imperial rule exists they certainly will not be in danger.

Lord Millican.—I suppose a good many things would be in danger supposing the British monarchy was disestablished and a red republic substituted for it?

Sir James Caird.—I suppose you think one is more probable than the other?

Lord Millican.—I think one has just as great a chance as the other.

24,179. The President.—The tenant might have a harder master, he would not be allowed any abatements in his instalments, but if you don't put his instalments below what his judicial rent is he would be in a worse position during 49 years than he is now?—In speaking of these instalments not being lower than the judicial rent, of course I understood that all payments the tenants have to make for poor rate and tithe rent-charges should all be deducted also.

24,180. Lord Millican.—So that his outgoings would be no larger under the new system?—No; and therefore I do not think it would amount to 24 years' purchase on the judicial rents for all these reductions would have to be made.

24,181. The President.—But he would expect something to compensate him for the change of master?—Yes, and even if it was thought necessary to satisfy the tenant to make further reductions it would be better than to leave things in their present state.

24,182. Then as to the question of perpetuity, would the tenants like that?—I believe they would in many instances.

24,183. Lord Millican.—It would have this objection, that it would give them two landlords instead of one; they would have to pay one rent to the old landlord and another rent, called the instalment, to the State?—Yes, but I think they would regard the instalment to the State like a tax under such circumstances; it would be collected, I presume, by some public functionary, and I think, if this were carried out to any great extent, that the collection of it ought to be a local collection, and it would be regarded very much as the collection of the county cess or poor rate, which they pay at present to different people.

24,184. Under the Land Act of 1881 the State has power to advance half of the rise in the granting of a perpetuity; would it meet your views that that should be so altered as to come in under Lord Ashbourne's Act, and the whole sum could be advanced on the same terms as it is now for the purchase?—Yes.

24,185. The President.—What would be the advantage of the perpetuity instead of the direct purchase as regards the tenant,—he would lose the prospect of himself as his family ever becoming the real owner in fee simple, and also, supposing that it is for the advantage of the State that there should be a certain number of peasant proprietors established, which you think desirable, would not these advantages be sacrificed if they were, instead of being proprietors, only holding by perpetuity,—would they have the same feeling of responsibility?—I think they would not have to the full extent the feeling of ownership, but I think they would have it to a great extent, and I think on a great many estates, where there are friendly associations between the proprietor and the tenants, they have no desire to get an end to them altogether. But my real reason for advocating the system is that it would seriously diminish the responsibility which the State would have to assume if all the occupiers were converted at once into absolute owners, and the whole of the purchase money paid down. I believe it would satisfy a great number of the tenants, and a great number of the landlords would be better pleased to sell these perpetuities and to remain as owners of certain rights, such as shooting and so on, than to sell out their property altogether, and in a great many of these cases it would produce satisfaction without involving the State in the enormous responsibility of buying out the whole of the land of Ireland.

24,186. Sir James Caird.—I don't understand the meaning of perpetuities exactly, and how it could relieve the State in the way you expect?—I do not undertake to explain the scheme. I thought it probable Dr. Traill had explained his scheme, and therefore I have not been prepared to give evidence as to the details, being certain you would have had the scheme placed before you by others. The way the State responsibility would be diminished would be

that the interest that would be bought would be only half the interest of the ownership, and consequently it would cost only half the money,—you could buy twice the amount of property for the same money.

24,187. Then, as I understand it, the State would be the first charger on the property?—Yes.

24,188. For this half?—Yes.

24,189. And the landlord, who has the whole right now, would come after the State?—I rather think that Dr. Traill's proposal was that the landlord was to have the first charge.

24,190. Then you don't know which is to have the first charge?—I think I may state my recollection of the scheme was that it was the landlord who was to have the first charge.

24,191. Then the State, if it had the second charge, would be in the same difficulty as the landlord who had the second charge, that is to say, in an inferior position over it as a creditor on the estate?—If the land is not security, it would.

24,192. The State would be the first to lose, if the land itself is not security?—Yes.

24,193. It would make the landlord safe, and the other problematically unsafe?—I think neither would be problematically unsafe.

24,194. If there is any fall in the value of the land, the State must first be the sufferer?—Yes; that was my recollection of this particular scheme, but I would not see objection to giving the first charge to the State.

24,195. Lord Malmesbury.—Do you think if the country of your district were satisfied that the end of this proposed legislation about land had been arrived at, that the Government of the country was about for the future to do its duty, and to maintain law and order, and to protect life and property, they would be very willing to give 32 or 33 years' purchase?—Under the circumstances you have suggested, I am quite convinced they would.

24,196. Their reluctance to buy arises in your case, as we have heard in many others, from the restlessness with which the perpetual change has affected the whole population, and the doubt whether, if they wait a little longer, they won't get the land practically for nothing?—Yes.

24,197. The President.—Do you think any Government could ever be formed that would remove that idea?—I don't think it is due to the idea that law and order will not be maintained, but to the view tenants very probably take of the value of land; the tenant probably thinks that there will be further changes which will benefit him, and that he had better wait, quite irrespective of questions of law and order; if the country was in the most peaceful condition, and that occupies thought it likely that further legislation would be enacted which would benefit them; they would prefer waiting to see what this legislation would be rather than enter into any bargain just now.

24,198. Sir James Caird.—Does the tenant lose much at present by waiting?—I do not see that he does.

24,199. He is the only purchaser?—Yes, practically he is.

Mr. Nelson.—I see that Dr. Traill would give priority to the State; he says "the State getting priority of sale."—Then I should wish to correct my evidence regarding it. It is some time since I read the pamphlet; but I think the principle involved is one well worthy of consideration, especially with the view of diminishing the very large charge that might arise in case the Imperial Parliament was asked to guarantee the whole rent of Ireland.

24,200. Sir James Caird.—But on this principle the State would be perfectly safe. Would the landlord undertake all the security?—I believe, in very many cases, the landlords would undertake all the risk.

24,201. Lord Malmesbury.—Is that your suggestion too, that the State should have priority over the landlord?—For the reasons suggested by Sir James Caird, the probable difficulty of getting the State to accept

the position of second mortgage, I do not see that Dr. Traill's proposal, as now stated, would be objectionable; though I do not believe there would be any real danger to the first or second mortgage. I believe the landlords would, in many cases, willingly accept the position of second mortgage.

24,202. The President.—You advocate it as an alternative plan?—Certainly. I do not think the scheme of Dr. Traill's could be at all universally applied.

24,203. But whoever wished it might adopt it?—Yes, whenever the landlord and tenant wished it.

24,204. Mr. Nelson.—Your idea of purchase would be a self-working one?—Yes.

24,205. The President.—With regard to local authorities giving guarantees, you think that is impossible?—Yes, in the present feeling of the country, I think it would be quite impossible to work it out, and I do not think it would be possible under any circumstances, except you had universal and immediate transference of ownership. The man who remained as tenant, and who was not made owner, would not think it just that he should be responsible for a sum of money due by another; but if you make all the tenants owners at once, and have the responsibility made general, then in a different state of feeling from what exists now these local guarantees might be possible, but I do not think at present they are. At one time my opinion was rather the other way, I thought a local guarantee was possible, but then it was on the supposition that the sales should be general, and that the people were so anxious for them that they would agree to this guarantee; my experience since then is that the feeling of the country is so much against that that it would be unworkable.

24,206. Then as to the congested districts, we have had strong evidence before that it was not advisable that the Purchase Act should work in congested districts, that it would lead to great subdivision, and that the condition of the people would be made much worse. Is that your opinion?—No; I see very great difficulty in dealing with these congested districts, but my opinion, after giving the subject a great deal of consideration, is that you must deal with them in the same way as you deal with the rest of the country, and that by making all these small occupiers in the congested districts owners you will more readily bring about what you want to bring about, namely, amalgamation of holdings, and the removal of these people from the condition in which they are than in any other way; make them owners, and give them absolute freedom to dispose of their holdings, give a very simple and easy remedy for the recovery of maintenance, and I believe in the course of time the better ones amongst them will gradually absorb the heads of those who have failed, and that you will bring about the removal of a great number of these men, who are at present undoubtedly in a wretched condition.

24,207. Sir James Caird.—You think removal necessary?—I believe removal necessary, but I believe compulsory removal is almost impossible; I think you must, if I might use the expression, allow them to remove themselves.

24,208. Make it their interest to remove?—Give them absolute freedom; make them owners, with freedom to dispose of their holdings in a simple inexpensive way; of course if you make them owners under the present law with regard to ownership of land you only intensify the evil. You stereotype them there, they could hardly leave; but if you make them owners, giving them every facility for getting rid of their property, you will find masters settle themselves far better than by any compulsory removal or migration, or emigration.

24,209. The President.—Is there a tendency to subdivide?—Yes, there is decidedly.

24,210. And does the agent of the landlord prevent a check in that respect?—Yes; but I believe these artificial checks, although well intended, produce in the long run opposite results to what is meant. I find that the landlords or agents are unable to

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prevent subdivision. You must have that to the education of the people. I think as they get more educated and impressed, the younger people growing up will not be inclined to settle down in this wretched condition, and they will, if they have power to do so, sell the little bit of a holding left to them to the more prosperous neighbour, who will by degrees increase his holding.

24,211. Lord Milnes.—Are the landlords to blame for the subdivisions which now exist to any great extent?—That is rather an abstract question on which I have hardly any information to guide me, but if you care for my impression it is that they are.

24,212. In the days of the 40s, freeholders they did rather encourage that kind of thing?—So I have read, but I have no knowledge of it myself.

24,213. If they brought it on themselves it seems not so very hard to make them suffer something for it?—No.

24,214. The President.—I believe there are very few landlords of congested districts who would not be glad to sell?—I should think very few.

24,215. I suppose the objection that it being raised is that it would not be good for the tenant?—I do not think that is the objection that has been raised to it. I think the objection is that it would not be good for the State to advance the money.

24,216. Sir James Caird.—Not safe for the State?—Not safe for the State. I think that was the objection, because scarcely anyone would hold that it would not be good for the tenant.

24,217. The President.—It is said that agents and landlords have exercised a considerable check in the way of subdivision, and that there would be more danger of subdivision if they were removed?—I don't believe that; I believe in certain particulars there would be danger of evils arising,—for instance, take arterial drainage, or roads, or rights of way, or things of that sort. I am afraid that if tenants were made absolute owners without check, or somebody to supervise them, there would be very great difficulty in keeping up works of improvement which affected the whole estate; one man might wish to keep them up, and another would not, and if they were not kept up universally they would fall out of repair. I think that should be met by special legislation, each of these owners should the right to compel in a very short and summary way his neighbours to keep up these improvements, by application to the county court judge, or in some other way; each man should be obliged by law to keep open the roads, and drains, and main highways in his own holding, and there should be some summary method of enabling anyone who felt aggrieved by this not being done to compel its being done by law.

24,218. This could be managed without there being any new authority constituted. It could be done by the purchasers?—Yes, by some very simple or very inexpensive process.

24,219. Sir James Caird.—There is a process of that kind in the fen districts, where the drainage is superintended by the district managers?—Yes, or you might have, as you suggest, a local board to see these matters carried out, but I am inclined to think such a board would not be necessary if each occupier had a right to go before a tribunal and to compel his neighbour to do his duty, because in all these cases there would be some man who would be anxious that these works should be kept up, but if it was found necessary to have some local authority to look after it the creation of such a board as you suggest would probably meet the difficulty.

24,220. Mr. Nelson.—As a general rule, things of that kind are better looked after by individuals than by boards?—If a board was to be established it should be a local board with local interest and local knowledge.

24,221. Suppose you gave each man a right to come in by a cheap process to the county court and apply for an injunction, would that meet the case?—Yes.

24,222. The President.—The first plan—to give power to put the law in force speedily—would help to

keep up existing improvements, but it would not help to make new ones?—No; and it would be necessary in case of new improvements to have boards.

24,223. Sir James Caird.—These district boards have power in England to make improvements when they become necessary, and rating people according to their interests?—Yes; that would be essential for all future improvements, for there would be some made if the occupiers are made owners in congested districts.

24,224. The President.—Would the question of turbary come within their jurisdiction too,—would it be necessary to have a central authority to manage that?—That would depend on whether the turbary was divided at the time of the sale to the occupiers, if it was divided I do not think there would be any necessity.

24,225. We had evidence in some cases that where they all drew from a common bog it would be difficult to divide it in such a way as to give subdivisions to anybody, and it would want some authority to superintend the keeping of the different arrangements?—The less of that superintendence you have the better, but it might be necessary in some cases.

24,226. Mr. Nelson.—I refer to the problem of leaving such cases untouched by legislation, and allowing people to assert their rights in the ordinary way?—I think, with regard to turbary, when you are selling to these occupiers you would have to divide the bogs or there would be difficulty; if there were undivided bogs they should be apportioned.

24,227. Would you still allow a man to hold a bog for the purpose of selling it where there were large tracts of bog?—If it was not in the occupation of any particular tenant, but in the owner's occupation, decidedly I would, and I think it would be very desirable in dealing with these congested districts to give power to the Land Commission to make advances without the tenants being actually in occupation of the land at the moment that the advances were asked for. What I mean is this, there might be in some of these districts a large farm, which, if it were divided between small occupiers all round about, would make those men very comfortable and better able to pay their instalments if they were made owners. At present no advance can be made for the purchase of a holding unless the occupier is in *bona fide* occupation at the time, and, therefore, it would be impossible for the Land Commission to make advances which would enable these farms to be divided amongst small occupiers unless the owner were willing to run the risk of placing them in *bona fide* occupation of the holdings before the sale was agreed upon, and the owner might not like to run that risk. I think if a landlord entered into an arrangement with his tenants to the following effect: "I will sell to you not only your own holdings, but a certain portion of an adjoining farm which will make your holding sufficient to live upon," the advance might be approved of by the Land Commission on that understanding before the sale was actually put into *bona fide* occupation as tenant.

24,228. On the understanding that it is to be cut up?—Yes. Of course, the advance only to be carried out in case such division of the farm took place.

24,229. Do you think in many of these congested districts practical good could be done by cutting up the neighbouring lands?—I am informed such is the case. I cannot say that I know of any particular instance myself in the congested districts.

24,230. Sir James Caird.—But in the neighbourhood of the congested districts there might be grass land held in pasture which, we have been informed, could, with advantage to the congested districts, be subdivided amongst them, and that this is held by yearly tenants not resident, to whom the hardship would be less if ejected?—Yes, in some cases held in the occupation of the owner himself, who would be quite willing to carry out this. I had an instance of this on my own property, although it was not a congested district, men paying £10 or £12

year, and that sort of rent. I had an instance of that last year. There was a grass farm on this townland, it ran the whole length of the townland. There were small tenants on each side of it. It was held by a man who was non-resident. He served me with notice last year that he would not hold this farm longer, he proposed to surrender it on the 1st November. I at once accepted his offer to give it up, and I intended to divide it amongst the adjoining tenants, and to offer to sell to them, not only their holdings, but portion of this farm which ran into the land of each man's holding, but under the present law I could not do that unless I made these tenants *good-fide* tenants of the grass farm in the first instance. I intended to run that risk, and I believed if I did make them occupy they would not go back in the matter but buy, and I had fully intended when I got this holding into my own hands to do this, but the tenant of the grass farm changed his mind and did not give up the farm, and the matter dropped.

24,231. The President.—We have had so much stress laid on the advantage of this that some people have proposed compulsory purchase of grass lands for the purpose of distribution. Have you thought of that at all?—I have not thought of compulsory purchase of grass lands, for if you have to migrate these tenants, that is, take them out of their holdings and put them down on grass lands in any other district, I don't think that will work.

24,232. Even if the district is not far off?—No; I think, if it is desirable to divide these grass farms into small holdings for the sake of the country, I doubt very much whether these men, who are practically only labourers, are the best class to divide it amongst. I would be afraid, if you take a man out of his wretched hovel in a congested district, where he is accustomed only to till that patch of land, and put him down on one of these grass farms, he would be likely to run that out very soon, and to get as much as he could out of it, and to deprecate it. I don't think it is the sort of man who will till that land best and make the most out of it. On the other hand, if you give him a small addition to his present holding, he will use it to graze a cow or two, and he is not so tempted to destroy it as if you change him from a district of bad land into good land.

24,233. I think you had a case on some estate which is a typical estate?—I have been asked by the persons interested in this estate to bring the facts before the Commission, for it is a very typical case of the congested districts, and I dare say you have seen something about it already in the public press. It is known as Taffie's estates, in the counties Mayo and Galway. These estates are composed of 5,000 acres in Mayo and 1,300 acres in Galway and the rest in 1871, when the late owner, Mr. Philip Taffie, died, was 24,400.

24,234. Sir James Caird.—The rest of the two estates?—Yes.

24,235. What was the outgo of the Galway estate?—4,300, and 9,000 acres in the Mayo estate, and the rental of the whole—I have not the divided rental—was 24,400, and these rents, as I am informed, were very partially paid up to the death of the late owner, Mr. Taffie, in 1871. Of course, I don't mean to say that there were not some arrears, for there are arrears always on this class of estate, but seeing it all used it was a rental, so far as I am informed, paid with great regularity. These estates were rather heavily mortgaged, and on the death of Mr. Taffie they were rented in a trustee for sale. Then a number of difficulties arose in dealing with the estates; there was a lawsuit between different members of the family, and for one reason or another the proceedings for sale dragged on up to 1879, but in 1879 everything was ready for the sale in the Landlord's Estate Court. The petition was lodged, and the final rental prepared. As you all probably know, 1879 was not a year in which such property as this was likely to sell, and the trustees for sale came to the conclusion he had better wait, and consequently the estate was not

advertised for sale then. The trustee, Mr. James Taffie, brother of the late owner, had collected the rents himself up to this period, and paid all the mortgages his interest in full; but in 1880 he resigned this position, and the estate was put into the courts—I think it was the Court of Chancery—at all events it was put under a receiver, who received the rents for all parties interested. At that time, in 1871, the rental was 24,400, and the outgoings on the estate were calculated at £450 a year. By outgoings are meant head-rents and quit-rents, rate rentcharges, and different taxes, one kind and another.

24,236. The President.—The expenses of agency?—Yes, and so on; and the mortgages on the estate amounted to £39,000. After the receiver had been appointed the Act of 1881 was passed, and he advised that judicial rents should be given to the tenants, and I believe he made application to the court for the purpose of having the consent of the court to the granting of these judicial rents, and a valuer was sent down to value the land for the purpose of these judicial rents; an independent valuer, who made a valuation which most of the tenants accepted. Some of the tenants preferred to go into court before the Land Commissioners, and the result both of this valuation and of the tenants going into court was that judicial rents were settled over the whole estate, the rental being reduced from 24,400 to £3,543, which reduction, I think, amounts to about 80 per cent. It then became evident there was no chance of selling this estate to the public, and when Lord Ashbourne's Act was passed, the trustee, Mr. James Taffie, thought he might have the estate sold to the tenants, and he had a calculation made of what amount should be realised in order to pay off all the mortgages on the estate, he himself, in addition to being a mortgagee, also had the right to any surplus that might arise from the sale, but he considered that if he got his mortgage money he would be safe enough, and he was willing to give up any rights he might have to a surplus over the mortgage, he decided therefore that he would recommend the sale of the estate to the tenants for a sum that would realise the £39,000 due, and all expenses of sale. It was found that this could be realised if the tenants gave 15 years' purchase of the judicial rents. Accordingly he communicated to the tenants that, if they were willing to give 15 years' purchase, he would advise the sale of the estate on these terms. The tenants then employed two solicitors, Mr. Fottrell for the portion of the estate in Galway, and Mr. Dillon for the portion in Mayo. The tenants, I am informed, most gladly accepted the offer made by Mr. Taffie to get their holdings at 15 years' purchase, which would have resulted in a very large reduction on the judicial rents. They selected three two professional gentlemen to represent them, and these gentlemen, with the concurrence and active assistance of the Roman Catholic clergymen in the district, got the tenants to sign agreements undertaking to purchase their holdings at the rate of 15 years' purchase, and having got these agreements signed by the tenants, they sent in an application to the Land Commissioners, asking the Land Commissioners to purchase the estate under what is called the 5th section of Lord Ashbourne's Act, which is the section which enables the Land Commissioners to purchase an estate in bulk for the purpose of resale afterwards in lots to the occupiers. This application for the purchase of the estate was made, I believe, from the Galway estate in March 1885, and from the Mayo estate in April 1885, and upon receipt of the application the Land Commissioners stated that before giving a decision they should investigate all the circumstances connected with the estate, and accordingly they sent down a valuer, who made a report on the estate, which report of course was considered private; we don't know what it contained, but the result of the report of this inspector and of the inquiries made by the Land Commissioners was, that in August last they wrote to say they declined to purchase, "because"—these are the words they use—

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"because they were not reasonably satisfied that if purchased on the terms proposed, a resale to the tenants could be effected without loss." As you are all aware, one of the conditions of purchase under Lord Ashbourne's Act is, that one-fifth of the purchase money, where the whole purchase money is advanced by the State, should be deposited as a guarantee for a certain number of years. Upon learning the decision of the Land Commissioners, Mr. Taaffe suggested that two-fifths instead of one-fifth should be retained as security, and one of the subscribers, on behalf of the tenants, inquired from the Land Commissioners, whether they would purchase if the purchase money required for the estate was 15 years instead of 10, but to both of these proposals the Land Commissioners declined to accede. They wrote, in reply to Mr. Dillon, "The Commissioners desire to point out that, apart from other considerations, any offer by them to purchase the estate at 15 years' purchase would involve a uniform revision of the terms of sale agreed upon between landlord and tenant, which, in the case of some of the holdings, present perfect security, whilst in others the reduction in the term named would not satisfy the Commissioners that such of those holdings was security for the advance to be made." They then went on to remark that, "The bulk of the holdings were occupied by a large and poor population, whose means of support are not derived from their holdings or local employment, but from wages earned in England or elsewhere; that the rates and taxes in the locality, especially in one town, were high; that there were more occupiers on the land than appeared on the rental; that most of the tenants had got the benefit of the Arrears Act, 1882," which I may say applies universally to the tenants in the west of Ireland; "that arrears had become due since that Act, and that their solicitor, Mr. Dillon, who had applied on behalf of the tenants, had admitted that the tenants would not be able to pay those arrears;" and they concluded by saying, "the Commissioners when dealing with an estate of this character and exercising the jurisdiction conferred on them by the 5th section of the Act, must have regard to all the circumstances of the case,—the holdings, the district, and the ability of the existing tenants to discharge the advances to be made to them, and taking all those matters into consideration they would not feel themselves justified in re-opening the negotiations for purchase on the terms mentioned." The matter then dropped for the time being; subsequently the Commissioners agreed to purchase the estate in the county Galway, but up to the present they have refused to purchase the county Mayo estate, but they have stated their willingness to consider applications that may be made to them for the purchase of part of it; they have declined absolutely to deal with the great bulk of the county Mayo estate, which is an estate in a congested district. I think it is evident from this that the Land Commissioners do not consider themselves justified under section 5 to buy estates of this character at all, and that, of course, is a very serious question, and if that be the view of the Land Commissioners, and of the Government, it is a view that ought to be very publicly and immediately made known, for it is not fair to owners and occupiers to allow heavy expenses to be incurred and expectations to be raised when there is no intimation of carrying out a purchase. The tenants in this case were under the impression they would get their holdings at a very great reduction; they signed these agreements for 15 years' purchase, which would result in a very large diminution of the rent they are now paying; and naturally, when the negotiation fell through, they became greatly dissatisfied, and are not at all willing to pay rents which they considered previously were not excessive.

34,357. The President.—There is no appeal from the Commissioners at present?—There is no appeal from the Commissioners. Do not let it be understood that I am in any way attacking the Commissioners

for the decision they have taken, for it is quite possible that resales to the tenants could not be made without loss. It is clear that the Commissioners in both their letters, and especially in the last, where 15 years' purchase was offered, do not have their refusal on the number of years' purchase being excessive. The proposed reduction of Mr. Dillon to 15 years they object to just as much as the 10, and my impression is that if it had been reduced to 10 or any number of years' purchase their answer would have been the same; they will not deal with these estates at all; they do not consider these estates that should be dealt with under section 5 of the Land Purchase Act. I wish to point out with regard to this estate, that if it is not an estate which should be dealt with under the 5th section it is an estate that cannot be sold at all. I have already given the rental; there are a large number of tenants on it, the holdings are small, and, as stated in the answer of the Commissioners, paying very small rents. Not only is the estate occupied by a large number of tenants, but it belongs to a great number of owners. The mortgages are for the real owners' use; for the estate is not likely to produce more than the amount of the mortgages. I hold in my hand a list, which I hand to the Commissioners, of all the charges on this estate, and you will see they are very numerous; the number of owners may be said in a rough way to be over 40 persons, diversely interested in the rental of this estate.

24,358. Sir James Colville.—Are they all men who have lost money?—Some have lost money, and others have fairly charged.

24,359. These mortgages or owners are many of them trustees?—There are, I believe, in it individuals and persons who are abroad in various parts of the world, and any concerted action or agreement amongst them to sell this estate in separate portions to the tenants is out of the question. Nothing like concerted action could be taken in the matter.

24,360. The President.—The expense would be enormous?—Yes, and therefore it is an estate that, if it be sold at all to the occupiers, must be sold in the manner contemplated by Section 5 of the Purchase Act, and if we are to understand from the answer of the Land Commission, that they do not consider this is an estate which they could purchase for resale to the tenants, then there should be some special provision made for estates of this character.

24,361. And if they cannot sell without loss you cannot force them?—They are bound by the subsection not only to see that the price given for the individual holdings is a fair price, but they are bound to see, under Section 5, that resale could be carried out without loss; for it is quite possible such a thing might arise that although the land itself might be sufficient security, the tenants might afterwards say we won't buy, and if they had to proceed by injunction to compel them there might, very probably, be loss.

24,362. Sir James Colville.—Is there any other buyer possible but the tenants?—No, not under present circumstances. I might say that all land occupied by tenants is now unsaleable, but especially is that of this sort. This class of estate is a class that it is most essential to deal with if you want to restore peace and tranquillity in the country, and it is a class which, apparently by this decision of the Land Commission cannot be dealt with by them. I am not objecting to the justice of the view they have arrived at—but from their point of view, it is a class that cannot be sold. If this be so some means should be taken, even if it did involve some loss to the State of dealing with estates of this description. Mr. Taaffe has prepared a statement, to which I should wish to refer, by which he shows that the security for each individual holding on the estate is not at all of the character that ought to be regarded as worthless. Before referring to this, I would beg again to recall attention to the rental of this estate at different times. The original rent was £4,500, which had been paid regularly for a number of years. That was reduced to £3,543 by the Land Commission, and this amount has been declared a fit

rent for the land by one section of the Land Commission. If the purchase were carried out as the tenants, the priests, and everybody wish, the annual payments would be only £2,155. I may say, incidentally, that the Government valuation of the estates is £5,086. Thus the new annual payments would be 30 per cent. below the Government valuation, 40 per cent. below the judicial rent, and about 50 per cent. below the rents which had been paid regularly for about 30 years. Mr. Twiss has prepared a statement with regard to the small tenants upon this estate: he has divided them into classes: First, those between £4 and £6, or an average of 2s. a week; the second class 1s. 6d. a week; the third class 1s. a week; and the fourth class 6d. a week; and, having so divided them, he has examined what amount of land and value these tenants would have for these payments, and the results are as follows:—Those who would have to pay 2s. a week would have over 16 acres of land, a house, and as much turf as they or their families require to use for fuel; those who paid 1s. 6d. a week would have 13 acres, a house, and turf; those who paid 1s. a week would have 10½ acres, a house, and turf; and those who paid 6d. a week would have over eight acres, a house, and fuel. Well, if that is not security for the amount which would be chargeable, I really don't know what is, and besides this, it must be remembered that two-fifths of the purchase money were to be retained. There is another Act of Parliament lately passed called the Labourers' Cottages Act, which is being administered at present by the Boards of Guardians under the sanction of the Local Government Board, and under that Act £100 may be advanced for the building of cottages, for each of which a labourer is to pay from 1s. a week to 2s. a week; and for that 1s. or 2s. a week he is to have nothing whatever but the house and half an acre of land. Now one of these cottages is not built as a gift to the labourer; he is supposed to get value for the rent he is asked to pay, and the cottage and half acre of land is supposed to afford sufficient security to the rates for the advance. The labourer is to pay from 1s. to 2s. a week for a small house and half an acre, and that alone is considered sufficient security by one public body; yet these tenants on Mr. Twiss's estate, whom we may regard in the same light as labourers, for these tenants are all labourers, would have 8½ acres and a house for 6d. a week; and another public body in Ireland determines that that is not security; we have, therefore these strange anomalies: one section of the Land Commission declares that the judicial rent and the fair rent payable for this land is 50 per cent. over what another section of the same body sitting in another part of the same house declares it cannot expect the tenants to pay, and this latter public body practically declares that the possession of a house and eight and a half acres of land and fuel does not afford security for the payment of 6d. a week; whereas another public body declares that a house and half an acre alone is sufficient security for the payment by a labourer of from 1s. to 2s. a week. I think these are anomalies that ought to be remedied. I have made inquiries with regard to these labourers' cottages, and I find that there are already applications for 17,443 of these cottages with half an acre attached; from two unions in what I might call congested districts, Limerick and Kilkenny, where the average valuation is £1 10s. to the head, there are 470 applications, 185 applications from Limerick, and 285 from Kilkenny for these cottages for labourers, so that whilst we are doing our best in one part of the country to get rid of this congestion, every step is taken in another part to create it.

24,243. The President.—We have now finished the question of labourers' cottages?—I mentioned that only incidentally. I do not know that I have anything more to say, unless the members of the Commission wish to ask me any question.

24,244. There is nothing else?—I do not think there is.

24,245. Sir James Caird.—Well, there is the question about waste land reclamation. I do not think you have told us your opinion about that?—Well, I must say that I am not much of a believer in that. I am not a believer in it carried on on a large scale and under any public body. I think that waste of public money.

24,246. Of course, the advantages now must be less with the competition to which you are exposed and the facilities of sending corn of all kinds from foreign countries. That must lessen the probability of waste land reclamation being a remunerative thing?—Certainly. The waste land naturally will go out of cultivation first when a fall of prices takes place, and this is admittedly the worst land in the country. I do not think it would be remunerative even at any time, earned on in that way. I do not know whether you have had any evidence before you as to the reclamations that were carried on at different times on a large scale. We had before the Beresborough Commission a good deal of evidence of attempts of that sort at reclamation on a large scale, on the Kingwilliamstown estate in the south of Ireland and on moorland property in the west of Ireland, and in both of these cases the failure was complete.

24,247. The President.—I do not know whether it comes exactly within the scope of our inquiry?—I believe gradual reclamation by the small tenants improving their own holdings may be carried on. I believe if they were to become owners they would carry it on to a much greater extent than they do now, but I do not believe in taking up a tract of waste land for the purpose of carrying on reclamation under a public body.

24,248. Now I have already asked you whatever is necessary about moving tenants away to another ground. I will just ask you one question about evictions. Of course you have had, like everybody else, some experience in that. Do you think there is any advantage to the tenant any more than to the landlord in the present rather complicated and lengthy operations which are necessary in order to evict a man?—I do not. I do not think it is an advantage to any party, either tenant or landlord.

24,249. Except the lawyer?—Except the lawyer. 24,250. In the first place, as to the six months' power of redemption, it has been suggested that this period may be made to count from the obtaining of judgment, so that the landlord need not move the tenant till the six months are over, so as to avoid all the bother of the chance of his going back, but at the same time the tenant would get his six months, and therefore would have the same facilities of redeeming that he has now. Do you think that would be a good thing?—I think that was one of the numerous recommendations of the Beresborough Commission.

24,251. That was not carried out?—That was not carried out.

24,252. And then, with regard to sheriff's sales, there is a double operation, first of all the sheriff has to give you formal possession, and then, after that, you have to proceed a second time on title, in order to obtain possession of the land?—Yes.

24,253. Could that be simplified, do you think?—I think if it could it would be most advisable. I am not sufficiently versed in the law to say in what way it could be simplified, but I think that those legal proceedings ought to be simplified as much as possible, and that dealings in land ought to be made as free from restraint as dealings in any other commodity.

24,254. Do you think that the question of simplifying the transfer of land would be of very great importance in Ireland?—Of very great importance, and, in fact, essential, if you make these small occupiers owners, because a small property could not possibly bear the expense attendant upon the present system.

24,255. Lord Ashbourne.—There is one difficulty connected with the transfer of land which is not con-

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noted with the transfer of any other property, and that is the difficulty of proving title?—Well, in cases of sales in the Landed Estates Court, or sales to the occupiers under any of those Purchase Acts, a new title is created, which is perfectly free, and you have a free starting point.

24,255. Yes, but you have got to be very careful, have you not, that you are not extinguishing somebody's title who has a real claim in giving to some one who has none?—Well, I believe that is taken care of in the inquiries made in the Landed Estates Court before the sale takes place.

24,257. It is supposed to be so taken care of, and those inquiries are carefully conducted, and that takes both time and money?—It does.

24,258. That difficulty you have not got in dealing with any other species of property?—No, but when I speak of removing restrictions I rather refer to the newly created proprietorships. I am not referring to those that are existing, but to those which you are going to create. You are about to create a number of new proprietorships of very small quantities of land and very small in value, and I say with regard to these, which are new creations and which start with a clear title, the mode of dealing with them ought to be of the simplest character, and that clearance from complications ought to be preserved as much as possible.

24,259. Mr. Nelghun.—There is a great deal already done in that way by the establishment of a department for what is called the record of title?—I was a member of the Commission appointed to inquire into that very subject of the record of title, and I am sorry to say it is not working at all.

24,260. The President.—And then the question of impeding the money and leaving it in the hands of the court. One idea is that in cases of title being very complicated, or of there being possible claimants, or anything of that kind, that the court should have the power to retain the purchase money, and that that purchase money should be subject to any future claim or anything else which would have attached to the estate itself?—Yes.

24,261. But that would not prevent the title being at once made out to the tenant, and the tenants being put into possession?—I think that would be one way to meet the difficulty, and probably a very good way.

24,262. And that with regard to the tenant's title itself, it is also necessary to provide that the person put into possession might be there subject to any claim that might in future be made?—Yes.

24,263. And that this would very much simplify the proving of titles and make the thing work three times as quickly as it does now?—Yes, I see no objection at all. The real difficulty that has arisen up to the present, I think, is not so much the difficulty of making title on the part of the present owner. It is the difficulty of getting the Land Commission to approve of sales, or of getting the tenants to propose to buy.

24,264. Mr. Nelghun.—Perhaps there is no country in Europe where as a rule title is so easily now made as in Ireland, in consequence of the Enumbered Estates Court convenience giving a new and a Parliamentary root of title, in effect a new starting point?—Yes.

24,265. The President.—I believe you are against all arbitrary fixing of rents, but it having been decided that they are to be fixed by an outside authority, has your statement been turned to what has been called the sliding scale or produce rent?—Yes, I have given some consideration to that, and *provid fovec* I would be rather in favour of it, but upon looking at it from all points of view I am afraid it would not work.

24,266. For what reason?—By a sliding scale you mean the rent to be regulated by the prices of produce?

24,267. Yes?—Well, you see the tenant's rent, the amount that would be fair for an occupying tenant to pay for rent is dependent upon two elements. It

is dependent upon the amount of produce and upon the price of that produce. If you attempt to regulate the rent by one of those elements leaving out the other, I think you will fall into as grievous an error as if you leave the rent regulated as it is at present. Or to put it in another way, supposing that you arrange that the rent should be fixed according to a sliding scale of prices, well, so long as that scale was going down I have no doubt you would find it very easy to carry it out, but supposing that the price rose I am afraid you would find a very great objection on the part of the tenants to an increase of rent, and I believe a very rational objection. Take for instance a case of this sort. Take for instance the potato crop, and the oat crop, which are the main crops grown by the tenants in the part of Ireland with which I am concerned, supposing that there was a great failure in the crops, and that at the same time, along with this, and perhaps in consequence of it, there was a large increase in the price of those commodities, I think you would find it very hard to get the tenant to understand that he should pay a higher rent in a year in which he had a failure of crops than in a year in which he had very good crops. Now it can scarcely be denied that a fall in the prices of agricultural produce has taken place this year, but I do not think that the return to the tenant out of the land is very much less than it was last year, because I believe that the crops this year are much better than they were last year, and that if the tenant gets less for his produce, yet having a greater quantity of it he gets very much the same return as he did before out of the land, and is thus just as well able to pay the rent, and I am afraid that if you had this sliding scale, though it would work very well when prices were going down, the moment prices rose you would find it caught as great dissatisfaction as any other system.

24,268. Because they would not think it a fair thing, the amount of produce not being taken into account?—The funnest thing, of course, would be to take a certain proportion of the gross produce of the holding should belong to the landlord, and then he would not only have the advantage or disadvantage of lower and higher prices, but he would also have the advantage or disadvantage of failure of crops.

24,269. As formerly in the case of tithes, if he came to take his tenth part out of it?—But that would be in practice impossible to carry out, and I think these artificial modes of adjusting rents, varying from year to year, however well they may appear in theory, when they come to practice will be found to break down.

24,270. Sir James Caird.—You could not, of course, ascertain the amount, but if it was possible to ascertain the amount and put all together, that would be the correct way?—You cannot ascertain the amount.

24,271. You cannot ascertain the amount, but as to the prices before we had the large importation of foreign produce that we have got, there was a greater fluctuation of prices, caused by shortness of crops, but prices are now much more equal than before. For instance, the short crop of 1878, which was the shortest crop of the century, did not affect the price of wheat one atom so far as wheat was concerned. It kept falling in spite of the short crop, in consequence of the enormous importation of foreign wheat, so that the difficulty that you apprehend is very much shewn by the fact that there is a greater equality of prices now compared with what there used to be?—There is undoubtedly.

24,272. And, therefore, that objection of yours is not so tenable or forcible as it would be 20 or 30 years ago?—No doubt it would have been stronger 20 or 30 years ago, when the price was regulated by the crops of the country, but I do not think it is altogether got rid of, because supposing the price not to be affected in any way by the amount of home produce still the farmer does not receive in money value

at all what he received the year before, in consequence of not having the quantity. Now take the year 1879 as an instance. That was an extremely bad year in the west of Ireland, in the way of the failure of crops. My impression is that the prices in that year were a great deal higher than they are now, but I do not think that a tenant would have been at all satisfied at being charged a higher rent in 1879, although prices were higher than they are now, because he did not get out of the land anything like the amount that he got that year.

24,273. I think your objection is an entirely good one, subject to this correction, that the prices, in consequence of the enormous importation of foreign produce, have become very much more equal in value from year to year than they used to be. Unless that you cannot get at the amount—I quite see that you are right, that the amount ought to be taken into account as well as the price, but it is impossible to take that into account. But suppose you take it, for instance, in this way,—oats are the principal crop in Ireland?—Yes.

24,274. And we may suppose that one-third may be the value of the produce in Ireland—I do not say whether it is so absolutely or not, I do not know, I am only making a supposition—and that two-thirds should go on the price of meat and butter, there would be no difficulty in ascertaining from year to year the average price in each county of oats, meat, and butter?—But how would you get at the one-third or two-thirds? How would you know what it was?

24,275. Suppose you had £100 a year rent, you would divide it into three parts. £33 would depend on the price of oats, and £66 on the price of meat and butter?—Yes.

24,276. And the amount of rent dependent on each could be ascertained according to some public return, which would certify what the average price would be of these three articles?—What I say in reply to that is that I do not think that would give satisfaction, because the very year when the price of oats went up may be a year in which the produce of oats on that particular farm went down, and went down perhaps to a much greater extent.

24,277. What I have been trying to argue is that that difficulty has, to a great extent, arisen, from the rigidity of prices under the system of free trade. The difficulty, of course, is a great one, but then you are in this position—that you have attempted to fix rent, and that you cannot fix prices, and the only true principle is, not how much money should be paid for the land, but how much produce paid for the land, and that produce turned into money. That you admit?—That I admit. That would be the true principle if you could act on it.

24,278. And is not something like what I have suggested some way of getting out of the difficulty?—I am afraid not, because there are two elements that you must get at. You must get at the amount of the produce and the value of the produce. While you might, in the way you suggest, get at the value, you cannot get at the amount, and I think the amount is of far more importance than the value, for a man on a failure of crops, from a bad season or one thing or another, would lose a great deal more than he would gain on the enhanced value of the portion that would remain to him.

24,279. I quite grant that if we had not our prices regulated, not by the amount of our crops, but by that of produce from abroad?—But, assuming that the price has nothing whatever to do with the home produce, I still say that the occupier would feel it a grievance that, when he had a small crop, he should be asked to pay a higher rent, although the increase in prices was not in any way due to any failure at home, but to a possible failure abroad or to a general rise in prices all round.

24,280. I know it is open to that objection, but can you suggest any other method by which it is possible to make the rent in some degree be affected by the

prices?—I cannot, because my opinion is that this attempt to fix rents by any artificial means must fail.

24,281. That has been done?—That has been done, and I consider it a failure.

24,282. And then that would not be a way to get rid of the failure, I suppose?—What?

24,283. My suggestion would not be a way to get rid of the failure which has taken place?—No, I believe it would only intensify the agitation against the payment of rent. It would be all very well so long as prices were going down. So long as it would tell in favour of the occupiers, who are after all the most numerous and powerful class, so long would you have the system thought well of, but the moment prices went up, even if there was nothing else but the prices going up, I think there would be an objection to it. And if, at the same time that the prices went up, it so happened that there was a failure of crops, then undoubtedly there would be the strongest objection to it, and I think a very just one. I think it would be very hard on a tenant whose crops had nearly all failed, that that particular year that his crops failed he should have to pay a higher rent, because, from some other circumstances, having no connexion whatever with his land, prices had gone up.

Mr. Neligan.—If we were to take prices as the measure of rent, the rent of 1879 should be the highest rent for 12 or 14 years.

Sir James Caird.—Not in wheat.

Mr. Neligan.—I am taking oats, barley, flax, hay, straw, potatoes, butter, and beef.

Sir James Caird.—Taking those things, would they be higher?

Mr. Neligan.—Prices of these articles were, according to the returns before me, very much higher in 1879.

24,284. Witness.—I have no hesitation in stating that my experience of 1879 was that it was a year in which the tenants had great difficulty in paying rent.

24,285. Mr. Neligan.—On the prices of 1879 there would have been one of the heaviest year's rents that we have had for a long time according to the sliding scale?—It would be impossible to carry that out under such circumstances.

24,286. Sir James Caird.—You think it would be impossible to carry it out when it began to rise?—I think so. I think it would be very difficult to carry out when it began to rise, even when the produce of the holdings was very good, up to the average, but I think it would be impossible to carry it out if when the rise came there was a failure of crops.

24,287. Lord Milnes.—It has been tried, has not it, in certain cases in Ireland, the produce rent?—I think in the case of the Trinity College leases.

24,288. And in some of the Church leases?—I do not happen to know, but my recollection of the evidence given before us on the Booterstown Commission with regard to the Trinity College leases was, that the rent was there dependent upon the price of produce.

24,289. They rise and fall according to the price of produce. Do you know whether that arrangement is giving satisfaction?—Oh, no, on the contrary, the greatest dissatisfaction. I suppose you have had evidence on that point.

24,290. Sir James Caird.—And then, I suppose, you would prefer to take the chances of the 15 years' arrangement, that the low prices would be corrected by a smaller number of higher prices?—Well, I believe that if the system could be thoroughly and fairly carried out, I do not think that what you suggest would be disadvantageous to the landlord, but I do not think it could be carried out, and, therefore, I think we must take our chance of the 15 years.

24,291. The President.—Do you think 15 years too long a period to have rents fixed for, and do you think it would be better to have a more frequent revision?—I would prefer not to give any opinion on that subject, because I am against the whole

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system, and would prefer to see the people the absolute owners.

24,292. You would rather have freedom of contract?—I would rather have freedom of contract; make the great bulk of the occupiers owners, and give the most absolute freedom of contract then. I do not think we can go back and make the landlords absolute owners. I think that is an impossibility.

24,293. Mr. Neilson.—There is a subject of our inquiry on which I would like to ask your assistance, O'Connor Don; we have heard a great deal about leaseholders, and the propriety of bringing them within the operation of the Act of 1881?—Yes.

24,294. Assuming that they ought to come in, have you turned your attention at all as to what (if any) limit ought to be put upon the class of leaseholders who should be allowed to come in?—My last answer must apply to this also, that I would prefer that an endeavour should be made to make those leaseholders absolute owners instead of bringing their farms under this Act of 1881, which I believe to be altogether wrong in principle, but assuming that this system is to be carried out, that it is to be the system upon which the land of Ireland is to be settled, I think that leaseholders will have to be admitted under its provisions.

24,295. Would you make any limit as to the leaseholders who should come in with respect to the length or terms of their leases, would you admit all grantees in fee farm; or, as they have been called, grantees in perpetuity?—Oh, grants in perpetuity, that is a different thing altogether.

24,296. That is one of the vexed questions we have, and that is the reason I asked your assistance.—I have not considered the question of these perpetuity owners at all. I should think that they stood on quite a different basis from the ordinary agricultural tenant holding under a lease for a short number of years or lives.

24,297. The tendency of your opinion would be to confine it to men having terminable leases for lives or years?—Yes.

24,298. Mr. Keipe.—Do you know anything about how these perpetuity leases in some cases were brought about?—No.

24,299. How they were created?—No. I think I may say that I know nothing at all about those perpetuity leases except what anyone would know by the very mention of them. I do not know any particulars regarding them.

24,300. It has been stated here that on the passing of the Church Temporalities Act a certain class of leaseholders were obliged to take out perpetuities, and that they hold now in perpetuity, but that the rents in many cases were very high?—I do not think we have any of them in my part of the country. I am not aware of any of them being in that part of Ireland with which I am acquainted.

24,301. And where the rents are considerably higher than the judicial rents all round, would it not be a great grievance to leave that class of persons outside?—I am sure they would consider it so.

24,302. Would you yourself not consider that it was a hardship?—Well, I should require to know all the circumstances connected with the original creation of those perpetuities, and, as I say, I do not know anything about them, and I have never considered the question, and know nothing of the circumstances under which they arose.

24,303. I think you said, O'Connor Don, that you held about 1,000 acres in your own hands?—Yes.

24,304. Is it tillage land or grazing land?—Oh, grazing land. I have no tillage, I may say, except just what is attached to my house.

24,305. Is it dairy stock that you feed on it or young stock for fattening purposes?—Young stock chiefly.

24,306. What season of the year do you generally buy them?—Well, I used to buy twice a year, in October or November and in April or May, but lately I have been endeavouring to buy as much as

I possibly could in October and November, and buying as little as possible in April and May.

24,307. I presume that you have kept a regular account for the last five or six years?—I have.

24,308. Are your profits equal in the last three years to what they were before that?—Certainly not. Last year I think was the worst year that I experienced for a long time. This year is very much better.

24,309. Mr. Neilson.—This year is better?—Very much better.

24,310. Mr. Keipe.—What do you attribute that to?—It is very hard to give an answer to that question directly, because, in estimating your profits on a farm, there are so many things that have to be considered. I think there is a good deal of fallacy in the way that most farmers regard their profits on a farm for a year, especially when they are dealing with stock or cattle that are bought to be resold after a few months feeding. Supposing that my man buys two-year old beasts in May for a certain price and sells them out in November, after giving them the summer's grass, and that he gets very little more than he paid for them, he is actually inclined to think that the farm has yielded him only the difference between what he paid for them and what he received for them, and in some cases he would really make a loss instead of a profit of six years. For instance, last year he made a loss instead of a profit because there was a great fall in prices between the May and November. But I do not think that is exactly a fair method of calculating, because in November he could buy a similar class of stock at a proportionately low value, and when he calculates in that way he is really setting off as against the year or half year, as the case may be, what is practically a loss of capital and not a loss of income from the farm for the year, but, taking that into consideration, I should say that the reason why the profits of a large farm like mine have been so bad for the last few years is that the stock was bought at a time when it was higher in price than when we sold it.

24,311. Does it not very much depend on the price of stock what profit you have off feeding cattle?—It does.

24,312. And would it be owing to the low price that you bought cattle at that this year; your profits are larger than last year?—Certainly, there is no question about that.

24,313. And that would affect a very large number of small farmers very seriously through the country, the low prices?—You see prices last November—not last November, but November 1883—both for older stock and young stock, were very much lower than they were in May 1885, and people who bought in May 1885 and who sold in November 1885, or who bought even in November 1884 and who sold in November 1885, suffered upon that year a very great loss, because the prices between the one period and the other had fallen very much; but the persons who bought last year, in October and November 1885 and who are selling now—the prices between October last year and October this year being very much the same (there is not much difference, I think, in store stock now from what it was this time last year)—apparently show upon their books a very substantial, but I maintain that that is only apparent profit. I do not think it is true.

24,314. At all events, it is your experience that store cattle are lower now than what they were a few years ago?—Oh, there is no question about that. They are much lower than they were a few years ago, but I do not think they are lower this year than last year.

24,315. And this would affect a very considerable number of small farmers who would raise that stock and breed them upon their farms?—Yes.

24,316. And who are obliged to sell them at a very low price?—Yes.

24,317. I think you gave us very valuable evidence with reference to the prices of farm produce for a large number of years and the cultivation of land, and I think you said there is no reason why the tenants might not pay their rent this year,—that it was just as easy as last year or the year before?—I think it is as easy to pay rent this year as last year.

24,318. Notwithstanding the lower price of produce?—Well, you have the same facility, or rather much greater facility than I have, of ascertaining the price of produce; but my experience is, with regard to stock which I deal in, that stock was this year just as dear as they were last year, and then with regard to produce, potatoes and oats &c., I believe, in my part of the country generally good, and if there is some diminution in price there has been an increase in produce. It has been a good year compared to the preceding year, and on the whole the amount that the occupier received out of his land this year is certainly equal to what it was last year, and with regard to grass land, I believe there is a great deal more laid this year than there was last year.

24,319. But many landlords have given reductions upon the judicial rents?—Certainly.

24,320. And last year as well?—And last year as well.

24,321. And you gave reductions yourself?—I did.

24,322. And were you under the impression that the rents fixed in 1881 and 1882 were more difficult to pay now than then?—Was not that one of the reasons why you gave the reductions?—Certainly not.

24,323. But, naturally, looking at the prices that the Commissioners based their calculations on, would you not think they would be too high now?—I do not know that the Commissioners based their calculations on any such prices. My notion of their mode of fixing rents is that it was a sort of haphazard kind of guess work. Men went down, looked at and walked over the land, and came to the conclusion that they would make such a reduction. I do not know that there was any principle at all in their reduction of rents.

24,324. We have been told that they took an average of five years' prices?—Who stated that?

24,325. The Sub-Commissioners themselves.—Well, that surprises me. I thought I had read the evidence that was given before the Lords' Committee, and I do not remember their stating that. I may be wrong.

24,326. It has been stated by more than one of the Sub-Commissioners that they made calculations, taking a number of years, of the price of produce, and upon that they fixed the rents?—My impression with regard to the Sub-Commissioners is that they had no system whatever, one Sub-Commissioner took one plan and another another, and every man had his own opinion, and it all resulted in making a certain amount of reduction of the rent whatever it was. That was one of the reasons why I believed that the system of valuing rents by different persons going about the country could never lead to anything but dissatisfaction, because there is no uniformity in it, and what one Commissioner does another will not do. You have two tenants, for instance, one goes to one Sub-Commissioner and gets one rent fixed, and another to another Sub-Commissioner and gets a totally different one, and these men compare notes together, and one finds that the other has got a much larger reduction than he has, and he feels naturally aggrieved.

24,327. And the same thing applies to the evidence before us. Some have complained of the rents being too low, and others that they are too high. It is extremely difficult to agree in anything.—It is.

24,328. Has your attention been called to the notices given by English landlords this year without any Act of Parliament?—No, except what I read of in the papers; but my belief is that if the English landlords had not given reductions the tenant gives him up the land.

24,329. But unfortunately the Irish tenant has invested all his capital in the improvement of the farm, and that makes all the difference?—That makes a very great amount of difference. I believe that some of the largest tenants in Ireland and greatest farmers have found it necessary to give up their holdings to their landlord, and get reductions of rent. And that is quite right and fair. It is a bargain between the two, and if one finds that he cannot pay he gives up his land, and that is perfectly just and fair.

24,330. Would you not think it fair that the landlord should reimburse the tenant for the money he invested and the improvements that he made during his occupancy?—I think so, due allowance being made for the depreciation in the price of agricultural produce.

24,331. I know a great many farmers would be very glad to hand it up if they got that at present. I just wish to ask you, with respect to Lord Ashbourne's Act, do you think it necessary to make it compulsory?—Well, I stated that I did not think that it was necessary to make it compulsory at first. I stated that I thought that if the first proposal I suggested of giving the landlord the option of selling, if that did not result in creating as large a number of proprietors as the State would like to take on lands all at once, that then I would proceed to the other, compulsion; but I believe that if you provide that any landlord who wished to sell should have his property bought from him, I think that that would meet the amount of money that the State would probably like to invest all at once, and that then you could proceed afterwards to compel landlords who did not come in if it were necessary, but I do not think it would be necessary.

24,332. On certain conditions?—Yes, but I do not think it would be necessary.

24,333. In the event of 75 per cent. of the tenants of a property being willing to buy, would you think it unreasonable that the landlord should be forced to sell?—That might depend on the terms at which the tenants would be willing that the property should be bought.

24,334. Under Lord Ashbourne's Act?—I mean what number of years' purchase.

24,335. Well, with reference to the number of years' purchase what I wanted to know from you was, would it not be necessary to establish a Court or tribunal of some sort to interfere, taking all the circumstances into account as to the number of years' purchase the landlord should get and the tenants should give?—No, I think not.

24,336. If you make it compulsory you must have some sort of Court to interfere?—Where judicial rents are settled I do not think you want any Court, because I think it would be giving the tenant an advantage, that he should have his land made over to him as once upon payment of what the Court has already decided is a fair amount for him to pay as rent. I do not know why a tenant could consider himself aggrieved if he were made prospective owner of his holding upon payment of an amount that the Court has already decided is a fair amount to pay upon the supposition that he is never to gain anything except hold the occupation for a year. Where judicial rents did not exist it would certainly be necessary there to have some means of ascertaining the sum that should be paid for it, and I think that that amount might be ascertained by the comparison with the judicial rents in the neighbourhood, taking them as the standard—the judicial rents already established on similar lands.

24,337. I understood you to say that, even though the owner should suffer, this system should be encouraged in every case. Do you think the instalments should be equal to the present rent?—I believe, even if the instalments were equal to the present rent, the landlords would suffer very much, because I do not

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believe that they would be able to invest the money—especially where they are under settlements, they could not invest the money at a rate of interest that would repay them the judicial rent. Suppose a landlord sells an estate to his tenants at a rate that will make their instalments equal to the judicial rent, and that the money that he receives is to be invested in Government securities, he will not receive for that anything like the amount that he received before, and therefore he will suffer a loss.

24,338. It has been stated that all concerned in land may be prepared to lose a little. I suppose that is your idea?—Most certainly, and the longer the settlement is delayed, the more the loss will be to the whole community.

24,339. But if the State could see their way to make this compulsory on certain conditions, do you think it would be practicable without a Court being established?—I do not know whether some of the existing Courts might not be utilised for the purpose.

24,340. I was just thinking of the Land Court—the Chief Commissioner's Court?—You have these machinery that would be just as likely to be useful for the purpose as any you could create.

24,341. Do you think it could be utilised in that direction?—I do. I have always held that it is much easier to value land for sale than to value land for rent. I think you will find less discrepancies between the values arrived at by independent valuers going down to settle what is to be given as the price for land than what should be paid as rent.

24,342. What effect do you believe it would produce upon the tenantry of Ireland, assisting them to become

owners of their own holdings?—What effect would it produce if they became owners?

24,343. Yes?—I believe that it would have a most marvellous effect in producing peace and industry, and that the people would become quiet, peaceable, and contented, and anxious for the preservation of law and order. I do not think anything could conduce so much to the prosperity of the country, which cannot be prosperous until law and order are restored, than the establishment of a very large number of persons interested in the soil as owners and occupiers at the same time.

24,344. And is it your opinion that this is the only permanent settlement of the land question?—The only permanent settlement. It is the ultimate settlement, whether it will come sooner or later; it must come.

24,345. It has been stated that a number of tenants would be disinclined if the landlords were left a choice and refused to sell. Do you apprehend that that feeling might arise as well?—I do not think so, but I would wait till it did arise, and if it became necessary later on I would compel the landlords to sell. The first step I would take would be, I was going to say, to compel the tenant to buy; but it is not exactly to compel the tenant to buy, because I would give the landlord the option of selling to the State, and having the tenant recorded as the owner, but if that were not sufficient, I would not stop short even at the other occupation if it became necessary. My belief always has been that the great changes made in the rights of ownership should have been accompanied with an option of sale; and this is what I recommended in my separate report on the Beshborough Commission.

Mr. EDWARD GURNEY, examined.

Mr. E. Gurney.

24,346. The President.—I believe you are prepared to read your views to us?—I am, my lord.

24,347. And as that will save us a great deal of time I will let you take your own course. You are an Assistant Landed Land Commissioner, and you have always worked in Ulster?—Always in Ulster. First, as to the Act of 1881, I have noted down some amendments that I think might be adopted with advantage. I am in favour of extending the operation of the Act to all leaseholders. I am also in favour of including occupiers of town parks and that the fair rent of town park holdings should be based upon evidence of the full letting value of such lands, as town parks or accommodation lands.

24,348. Lord Manners.—Would you extend it necessarily to town parks?—Yes.

24,349. Do you propose to give any power of redemption to the landlord for building purposes or otherwise?—Yes, certainly.

24,350. You have not said so?—I certainly would.

24,351. But that is very important?—I would suggest that the Land Commission should have power to fix a fair rent upon all turbary lands used by a tenant for the purpose of fuel or manure, where the same have at any time within the past 10 years been used and enjoyed by the tenant in connection with his holding. The Land Commission should have power to secure to a tenant the use of sea wharf, or the enjoyment of any other appurtenance right which he has hitherto had in connection with his holding, upon such terms, as to rent or compensation, as the Commission may deem just.

24,352. That the Land Commission should have the power of giving him all the easements that he would have hitherto enjoyed?—Yes.

24,353. Mr. Neligan.—Would you give them the power of ascertaining and determining the right to easements?—Yes.

24,354. Is it the present Sub-Commissioners you would give this right to?—The present Sub-Commissioners.

24,355. The President.—That would include the turbary of the estate?—Yes.

24,356. Mr. Neligan.—And profits à prendre and everything?—Everything. I am also in favour

of a judicial revision of rents every seven years, that in all cases in which judicial rents have been fixed the landlord or tenant should be entitled to require a revision of the judicial rent at the end of each seven years.

24,357. Lord Manners.—Landlord or tenant?—Landlord or tenant. Such revision to proceed upon the basis of the then existing prices of live stock and farm produce, as compared with the prices at the time the judicial rent was originally fixed.

24,358. The President.—You would not take quantities into consideration, only prices?—Prices.

24,359. Mr. Neligan.—Would you not take produce?

24,360. The President.—It is a difficult thing to get at the quantity of produce, is not it?—I take it it can only be done by inquiry, my lord.

24,361. Would it be possible to arrive at the quantity of produce on each farm?—Well, I think you could get an approximate estimate of it from the tenant on evidence, and by inspection.

24,362. Lord Manners.—Has the tenant's evidence been found not to be very reliable?—Not in all cases.

24,363. Sir James Caird.—If you had a very industrious, active tenant cultivating one farm and a very lazy apathetic tenant cultivating another of the same quality alongside of it, at the end of the seven years the produce of the active man would be probably much larger than that of the indolent man. Would you put a heavier rent upon him for that reason?—I would not; we have to consider the same state of things in ascertaining the fair rent of a holding now.

24,364. Mr. Neligan.—That would be giving the indolent man a premium for his indolence.

24,365. Sir James Caird.—But you would do that if you took produce into account?—Not if I had evidence by inspection or otherwise of the capacity of the farm under industrious, thrifty management.

24,366. Mr. Neligan.—That is another element. You would first have prices, then actual produce, and then the capacity of producing.

24,367. Lord Manners.—And then veracity of tenant?—The veracity of the tenant would be tested to a very great extent by inspection.

24,368. Not if the crops were all off the lands?—The Commissioners could, on inspection, ascertain what the farms was capable of producing.

24,369. Sir James Caird.—A farm by being very badly sown would not be capable of producing anything like the same amount as land very well sown at the end of your seven years possibly?—That might be so. The principle on which I would suggest that the rent should be ascertained would be this, that the Commissioner should cause notice to be given to the parties to attend before him at an appointed place in the county in which the lands are situated, and, having heard evidence as to the cultivation of the holding, &c., he should thereafter fix the rent for a statutory period of seven years.

24,370. The President.—That is what you denote, is not it very much?—Not so much as regards the cultivation of the holding, my lord, as its history and the value of the improvements effected upon it.

24,371. Mr. Neligan.—But the Commissioners now inspect?—They do in each case.

24,372. The President.—And you hear evidence as to the cultivation among other things?—Not so much evidence as to the nature of the crops or the mode of cultivation. I also suggest that, in estimating the amount of each revised rent, regard should be had to the character of the holding, and the tenant should be obliged to serve with his notice requiring such revision a declaration stating the quantity of land he had under cultivation during the five years preceding the date of his application, and specifying the nature of the crops he had grown.

24,373. Mr. Neligan.—And also the amount of acreage that he gave to the land?—Yes, that I believe would be very necessary also.

24,374. Would it not be easier than that to go and have an exhaustive inquiry into the farm every seven years in the same way?—I think that would entail a great deal of labour.

24,375. Sir James Caird.—Would it answer simply to have a revision at the end of seven years, and then to take into consideration the question of prices, the rent at the beginning having been based fairly on the capabilities of the soil, which, except by the exertions of the farmer, should not change?—Yes, that would be very simple, and would apply to all cases in which judicial rents had already been fixed.

24,376. And perhaps all that would be necessary?—And I think probably all that would be necessary.

24,377. Mr. Neligan.—Not to be worked then by a commissioner at all?—It could be worked by one Commissioner; one person could do that. I suggest also that a court of registration should be established in the principal town in each province, in which the records of all the judicial rents of the province should be recorded, and where every conveyance, assignment, or mortgage affecting the holdings could be duly registered, and all information concerning the same obtained upon the payment of a nominal fee.

24,378. Would that be in addition to or in substitution of the registration in Dublin?—It would be in addition.

24,379. Then you would have in that case a double registration for every deed?—Not necessarily; I mean Acts affecting the tenant-right, interest, and mortgages, of course, if the tenant had purchased out.

24,380. They should also register in Dublin if they wished to give themselves the benefit of the statute of 1867?—My idea is that it would be very much simpler to register in the county office.

24,381. Would you leave the purchaser to search in every office?—Yes, in the county office.

24,382. And it would be necessary to search in Dublin?—My experience is, that searching in Dublin is very tedious and expensive. I think that the Land Commissioners should have the power also to suspend evictions for non-payment of rent in certain cases.

24,383. The President.—The Land Commission?—The Land Commissioners.

24,384. Lord Millican.—Do you mean the Sub-Commissioners?—Yes, the Sub-Commissioners or the Land Commissioners.

24,385. That the power should be exercised by every Sub-Commissioner?—That the power should be exercised by the Sub-Commissioners.

24,386. Mr. Neligan.—That they should have the power of saying whether the superior Courts of the land should operate or not,—what it should be for them to say whether the judgments of Her Majesty's High Court should have any effect or not.

24,387. Sir James Caird.—What was it to suspend?—To suspend evictions for non-payment of rent only, and only in certain cases. I should say that the Sub-Commission, having the opportunity of judging on the spot by inspecting the holding whether the tenant had really the means of paying, and if he had not the means of paying they should have the power of suspending the proceedings for a reasonable time, and waiving the arrears of rent a charge upon the holding, and if he had the means of paying of course there should be no suspension.

24,388. Lord Millican.—And if he had not, although he might be practically bankrupt and helpless, you would leave him there?—Not if he was practically bankrupt.

24,389. Has a man who cannot pay his debts is bankrupt, is not he?—I would not leave him there if he was absolutely unable to pay.

24,390. Is it your suggestion that the State, having fixed by legislation what rent the landlord is to receive out of a holding, is now to proceed to fix in what cases he is to receive that rent?—That is not what I mean; where tenants are unable to pay for payment of rent which they cannot pay, instead of staying the evictions, as the chairman of the county would, on the evidence of the tenant, I would go further, and satisfy myself by inquiry and inspection whether that tenant could pay or not.

24,391. Mr. Neligan.—Do county court judges suspend evictions decreed by any courts but their own?—Yes, they do occasionally.

24,392. But you would be giving that power to the Sub-Commissioners who are travelling over Ireland.

24,393. Sir James Caird.—And would not the difficulty arise that I have already referred to—that you would have two tenants, alongside of each other, one exceedingly industrious and the other the contrary, and, because the other was the contrary, and had very bad crops and very bad management, you would suspend payment of his rent?—I would stay proceedings against him, and give him an opportunity of paying if it was possible for him to pay. I certainly would not favour a man who was working his farm carelessly and negligently; but his inability to pay might arise from other causes beyond his control.

24,394. Mr. Neligan.—To say the least the Sub-Commissioners would have a very delicate jurisdiction to exercise.

24,395. Sir James Caird.—And a very difficult one, I should think.

24,396. Lord Millican.—At what period of the proceedings would the Sub-Commissioner step in to do this? You apply to the court to get a decree; the court grants you a decree. How would the Sub-Commissioner come in?—If before the chairman's court it was alleged on the part of the tenant that he could not pay, I would then refer the matter to the Sub-Commissioners to inquire and ascertain whether he could pay or could not, and if he could not I would then make an order, following the chairman's order, that the proceedings should be stayed, or report on the matter back to the chairman.

24,397. Mr. Neligan.—Or a summons from the Court of Queen's Bench?—Not a summons from the Court of Queen's Bench, my observations apply to civil bill objections.

Lord Millican.—You would be giving any Sub-

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Commission the power of putting a stay on the proceedings of one of Her Majesty's Courts of Justice.

24,399. Mr. Neligan.—You would be setting aside the whole proceedings?—*Witness*. Not setting aside, but staying the proceedings.

24,400. Lord *Millican*.—Unconditionally?—No, not unconditionally.

24,401. On what conditions?—On condition that the tenant should have a certain time to pay, and, if he did not pay within twelve months, the farm should be sold by the landlord.

24,402. Mr. Neligan.—He has the six months now to redeem?—But I mean after the redemption period.

24,403. You would extend the six months and give him another six months?—Another six months. If at the end of the twelve months he was not able to pay, or there was no hope of his being able to pay, then his interest should be sold.

24,404. And then there would be another twelve months' rent lost?—No, I would make that rent a charge on the tenant-right, and when sold, it should be paid out of the purchase money.

24,405. Lord *Millican*.—I understood you to say that, where a tenant has had a decree of ejectment against him, he should make inquiry where there is a Sub-Commissioner in the county, hurry there, and appeal and stop the execution of the decree?—No, I would provide that the clerk of the county should refer the matter to the Sub-Commissioner to inquire on the spot and ascertain by inspection whether the tenant was in a condition to pay.

24,406. Mr. Neligan.—Would not that be rather lowering to the clerk of the county, that he should be made a ministerial officer of the Commissioners for the purpose of referring to them?—I think you might leave him out of it?—I did not mean it in any spirit of disrespect, but I am afraid that the clerk of counties are sometimes imposed upon in such cases.

24,407. Lord *Millican*.—And your experience is that the Sub-Commissioners never act?—Well, they have an opportunity of inspecting the land and ascertaining what stock a man has, and whether he is able to pay or not.

24,408. But the county court judge has the power now, has he not, to stay the execution if he thinks the case a proper one?—Yes.

24,409. And does constantly exercise the power?—I do not know that it is very much exercised.

24,410. Do you know that it is not?—I have seen it exercised, but not to any great extent.

24,411. Mr. Neligan.—Then it is not so much that you are afraid that he would be imposed on as that he has not used the power to a sufficient extent?—

24,412. The *President*.—You may proceed?—I should be in favour of allowing appeals from the Land Commission on questions of law but not on questions of fact.

24,413. To the Head Commissioners?—To the Head Commissioners.

24,414. Lord *Millican*.—To the Commission or from the Commission?—To the Commission.

24,415. The *President*.—From the Sub-Commissioners?—From the Sub-Commissioners to the Head Commissioners.

24,416. Mr. Neligan.—And no appeal to them upon any matter of rent?

24,417. Lord *Millican*.—Upon any matter of fact?—You did not say rent?—I did.

No appeal on a question of rent?

24,418. Sir James Caird.—Would you limit the appeal to matters of law?—To matters of law and not of rent.

24,419. Lord *Millican*.—And what is the ground of making that suggestion? Is it that the Sub-Commissioners have become inflexible by long practice?—No, my lord, but I think that the Sub-Commissioners have a much better opportunity of deciding the question whether or not a rent is a fair rent, than the Head Commission, and I think in a great many cases of small

tenants the right of appeal has worked oppressively on questions of rent.

24,420. Lord *Millican*.—I have no doubt that the right of appeal acts very often oppressively on poor tenants.

24,421. Mr. Neligan.—They can get costs against fivepence appeals?—*Witness*.—But in such places as Denagel and parts of Derry, for instance, it is hard upon tenants of holdings up to £5 rent to have to travel to the county town, and to wait there till the Court of Appeal reaches their cases. The costs they get would not compensate them.

24,422. Is it your suggestion that the Appellate Court should go to them?—No, the Appellate Court cannot very well go to them.

24,423. Sir James Caird.—Then would the work of the Head Commissioners be simply on questions of law?—Simply on questions of law.

24,424. And they would have nothing to do with the question of value?—Nothing to do with the question of value in applications to fix fair rents.

24,425. What is a question of law to a tenant compared to his rent?—I do not think that questions of law affect the large proportion of tenants very much.

24,426. The Head Commissioners would have very little to do in that case?—In the majority of cases they have confirmed the rents of the Sub-Commissioners, they have not altered them to any great extent, at least in Ulster.

24,427. But don't you think that the fact that there is an appeal from them may have some sort of a restraining influence over the minds of the Sub-Commissioners?—I really do not think it has. I think the Sub-Commissioners do their duty conscientiously and fairly. My experience of them is that they do, and that they are not influenced by appeals one way or the other, they invariably do the best they can for all parties.

24,428. But though a man may try to do the best he can, he is still liable to err, is he not?—Oh, yes.

24,429. The *President*.—What is the next suggestion?—I am in favour, my lord, of the compulsory purchase of estates.

24,430. On both sides?—On both sides, and sale.

24,431. And sale?—And sale.

24,432. Lord *Millican*.—The price to be fixed by the Sub-Commissioners?—The price to be fixed by the Land Commission.

24,433. The *President*.—Does that refer to the chief Commission?—If you will allow me I will read what I would propose on the subject:—"The Land Purchase Act of 1885 should be amended by empowering the Land Commission to compel the sale and purchase of estates. A certain proportion of tenants upon an estate should be entitled to require the landlord to sell their holdings to them. The landlord should be entitled to require the tenants on his estate to purchase. In the event of parties not agreeing as to the price, the Land Commission should be empowered to fix it."

24,434. Which do you think should do it, the Land Commission, that is the Head Commissioners, or the Purchase Commission?—It should be done through a provincial Commission. This is what I allude to that point:—"To ascertain the full and just price to be paid for an estate, the Commissioners should have authority to inquire into every circumstance connected with it. That inquiry should, of necessity, be held as near to the house or part of the property as possible. This might be accomplished thus:—The landlord or tenants having given notice for the intended sale or purchase of an estate, the Provincial Commissioner should hold an inquiry—say in the county town. He should be assisted by two inspectors or qualified local valuers, and they together should hear the case, the amount of purchase demanded and offered, and the evidence adduced in support thereof. The estate having been subsequently visited and carefully inspected by the valuers, the

"Commissioner should frame schedules setting forth the areas, rents, tenancies, and appurtenant rights of the several tenants. These schedules should be lodged in the Provincial Office, and, at the expiration of a month's notice of such lodgment, a further inquiry should be held before the same tribunal, at which both the landlord and the tenant should be entitled to appear and give evidence upon any point affecting the value, or having reference to matters appertaining to their respective interests in the estate. The second inquiry having concluded, the Provincial Commissioner should fix the price."

24,434. Should there be an appeal?—Yes, there should be an appeal to the Head Commissioners.

24,435. Lord *Mills*.—We learned from you some time ago that you do not propose to give an appeal on the question of rent, which is far more difficult to decide than the question of price?—In this case, I would give an appeal to the Commissioners in Dublin if either party were dissatisfied, and the Provincial Commissioner should report to the Head Commissioners the grounds on which he arrived at the price.

24,436. Why more in this case than in the case of rent?

Mr. *Nelson*.—And the appeal would be heard on that report?—On that report and additional evidence, if any.

24,437. Lord *Mills*.—I cannot understand why you would give an appeal more in this case than in the case of rent, since the question to be decided is much easier than fixing the fair rents of an estate. It is not very difficult to calculate what the amount of purchase should be, but it is a very difficult thing to say what the exact amount of rent on each piece of land should be?—*Witness*. The amount of rent is easily ascertained, but in arriving at the true purchase value of an estate in Ulster many elements affecting the value must be considered that do not arise on far rent applications.

24,438. The *President*.—What would you in general consider a fair number of years' purchase?—Well, my lord, in Ulster, a fair number of years' purchase on one estate would be very different from the fair number of years' purchase on another. I have known estates in Ulster on which the tenant-right has gone up as high as £45 an acre—the estates of the Marquis of Downshire and Lord Clavell.

24,439. From the looseness of rent?—Not so much the looseness of rent as the character of the landlord, and also the circumstances of markets and the convenience of getting produce to markets and railways.

24,440. Sir *James Caird*.—Have you considered this particular point with respect to compulsion,—that a tenant buying under compulsion might, if he found it did not answer him very well, have a very fair reason for repudiating and saying that he had been forced to it against his will?—Yes, but I would not allow him to get out of his bargain.

24,441. Lord *Mills*.—And if the tenants struck all power in the country?—I do not know how that is to be met. That would be very difficult to deal with.

24,442. Sir *James Caird*.—It is open to that great difficulty that you would force him to buy against his will. He will say, "I was forced to buy, I never would have agreed to do anything of the kind or to pay such a price were I not forced." I do not say that that would not be unfair or unreasonable, but it seems not irreparable?—*Witness*. I do not think it would be found to work disadvantageously. I do not think that the tenants, if they had a fair tribunal to settle the price between them and the landlord, would be likely to repudiate it. At all events, in Ulster, I do not think they would.

24,443. Mr. *Keizer*.—That argument would apply to the rents fixed by the Sub-Commissioners under the Land Act?—Yes.

Lord *Mills*.—It has applied with a vengeance.

Mr. *Keizer*.—But in Ulster, I was going to say, the rents have been very fairly paid?—*Witness*. Yes, I understand they have been.

24,444. Sir *James Caird*.—You do not propose to apply this to Ulster only?—I am a speaking only of Ulster, and so an Ulster practitioner; I can say very little about other parts of Ireland. The Ulster tenant has a very substantial interest in his holding, and I think he would not object to being obliged to purchase at a fair price. I think the whole difficulty in the operation of the late Act is getting the price fixed and ascertained, it is so difficult to bring the views of the landlord and tenant together. For my own part I cannot conceive why tenants do not purchase, with the immense advantages that Lord Ashbourne's Act gives them. Well, my lord, that is the main suggestion I would make, that the price should be ascertained by an independent tribunal, and the mode I suggest of doing so follows very much the lines of the Lands Clauses Consolidation Act.

24,445. Have you any other suggestions to make with respect to this Act—the Purchase Act?

24,446. Lord *Mills*.—Would you act upon the principle of the Lands Clauses Consolidation Act, that the person whom you compel to sell against his will, whether he liked it or not, should be no loser in his income?—I certainly would.

24,447. That is the principle?—Most certainly, and if I was sitting as an arbitrator and arbitrating as to the price which a landlord should be obliged to take and the tenant obliged to give, I would decidedly incline as to what purchase money would enable the landlord to have the same return for his money as he was fairly entitled to have annually from his estate, because I do not think a good landlord in Ulster should be obliged to sell his estate to his tenants at a loss. I think that he should have the same return for his money out of whatever investment he would have to put it in. That is the recognized principle upon which compulsory purchase now proceeds.

24,448. The *President*.—A good landlord?—The landlords of Ulster.

24,449. Any landlord?—I think it should apply to any landlord. If I may express an opinion, I think the difficulty of the present Act is the retention of the one-fifth of the purchase money, and also the ascertaining of the price by an independent person.

24,450. Mr. *Nelson*.—You speak of the guarantee deposit?—The guarantee deposit.

24,451. The *President*.—The guarantee deposit you would give the Commissioners the power to do away with?—I would give the Commissioners the power to do away with it.

24,452. Mr. *Nelson*.—You would give them that power at their discretion?—I would give them a discretion.

24,453. Sir *James Caird*.—What was the second difficulty?—The ascertaining of the price by some independent tribunal.

24,454. Not leaving the parties to fix it themselves?—Not leaving the parties to fix it themselves.

24,455. Lord *Mills*.—Unless they wished?—Unless they wished, of course, my lord; I mean in the event of disagreement.

24,456. Mr. *Nelson*.—Well, I take it that the compulsory system would be in addition to the present?—Certainly.

24,457. That you would allow them to deal with each other if they could, subject to the approval of the Court?—Yes.

24,458. Mr. *Keizer*.—Do you think that tenants would have any desire to buy if they were not getting a reduction on their present rents?—I think they would. I understand they are doing so at present.

24,459. You think those rents fixed in 1861 and 1862 are not high rents now?—In a great majority of cases they are now high rents.

24,460. And the fact of the landlords giving reductions of from 15 to 25 per cent. proves that they are regarded as high rents?—I regard those reductions as only temporary reductions. I do not understand

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that in cases in which landlords in Ulster have given 10 and 15 per cent. abatements on this year, that they mean to continue it.

24,461. Was your attention directed to the sale which took place between the London Companies and their tenants?—No, not particularly.

24,462. You saw by the reports in the papers the number of years' purchase?—I saw the reports, I think, 18 years' purchase was stated.

24,463. In that case, was the London Companies' rent maintained—are they getting their full rent now under this 18 years' purchase?—I really could not say.

24,464. But would not they be at a considerable loss—would not the instalments be very considerably less than the original rent?—Yes, at 18 years' purchase they must necessarily be.

24,465. Would not that reduce the instalments considerably below the original rent, and that precedent being set, don't you think it would be exceedingly difficult to get the tenants to accede to your proposal? I cannot say. Circumstances alter cases. I do not know that that would apply over Ulster. The estates of the London Companies are peculiar. The tenants on some of them were very heavily rented. I know one estate that is in treaty at present, and the

tenants seem disposed to give 20 years' purchase for it, and the landlords are asking 22 and a half.

24,466. But even that would give a reduction?—20 years' purchase would.

24,467. Present reductions would be a considerable inducement for the tenants to buy?—Yes.

24,468. At all events, you think that it is possible to arrive the Land Court between landlords and tenants to bring about those sales?—I do, certainly.

24,469. And is it the most suitable Court according to your ideas?—I believe it is. I think it is a tribunal that has, at all events, in Ulster, fairly enjoyed the confidence of both landlords and tenants; and that it is the most suitable tribunal; and it is one that works exceptionally and cheaply; and, so far as my experience goes, I think it is desirable to localise the inquiry as to the price to be paid as far as possible. It saves expense and delay, and gives all parties an opportunity of being heard by a responsible tribunal.

24,470. And do you think it would have a good effect upon tenant farmers if they were enabled to become owners of their holdings?—I do certainly.

24,471. What effect do you think it would produce?—I think it would make them all over Ireland much more contented and satisfied in every way.

24,472. And induce them to cultivate their lands properly?—Yes.

Captain R. C. HAMILTON examined.

24,473. The President.—You are honorary director of the Property Defences Association?—Yes, my lord.

24,474. And you set for them in different parts of the country?—Yes, I have drawn up some facts which I can submit to you. The object of the Association is to assist all those who are oppressed by illegal combinations.

24,475. Very well?—At present there are occupied by crofters in the employment of this Association 93 posts containing 9,999s. or 25p.

Of these 4 have been occupied since 1881.

6 " " " 1882.

4 " " " 1883.

6 " " " 1884.

8 " " " 1885.

64 are cases taken up during 1886.

Of the above 4 are in Ulster.

30 " Munster.

27 " Leinster.

11 " Connaught.

Since the commencement of the present year 127 farms, containing 9,218a. 1r. 20p., have been occupied by men on employment of Association. Of these,—

52 have been redeemed by the evicted tenants during the six months in which by law they are permitted to do so.

11 are in possession of owners, being under.

64 are still held by Association, in most cases the time for redemption not having expired.

As a general rule, as you will see by the statistics I have given you, the tenants do pay the rents and costs before the time expires which they have for redemption, and in a very large number of cases the money is paid on the appearance of our men on the land. I have selected from the large number of cases undertaken by this Association, of which I am honorary director, those which appear to bear most directly on the questions which are now being inquired into by your Commission:—

1st. In certain parts of the country tenants who are able and willing to pay their rents are prevented doing so by the action of the National League.

2nd. That tenants who wish to sell their tenancy for the best price that can be got for same are prevented doing so by the National League.

3rd. When a landlord, in consequence of a breach by the tenant of a statutory condition, resumes possession of a holding by operation of law, he is prevented from selling by the National League, though

men are willing to become tenants at the existing rents, and in many instances to pay large sums of money to purchase the good-will of the outgoing tenant. If he fears the land himself he is boycotted, his herds and labourers forced, through violence and intimidation, to resign, and his cattle mutilated or stolen.

24,476. Sir James Caird.—Is that universal?—It is very universal, that the landlord finds it very hard to do it, but the full amount of intimidation is limited to certain parts.

24,477. The President.—What parts are they, it would be interesting to know?—Chiefly the south. Munster, from our statistics, is the worst province.

24,478. What county?—Kerry is very bad, and also Clare. Then we go up again; we have a great many cases in Donegal.

24,479. And I suppose you leave Cork very much to its own Association?—Well, we only interfere in Cork so far as assisting landlords. The Cork Defence Union is entirely for assisting boycotted people, and not to carry out the law between landlord and tenant, so that our assistance, chiefly in Cork, is where landlords are using the law against their tenants. South Wexford is rather bad, but not very bad. Parts of Kilkenny we had a great deal of trouble in, and Tipperary. We had more cases in Tipperary than in any other county I think.

24,480. Limerick?—Limerick, yes, in parts of Limerick. Limerick was very bad.

24,481. Is Galway bad?—About Galway, I have only just got back from part of Galway. Galway is getting very bad. I do not think up to now that we have been called upon so much, except in spots here and there, but since the commencement of last year the combination, which seems to have begun chiefly at Woodford, is spreading very generally over Galway, and at the present moment Galway appears to me to be in the worst state of any county we have any dealings with.

24,482. Are the other places getting worse, or any of them getting better, the other counties that you have mentioned?—I think that the county was beginning to get better, but during the last month or two things seem to be getting worse again. During the last week or fortnight we have had evidence that things are getting more serious than they have been for a long time. In fact, it looks as if the crisis were approaching. On Saturday and Monday I was over the Woodford district, sending it with a view to operations which we are about to commence soon.

there. When the tenants down there first saw that the law was going to be carried out determinedly, and that what they call Saunders's fact was a complete rum, they were then prepared and willing to settle. I was out there a short time afterwards to follow some oats which had been cut on land which had been in charge of our caretakers, and which had been trod up to an adjoining farm, and when I was stepping in Saunders's house Saunders himself, the ex-tenant, and two or three of the other tenants came and talked to me; they heard that we had power to settle with them, and they were willing to have done so at that time, but lately they have got into their heads that the Government are not going to support the landlords. The withdrawal of the police has rather increased their hopes in this direction, and I think you see in the daily papers that every one of these reports, whether they are true or not, are made the most of and exaggerated, because that is the means that are taken to make it appear that the law is powerless. They also say when the landlord is putting a man out of a house he will have to put in emergency caretakers at a pound or two a week for each house, and that the Government will only give protection for a certain number, and that is leading to very serious results; and then the meetings that are held every week excite the tenants there; after they heard that Lord Clarendon was going to make an abatement of 30 per cent. they again wished to settle, and the two men, Broderick and Saunders, whose houses we have occupied by our caretakers, said that they did not care, that they were prepared to pay their rents and go back and settle, but there is a great deal of intimidation there, and two or three men in Woodford who do all the mischief keep the whole country in a state of terror and prevent settlements. That is my fresh impression from just having come up from there.

24,483. That things are getting worse in consequence of these proceedings?—Of the meetings—they are; the lever that is used by the National Leagues to tell the people that the Government are going to desert the landlords, and that idea is spreading all over the country. It is evident that notwithstanding it is stated that the fall in prices has rendered it impossible to pay judicial rents, on a farm becoming vacant, by operation of law or otherwise, the adjoining tenants are so willing to take it, that it is only by violence and intimidation they are prevented from doing so. Perhaps I may refer to a thing that was hanging upon that point that I think you were speaking about just now. I know that the tenants of Inkead at a place that has rather a bad name, Mullinavat, five miles from Waterford, I went down there on Monday week, and it was the time when this new banking system had only just commenced; the tenants came in to me in a body, headed by the two priests, Father Neary and Father Meany, the priest and curate of the parish, and told me that they could pay no rent unless I gave an abatement of 30 per cent. I told them that Colonel Tighe, who is the landlord, had written down exactly what I was to do, that they were to have 10 per cent. all round; this offer they refused, and they went out and banked the money. On Tuesday I took one side of the estate, and told them that I would have to take proceedings against them, and they knew very well that I would do so; and next day some of the mountain tenants came in to the other side and paid their rents, and on Thursday at two o'clock one fellow came and paid his rent; on that evening Father Meany came in and said that he had heard that I said the Mullinavat fellows were keeping the tenants from coming in, and I said that I had nothing to do with what was said. On going out he told the tenants to come for their money again, and on Friday and Saturday I was receiving my rents as hard as I could. Since my return the rents have been all sent up from the property. The point of that is that it shows that the tenants themselves were afraid to look, and that they were merely coerced and forced into doing it.

24,484. The President.—They did not think their money safe?—No, they did not; that was one of the words they used to me. It is clearly the object of the National League to interfere with the working of the Land Purchase Act (Ireland), 1885, by forcing the landlords to make reductions on the judicial rents, to prevent the tenants who would otherwise avail themselves of the provisions of the Act from doing so, under the impression that in a short time they will be able to purchase at far better terms than at present. My experience, both as honorary director of this Association and as a land agent, leads me to believe that, if the payment of judicial rents were vigorously enforced, the Land Act, 1881, and Land Purchase Act, 1885, if extended in its operations, would settle the land question in Ireland in a very short period of time. The action of the Commissioners appointed under the Land Act, 1881, who, without adopting any common scale of value for farm produce as a guide to the Sub-Commissioners in fixing a fair rent, are now using a year of exceptional depression to lower the rents far below those fixed in previous years, has considerably added to the difficulties of the situation. Those are the points that I proposed to give you evidence on, and I have selected cases bearing on them.

24,485. The President.—You believe that the tenants are willing to pay?—I know that they are willing to pay, and I have evidence here that they wish to pay.

24,486. Then will you give us your cases?—In the first instance, I have merely taken two letters with reference to tenants being willing and able to pay their rents, and being prevented by the Land League. I have only taken two cases. I think one of these is 15th May 1882, and the other was written to me after I had come up from Mullinavat, dated 30th November 1886. I thought the two letters would carry out what I wished to say to you. The first is from a man to his landlord:—

"Sir,—As I am placed in a very unpleasant position in consequence of your tenants at ———, they have reported me to the League for paying you the rent. I was obliged to make a statement before the Committee. I said I paid a portion of the rent, and that there was £— due. I will have to satisfy them in writing; if not, I won't be left a man to do my business. Sir, I would ask you, as my landlord, to write to me demanding the balance of the November rent, so as I could produce that letter; that would satisfy the League Committee, and save me from a great deal of trouble. If I don't satisfy them I will suffer sore affliction at their hands. I hope, dear Sir, you won't fail in protecting your tenant.

"Your obedient servant,

"(Signed) ———."

The next letter on the same subject is from a tenant addressed to myself:—

"———,
30th November 1886.

"Sir, ——— told the priest that I told you, the first day you came down to receive the rents, that I would pay my rent in three or four days, for which I am publicly censured. Hoping you will let me know, in haste. Is that true?

"Hoping you and ——— are well,

"I am, Sir, yours,
"———."

"To Capt. Hamilton.

24,487. Mr. Nelson.—Where are these cases?—In Waterford and in Clara. This is just on the borders of Kilkenny and Waterford. Those two letters show that the tenant is prevented from paying his rent by the National League. I shall now cite cases bearing on Section 1 of the Act.—"The tenant for the time being of every holding, not heretofore specially exempted from the provisions of this Act, may sell his tenancy for the best price that may be got for the same."

Dec 2, 1886.

Capt. E. C.
Hamilton.

Dec. 5, 1883.

Capt E. C.
Hudson.

Case 424/81.

Yearly rent, £32; content, 50a. Tenant ejected for non-payment of two years' rent. Farm boycotted by order of ——— branch, county ———, National League.

In 1885 a man purchased evicted tenant's interest in the farm for £200, but was forced to surrender same, being boycotted.

Case 16/85.

Yearly rent, £73; content, 97a. Or. 30p. Ejectment brought for four years' rent.

One farmer offered to take it, and to pay some money to evicted tenant so as to get his consent to his doing so, but was warned by local branch of National League to have nothing to do with it.

Case 42/84.

Yearly rent, £53; content, 47a. 2r. Ejected for non-payment of rent.

Farm let to another tenant on estate, who paid arrears due by former tenant. He was shortly afterwards visited at night, taken out of his bed, and shot with a revolver in the foot, and, in consequence, surrendered same.

I have selected only a few cases bearing on the point that the landlord, if he resumed possession of a holding under Section 20, Land Law (Ireland) Act, 1881, is prevented from re-letting it through action of National League.

Case 317/81.

Yearly rent, £80 10s.; contents of farm, 82a. This is a grass farm, and was annually let by tenant for grazing, though he refused to pay either rent or taxes.

Ejected for non-payment of two years' rent. Farm boycotted by order of local National League. Was let to another tenant, who was shortly afterwards forced to surrender, being badly boycotted.

Case 541/82.

Yearly rent, £127; content, 71a. 3r. 5p. Ejectment brought for 1½ years' rent, the tenant being well able, but refusing to pay any rent at all.

A tenant at once offered to take farm, but resigned, in consequence of resolutions passed by ——— Bridge branch of National League. Since let to another tenant, who is severely boycotted.

Case 432/82.

Rent paid by last tenant, £12 17s. 1d.; content, 30a. Ejectment brought for six years' rent due.

Tenant offered benefit of Arrears Act, but refused.

Has been let to another tenant. On his entering into possession, a meeting of the National League was held on his farm, at which strong resolutions were passed against him.

He is consequently boycotted and under police protection, a police hut having been erected at his door.

Case 56/83.

Yearly rent, £26; content, 35a. Or. 8p. Ejectment brought for two years' rent. Farm boycotted by order of League, and parish priest cursed from altar anyone who would take it.

Let to another tenant in September 1883, who was so intimidated by local branch of National League that he ran away altogether and left farm derelict on owner's hands.

24,488. Mr. Neffigan.—What place was this where that man was denounced from the altar?—County Westmeath.

Case 33/84.

Yearly rent, £23; content, 58a. 2r. 23p. Tenant was not evicted, but left of his own free will, gave up possession, and went to New Zealand.

Let to a tenant from another estate in December 1883, who was boycotted to such an extent that he surrendered and left.

Case 80/83.

Yearly rent, £13 6s. 8d.; content, 30a. 2r. 33p. Ejectment brought for 3½ years' rent. Caretaker put in possession, shot.

Re-let in 1884 to another tenant, who was boycotted by order of local branch of National League, his cow poisoned, turf thrown into a bog hole, prevented by violent mobs from attending mass, and is followed from fair to fair by emissaries of the League to prevent him buying or selling.

The following letter was sent to him by the parish priest:—

"Sir,—I hereby caution you and your family not to come here to mass on to-morrow or in future, as I will be at the gate to prevent you or any member of your family from entering into the house of God; you and your children were the cause of the greatest scandal here on Sunday last. I am strictly bound before God to prevent a recurrence of this.

+ I am, &c.,

"(Signed) ——— P.P."

24,489. Mr. Neffigan.—What was the scandal?—They were sent by a mob and pelted with mud and stones. He had taken an evicted farm.

24,490. Have you the name of the parish priest?—I have. I have the letter.

Case 8/84.

Yearly rent, £111; content, 115a. 2r. 3p. Ejectment brought for 3½ years' rent due.

Let to another tenant 7th October 1884, who has since been boycotted and fired at.

Case 29/85.

Yearly rent, £28 13s.; content, 24a. 1r. 20p. Ejectment brought for three years' rent.

Has been let to a relative of former tenant, who has since been boycotted.

Case 207/86.

Yearly rent, £71 8s. Farm voluntarily surrendered by former tenant.

Let to another tenant, who has since been forced to surrender it, being boycotted.

You will see that was a tenant who had taken up a farm that was, by agreement between the landlord and tenant, being surrendered by the tenant himself, who is prevented by the action of a criminal combination from putting another tenant into it. I have selected different cases bearing on this point.

Case 189/86.

Yearly rent, £28 8s. 1d.; content, 39a. 1r. 7p. Ejectment brought for 3½ years' rent.

Re-let to another tenant.

National League meeting held on farm. Chairman, Rev. ——— C. C., of ——— who made a threatening speech. Tenant forced to resign in consequence.

Case 4/86.

Yearly rent, £100; content, 135a. Tenant ejected for refusing to pay rent.

Several farmers having offered to take the farm if evicted tenant would consent to their doing so.

An offer has been made to him by the landlord through a local solicitor with that object.

The following is a copy of a letter received from him:—

"13, Marlborough Street, Cork,

18th October 1886.

"Dear sir,—I owe Dr. Lytham 10/-, and told him I thought I could get £100 from you for him if he certified that he had no claim, and so that you could let or sell the place; I did not wish it to appear that you were over anxious to sell, and therefore put the

offer in the form I did. He said he would not take that, but if you gave him £120 he would sign anything you wished, stating that neither he nor his brother had any claim whatever against the place or you, and that you had made a good settlement with him.

"I remonstrated with him, and told him that he seemed always to increase his demand when you approached a settlement, and he was only standing in his own way of getting a good settlement, but his idea is that the longer you refrain from settling the more he loses, and consequently the higher his claim; but if you gave him £120 now he would be satisfied, and if not he would remain in Ireland to prevent anyone from taking the place.

"Yours faithfully,
"(Signed) P. HARRIS."

If the landlord farms the land himself he is boycotted.

Case 6/85.

Yearly rent, £38 4s.; contents 122a. 3r. 26p. Ejectment brought for over 4½ years' rent.

In accordance with resolutions passed by local branch National League, a body of langrims from — and — erected a dwelling for evicted tenant on adjoining farm.

Threatening notices posted up to prevent anyone working on farm, and mob prevented horses from drinking in public stream when carting away crops.

Case 90/85.

Yearly rent, £461 3s. 2d., contents 240a. Irish. Ejectment brought for non-payment of rent.

National League meeting, held on 17th October 1885, at — within a mile of the lands at which the Rev. Mr. — C.C., made allusions to landlord.

Two huts built by langrims for evicted tenants on adjoining town land, and no person allowed to work on farm.

Case 161/86.

Yearly rent, £166; contents 149a. 3r. 16p. Ejectment brought for non-payment of rent. Strong resolutions passed by local branch National League, lands boycotted. No auctioneer would venture to put up meadowing for sale.

Case 57/85.

Yearly rent, £45; contents 56a. 2r. 30p. Ejectment brought for £187 6s. 7d. rent due.

In accordance with following notice extensively posted in — district, on ringing of the chapel bell, between 200 and 300 men assembled and stopped, by intimidation, —'s steward and workpeople who were in the act of carting his corn. After which all his workpeople left him, and were paid by — National League for doing so, the crops on evicted farm being lost.

"Notice.— Irish National League.

"To the People of — and Surrounding Districts.

"Fellow Countrymen.—At the meeting of the above branch held on Sunday, the President, Rev. D. — C.C., promulgating the following resolution was passed.—Resolved, 'That we, the members of the branch of the Irish National League assembled,

condemn in the most emphatic manner we are able, the cruel and arbitrary action of — of — and his agent, — of — in evicting from his holding — of — for the non-payment of an impossible rent, and at a time when his (—) crops were in a condition for harvesting operations, and that in order to mark our disapproval and abhorrence of such action, we call on the people of these districts, farmers, labourers, artisans, and shopkeepers, to have no dealings or communication whatever with the said — and his agent, —."

Case 21/85.

Yearly rent £35; contents 200a. Ejectment brought for 1½ years' rent.

A hut erected by National League for evicted tenant outside boundary of farm.

The herd in charge of farm is under police protection.

A meadow recently spiked, over thirty iron spikes being found in it.

These are the 11 cases where the landlords attempt to hold farms in their own hands and to farm them, and they are prevented by the action of the National League. The fourth subject is that special hostility is directed against anyone other than those in the employment of the Property Defenders or similar associations who act as lords or caretakers on farms which have come into owner's possession through operation of law.

Case 416/81.

Yearly rent 208; contents 122a. Tenant ejected for non-payment of rent, and now in landlord's possession.

The herd in charge of above farm was threatened, assaulted, fired at, and finally frightened away.

Case 529/82.

Yearly rent £46; contents 40a. Tenant ejected for non-payment of 1½ years' rent, and now in landlord's possession.

The dwelling-house on the land was fired into, and threatening notices posted on the house, gates, and other places. Boycotted since 1892.

Case 102/83.

Yearly rent £50; contents 41a. Tenant ejected for non-payment of rent, and now farm in landlord's possession.

Caretaker dragged out of his bed, placed on his knees, and made swear to leave, which he did next day.

Case 68/83.

Yearly rent £68; contents 122a. Tenant evicted for non-payment of rent. In landlord's possession.

Caretaker obliged to give up the post, fired at, and his wife badly beaten.

That is now in the possession of our man, and there have been no other attacks made on him since, and he is very comfortable. Well, my lord, these are the cases that I selected, bearing on the different heads, to show that it is an illegal combination that interferes with the different classes of the Land Act; and that, in fact, as far as the Land Act is in favour of the tenant, it is left, except that he is not allowed to sell the land, or to do anything which would enable the landlord to recover the rent. I made a remark about the action of the Commissioners, about the fixing of rents without any common standard whatsoever, which, I believe, has very seriously increased the difficulties of the present situation. In every valuation that has ever been made of lands in Ireland or elsewhere, there has been a certain standard of prices, and the Commissioners did not do it, and the result is that the rents are more uneven now than before the Commissioners sat. Now, this year, they are lowering these rents for a period of exceptional depression, and one which I see there are signs, I believe, of coming to a close, and that there is a chance of a returning tide of prosperity in England; and, if so, of course we go up at once. And here are rents fixed last month on Lord Moath's estate, a very liberal estate where the rents have never been raised. One tenant, John Toomey, his rent was £5 10s., and the Government valuation 27 6s., and the rent is fixed at 25. Another tenant, William York, his rent was £7 10s., and the Government valuation 23 6s., and his rent is reduced to £5 10s. Another tenant, Elias Byrne, old rent £13, Government valuation £12 6s., and the new rent is

Dec. 3, 1887.

Capt. E. C. Madden.

Dec. 5, 1886.
 —
 Capt. F. C.
 Huxtable.

made 16 15s. And now here is land in an adjoining county, in the same district, the same class of land where the old rent is £25 8s. 3d., and the Government valuation £17; and, only on the 1st of November in this year, the tenant received £320 for his interest in the holding, so that although the rent was nearly a third over the Government valuation, he sold for 15 years' purchase, yet the Land Commissioners are undertaking in this bad year to fix for the next 15 years the rent at a third below the Government valuation, which was below anything that the tenant ever expected to get. I should not have mentioned that, except that I think it has seriously interfered with the working of the Land Purchase Act.

24,491. *The President.*—Just one question as to evictions. Of course you have to carry out evictions in a good many of these cases?—Yes.

24,492. Do you think that the process might be simplified in any way; and do you think it would be an advantage if it could?—Do you mean in the notion of the eviction? Is that what you refer to?

24,493. I mean anything connected with the eviction that would simplify it and hasten it, and I should like to know whether you think it would be of any advantage?—I wanted exactly to understand your question, that is, you mean that when the sheriff goes down he should evict the tenant absolutely, and put him out of the house; do you mean to say, is there anything that would hasten that?

24,494. No; I was making my question more general, with regard to the whole process from beginning to end. I take first of all the case of six months' power of redemption. That, I suppose, very often is inconvenient, is not it?—Yes.

24,495. And the tenant sits down near, and the landlord cannot make any permanent arrangement, for he does not know whether the tenant will get in or not?—Yes.

24,496. Would it not be of advantage if the six months could run from the time of the judgment, so that the landlord, if he chose, need not put out the tenant till those six months are over?—Oh, certainly, most decidedly. That six months' redemption leads to endless trouble in the country. The tenant is encouraged to think that he is merely putting his landlord to expense, and, as you see by my report,

I suppose in 90 cases out of 100, I may say more, 95 cases, they are merely putting the landlord to the expense of a caretaker for six months, and then they pay the money and go in again. I think that the law should be as lenient as possible in this country, but once put in motion, that it should be as quick as possible. Everything in this country depends on firmness. Every advantage is taken, if delay to stir up people into endless trouble and difficulty, and to keep their hopes open. These should be no door of hope. After a man goes out he should be only able to go back again on making terms with his landlord. I think that the whole cause of trouble at evictions is the idea that is in the minds of the resident magistrates, and others who go in charge, that they are to settle between the landlord and tenant. At nearly every eviction the divisional magistrate and resident magistrates, and very often the district inspector, all lean down upon the landlord's representative the moment he goes in, to make terms with the tenant, and, as it were, put themselves on the side of the tenant as against the landlord. I have never seen trouble at an eviction that has not been caused by delay, and that idea among the people. My plan has always been to take one or two of the tenants and evict absolutely, but there must be no settlement except through the solicitor, and probably if that idea was carried out, and that the duty of the resident magistrates was simply to preserve order, there would be no trouble about evictions; and I think that is doing a great deal of mischief at the present time, because the people are taught that the Government are on the side of the tenants against the landlords, and you cannot get that out of their heads.

24,497. Is there anything else that you can suggest?—Unless you ask me on any particular point. The only thing that comes to me is to make the law as short as possible. What I always do is to sell the farm at once, the hold that the tenant has is the six months allowed under ejectment for redemption, and that is one that if it could possibly be prevented it would be of great advantage. In view of the combination among the tenants banking their money, the only way is to show them that they must pay whether they bank or not, and the only terror you can hold over the tenant is to say, "I will sell your farm and knock down your house, if necessary."

The Commission adjourned to the following morning.

THIRTY-FOURTH DAY.

Thursday, December 9th, 1886.

The Commissioners met at 36 Merrion Square, Dublin.

PRESENT :

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILLTOWN.
SIR JAMES CAHILL, K.C.B.MR. NICHOLAS, Q.C., Recorder of Londonderry.
MR. KRUE.

MR. EDWARD RICHARDS, examined.

Dec. 9, 1886.

MR. EDWARD
RICHARDS.

24,438. The President.—I believe, Mr. Richards, you are a land proprietor in the county of Wexford? —Yes, a small land proprietor.

24,439. You have experienced in raising boycotting? —Yes; very considerably.

24,440. I think you could give us some details on the subject?—Well, I may say that before 1880 I was remarkably popular. When the land agitation commenced and crimes spread over the country I publicly denounced them, and immediately my popularity vanished, and I became very unpopular except with my own poor tenants. The rents on my estate were paid punctually; up to then they were very well paid, but after it, in 1880, they refused to pay.

24,441. In 1880 they refused to pay?—Well, under the direction, I suppose, of the Land League. Ever since I think I have been compelled to go to law with the ringleaders every year.

24,442. Every year?—Every year. I have a demesne of 250 or 300 acres, and I used to let it for grazing by the month or week. That was forbidden, of course, and gave orders given to the people not to come there. A man told me in confidence, "I am afraid." Then I rented it out to yearly tenants for grazing purposes also. These wealthy graziers only paid by the head, according to the cattle—by the head. Then I rented by the acre to yearly tenants, and about the year 1881 or 1882 they were ordered to give up under pain of death. I saw those notices myself. They were posted, ordering them to give up the land to that bloody big bushy Mr. Burke under pain of death. They all gave it up. The idea was, my rents being stopped, to take away the only remaining source of my income. That was my demesne. All these tenants gave up my demesne against their will. Their fear was so great that even my rent-woman was obliged to give up his place, an old retainer of the family. Some litigation then took place, and those that were concerned for the defence never flinched a bit. However, I will not give their names.

24,443. You had better not, as you have given us a sample by your answer, and perhaps they might be shot if you did.—They might be. For myself, I have no fear at all of them. Some litigation took place, but these former tenants hold on to the present day. They have been subjected to petty annoyances. There has been no crime or outrage there. Not one man has been shot. A few houses have been burned and such things, but that is nothing. No outrages have taken place there, but a dogged determination is carried on. Well, these loyal tenants, as I say, were persecuted. Even last year, for instance, they were ordered again and again to give up my demesne fields, but they refused. Then these insupportable orders that fly over the country—I cannot tell how they are made known—no one to threaten for

them, no one to sell to them, no one to reap their corn. The farmers club together to cut their corn. Two men got a reaping machine, which they purchase between them, and use it in turn, and so on. The small farmers cut their grain in that way. Well, last year an order came out for no one to work for the men on my demesne. The loyalist party are strong there, and they banded together in a counter-organisation and got machinery for themselves. Then came an order—and this is the great struggle which is going on to-day—that the blacksmith was not to work for them. When a farmer cannot get a blacksmith to work for him, of course he is on the fat of his back. But there chanced to be a loyal Catholic blacksmith—they are all Catholics there; at least, the main portion of the tenants are Catholics, and some of them are staunch loyalists. Well, this loyal blacksmith was ordered to stop working for any man who had grass land. He refused, and said he would not be stopped by them. Thirty-nine customers left him. Well, the man would have been starved out only we came to his aid; and that man in every possible way they brought pressure to bear upon him, religious as well as others. One of the most infamous things I think that ever occurred occurred in this case. Blacksmiths, as perhaps you may be aware, are supposed to have a strike to use the swords for them. This man had a certain striker, a journeyman, and this journeyman had a very old mother, who was receiving out-door relief from the union. The union guardians came to this striker and said, "If you do not leave the blacksmith we will take the out-door relief from your mother." The man was compelled to yield. He could not let his mother suffer from want, and he left this blacksmith. Then our committee, our loyal committee, by paying extra wages and trying in various quarters, they got different strikers. Some stayed with him three months, others for a week. At last they got one who has stayed with him nine months, and the man is able to keep the wolf from the door, but only from the loyalist counter-combination; and that struggle is still going on to-day just as intensely as when it commenced. That finishes the blacksmith. Now I shall give you one other instance, for I wish to show you—

24,444. We should like to have something recent. Is the second instance going on?—It is going on to-day.

24,445. Then we should like to hear that.—It commenced before the blacksmith's case. I could go on for hours with these cases, but I would weary you.

24,446. Give us this case.—The other case?

24,447. The other case.—If you wish I will give you the name of the blacksmith, John Cullen, near Killyn, Enniscorthy Union, county Wexford. He cannot be hurt more than he is. The other man is James Burke, if possible a still blacker sheep among them.

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Dec. 5, 1886.

Mr. Edward
Richards.

In 1880, when the first anti-rent combination occurred there, all my tenants met on the property, and the great majority of them refused to pay their rents. Burke, for one man, left the group, turned on his heel and came in in sight of and before them all and paid his rent. That was the first thing turned the Land League against him. Still, he was not boycotted then; but they did not like him on account of it. It required great courage on his part. Two or three years afterwards a tenant told me he had his rent in his pocket and would not pay it; and for the first time I had to eject him. This Burke, this courageous man, took his farm, for it was adjoining Burke's holding. Then commenced the worst boycotting you ever knew, for a small box of matches Burke could not get in the neighbouring shops. He could not get his shoes mended. I used to take a man to work in my house at night pretending that the work was for me, and I got him to mend Burke's shoes. He had to go eleven miles backwards and forwards. That is twenty-two miles altogether, to get shoes on his horse. It was the same with the meal; the same with everything. The country shopkeepers and the town shopkeepers in Ross and Ennisceorthy did not wish to lose him as a customer; but they were compelled, one after another, to drop him. He went into the market with his horse and bought a sack of meal in Ross, and it was on Burke's cart outside, and the shopkeeper sent a man to Burke's cart, and said, "Give me back the meal. I have been warned not to sell to you, and if it was known it would ruin me." And he gave him the meal, not wishing to hurt him. He could not get a particle of clothing. Still we have the mother of this refractory tenant who refused to pay his rent. She was a very respectable woman, and she was obliged to be put out when her son was evicted; but Burke immediately put her back as a caretaker, with my consent. She was very grateful. These same poor law guardians, who coerced Callan's strikers into leaving him by threatening to take the out-door relief from his mother, obtained for this same old woman £1 a week. This was considered as extravagant that the Local Government Board refused to pay it. This went on for two or three weeks. That showed how well the old woman stood with the Land League at the time. Then it dropped down to something like three shillings, step by step. That went on for six months. Then it became noted abroad that she had become extremely friendly with Burke. I must tell you that his house was fired into, but no one was wounded; and he had police protection for a length of time. Well, it became noted abroad among the Land Leaguers that the old woman had become friendly with Burke, and it was said, "Your out-door relief will be stopped." In May Burke acquired the farm, and until the following Christmas the Land Leaguers maintained their course. The old woman became friendly with Burke. A short time after she helped him to pick potatoes, and immediately after the out-door relief was stopped. I wrote to the Local Government Board about the matter, and they said they had no power to interfere; if the woman went to the workhouse she would be admitted and receive proper treatment, but they could not interfere in the matter of out-door relief. This old woman was then eighty or eighty-one years of age. Her out-door relief was stopped because she earned a little money by picking potatoes for Burke. Burke's child became ill of bowel complaint. The coarse yellow meal produced this disease. He went to a neighbouring country shop to get white bread or white sugar—I forget which—for his sick child, and he was refused it. They would not give it to him. I was away at the time. Of course, when my wife heard of it she immediately sent everything they wanted. But that sick child was refused what was necessary for his health on account of Burke's course of taking an evicted farm. Now last summer there was another terrible instance of unfriendliness towards—

24,506. The President.—I think those are very good samples, the two instances you have given us, of what you have experienced of the system of boycotting. I think we won't go into any more.—It is only Burke's case continued.

24,507. The President.—I thought you were beginning a new case?—Not at all. It is only to show that Burke's persistence is still going on. Last summer a younger child still—one lately born—the local midwife refused to attend the wife in her confinement, and she was delivered by the aid of this old woman, who was the only person to do anything for him. The child that was lately born became ill and died. Not a person came to the wake. There was no wake at all. Now every Irish person knows what that means; for every person in the country makes it a religion almost to go to the wake of a neighbour. Not a person came. Burke told me himself that men were posted on the fences to hinder any person from coming to the funeral. That is a very pregnant thing in Ireland. And Burke had to carry his child to the Roman Catholic churchyard on his own cart. He could get no person to dig the grave for him, and he had to dig the grave himself for his own child. That is a thing unheard of in this country. It occurred last summer, and things are going on in the same way exactly.

24,510. These were very recent cases?—Time is such an object that that will be sufficient, but I could tell you more and more. I could go on for hours with cases of this kind, if necessary, but that is enough. One thing I want to say, my lord; a better set of people I never met in my life than those around where I live. Until the Land League commenced crime was perfectly unknown; but they were timid and were led away by this organisation.

24,511. I believe you have given a lease for life to some of the tenants?—I did many years ago.

24,512. Before 1871?—Yes.

24,513. What were they? What was the nature of these leases?—It was intended to give them perpetuity and free soil without increase of rent. On account of some legal difficulty in giving absolute perpetuity it was judged best to make the leases for 1,000 years. I was very much in favour of peasant landowners, and I wished the tenants to have perpetuity.

24,514. How that answered?—I was immensely popular at the time, but it has all vanished.

24,515. You feel that it did not alter your politics very much with your tenants, their being independent of you in that way? You don't object to their getting a perpetuity?—Not at all. I wished to make these independent myself or of anyone. That was one of the chief reasons.

24,516. Have you ever thought of purchase? Would you like to sell?—I am, my lord, very much in favour of a peasant proprietary, but by honest purchase. I replied as far as I could amongst the tenantry what they think about it. They have two objections: one they won't tell me, but one they will. The first objection is this, and every tenant has it. He is afraid to have the Government for his landlord. I never met an exception to that.

24,517. They are afraid the Government would not be so lenient?—Precisely. That is what it is. The second objection is they think that by continuing the agitation they will put down the prices for lower, if not to zero; but I cannot speak positively as to how widespread that idea is, but the fear of exchanging the landlord for the Government is widely spread.

24,518. You think that if it were not for these two reasons they would be willing to buy?—They would, and still more if there could be an alternative purchaser found. For instance, if it could be conveyed to them, "If you do not buy someone else will, if you let the golden opportunity pass," I am satisfied that they would jump at it. I did my best to explain to them the advantages they would gain by purchasing their holdings.

24,519. You refer to what is called Lord Ashbourne's Act?—Yes. I did my best to explain it to them, and what it would do for them; but they don't seem interested by my eloquence.

24,520. You would be willing to sell yourself?—I should do anything to terminate this dreadful state of things.

24,521. Have you thought at all what number of years' purchase you ought to take?—I have not resolved

that in my mind, because if I made an offer myself they would back out.

24,522. And you would not like it to appear in evidence what you would be willing to take?—I never thought of that question, but if I went to the tenants and said, "Now, I want to sell to you now. What is the fair price?" they would immediately say, "Oh, we don't wish to buy."

24,523. You would have to ask still more than you would ultimately be willing to take?—Precisely, and appear not over anxious to sell. But the main thing is this, that if they see that they cannot get the land without a fair purchase, they will immediately buy.

24,524. Then nothing but time and a firm Government will convince them?—Precisely. That is the thing. They are not always at the same high tenses. Sometimes they are more reasonable than others. The rents are paid somewhat better now than they were in some cases. But my worst case is a man who is far better off than I am myself—a man who keeps race-horses, and who sells a thousand pounds' worth of cattle at one operation. I mention one instance to show that it is the will, not the ability to pay, that prevails in some cases. A certain tenant of mine had his rent not raised since 1804. The rent was always paid punctually prior to the land agitation. He got his rent cut down in the Land Court. When his rent was cut down he defaulted, and added a story to his horse, and put a new roof on it. One thing I can swear—in fact, I expected to be sworn here to-day, and I should rather have preferred to be sworn—in 1769, or between 1760 and 1770, my great grandfather let a certain farm at 14s. the Irish acre. One hundred and twenty years afterwards the Land Court fixed the rent of this land at 11s. 6d. per Irish acre. But as the tenant in 1770 paid the 14s. and now I pay 8s. the rent is the same as it was 120 years ago.

24,525. You say that they are in a little better position at this moment?—Yes. When the pressure is removed, my feed, the rank and file are perfectly willing to pay.

24,526. And you still have hopes that if the pressure can be removed the good relations which formerly existed between landlord and tenant will return?—Not entirely, the past can never be recalled, but perhaps in some degree. But I myself—nothing would induce me to revert to the old state of things if I could get enough by the sale of my property to live by. But I have no faith after these years of trouble and agitation that the old state of things could come back; in fact, I should not wish it to come back, and I think we should be far more liable than ever to a return of the disease. A relapse is far more dangerous than the original complaint.

24,527. If you sold your property, would you still continue to reside on your demesne?—That I cannot say, but I say I am thoroughly sick of the tenantry. But I suppose I should have to remain in it. I am chained to it you know.

24,528. Lord Althorpe.—Do you contend, Mr. Richards, that the rents are better paid now than they were before the Act of 1881?—They were splendidly paid before the Act of 1881. But it would not be fair to attribute the whole of that delinquency to the agitation, because no doubt the fall in prices has something to say to it.

24,529. Quite so—I want to be as fair as I can to them. They all used to look on me as a revolutionary—and I don't know what—on account of giving parsonage some years ago when such things were not thought of. The three P's were not named then, and I wished well to the people and wished to see them securely fixed on the land.

24,530. You have not found that the Act of 1881 has facilitated the collection of rents on your estate?—By no means.

24,531. Has it been any easier for you to get the judicial rents than it was the old rents?—On the contrary, quite the reverse. For instance, my estate is only £1,200 a year. The arrears formerly used to be £50 a year, the agent tells me. Now I am my own

agent, and the arrears are thirteen or fourteen hundred pounds at this moment.

24,532. Do you find that small tenants are more willing to pay their rent than big ones?—More willing than the big ones when they are able. It is very hard for a man who has no rent-winner to find out whether it is really inability or some other cause which prevents them from paying. But my own impression is that small tenants are more willing to pay where they are able than some of the large ones, at all events.

24,533. Is it your impression, from your knowledge of the people, that the small tenants would be likely to pay their instalments with at least as much regularity to the Government as the large ones?—That is rather a hard question to answer, but I will tell you to the best of my belief. There are no people in the world that respect firmness more than the Irish do, and they have the greatest contempt for weakness, although they are profiting by it. If the tenants saw that they had to pay their rents, I think that they would make great efforts to do it; but if they thought that they could bludge the Government or bully them, as they have us, no doubt they would try it. But I suppose it is human nature. I may be wrong, but it strikes me very forcibly—and I asked a publican whose word I can depend on, and who has ample means of finding out—I asked him, How the consumption of whiskey decreased at all among those who are tenants? and he says not a particle. And my experience is that when the tenants or peasantry generally get into difficulties, they do not do as we do, try to lessen their expenses. They simply don't pay their debts. I am very sorry to say that is now the case generally.

24,534. I suppose the gentry in your neighbourhood have already made a considerable lessening in their expenses?—Indeed they have. I may tell you my case. I have one girl in my house, and I suppose there are twenty rooms in my house, and there is just one girl of seventeen and my wife, and that's all, and I could a cooked but work with my own hands.

24,535. But the state of things formerly was extremely different with you?—Of course it was. I never was a rich man, but things were very different. But I have to pay every penny of my liabilities. You see that is what presses me so hard, and there is the difficulty of collecting anything.

24,536. Is it your experience that the tenant farmers have reduced their expenditure in these hard times?—No sir, it is not, but I cannot speak so decidedly about that as my own; but everyone tells me that they have not. I know that they go to meet and that they go to all sorts of amusements, so far as I can see, just the same. I was asking a loyal priest—a man who has ample means of knowing—that other day, and his views are somewhat the same as what I have stated to you. The women dress in the most extravagant way for farmers' wives. About a fortnight ago I saw a woman with a sealskin jacket and a feather in her bonnet sitting on a sack of corn in a cart going into town.

24,537. Are there as many or more race meetings in your neighbourhood than there used to be?—Like meetings? I think there are likely as many. The only thing is that the patrons are different. Formerly it was the gentry and hunting men. Now some of the meetings are got up under the auspices of the other side. Athletic sports have fallen off.

24,538. Are they held under the auspices of the local whiskey-house keepers to any great extent?—I suppose that sometimes they have a share in it. They are sometimes called the Land League sports, and they are got up by subscriptions. They came round to me once, three or four years ago, and asked me to subscribe to the Land League sports, but I told them that I had no money for such purposes.

24,539. And they do get money from the tenant farmers, I suppose?—Yes, most undoubtedly, last year they collected money in the chapel to get funds to defend the tenants in opposition to me.

24,540. Do you think that in this year there is a head-on difficulty in paying rent?—Oh, most decidedly.

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24,541. And that many of the farmers are unable to pay?—Most decidedly I think so.

24,542. And you attribute that to bad seasons and low prices?—In a great degree.

24,543. Altogether?—Not altogether. I will tell you what I think. The great reason for the depreciation of agricultural produce I attribute to the disease of lime, which forces the stalks of barley and oats and beans. They won't stand up under the heavy rain of our climate; they fall down and rot.

24,544. What is the cause of the disease of lime?—One cause, I think, is the increased cost of labour, and the facilities for getting this artificial manure. It is very easy for a man to go in and get a sack of this phosphate, and so on.

24,545. And they get that on credit?—They have for some years.

24,546. I suppose they would have to pay ready money for the lime?—Well, that I cannot tell you; but it involves a good deal of labour the burning of lime. They used to get the raw stone and bring them in their carts from the nearest available place, and burn them themselves.

24,547. Among what class of the tenantry does the difficulty exist on your estate?—You mean a hard side difficulty?

24,548. Quite so.—Well, usually the smaller.

24,549. That is those who depend on tillage, or the raising of stock?—Well, they raise—as a general thing very small fanners do not raise stock—but they raise sheep.

24,550. But they do not lose by that?—Sheep were very low in price until lately. I bought four sheep-lamb last spring for ten shillings a-piece.

24,551. What did you pay for the ewes?—These were lambs. I only took them from a poor man out of charity, and I paid him ten shillings; and I don't think he could get that in the fair—I know he could not.

24,552. Do you happen to know that the price of ewes has been very high this season?—Only fit ones.

24,553. For breeding ewes?—Well, people are not willing to breed from their wild mountain ewes. In the first place they are dreadful rogues. The wool is not excellent.

24,554. What is the condition of labour in your neighbourhood?—Do you mean physically?

24,555. I mean are they better or worse off than they used to be?—Their condition so far as I am aware is one of gradual improvement. I think the labourers are gradually improving from my earlier childhood.

24,556. Is there a deficiency of employment for them?—Well, just about as there is. I live in rather a remote part, and I cannot answer for other places.

24,557. Do the farmers employ many labourers?—That depends altogether on the size of the farm. The small farmers are usually able to do the work by their own family.

24,558. And I suppose that those men are better able to meet the enemy in the gate—they pay the rent the best?—Yes, if there were not "fls" in the way.

24,559. Do the large farmers employ labourers?—They do. They all employ labourers more or less.

24,560. But is it more or less?—If you go back thirty years ago—I think there were more labourers employed about thirty years ago; but they were paid far less for it. The introduction of agricultural machinery somewhat lessened the necessity for labour, but these labourers that are in the country are far better paid and fed. The improvement in feeding is very marked indeed; and you must recollect that labour is gradually year by year, but most steadily, going away from us.

24,561. Quite so. Well, I understand that the result of your evidence is that considering the state of things existing in Ireland—from whatever cause it has arisen—that the only way out of our difficulties and to restore peace and tranquillity is an extended system of purchases on the part of the tenants of their holdings?—That sincerely that is my opinion.

24,562. On just and honest terms?—On just and honest terms.

24,563. Accompanied by a strict enforcement of the law of the land?—Enforced by it.

24,564. Without it, I suppose it would not be of much use?—Without it I think everything else will fall to the ground.

24,565. Mr. Keble—With reference to these leases, that you have spoken of—were they given before or after the Land Act of 1870?—Before. I stopped giving them when that Land Act came in.

24,566. Had that Act anything to do with your giving these leases?—It prevented me continuing to give them. It was before that Act I conceived the idea of renting them in the soil, as it were. I wanted to give them fairly of tenure, though it was like drawing teeth from them. They said, "What do we care about these leases? You will never turn us out!" They are nothing about posterity. I had to threaten them with eviction to get them to give up little corners of fields in squaring the farms. I did not make expenses by it. In fact, I lost £200 by low sales by it. One man actually threatened my life, about giving a bit of land to a man to whom it evidently belonged. I had to force him to give it up, he said he would be hanged before he would give it up. I was very glad to be able to back out of it, when Mr. Gladstone's Act came to my relief.

24,567. Will you tell us the difference between the rents reserved in the leases and the rents fixed by the sub-commissioners after the Act of 1881?—The sub-commissioners could not deal with any of these leases.

24,568. But I want to know the difference between the rents reserved in these leases and the rents fixed by the sub-commissioners on the holdings which were not held under lease?—Well, I could not call to mind.

24,569. Are they higher or lower?—Oh, higher no doubt than those fixed by the sub-commissioners. I never raised any man's rent. I left them as I found them. In some of these leases the rent was less than what it was in 1794.

24,570. Are these leaseholders complaining that their rent is too high?—Oh certainly, and I am a favour of breaking the leases generally over Ireland.

24,571. Would you allow them to go into the Land Court to have the rent fixed?—Not individually; but I have written publicly and spoken publicly in favour of admitting leaseholders to the benefits of the Act. But individually I could not do it, as it would be ruin to me without compensation from the State. I admit I cannot justify breaking leases on any economic plea. It is a revolutionary necessity.

24,572. But you would recommend that other leaseholders should be admitted except your own?—I would wish naturally that they should be included, but I don't feel called upon to do it alone myself. But I would be glad if a law was passed admitting all leaseholders, my own included, to the court, for then we should have a stronger claim for compensation.

24,573. Were the tenants' rents that went into court to get judicial rents fixed—were these rents and the rents reserved in the leases about the same?—Judicial rents are lower.

24,574. Were they pretty near?—I should hardly like to say. I had not many tenants who went into court. I swear that I cannot get some of the fellows to go into court.

24,575. Can you say what reduction did they get?—Most certainly I can tell you that. They won't go into court for me.

24,576. The leaseholders?—No, but the other tenants who can go. I always urge them, but they prefer coming to bargain me for reductions, because it is cheaper.

24,577. What per cent. were they reduced?—I have it in terms of the Irish acre. Here is one person—14s. 6d. the Irish acre. That was reduced to 12s. per acre. In other words his rent was reduced from £18 10s. to £18. Something like that. Here is another one, 11s. 9d. the Irish acre, and it was re-

land, I think, 1s. 11d. Another was, 15s. 6d., and that was confirmed.

24,578. What was the gross rental in each case and the judicial rental?—Do you prefer it stated in that way?

24,579. Please.—Shall I begin again, or go on?

24,580. I am not particular.—Very well, here is £31 12s. 2d., and the judicial rent is £31 13s. 2d. Then his next neighbour, £26 13s. 8d., and the judicial rent is £32. And I must tell you that the tenant's valuer in these cases gave his statement that the old rent was a fair rent, and they suppressed his evidence, and would not allow him to come into court. Here is another man—£20 the old rent, now rent £15 10s. Another man—£29 4s. the old rent, and I reduced it myself to £25. Another, £22 13s. 6d. was reduced to £18 10s.

24,581. Are the rents now as low as the rents reserved in the leases?—I think they are.

24,582. From your own statement about the price of produce, don't you think it is exceedingly difficult for these leaseholders to pay at the present time?—The leaseholders are the people that are best off. No doubt they cannot pay rent anything like as readily as some years ago. There is no doubt about that, but I don't feel that the leaseholders with one exception—one man—I myself thought his rent was too high—I don't think that the leaseholders are in the worst condition. But no doubt they cannot pay as readily as some years ago. There is no question about that.

24,583. Don't you think it would be quite fair that they should be admitted to the benefits of the Land Act of 1881 and have judicial rents fixed, and save a whole lot of agitation and future trouble?—I must give a qualified answer to that. I don't think it fair to break any contract. I think it would be opening the door to the admission of a fearful precedent that will be used in many ways afterwards that were not contemplated, but we are in a revolution, and I should advocate it, and perhaps advocate it as a revolutionary necessity, but for no other reason. Because if you break a lease contract, I don't see where you are to stop. Then possibly I might break my weekly contract with my butcher, and say, "I will only pay so much for your beef." I dread it. I don't defend it, except as a great revolutionary necessity.

24,584. How many acres have you now in hand?—My own demesne is about 250 acres, but I cannot say how much of it I have in hand. Part of it is let to yearly tenants. That is all the land I hold. It mainly pays the taxes.

24,585. Have you any farm that was formerly let to a tenant?—None.

24,586. What is your experience of the present times, have you been able to turn this land to good account?—What account do you mean?

24,587. This land which you held, provided you were called upon to pay a fair rent, such as the tenants are paying for their holdings, would you be able to make it pay?—I really don't comprehend the question.

24,588. Have you kept any accounts of the profit or loss of what you hold in your own hands?—I must tell you that I don't cultivate at all. It is excellent land, my demesne. It is in grass from time immemorial.

24,589. Has it been paying those last two years?—It has. That is the only thing that has kept my head over water. That was the reason that they made such a set to keep every one away from my demesne.

24,590. Has the profit been as good as the last two preceding years?—Of course not, for it goes down with the price of cattle; but my grass land is good, and I can sell cattle when other people could not sell, because they are in very good condition.

24,591. You have said to his lordship that you are willing to sell?—If I got a good price.

24,592. How many years' purchase would you think fair?—Well, I cannot say, because I don't know myself.

24,593. Have there been any reductions given in

your locality upon judicial rents?—I don't think there were many.

24,594. Were there many applications for reductions in your locality by tenants holding under judicial rents?—Indeed there were, and I opposed them, both and null, in many cases as far as I could.

24,595. But some landlords have granted it?—I don't think they have about us. I think they have in some parts of Ireland, but not immediately round us. I cannot speak authoritatively for others, but I don't think so.

24,596. Have the farmers' condition improved or are they in worse circumstances than they were a few years ago, from your own personal experience?—So far as an outsider can see, I don't see that they look any worse off. As I told his lordship, they seem to enjoy themselves and drink as much as ever; and they certainly dress better. Their wives dress the best. There are other things I see a change in. I walk when I go to church, farmers mostly drive in their own traps. Men who always walked in my youth now drive on their pointing cars.

24,597. Don't you think that the great fall of prices had a great deal to do with the present condition of affairs, and caused great difficulty in paying rent?—It had something to do with it. I am convinced that in many cases perhaps it might to an extent have something to do with it. It would be unfair to deny it. But I want to tell you that it has nothing at all to say to the rentier in my locality, because he is admirably off.

24,598. I just wish to get from you what your idea is about the present circumstances of the tenant farmers of the locality?—I want to tell you, and honestly too, that some of the small farmers are very badly off.

24,599. And their great difficulty is about paying their rents?—I would like to give you an instance of a small farmer who has paid no money for over seven years. I gave him money out of my own pocket to enable him to take advantage of the Arrears Act. He never gave me anything out of that. I asked him to come and work for me. He came, and I used to stop two shillings a week out of his wages to help to pay the rent. He paid a year's rent in that way. He has fourteen acres of land—poor land. He worked for me a year, and paid me a year's rent by doing it. But he refused to work for me afterwards, and I am determined to turn him out. That is the very poorest tenant I have. In his case evidently it is the will that is wanted.

24,600. But you said that the low price of produce and cattle had a great deal to do with the present depressed state of the country?—It had something to do with it, but how much I cannot say. There are many factors to the problem; but I am afraid that honesty is often wanting.

24,601. Has your attention been called to the reductions which English landlords have made to their tenants without any pressure at all?—Only very slightly. I was in England and I made some inquiries, and I know that there were considerable reductions, but I could not—

24,602. Much greater than any reduction given in Ireland?—I think not.

24,603. In many cases?—Well, possibly. I happened to ask in the east of Norfolk. I think they were not much. They were returned a sum, but what it was I am not prepared to say with any great precision.

24,604. I suppose a similar case would have a similar effect on here—the low price of farm produce?—No doubt, but we have an added element, the sheep element, I am sorry to say.

24,605. But the tenants in Ireland invented their capital in making improvements. English tenants do not do so?—That of course makes a difference. There was no tenant-right round me. I think I introduced it in a way. They paid very little, almost nothing for their farms. But here is a thing that strikes me with regard—perhaps I might mention it—with regard to the trade union about us. The country witnesses

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never had more work than they have now. It is different, I am aware, in other parts of Ireland, but about the carpenters, slaters, masons, and so on, are all in full employment, and have never ceased; and that makes us think that the farmers cannot be so badly off. And in addition to that there is the man who would not pay me my rent, but still added another storey to his house. I know plenty of men who don't pay me, but go on improving their farms, put up buildings, and so on.

24,006. Do you wish to suggest any alteration which might be made in Lord Ashburton's Act?—Yes, sir. I certainly think that it would give some confidence if the expenses of transfer were lessened. I think

the expenses of transfer seem unduly great. I think there should be a special clause passed relieving them from all stamp duty. It does not amount to much; but all these things frighten tenants. The expense of maps, checking, stamp duty, and all that, sweep the whole of that away; it should be done generously by the Government.

24,007. You would simplify the transfer to the tenants?—Most certainly.

24,008. Would you recommend the Government should interfere at the present time between landlord and tenant in order to bring about more sales?—I could hardly answer that.

MR. OWEN COGAN, of Ballinacorney, Co. Kildare, examined.

Dec. 9, 1885.

Mr. Owen
Cogan.

24,009. The President.—You are a grass farmer in the Co. Kildare?—Yes, my lord.

24,010. And I believe you carry on the business of an auctioneer also?—Yes.

24,011. You sell a great deal in the course of the year for farmers?—Yes, I sell a great deal for farmers.

24,012. Store cattle?—And also cows and sheep.

24,013. And fat cattle also?—Yes.

24,014. Tell us something about the prices. Have you brought any returns here?—I have, my lord. I sell bullocks for exportation about the month of October.

24,015. Sir James Caird.—What markets do you sell at?—I sell in fairs for exportation to England—fairs in the County Kildare.

24,016. The President.—Do you think the grazing farmers have had as good a time of it in the last year as in the few preceding years?—The last year was a good year for farmers with good grazing land, but the two preceding years resulted in a loss. In my own case I lost on the two preceding years.

24,017. But you gained a little last year?—On this year.

24,018. Sir James Caird.—You gained on this year?—This year I gained; last year and the year before I lost.

24,019. The President.—Was that on account of store cattle being cheaper?—The stores were bought in so awfully cheap last spring, my lord.

24,020. Was there good grass?—It was a good year for grass on good land, but stores on bad land paid almost nothing this year. It was difficult to sell bad cattle.

24,021. This year was a bad year for any except those having good land?—The good land was the thing that paid, my lord.

24,022. Lord Milltown.—Do you say this was a bad year for anything except good land?—It was only a middling year.

24,023. The President.—You said it was a bad year for those having bad land?—It was a very middling year on bad land.

24,024.—Sir James Caird.—It was not a good year for bad land?—It scarcely more than paid its way, whereas good land left a profit.

24,025. The President.—Was it as bad a year on bad land as last year and the year before?—I think not. I think it was a little better.

24,026. Have you any figures?—Yes, bullocks I sold this year at an average of about £12; for the same class I got in 1882 and 1883 about £17. That will do, I suppose, as to cattle?

24,027. Yes.—Well, sheep rose a little in price; this year they are considerably beyond what they were in 1882 and 1883. I sold hoggets in 1882 and 1883, from 55s. to 56s. The same class of sheep I sold to Lord Milltown this year at 57s. 6d.

24,028. Lord Milltown.—Much more than you would have sold than to me last year?—I did not sell any to your lordship last year.

24,029. But prices are better than they were last

year?—Considerably better. Sheep in the latter end of last year were awfully bad.

24,030. Sir James Caird.—In 1882 and 1883 you got from 55s. to 56s. for the same class of sheep?—Yes, I think the same class of sheep. Ewes are selling in our neighbourhood at about 20 per cent. under the year 1882 and 1883.

24,031. The President.—Selling this year. How is it with regard to 1882 and 1883?—I suppose it is about 10 per cent. under 1884.

24,032. Lord Milltown.—And 1883—is it worse than 1882?—A little worse. Generally speaking, last season was not a good one.

24,033. Sir James Caird.—It would make this season better if you paid less for the land and got more for the animal?—Yes; I had good grass land at from 30s. to 45s. an acre.

24,034. The President.—What time do they usually let it?—From spring to the end of the year, December 31.

24,035. Are there no sales going on now?—There is no grass in our neighbourhood exactly at present.

24,036. Lord Milltown.—It is not the custom to let on this time of the year. It is done later on?—Yes.

24,037. The President.—In March they let now?—I am aware of it advertised.

24,038. Lord Milltown.—We had evidence that in March they were letting the land now for 15s. an acre more than last year?—I heard so.

24,039. The President.—You have no personal experience of that?—No.

24,040. Are you also extensively engaged in buying oats?—Yes. In 1881 I paid an average of 10s. for oats.

24,041. That is for the barrel?—The barrel, 14 stone. In 1882 I paid on average of 10s. 6d., a little more than in 1881. In 1883 an average of about 9s. 8d., and 1884 the same.

24,042. Lord Milltown.—What time of the year?—From harvest to Christmas is about the time the chief business is done.

24,043. As regards 1885?—1885 and 1884, 9s. 8d., and 1883, 8s. 9d. I bought about 5,000 barrels this year at an average of about 7s. 8d.

24,044. Is there a better crop this year, a more abundant crop than last year?—Not sufficient to make up the difference. The chief grain growing in my neighbourhood is unfortunately barley, and it is practically unsaleable at present.

24,045. The President.—Does the quantity bear any relationship to the cheapness of price?—I think not; the barley is practically unsaleable in one part of the country this year.

24,046. Was it a good crop?—As far as the yield of barley was concerned, but the quality was very indifferent.

24,047. Lord Milltown.—Does not a plentiful crop of oats all round tend to lower the price?—It would naturally.

24,048. The President.—The oats come from other countries as well?—Yes.

24,649. In your experience is there any relationship between quantity and cheapness?—I think it hardly affects it in this country.

24,650. Lord Millicom.—What do you say as to oats?—Not as to oats. The more fact of a barrel or half a barrel an acre more one year than another does not affect the price in these times of free trade.

24,651. Mr. Knipe.—Have you the price of barley in 1841?—I know the fall is now considerable. In fact, barley is not saleable just now.

24,652. Sir James Caird.—What are they doing with the barley?—It is lying in the barns, and they cannot sell it.

24,653. Is it not of a quality sufficient for brewing or distilling?—No, not sufficient for the ordinary purpose of barley. I presume the ordinary purpose of barley is for malt.

24,654. Mr. Knipe.—Are you able to say how much it is lower this year than last year?—I have a good deal to do with parties having barley, and they were getting from 14s. to 16s. After the threshing last year and this year, I gave out, the more as my neighbours, barley for feeding pigs at 9s. A fortnight after the threshing commenced the dealers bought barley at from 12s. to 13s., and as they found they could not get a half, they stopped buying it, and it now lies on the heads of the farmers. I am getting it off at 9s., and some at less. There are 16 stone in the barrel.

24,655. Is it extensively grown in your locality?—Very. It is the principal crop from Meath to Athy and from Meath to the town of Kildare.

24,656. Sir James Caird.—It is not lower in price than oats, is there are sixteen stone for 9s. and fourteen stone of oats for 7s. 6d.?—It is lower than oats by the stone; in fact it is practically unsaleable even at that. It was a most unfortunate thing in that tillage neighbourhood, it was the barley that put in the stall feeders, and unfortunately they are not able to put in the stall feeders now, and the banks won't give credit, and we know the stall feeders are not in; they were not able to buy them.

24,657. They could not buy them?—Yes, that is so. In many cases they could not put in stall feeders in consequence of not being able to sell the barley.

24,658. Mr. Knipe.—Where are the brewers getting the useful supply of barley from at present?—I have no exact evidence as to that. Some of it is imported from Sweden, according to the newspaper reports.

24,659. The President.—Your dealings with the farmers give you an opportunity of knowing what their circumstances really are?—Yes, my lord. I remember five or six years ago, when not doing more business than at present, I would be only owed on an average £600 or £700 the year round, and now I am owed considerably over £25,000.

24,660. Sir James Caird.—You mean the farmers owe you that?—Yes.

24,661. The President.—Are these pasture farmers as well as tillage?—Every sort.

24,662. Lord Millicom.—What is the debt usually for?—Different classes of things.

24,663. Produce bought at your sales?—Yes, in some cases. I keep a shop as well for seeds, &c., and the things purchased in that shop I find them willing enough to pay as soon as they can make money.

24,664. The President.—Do they live more expensively than they used to do and drink more stoutly?—As regards that I may state I am a temperance advocate myself, and some time last spring I was waiting to get paid for stall feeders in Athy, and it was remarkable to see how temperance was getting about contrasting it with other times. As to the amount of drink consumed, not a quarter of the stoutest in consumed now as formerly. It is remarkable the improvement which has taken place in that respect.

24,665. The President.—Do you consider they do not spend so much money in drink?—Yes.

24,666. Do they spend it in any other way?—No other extravagance. When other one way they will be sober in their dealings in every other way. One thing I remarked in selling madder this year was the down-

ward tendency in price. I remember some years ago I would be paid fancy prices for madder. This year, with one or two exceptions, I would be probably only getting the amount of the ground rent, and I would turn and say, "What am I to do?" They would reply, "Be gone, do the best you can," and accordingly in several cases I would have to let the hammer fall and sell madder for practically the ground rent, so that in those cases you could not put a value on a grass farm for more than the ground rent, and it is not the worst farm that will grow madder.

24,667. Lord Millicom.—I suppose there was a good deal of land madder this year?—I suppose probably more than other years, but afterwards when made up in hay, it was not able to bring the price.

24,668. It was a difficult year to sell hay?—Yes.

24,669. The President.—Have you had any instances of boycotting of sales?—I cannot say that I have.

24,670. Nothing of a character to effect your sales in any way?—Not as far as I was concerned.

24,671. Lord Millicom.—Is it your experience that the tenants are anxious to purchase their holdings?—I think they were more anxious two or three years ago. They see the gradual fall in the times, and they get afraid to buy unless they buy at a small rate, and what they would think a fair rate would be probably unfair to the seller. I do not think they have as great a wish to purchase as they had some years ago.

24,672. Does that arise from an impression or idea that by waiting longer they would get it cheaper?—Yes, just as at a bad fair they would be more cautious in buying or selling.

24,673. If they thought land had now reached its lowest price, do you think there would be an anxiety to buy?—I think so.

24,674. Is there a desire amongst them to become owners?—The majority of the tenant farmers would like to be owners if they thought things would improve, but the smaller farmers are on the verge of bankruptcy, and they think things could not be worse than at present with them.

24,675. During the last few years of the agitation I suppose they have not attended to business as much as they used?—They certainly show they are attending to business as much as ever.

24,676. Do you mean during the time of the agitation?—It would be only an exceptional case where a man would not attend to his business. The general class do, and you cannot judge of the many by an exceptional few.

24,677. You do not think the agitation has any effect in making them neglect their business?—No doubt one or two in a parish might.

24,678. A state of uncertainty existing is not likely to make men attentive to business?—It renders them more cowardly about making permanent improvements, and prevents some who have money invested in expending any portion of it on improvements which they would be inclined to make at other times, if things looked better than at present.

24,679. Do you think there is a great difficulty in paying judicial rents this year?—There is from all sides.

24,680. You believe there is a difficulty?—Yes, especially on tillage land.

24,681. The President.—Have they been given abatements?—Only a minority of the landlords have given abatements. The majority of them are not offering abatements.

24,682. Lord Millicom.—I understand that farmers who have good grazing land have not had a bad year?—No. People that reared the stock from calves have a small margin for rearing them, but that is different from buying them at the rubbish prices they were last spring. I don't believe those cattle could be reared at the present standard and leave any margin to the reuter.

24,683. How did they rear them thirty years ago when they got much less?—I suppose the times were a good deal better.

24,684. I think not.—Something over thirty years ago

Jan. 9, 1886.
Mr. Owen
Cogan.

Dec. 9, 1836,
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ago people lived on a few potatoes, but at the present time you cannot expect a farmer and his family to wear bad clothes when his labouring men won't do it.

24,683. I would be sorry to see him do anything of the kind. I suppose things were much cheaper thirty years ago than they are at present—I have a very indistinct recollection of that time. As regards the prices of produce I have heard of several other markets rating under the prices I have stated.

24,686. Barley at 5s. a cwt.—That would be more than my average.

24,687. I think you have stated a man could not pay himself for rearing young cattle at the present prices—I think not with the ordinary rent to pay.

24,688. The rents were higher when the cattle were lower and there was no foreign competition—I am not recollecting those times I cannot speak as to that.

24,689. But on a matter of fact, when the rents were higher and the prices were lower, the rents were paid?—A farmer can hardly expect his family to live in the same state now as they lived in those times.

24,690. Do you think that accounts for it?—To some extent.

24,691. And there is an increase in the price of labour he has to pay?—Yes, labourers getting £10 a year when the same class of men would only get £4 thirty years ago. The farmers' sons will not wear bad clothes, seeing the labouring men are wearing good ones, nor the farmers' daughters in like manner.

24,692. That you think accounts for it?—To some extent it does.

24,693. But to a man who does not employ labourers for the purpose of labour it does not matter?—But he has to clothe his sons and daughters better than he would thirty years ago. His sons and daughters see the labourers better clothed and fed than they were thirty years ago, and his sons and daughters will hardly stop with him if they don't get something decent to wear.

24,694. Do you think a man who has only enough or so much land that he can farm himself, with the aid of his family, is likely to do better than a man who has to employ labourers?—The large farmers on the big tillage farms have gone down the hill more than the farmers with small farms. I see the Scotchmen who were very well to do, having big tillage farms in the neighbourhood of Athy, and they have gone wonderfully down, and they were not bad farmers.

24,695. They had lower prices, worse produce, and higher labour?—I suppose so. I know they are harder set than I ever remember them.

24,696. A man who has only about 30 acres, if he has an industrious family of three or four, he will be able to look after it himself?—If the land is fairly good, but it is very hard for him to live on bad land.

24,697. Bad land is dear at any price?—It is. Some time since at a fair I saw four fairly bred yearlings and they were bullocks, and a neighbour of mine bought three out of the four at £3 15s. a piece. Cullen was the name of the man who had them, and unless he had the land for nothing he could have had nothing for himself.

24,698. Mr. Keble.—What would they be worth 30 years ago?—During the famine!

24,699. Lord Milltown.—That must have been a particularly bad fair you refer to?—It was, but the day after in Naas was worse. It was the worst fair I saw for the year.

24,700. Sir James Caird.—Which fair was that?—The November fair in Naas.

24,701. Lord Milltown.—Supposing a general purchase to take place of their holdings by the tenants of Ireland, do you think a man having 50 acres would be able to meet the Government instalments?—Those with fairly good land would.

24,702. The State would be as safe in lending to them as to the larger men?—I think so.

24,703. And you believe they would do their best to pay the instalments?—I do. I scarcely ever have to make a process or serve a writ on them.

24,704. Sir James Caird.—You think it to holders

of good land, and you entertain no doubt they would be able to pay the instalments?—Yes.

24,705. You do not refer to the holders of land of an inferior quality?—In the present state of the times they can hardly make rent out of bad land at all. I would sooner pay double the value for prime land than take bad land if I got a present of it free of rent.

24,706. If it should be bad land there would be little probability of their paying the Government instalments?—I presume so.

24,707. Lord Milltown.—What effect would a large increase of small proprietors have on the general peace and prosperity of the country?—Once a man can say his place is his own he would be naturally more willing to improve it than if he did not know who might own it to-morrow or next day.

24,708. And he would be more desirous to maintain law and order?—Certainly, for he would feel he had a stake in the country.

24,709. At present many of them have very little stake?—Very little; no matter what turned up they could not be worse.

24,710. The natural inclination of the tenants in your neighbourhood anyhow has been to pay their debts as well as they could and not like honest men?—It has. I have at least £10,000 to collect in the year, and in very rare cases have I to serve a process or a writ, not probably two in the year.

24,711. Mr. Keble.—You don't remember fifty years back?—No.

24,712. Was it from what you read you admitted prices were as low then?—I did not state what the prices were fifty years ago.

24,713. You have a fair knowledge of what the prices were in 1881 at the time of the passing of the Land Act?—Yes.

24,714. Is it your experience times have improved since then?—Certainly not, and I have got considerable experience. I sold two-year-old bullocks to a sub-commissioner at that time in the April fair of Athy for £17.

24,715. What would the same class of cattle be worth now?—They would not sell for more than £13. Cattle sell higher in April as a general rule than they do at this season of the year. The cheapest cattle sold in November 1883 with those sold in November 1869; beasts sold in the former period at £17 and they sold at about £13 this November.

24,716. What has caused these exceedingly low prices, what has brought it about?—I could hardly state exactly. It is owing chiefly I would say to foreign competition. In 1884 I supplied a man who had a butcher's shop in Ballymore, Enniscorthy, Bernard Purcell is his name. In August I began to supply him with bullocks. He got sick, and he said his son did not know how to buy them, and he asked me to supply him, and I agreed to send him bullocks at 72s. 6d. per cwt. I paid for each bullock at the rate of £3 6s. 8d. the cwt, and I would be glad to sell at from 45 to 50 shillings this year.

24,717. Looking at the quantity we are getting from America, do you expect that prices may improve?—I don't see any reason for hope. Some farmers having good grass land, and I include myself amongst the number, we made some money this year, but we will not get shares unless at ruinous prices in the coming season. The cows that reared the cattle are gone from their doors in a great many cases.

24,718. In order to meet pressing demands?—Yes.

24,719. Should not the low prices the farmers get for store cattle the last year have a serious effect on the men who reared them?—It was ruin to them.

24,720. A larger number would suffer than would be benefited by the present prices?—Certainly.

24,721. And in consequence of the low prices the graziers bought the cattle at, they had larger profits?—Certainly, and the fact that they had grass land cheap. In one case I had land from Colonel Berthon on which I grazed 28 large bullocks, and I had the grass of it for £50.

24,722. Was this good land you spoke of, the meadow you sold last year?—For ten or fifteen miles round my district there is good grass land.

24,723. What was the average price of the meadowing you sold?—In some cases I got fancy prices, but as a rule I did not get £1 a cow for any.

24,724. You said it was 70 per cent. lower than the year before?—Meadow sold a great deal less than 20 per cent. or little more than twenty per cent.

24,725. Speaking of the financial position of the tenant-farmers in your county, is it your experience they have money at present?—I know a good deal of their affairs, and I have to wait for their account. The more fact of being only owed £600 or £700 in the good times, and now being owed an average of £2,000, would show a difference in their condition.

24,726. Is it your belief they are in a worse position than they were, and unable to meet their demands?—Certainly.

24,727. And that that has led to a call for a reduction of rent?—Certainly. Some on bad land don't want a reduction, for they have nothing to offer.

24,728. Sir James Caird.—You said half the small farmers were on the verge of bankruptcy?—On bad land.

24,729. Do you draw a great distinction between bad land and good?—I do.

24,730. And large tillage farmers you say have gone down very much?—Very much. Scotchmen or men reared in Scotland are the chief large tillage farmers in our neighbourhood, and I know as a fact they are gone down wonderfully.

24,731. Farmers generally have lost much of their capital?—Yes.

24,732. Since 1881?—Since 1880 the capital, I think, is gradually "going."

24,733. That is your opinion—that the capital has been gradually going since that period?—Yes, especially on bad land. I know a good many cases where it is gone on good land too, missing 1884 and 1885 left us margin, and they had to turn to sell their capital. 1886 would not build up the capital then, even on good grass land.

24,734. Your experience shows that when farmers have the money they pay their debts regularly?—I always found it.

24,735. And you think they do not because of the inability to pay?—Yes. If I met them in a fair way they say, "If you sell, we will pay you." If I do sell I cannot ask them for the amount of the bill immediately, and except there was pressure on myself I would hardly press them; but there is no pressure, thank God, on me.

24,736. Lord Milnesham.—What do you suggest for people in the position you have stated—that they don't ask for a reduction because they have nothing to pay anything?—If I were a landlord I would give a clear receipt if I got a half year.

24,737. Have they got a half-year's rent?—A good many of them would make it up. A man came to me last week for a cheque for £7 10s. for his agent. I

asked him what he was going to do with that, and he said to pay a half-year. I asked him how much he owed him, and he said, "I owe him a year, and the 'balance due from last year.' His yearly rent was £15, and there was a balance due of £8 9s. He said his landlord offered him £2 9s. of an allowance. I asked him how was the old balance made up, and he brought me a letter from the agent dated twelve months ago, saying, 'You now owe me £26 9s. and if you send 'me £20 before January 1 I will accept it in full discharge.' He sent £18 in three instalments, and left £2 balance, and because the agent did not get the full money he left the £8 9s. balance instead of what the man thought was only a balance of £2. I said I would write to this gentleman for him and ask him to account for it, and that I would get my clerk to copy it. I wrote a letter and the clerk copied it out, and the agent wrote back to say he would give no more allowance than £2 9s., which was offered him. The poor man was willing to pay him the £7 10s. for the half year, and I told him I would lend him the balance or get it for him.

24,738. Lord Milnesham.—If that man had time given him would he pay altogether?—Certainly.

24,739. You think that would be true of a good many of them?—Yes.

24,740. Any not in a hopeless state of bankruptcy?—That man would be bankrupt if the landlord pressed him for the additional £8 9s.—legally due, perhaps, but not morally—if he pressed him for the whole of that money now.

24,741. Do you think if these men got time they would be able to recover themselves?—Yes, if they got time and got some little inducement; except those on really bad land, they would make an offer to pull themselves up.

24,742. But those on really bad land are in a hopeless condition, no matter what happens?—I would not like to say a hopeless condition, but when a man has a heavy weight round his neck he is not in the humour of fighting it, but if you say, "I will take some of that 'weight from you and give me £5 instead of £15," somehow or other he will make it up.

24,743. If they got time you think even they might recover themselves?—Yes. If I was the landlord I would knock off a good deal—I am a small landlord—I would knock off a good deal and make the tenant more of a free man.

24,744. We would be all much freer if we had our debts knocked off. Would he recover himself even if he did get the rent knocked off?—He would strive at any rate.

24,745. Sir James Caird.—South Kildare is the district you refer to?—Yes.

24,746. Is it a fertile part of the country?—It is chiefly high land in South Kildare, the portion adjoining County Wicklow.

24,747. Is the quality of the land good in South Kildare, adjoining the County Wicklow?—Yes, the high land is fair land and the grass land adjoining Wicklow is good.

Mr. ROBERT ROMNEY KANE, examined.

Dec. 5, 1885.

Mr. Robert Romney Kane.

24,748. The President.—You are a legal assistant commissioner?—Yes, from the beginning of the operation of the Act.

24,749. Where have you chiefly worked?—I have worked most of my time in Lottister and Munster, but I have gone two circuits in Ulster.

24,750. On your state to the commissioners something of the principles you follow in the settling of judicial rents?—Well, we base the evidence on both sides. We first ascertain carefully the area of the holding and the rents; then we get evidence as to the history of the holding; how the tenant acquired it, whether he took it direct from the landlord or purchased the interest of another tenant, or succeeded on his father's death; whether there has been any change

of rent; receive evidence of value in case either side produce valuers, and having obtained the evidence in court, the land is inspected, by the two legal assistant commissioners, and in cases where I consider it advisable I also inspect it, and the land having been inspected we meet and consider on the evidence and on the result of the inspection, what the rent shall be.

24,751. Do you consider the value of the tenant's improvements?—We estimate the value of the improvements in each case. In the first place we receive evidence in court as to what improvements have been made; then we ascertain at what date they have been made, in case they may be excluded by the limit of time laid down by the Act of 1870, incorporated in our Act by the decision in "Adams v. Dunsenath," and

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we then check that by an inspection on the land to see whether the improvements are there.

24,751. In fixing the rent you don't think you inadvertently take tenants' improvements into account?—We are very careful to avoid doing that.

24,752. Lord Millican.—That is putting a rent on them?—Yes, we exclude them from rent. The provision with regard to buildings which any valuer-commissioner adopts is to value the land without the buildings, and then in cases the buildings were erected by the landlord, or acquired by the landlord, or where the landlord jointly contributed towards them in kind or money, we give a rent equivalent to that, but we don't give any rent in respect of buildings erected solely by the tenant.

24,753. The President.—Have you been fixing rents recently?—Yes, up to the present time.

24,754. Do you make any difference in fixing the rents now as compared with two years ago?—Certainly. We consider ourselves obliged to take the recent great change in the fall of prices into consideration in fixing what would be a fair rent to pay for the next fifteen years.

24,755. You don't fix it entirely on the last year?—No. We go back on the past, and in forming an estimate for fifteen years we cannot exclude from consideration the experience of the past two years.

24,756. What sort of difference does that make?—It makes about 10 per cent. Probably the fall has been less in good land and greater in worse.

24,757. Judge Nelson.—Is that 10 per cent. as compared with 1883?—As compared with 1882.

24,758. The President.—You think it would be difficult now without an abatement to pay the rent that was fixed in 1882?—That is a question I could hardly answer. I should say the rent fixed in 1882 would be too high now by about 10 per cent., but whether the tenants could pay it or not depends on many circumstances.

24,759. I mean as regards his outgoings?—Yes.

24,760. I need scarcely ask you as to leaseholders. With regard to the admission of leaseholders into the Act, are you of opinion they ought to be admitted as regards the adjustment of rent?—They ought, at least to some extent.

24,761. Where would you recommend the line to be drawn?—There is a great difference in leases. There are two classes of leases: there are the ordinary agricultural leases granted for a term of thirty-one years or a shorter term, and there are long leases.

24,762. But you would admit them to some extent?

—Yes. These long leases—leases for a long term—are always dealt with as a sort of property, and there would be considerable difficulty in dealing with them.

24,763. Judge Nelson.—You would confine the benefit to the first class?—Yes. I think there would be difficulty in dealing with long term leases.

24,764. The President.—Even if purely agricultural?

—Yes, in this way a difficulty would arise. In many cases of long terms the rents are exceedingly low, and the difficulty of dealing with those long term leases would be very great. If you admit the benefit to tenants holding under long leases without giving the landlord a power of breaking those leases, it would seem an injustice to landlords who have the reversion expectant on them, whereas, on the other hand, if the landlords had power to break leases made for a long term, it would be ruin to many people who have a valuable property in these long terms. With regard to short terms, the difficulty that arises on the question of mobility is not so great.

24,765. Whatever power the tenant should have the landlord should have?—Yes.

24,766. Judge Nelson.—Would you venture to define the term?—I think if I proposed it I would say probably for thirty-one years with or without a concurrent term of three lives. That would be the nearest thing I would go to, a lease for a term of thirty-one years or three lives not renewable.

24,767. The President.—I need not of course ask you how you would deal with perpetuities as they would

come under the head of long leases?—Certainly. Substantially there is no distinction between leases for a long term of years and a perpetuity interest.

24,768. We have had evidence as to certain cases of perpetuity being forced on tenants to evade the Act of 1871, the same in many respects as those leases which the commissioners were allowed to break which were forced on tenants; those might perhaps come into a separate class by themselves, and be broken on the ground of pressure being put on?—That would be only just if there were such cases. I have not known in my personal experience of such a case. That would be quite sufficient ground for giving them the benefit.

24,769. They might form a class in themselves without interfering with other perpetuities?—Any leases made since the passing of the Act of 1870 might fairly be entitled to it.

24,770. Lord Millican.—Any made since 1870?—Possibly any leases made after 1870, and made for the purpose of depriving the tenants of the benefit of the Act of 1870.

24,771. The President.—Any that stood in the same position as those other leases?—Certainly.

24,772. Lord Millican.—Would you break them?—In case the perpetuity was forced on the tenant under such circumstances as obtained by distress since the passing of the Act of 1870, the perpetuity might fairly be set aside.

24,773. Judge Nelson.—You would extend the 21st section of the Act of 1861 to such cases?—Yes.

24,774. Lord Millican.—With regard to leases passed after 1870 what do you say?—In such cases I would give the tenants the benefit of the Act of 1861.

24,775. The President.—You think in cases of short leases they might be admitted?—Yes.

24,776. Lord Millican.—You don't propose to break the leases, but simply to adjust them to have a fair rent fixed?—I would break the leases absolutely. That is, the operation of the statute which declares them void. As to the other matter, with reference to the question of leases generally, the general question of the admission of leaseholders to the benefit of the Act would be independent of the question of the lease being forced on the tenant, for in few cases before the Act of 1870 were leases forced on the tenants. They were generally voluntarily taken by tenants to insure security of tenure during the term of the lease.

24,777. The President.—Are there in your opinion any impediments to the statute of the Purchase Act which you could point out?—One of the questions, which I think is a very serious one, with reference to the Act is the matter of the fee-farm rents. The bulk of the small estates in Ireland are held subject to fee-farm rents representing leases for lives renewable for ever, which have been converted into fee-farm grants. Practically all very small estates in Ireland, except those bought in the Landlord Estates Court or under the Church Acts, are subject to fee-farm rents. In most cases these fee-farm rents are too large in amount to be paid by any one tenant, and the result of that is the estate is practically unalienable.

24,778. What is the difference between a fee-farm rent and a head rent?—It is the same thing. The owner of it will hardly consent to an apportionment of it. You have in one case a number of small rents payable by different occupiers, most of whom would purchase under the Purchase Act, and it could only be sold if they would consent to join in the sale. To enable those estates to be sold, and which are amongst the estates most likely to be offered for sale, as the owners are in a most embarrassed position at present, it would be important there should be some means of reducing those head rents, such as exist in cases of title rent charge.

24,779. At a fair price?—A fair price.

24,780. One idea was suggested that a power of apportionment should be given to the Purchase Commissioners to apportion the rent amongst the different tenants, and if the owner of the fee-farm rent objected, that he should be given a capital sum for the value of the fee-farm rent?—It might be done that way as an

alternative, that there should be power of apportionment, and if the owner of the fee-farm rent objected, then that he should be required to take a capital sum for the value of the fee-farm rent.

24,781. You recommend a power of apportionment, and if the owner of the fee-farm rent objected, then he should be compelled to take a capital sum for the value for the fee-farm rent?—Yes.

24,782. How would you fix the sum he was to receive?—That might vary according to the proportion the fee-farm rent bore to the value of the land.

24,783. Judge *Nelson*.—If a very small proportion?—Then the owner of the fee-farm rent should be compensated in proportion. If it bore a large proportion to the occupier's rent, then that he should be compensated at a larger sum. For instance, suppose the estate was sold at a fixed number of years' purchase to the occupier, then the owner of the fee-farm rent, if he elected to have it purchased, might be paid according to a sliding scale for the number of years' purchase, varying according to the proportion the fee-farm rent bore to the occupier's rent.

24,784. You would have a table made out and embodied in the Act of Parliament?—Yes, that would proportionately reduce the number of years' purchase.

24,785. You think the Act ought to give the owner of the fee-farm rent exactly the same sum which, if created in Concoils, would purchase the same income?—A fee-farm rent, although good security, is by no means equal in value to the same amount derived from Concoils. A fee-farm rent does not sell in Ireland for what would represent a return of three per cent. on the capital.

24,786. Is there any means of getting at the monetary value of a fee-farm rent?—Very little property of that kind has been sold in the Landed Estates Court in Ireland within the last few years. Before that a number of fee-farm rents were sold in the Landed Estates Court.

24,787. Lord *Milltown*.—How many years' purchase were they sold for?—Almost always for more than the ordinary sale of land in possession. I am not able to answer that correctly.

24,788. Do you know anything about it?—I know the ordinary fee-farm rents have been sold up to thirty years' purchase.

24,789. Are you prepared to say head rents were not constantly sold at thirty years' purchase?—I am not prepared to say many were not sold at thirty years' purchase.

24,790. Why were they not as good a security as Concoils?—Because I don't think any return from land in Ireland is as good a security as Concoils.

24,791. Do you think a fee-farm rent of five or six shillings in respect of an acre of land worth £2 is not safe?—A fee-farm rent of that small amount would probably be perfectly safe.

24,792. You think even that is only payable?—It is not so marketable a security.

24,793. The *President*.—It is rather in the nature of a mortgage?—Yes.

24,794. Lord *Milltown*.—How can you say it is in the nature of a mortgage when the man to whom it is payable is the real owner of the land?—If you have the same in Concoils, that can be sold at any time and in any portion you like. A fee-farm rent arising out of property is a property which can be only sold on making title to the purchaser who buys it.

24,795. Is not the income just as safe when the head rent received bears an infinitesimal proportion to the actual letting value of the land?—It probably would be.

24,796. Do you propose to make the owner of that property suffer in his income by compelling him to sell it at a sum which would purchase a less income?—I have given no opinion as to the case.

24,797. You conveyed that he should not get such a sum?—He should get such a sum if the value of the fee-farm was as valuable as the same income from Concoils. I think he should receive such a sum as would represent the full value of the fee-farm rent.

24,798. Who is to determine what is the full value?—It is a difficult question.

24,799. Is that to be left to the opinion of the sub-commissioners?—A scale should be embodied in the Act.

24,800. How can you have a scale when the rents differ? Could you place a property where the royalties were reserved by the head landlord in the same position as a property where there was no reservation?—Certainly not. That should be an element of value also, and may be a very material element of value.

24,801. These might be a coal-mine underneath?—Certainly, and all these things should be dealt with.

24,802. The *President*.—Have you known many sales actually stopped on account of these fee-farm rents?—I have known of one instance, and I have heard of it in ordinary discussions of the matter. I have heard it many times spoken of as a serious matter.

24,803. In one case actually stopping a sale, and many more must have taken place in which regulations were prevented?—Certainly.

24,804. It is an evil which ought to be met?—Yes. It practically renders the sale of a large bulk of the small estates in Ireland impossible.

24,805. Judge *Nelson*.—The Act of 1885 contains some provisions in reference to it?—It hardly carries it beyond what it was before. As a rule, tenants don't wish to buy subject to a rent of that sort. It exposes an individual tenant to pay the whole.

24,806. The *President*.—If there is no power of apportionment each individual tenant may be called to pay the whole sum?—Yes.

24,807. It may swallow up the whole income?—Yes.

24,808. Are there any other impediments you would wish to mention?—This question is not one which comes directly under my observation as a Commissioner. It is dealt with by other officials of the Land Commission. That was one point I entertained a strong opinion on. I don't think there is any other point on that I should desire to discuss.

24,809. The terms of Lord Ashbourne's Act are very liberal to the tenants in Ireland?—Very liberal.

24,810. Do you think the retention of one-fifth is a practical impediment?—I think it is as regards landlords who hardly look on the reduced fifth as being a sum which will come to them at all.

24,811. In some cases there would be security enough without it?—In some cases.

24,812. Lord *Milltown*.—Are you in favour of compulsory purchase?—I think that a compulsory purchase would be desirable.

24,813. In all cases?—I think if a compulsory purchase was carried out the tenant should have a right to compel the landlord, as well as the landlord to compel the tenant, if the question of compulsory purchase was to be seriously entertained. It is a question which perhaps I would rather not express an opinion on. It is open to a great deal of difficulty, but if there be compulsory purchase I think the tenant should be entitled to compel the landlord to sell, as the landlord should be entitled to compel the tenant to purchase, but at a different rate of purchase, as is the case under the scheme for the emancipation of the serfs in Russia.

24,814. You have given an unhesitating opinion, that the head landlord ought to be compelled to sell?—Yes, for this reason, the head landlord, as owner of the fee-farm rent, is in a different position from the ordinary landlord as to reversion.

24,815. Tell me how the head landlord who has let his property on fee-farm grant, reserving to himself the royalties and rights of sport, how does his position differ from that of the judicial landlord, under the Act of 1883, except that his rent is considerably lower?—The legal position is different. An estate in fee-farm is an estate in fee, subject to a fee-farm rent.

24,816. What rights does the judicial landlord possess which the head landlord does not possess?—The owner of the fee-farm has a rent which is not variable.

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Dec 9, 1828. while the rent to the owner of the reversion is for a term of fifteen years.

Mr. Robert Romney Raine. 24,817. With the exception that the rent is variable, what other difference is there?—There is probably no very substantial difference.

24,818.—Is there any difference, substantial or not substantial?—There is a legal difference. The owner of an estate in fee firm is under the operation of the Leasehold Renewable Conversion Act, owner in fee subject to a rent charge.

24,819. He is not owner in fee?—He has an estate in fee.

24,820. But a fee-simple is the highest estate known to the law. A man has not then if his property is subject to another person?—His estate is an estate in fee except there is a perpetual rent charge payable out of it, and the royalties are reserved, which they may be out of a grant in fee.

24,821. If not the case, where they are reserved?—It is the usual case. That is the distinction; in a fee-farm rent payable out of the land there is usually a reservation of the mines and minerals.

24,822. But they are reserved in both cases. I put to you a case where the head landlord, the owner of the fee-simple, has under the provisions of the Renewable Leasehold Act let his property to a tenant under a fee-farm rent, the original tenure having been a lease for lives renewable for ever, and in that fee-farm grant all the reservations contained in the original lease are preserved, including the royalties and the rights of sporting and the rights of all timber planted since 1780. How does that man's position differ from the judicial landlord under the Act of 1831, except that his rent is not so large and cannot be altered?—There is in substance no difference, but there is a legal distinction.

24,823.—You believe there is some legal distinction as far as names go?—That is my opinion. The judicial rent is variable, whereas the other is fixed in perpetuity.

24,824. Some contain a shifting clause, a sliding scale?—Certainly.

24,825. So that distinction would not even exist in those cases where the clause is never acted on; but is there?—I believe so.

24,826. How do you justify your absolute opinion that these gentlemen should be compelled to sell their property whether they like it or not, while you hesitate with regard to the judicial landlord?—Because the compulsory sale of the whole of the property of Ireland is a transgression of such enormous extent, while the compulsory sale of fee-farm rents could only be necessary to a sale already agreed on between the middle-man and the occupying tenants.

24,827. It is on account of the magnitude of the operation?—Yes, precisely.

24,828. I understood you to say that you yourself inspect the land?—I do in cases where my colleagues or myself consider it desirable.

24,829. Have you had any agricultural training?—No.

24,830. How does your inspection of the land help them to come to a conclusion?—I do not give an opinion. I do not enter, as a rule, into that question; but there are many cases where there are other circumstances than the mere value of the land enter into consideration—for instance, whether a case comes within the Act as being an agricultural or pastoral holding at all. Take the case of O'Brien and White, where the agricultural character of the holding may be of importance as regards the view we take of it. For instance, the land was held in that case by the Court of Appeal, to be let for the purpose of pasture, because it was physically incapable of being used for any other purpose.

24,831. In that case simple inspection gave you the result?—In such a case as that I would consider my own opinion would be assisted by inspection.

24,832. You have stated that you now place rents lower than you did two years ago?—Yes.

24,833. Will not one result of that be to create

intense dissatisfaction amongst the tenants whose rents were fixed two years ago?—Probably.

24,834. Would it not be certain to have that effect?—I would say certainly. I recollect at the time when we first began to see the necessity of altering the scale, some of the sub-commissioners held an opinion it would be more desirable to continue to fix rents on the same basis, and leave it to the Legislature to deal with the question as to the abatement of rents, if necessary, that were fixed before; but, on the whole, we came to the conclusion we were bound to deal with each case on its own merits, and commencing now judicially fix what we would consider a fair rent fifteen years to come.

24,835. When did you begin to make this difference in your valuation?—We began to make that change first in the circuit which began in September last year, and ended at Christmas. There was during that time considerable difference of opinion amongst the sub-commissioners as to the proper course to adopt, but by the beginning of this year I believe that all the sub-commissioners adopted a difference in the scale.

24,836. By the beginning of this year?—From the end of the sittings before Christmas.

24,837. After Parliament met?—No, before Parliament met.

24,838. You began to make this alteration?—The alteration began to be made before that, in my opinion. During that time some sub-commissioners were of opinion that the advantages of uniformity were so great that it would be desirable to retain the standard and leave it to the Legislature, if necessary, to deal with the question of abatements; but even then the majority of assistant commissioners were in favour of making the change.

24,839. Was there a large majority of that opinion?—I think so.

24,840. But the commissioners were aware of the immense amount of dissatisfaction they must create by altering the basis of their valuation?—We had to face that.

24,841. There is nothing an Irish tenant did like more than to see his neighbour placed in a better position than himself, for no earthly reason that he could have shown?—It was our duty to fix a fair rent. We could not enter into the question how other cases were decided.

24,842. And one of the results is that men previously satisfied with judicial rents are now dissatisfied?—I am aware there has been a cry through the country for a reduction of the judicial rents.

24,843. In consequence?—I do not say that.

24,844. Do you think that difference in the scale would be likely to lead to such a cry?—I think the cry for a reduction of the judicial rents would have arisen even though we had not altered the scale.

24,845. I suppose the alteration has not tended to lessen it?—No.

24,846. Do I understand you to say the rents fixed by you in 1831 and 1832 cannot be met now?—No; I think the rents fixed during that time are too high.

24,847. That is to say, I suppose, it is extremely difficult for the tenant to meet it now in comparison with the year when it was fixed?—No doubt.

24,848. And therefore that the rent is not so easy to make now as then?—Yes.

24,849. Can you imagine a rent being fixed for a farm when similar circumstances might not arise through a bad year?—In fixing the rents we must take into account that rent will be too high in some years, and too low in other years.

24,850. And it is too high now you think?—Yes.

24,851. Then, according to what you say, that does not make it too low a rent?—Taking this year and last year merely into account, the reduction should be more than ten per cent. It is not merely a question of abatement for one year.

24,852. Supposing years became more prosperous, your calculations would be upset?—Certainly, if prosperous, the rents would be too low.

24,853. The result is a difficulty in fixing a fair rent?—It is very difficult to fix a fair rent for 15

years, or for any period. We must only act according to the best of our judgment.

24,854. *Sir James Caird*.—You could not possibly anticipate such a fall in prices as has taken place?—Certainly not.

24,855. You are bound to take it into consideration in fixing the rent?—Certainly.

24,856. *The President*.—Have you ever thought of a sliding-scale or produce-rent to vary itself according to prices?—There are great difficulties in the way of a sliding scale or produce-rent, according to the various products of the different districts. For instance, the elements which make up the produce of a farm in the county Antrim and the produce of a farm in the county Kerry, or county Roscommon are quite different.

24,857. *Lord Melbourne*.—You say you did not anticipate such a fall?—Certainly not.

24,858. Did you think it impossible, a state of things which existed 30 years ago might not return?—We had to form the best judgment we could.

24,859. You are aware the prices 30 years ago were lower than now?—Yes.

24,860. In 1852 they were considerably lower?—I believe that prices in 1851 and 1852 were on the whole lower than they are now.

24,861. Fifty per cent. lower?—I do not say that.

24,862. You were aware of that fact; did you consider there was no possibility of those prices ever occurring again?—We considered it possible there might be low prices, and quite possible there might be high prices within the prescribed time.

24,863. But you did not anticipate such a fall as has taken place?—Certainly not.

24,864. Taking into consideration the fact that prices were lower thirty years ago, you thought such an increase would never occur again?—We knew it might.

24,865. Then you must have taken that fact into consideration?—We did not expect it would take place so soon; of course there was a possibility of it.

24,866. You had in your mind the possibility that they might go down again?—Of course there was a possibility of a great fall in prices or a great increase in prices.

24,867. Now, with regard to leases with middle-men, I saw my middle-man, like head landlords, form an obstacle to the free working of the Purchase Act in cases where they have leases; and therefore the landlords, being sure of their rents from them, are not likely to entertain a proposal to purchase?—What do you mean by middle-men?

24,868. I mean a man who sub-lets his property. In such a case where, owing to the operation of the sub-commissioners or otherwise, the interest of the middle-men—owing to reductions—has become practically nil; do you consider, under the circumstances, the existence of the middle-men forms a considerable difficulty to the working of the Purchase Act, he being placed in an unfair position?—It might be.

24,869. In such a case as that would it be desirable to give the middle-men power to surrender his lease?—I think it probably would. It is a question I have not considered, but it probably would be.

24,870. You quite understood me?—Yes.

24,871. Have any cases come under your observation, of tenants who had their rents lowered to such an extent that the owner had ceased to have any profit out of the property, owing to the rent he had to pay the head landlord?—I have no doubt there are many such cases.

24,872. That would be a great hardship?—Very great. We had a case recently in the county Roscommon where we were obliged to make large reductions on the estate of a lady, and the aggregate of the rents received by her will be less than the amount of head-rent she will have to pay.

24,873. *Judge Nelson*.—In such a case as that would you not think it right to give her a power of surrender?—Yes.

24,874. The administration of Lord Ashbourne's Act does not fall on the sub-commissioners?—No.

24,875. Have you given the question such consideration as would render your evidence of value to us?—I have not. It has not come under any observation in my official capacity, and I only know of such cases as one of the general public.

24,876. Would you be in favour of making any difference in the fifteen years' period under the Act of 1881. I pass by the previous Act, for it is a waste of time to consider it?—I think it would be desirable to shorten it.

24,877. To what period would you shorten the fifteen years?—Probably seven years. I think seven years would be a reasonable time.

24,878. Which would you consider more prudent, to absolutely shorten the period to seven years, or give either party a right after an interval, at period of costs, to come in to review the rent?—I am not sure that a better course might not have been originally to give a faculty of tenure more directly than having it dependent on the fixing of the rent for a judicial time.

24,879. I don't exactly follow you.—At present, under the Act of 1881, a faculty of tenure is given indirectly by fixing the rent for fifteen years. That faculty of tenure might have been given directly in the first instance, and the power of fixing the rent given as a collateral right to either party.

24,880. You would first give a man an absolute property in the land, leaving it to be subsequently determined what rent he should pay?—Subject to the payment of the existing rent at the time, that is a matter rather for the Legislature; at present we have to deal with things as they are.

24,881. Would you suggest any change in the present system?—At present I think, on the whole, probably it would be better to allow the term of fifteen years to stand, with the right to the party to come in to vary the rent.

24,882. To either party?—Yes, to vary the rent within that time, say at the end of every five years of the term, the end of the fifth and tenth year.

24,883. Suggestions have been made to the commissioners with reference to an alteration in the law as to ejectments; we would desire to have your opinion on that. Three points are involved in it—first with reference to the renewal of the lease, and making the period of redemption run from the pronouncement of the decree, and with reference to the power of sheriffs to put into possession under writs of *f. fa.*?—These are matters which have not come under my own cognisance, and I would rather not give an opinion on them.

24,884. *The President*.—You say what you would prefer is shortening the term to seven years. You have considered the difficulty of fixing a term, having regard to the variation in the price of produce?—Yes.

24,885. *Judge Nelson*.—I understood him to say he would allow the fifteen years to continue, giving either party liberty to apply every five years?—Yes. You put the question as to varying the period.

24,886. *The President*.—If that were done there would be no question as to a produce rent; what is your objection to a produce rent?—My objection is the practical difficulty of getting a produce rent which would suit all holdings. Taking the South of Ireland, the substantial produce by which the tenant pays his rent, is butter; but then in other parts of Ireland that element does not enter into consideration at all. Flax is an important element in the North for that purpose, and that in the South of Ireland does not enter as an element. In certain counties in Ireland barley is an important element, but in the larger portion of Ireland barley is a crop hardly grown at all.

24,887. The only way would be to divide the country into large districts where the same products are grown?—There would be a practical difficulty in doing it.

24,888. *Judge Nelson*.—Wool would be a staple in Roscommon?—Yes, but in Ulster and a great part of Munster it is hardly an element. We have to ascertain

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what the staple products are in each particular district that we go into.

24,885. The President.—That is the difficulty of carrying it out?—That is the practical difficulty of carrying it out.

24,886. Judge Nelson.—I believe eggs have become an extraordinary staple product in some districts?—Yes, it is an enormous staple in some districts.

24,891. Mr. Keene.—You did not take tenants' improvements into account when you imposed the land for firing the judicial rents?—We exclude the tenant's improvements from the rent. We ascertain the value of the tenant's improvements, and we deduct from the letting value of the land such sum as we consider represents the value of the tenant's improvements.

24,892. Have you not found in the North of Ireland the tenants made all the improvements?—Certainly, and in my opinion there is a difference in the law with reference to improvements in districts where Ulster tenant-right obtains, and in districts in the rest of Ireland.

24,893. In the event of fixing a rent on a well-cultivated farm in good condition, would you not put on a higher rent than on a badly cultivated farm?—No, it would be very wrong to do it. It may have been done in particular cases, but in my experience I have not known it done.

24,894. You said you took three years into account as regards produce in arriving at a fair rent?—No. We did not go back any fixed period of years at all, but we went back on general experience, to make the best judgment we could, no doubt going back for a sufficient number of years.

24,895. The price of produce is a very strong element in fixing a judicial rent?—No doubt.

24,896. What press did you take at that time?—I would rather not go into that. It is a question for my lay colleagues.

24,897. It would be an advantage to this Commission to have the figures and prices on which you acted up to 1885?—The question of the value of the land did not cease within my province; the agricultural value of the land the legal commission assessors always leave to their lay colleagues, and I would rather not express an opinion on it.

24,898. But there was a calculation made as to the price of oats, barley, &c.?—Certainly.

24,899. And if an average was taken now, is in your experience it would be much lower?—Certainly, there has been a great fall in the last two years, I believe, in nearly all agricultural products.

24,900. Your commission commenced to make additional reductions in September 1885?—Yes.

24,901. Other commissions did not commence until this year?—I believe members of other sub-commissions were examined. I would rather the members of other sub-commissions would speak for themselves. The question I referred to was a difference of opinion existing in my own sub-commission. One of my colleagues was of opinion during that circuit the change ought to be made. My other colleague was of opinion, although he fully agreed in the fact that a fall in the value had taken place, that the importance of uniformity was so great that it would be desirable the rent should be fixed on the same scale, and leave it to the Legislature to alter it if necessary.

24,902. Then you are not quite certain whether a number of commissions commenced to give reductions in 1885?—I am not aware; I know some did.

24,903. It is said a number did not?—I can only speak for my own sub-commission, and my impression is the changes took place during that circuit from September to Christmas.

24,904. Judge Nelson.—How many sub-commissions were there then?—Eight. There are now only four. The sub-commissions since January this year have made a change.

24,905. Mr. Keene.—As regards the rents fixed from 1861 to 1885 there is 10 per cent. difference?—Yes.

24,906. With reference to those leases, don't you

think it would be a serious affair for the State to interfere in breaking the leases at all?—I don't see a greater anomaly of contract entered into by deed for a term of years than a parole tenancy from year to year.

24,907. The Government in power when the Land Act was passed refused to include leaseholders?—Certainly.

24,908. But you recommended a certain class of leaseholders should be admitted?—Yes.

24,909. Why?—I was under the impression in 1881 the leaseholders should be admitted.

24,910. A majority of the Government did not consider so?—I was not responsible for that.

24,911. You don't think there is any difference now between a tenant holding under a lease and a tenant who holds from year to year?—I do not, except as regards those exceptional leases. I have drawn a distinction between a certain class of leases and ordinary agricultural leases. In most cases those were leases taken by tenants from year to year, who were anxious to get some sort of security for their improvements, and against having their rents raised during the currency of the lease, and who agreed to pay a higher rent for that security than they previously paid or would have paid if they continued yearly tenants.

24,912. To protect them against a rise of rent?—Yes, or from eviction.

24,913. In some cases the tenants paid the landlords for these leases?—In many cases they paid money.

24,914. If that was the case with regard to perpetuity leases, which you would not touch, would it not be a hardship to leave them out?—The bulk of those long leases are leases at very low rents.

24,915. If the rent reserved in some of these perpetuity leases under the Church Temporalities Act is 20 or 30 per cent. higher than the judicial rent, what would you say?—I have no doubt there are many cases of hardship, but you have to meet the case of long leases, at exceedingly low rents, of enormous value which would be swept away altogether if the landlord had power to break them.

24,916. Would it not be possible to show there was a considerable sum given for the lease?—I dare say in some cases, but in many cases they did not pay any fine.

24,917. But where the tenant holds a lease, whether for a term of years or 999 years, or a lease renewable for ever, and that the rent reserved is higher than the judicial rent all round, would it not be a hardship to leave that untouched?—It would.

24,918. If you touch leases at all, why not all?—There is this practical difference, that in those long terms, if you allow those to be broken, you would sweep away property of enormous value in the country. There are leases in this county and in the county Meath, long and beneficial leases, the interest in which is worth £10,000.

24,919. Are they agricultural holdings?—These are agricultural holdings—large grass farms.

24,920. You said, in reply to Judge Nelson, you had not much experience of the Purchase Act?—No.

24,921. I will ask you a question with respect to that. Do you believe it desirable this Purchase Act of Lord Ashbourne should be made compulsory on certain conditions?—I think on the whole it would be desirable. It would involve great difficulties, but on the whole I think the benefits to be derived from it are greater than the risks that would be run.

24,922. In the event of 75 per cent. of the tenants being willing to purchase, do you think the State should interfere to bring about an amicable arrangement?—If purchases were made compulsory, it should be compulsory in both cases.

24,923. That might lead to serious results afterwards, if you compelled tenants to buy when they did not want to buy?—Certainly; and that is the difficulty about compulsory purchase. The compulsory purchase which is generally put forward has been that the landlord should compel the tenant to buy. If there is to be compulsion on the tenant to buy from the landlord, the tenant should have the right to accept the

landed to sell, and there should be two rates of purchase; that is what exists in Russia between the farmer and his former lord.

24,924. Do you think it likely the State would advance the money under such circumstances?—That is a question of great difficulty. It would involve advances of an enormous amount, and the transaction is one of such magnitude as to make me express the opinion and hold the opinion that on the whole compulsory purchase would be desirable, with great doubts and hesitations, as I feel there are many and weighty difficulties in the way.

24,925. Are you satisfied that prices have a serious effect on the tenants paying their rent this year?—I have no doubt of it.

24,926. And that they have a great deal of difficulty in meeting their demands?—No doubt. I believe the fall in the value of produce has been much greater than the 10 per cent. difference it makes in the rent. In fixing judicial rents we have to consider what abatement should be made in particular years for an average of 15 years.

24,927. Supposing you were called on to go over the same farms again in fixing judicial rents, how much additional reduction would you be justified in making?—On an average about 10 per cent.

24,928. We have had it from other sub-commissioners they would be justified in giving 15 per cent.—I would say on the inferior quality of land the reduction should be probably more, on a better quality of land probably less, but on an average about 10 per cent.

24,929. Mr. Neligan.—Mr. Reeves said from 10 to 14.—I should say ten at least, on an average.

24,930. Mr. Reeves took your distinction as to the quality of the land, and estimated it at from 10 to 14?—I should say 15 on inferior tillage land.

24,931. Sir James Caird.—With regard to Lord Ashbourne's Purchase Act—with regard to compulsory purchase—did you say compulsory purchase might lead possibly to an idea of repudiation; that a tenant might say: "I was forced to purchase; I was not consulted"?—It would be unfair to compel a tenant to purchase without at the same time giving the tenant the compensative right to compel the landlord to sell.

24,932. Apart from that altogether, the compulsion would not affect this question in regard to landlords; but if there was compulsion on the tenant, he might hereafter say: "I was forced into this purchase and I may fairly ask to be allowed to repudiate it"?—Yes, and I consider that to be a serious objection to it; it is a considerable danger.

24,933. You spoke also of the retention of one-fifth as being an impediment; is that compatible with the fact that since 1881 there has been a fall of 12 per cent. in the value, so that one might suppose a purchasing tenant would to that extent have a difficulty in paying his instalment, and would not that be a good reason for maintaining one-fifth?—I think whatever purchase money the landlord was to get it would be better to have the matter settled and it paid over to him.

24,934. The one-fifth is a guarantee to the State. Without extent the purchase is a reasonable one.—Certainly. What landlords feel about the one-fifth is that in case the tenants did not pay the instalments it would be an easily accessible fund for the Government to meet the tenants' deficiency.

24,935. That is the object of it?—Yes, the landlord looks on himself as having sold at four-fifths of the whole price.

24,936. Having regard to the fall already of 12 per cent, the State would run considerable risk if it did not make a reservation of that kind?—Yes, the State would have no greater risk in case they sold at a price four-fifths less.

24,937. Mr. Neligan.—The Act says where there is a failure in the repayment of the advance, the duty is cast on the commissioners to exercise the power which mortgages have under the Conveyancing Acts?—Yes, I speak rather with reference to the way the

land is looked on by landowners than as to what the powers and duties of the commissioners really are.

24,938. Sir James Caird.—You speak from the landlord's point of view?—Yes, I did not speak from the State's point of view.

24,939. With regard to the judicial rents, do you consider the right to ask for a revision every five years as a remedy for the change in prices?—As a remedy for the difficulty of fixing the rent with accuracy for such a long period as 15 years.

24,940. Do you think it desirable that either party every five years should have the power of calling for a revision?—I think so. It would be desirable in such a case that the application to vary the judicial rent, at the end of 5 or 10 years of the judicial term of 15, should be at the peril of costs to the party making it.

24,941. That it should be at the peril of costs to the party asking for the revision?—Yes, in case he failed.

24,942. In case of such a revision, it would turn entirely on the question of the price of produce?—I think it would substantially.

24,943. It would be a simple matter. You would not have to go into a valuation of the land again; you would simply take the question of prices?—I am not sure that the revision could be only confined to that, because there might be a question as to the cost of labour or ascertaining exactly what the cost of production should be.

24,944. That the sub-commissioners would take into consideration, but it would be on the ground of change of prices the question of revision would arise?—Yes, there might be other circumstances.

24,945. It would be important that the revision should be as inexpensive as possible?—Yes, circumstances other than prices have altered very much in the course of the last 30 years, such as an increase in the price of labour, but in a short period of 5 years that would not vary to any great extent.

24,946. That itself would be a question of prices?—Yes. I thought you referred more to the price of produce; the cost of labour might be considered.

24,947. The change as to reductions made in the beginning of this year and the end of last year was that done by the resident-commissioners alone without reference to the chief commissioners?—It was done on our own responsibility. We are bound to decide according to the best of our own judgment and the chief commissioners never fetter the exercise of our judicial discretion.

24,948. But this was a question of principle. Did they not offer you any guidance on this point?—No. All this we have acted on our own opinion as to principle.

24,949. This was a great change of principle, and one would imagine the chief commissioners should be consulted about it?—It is a question of discretion.

24,950. I put the question to Mr. Justice O'Hagen?—We are bound by the Act of Parliament to fix a fair rent having regard to the circumstances of the case, the holding, and the district.

24,951. You don't fix it without being subject to the revision of the chief commissioner?—Every order we make is subject to appeal to the chief commissioners. We are bound to act according to the best of our skill and judgment, and if either party were dissatisfied with our order the chief commissioners would decide it on appeal.

24,952. The chief commission have given no opinion on this question?—I believe the chief commissioners on the appeals have acted on a similar principle. Therefore I may now say that almost in the commencement we acted on our own discretion, and the course we have taken has been approved of by the chief commissioners. We have the authority delegated to us to decide the cases subject to an appeal, and we are in the same position, hearing the case in the first instance, as the chief commissioners.

24,953. Here is a principle of a totally different character introduced in the fixing of rents, as to which

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no guidance was given by the chief commissioners?—There was another important matter, the mode of following the tenant's improvements; as to that we had to form the best judgment we could, and a very considerable difference of opinion existed amongst the sub-commissioners, and the matter was finally settled by the Court of Appeal in *"Adams v. Dimes"*.

24,954. It went to the superior court?—It went to the ultimate Court of Appeal from the chief commissioners.

24,955. What is the duty of the chief commissioners? They are a court of appeal from us.

24,956. Was there an appeal on this point of principle on the reduction?—That would arise on our order. Our order decrees what is the judicial rent, and the appeal would be on the question whether it was too high or too low. If they considered our order a proper one they would affirm it, and if they considered the amount too low they would increase it. The chief commissioners have lately in many cases of appeals within the last year, they have lowered the rent fixed by the sub-commissioners during the years 1882, 1883 and 1884, so they considered the sub-commissioners ought to have fixed the rents lower.

24,957. What proportion of holdings are now under judicial rents in Ireland?—I think according to the last return the number of judicial rents fixed in court was about 80,000, and there were between 70,000 and 85,000 of obligating agreements fixing fair rents.

24,958. Are they referred to by the Registrar-General?—Dr. Grimshaw's report would give the actual figures.

24,959. Are tenants at the present moment pressing or judicial rents?—They are coming in to a considerable extent.

24,960. It may not take long to extract the whole?—There are over 500,000 holdings, I believe, in Ireland.

24,961. I think Mr. Grimes said 400,000 of really agricultural holdings?—Possibly, but if under 500,000, over 400,000 at all events. Thus of course a large number have to be deducted as leaseholders.

24,962. If admitted what proportion do they bear to the other holders?—I think these are returns. They vary very much in particular districts. In some counties the proportion of leaseholders is very large, and in others very small. In the north of Ireland it is not large; in Connaught it is not large. In Leitrim and Monaghan a large proportion of the land is held under leases.

24,963. In conducting an inquiry into the system of judicial leases, the whole matter is much more simple than it would be carrying out a purchase under Lord Ashbourne's Act?—Yes. The question of title does not arise. We assume, under the Act we are administering, that the landlord is entitled to the receipts of the

rents and profits, and unless there would be something to raise a suspicion in our mind we don't go into any question of settlement; we simply deal with the landlord who is an immediate receipt of the rents and profits. There may be cases in which we direct notice to be served on other parties.

24,964. And the cost consequently is much less?—Yes.

24,965. And the time occupied less?—Yes.

24,966. So the conversion into judicial rents is much simpler than into leaseholders?—Essentially so.

24,967. You have not the means of comparing them. How many could be done in the year of the one class and how many of the other?—No. I could not possibly make any comparison; matters are so different, I don't think any comparison is possible.

24,968. Judge Nelson.—You put the number of judicial rents at 150,000?—I think the number of judicial rents fixed is a total of 150,000; even allowing for a large number of leaseholders, that would not represent more than half. Say the total number is between 400,000 and 500,000, there certainly would not be more than a third of these leaseholders.

24,969. Lord Milnes.—I understand you to say the head commissioners have practically confined a new system of fixing rents to a lower scale by acting on that principle themselves?—Yes.

24,970. You lower them 10 per cent. more than you used to do?—About that.

24,971. The amount by which the head commissioners lower them is not more than 2 or 3 per cent.?—I don't know. I did not hear the evidence on which they act.

24,972. But as to the practice?—I only see the result of decisions on appeal.

24,973. I think Mr. Justice O'Hagan said something to the effect that they were in the habit of increasing the rent by one, but now reducing it by two?—On the average of alterations that was on the total number of appeals. It was formerly an increase of 1 per cent., and now it is a reduction of 2 per cent. on an average, not meaning to say that reduction was made in each particular case.

24,974. His average is 3 per cent. lower, and yours 10 per cent.?—I am not aware what his was.

24,975. Judge Nelson.—On appeals from you his average would be 3 per cent.?—Quite so. If the opinion of the chief commissioners was that the judicial rent was formerly fixed too low, and they were raising it on appeal, the difference would be the difference of scale with the commissioners themselves.

24,976. Lord Milnes.—He was only speaking of rents you previously fixed?—Yes. Practically none of these other class of cases have come before the chief commissioners yet on appeal.

The Commissioners then formed a second court.

Before the President and Sir James Cairns, Bart.

Captain GLASCOTT, examined.

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 Captain
 Glascott.

24,977. The President.—Captain Glascott, I believe you live in the county of Wexford?—Yes, my lord, Southdown Wexford.

24,978. And are a landed proprietor?—My father is a proprietor, I am his agent, at least I have been working on his estate for the last 8 years.

24,979.—And therefore you are intimately acquainted with all that goes on on his estate?—I am intimately acquainted with all that goes on, for I have acted as his agent, and even as his rent-warmer, because I have had no one to fill that office for me, so that I must be intimately acquainted with every tenant and family on the estate.

24,980. I believe you are principally anxious to give evidence with regard to the combination against paying?—Exactly so.

24,981. Can you give us any particulars with regard to the nature of the combination that exists and what they do?—I drew out a little epitome of the facts connected with this combination, and on this estate there are some 50 tenants, about one half of whom have either had their rents fixed by the Land Court or have agreed upon a fair rent, which has been registered under the Land Act of 1881. The remainder, from various causes, are under the old rents, which had not been disturbed for many years. I may here mention that my father acted as his own agent for very many years, I suppose for from 40 to 50 years, probably 60 years would be nearer the mark, and got on extremely well with his tenants—never had any disagreement whatever. Also at this stage it would be well for me, perhaps, to give some little idea of the regularity with

which rents were paid in those days. I have consulted the old rentals, and I have taken groups of 5 years beginning at 1857. From 1857 to 1861 there were only altogether arrears of, for the whole estate, of £237 10s. 1d., which I make out to have given about 98 per cent. of the total sum paid for that 5 years.

24,985. Which were the 5 years?—From 1857 to 1861, beginning March 1857 to September 1861. I then take from March 1862 to September 1866. I find that the total amount of arrears was £218 5s. for all those 5 years, which would give an average of about 96½ per cent. paid.

24,986. Sir James Caird.—That is 98 per cent. of the sum and 96½ per cent. of the other. Those would hardly agree unless the rental changed?—The rental did change. I should mention that. In the next 5 years, from March 1867 to September 1871, I find there were arrears amounting to £301 12s. 8d.

24,984. The President.—That is the period commencing 1867?—Yes, on the whole 5 years, which would give an average for those years of about 97 per cent. paid.

24,985. Roughly speaking there was not much difference between those three periods of 5 years?—No, not very much, roughly speaking. Then for March 1872 to September 1876, which is another group of 5 years, I have £360 3s. 10d., which gives 97 per cent. paid. That is simply to show that in those days, and before any agitation commenced, that those old rents, which since have been cut down, many of them very much, were very punctually and well paid by the tenants.

24,986. We may say 97 per cent. all through?—Yes.

24,987. Sir James Caird.—Have you got the figures on from 1876?—Well, I have got them here from 1877 to 1881. I have as arrears £1,770 7s. 10d. I make that out at 84½ per cent. paid.

24,988. That must be on an increased rent again, surely?—There was. Then the last years I did not think it worth while. I simply take these to give this last calculation of what was due in September 1886; there is now due £2,347 7s. 8d., or a contrast.

24,983. The President.—What percentage do you say?—Well, that is the whole, you may say almost very nearly the whole, of the rental for the year.

24,989. And the total rental is what?—It is about that. It is close upon that. That is about it.

24,991. The whole rental due?—The whole rental.

24,988. Are you taking any steps to collect the arrears?—We are taking steps. I am coming to that presently.

24,988. Take your own course.—When the gale of 25th September, 1885, became due—there is no hanging gale on this estate—I sent notice to those who had not benefited by the Land Act of 1881, that a reduction of 25 per cent. would be made there. They came in as usual and paid cheerfully. That was this time last year. The remainder hung back. I visited many of these and told them to come in with their rents. They said they would, but that they expected a reduction. At that time I was not authorized to make them say, so did not promise. At last on the 25th of March gale, that was the 25th of March gale of this year 1886, drew near, they came in a body to my house and asked to see me. I went out to them and told them that when they came in a body in that way I could not meet them. One of their leaders then handed me a memorial which they desired that I would convey to their landlord, saying that they expected a reduction. That memorial was submitted to the landlord, who hesitated to give a reply just at that time, as the demand of 25 per cent. on judicial rents was, he thought, exorbitant; that was 25 per cent. in their judicial rents this time last year, as those tenants have for several years been receiving something over 15 per cent. reduction on their old rents. The landlord then received a letter from the local priest asking for a reply to the memorial, and pressing the claim of the tenants. The landlord was taken ill at that juncture, and incapacitated from at-

tending to business for several weeks—about four, I think. He then sent a courteous reply to the priest, saying that he would consult with me, his agent. We then determined, after consultation, that we would put them as near as possible on a footing with those to whom we had given the reduction of 25 per cent. We had given a reduction of 25 per cent. to those who had not benefited under the Land Act already, and those men obtained 25 per cent. also, and we said we could not go so far as that, but, wishing to meet them as far as possible, we would put them on a footing with those who had already had a reduction.

24,994. By what tenure did those who were not under judicial rents hold?—They were nearly all of them leaseholders.

24,995. Sir James Caird.—How much was the reduction made by the judicial rents?—On an average a trifle over 15 per cent.

24,996. The President.—And they had been about the same as the leaseholders before?—They were all nearly—oh! well, as near as possible; they were supposed to be at all events.

24,997. And you offered them 10 per cent.?—We offered them 10 to put them as near as possible on a footing with the leaseholders. We offered them 10 per cent. That, added to what they had already obtained from the Land Court, would at least make up 25 per cent. on their old rents. I wrote then to the priest, and begged of him to let the tenants know what they should consider our final rule. I would ask to be allowed to read my letter to the priest on that occasion. It was dated April 23, 1886: "My dear sir—I have been in consultation with my father on the subject of your letter respecting the statement of rent." (He, as I said before, had written for a reply to the memorial which had been put in, for 25 per cent. reduction, and this is what I was instructed by my father to write to him as to what our decision was on the subject.) "I will for a moment advert to the circumstances of this property. When times were good and many landlords were having their properties revealed and their rents raised, my father did not make any change. With perhaps a few exceptions, where leases were taken out, the rents of the estate were the same as they were forty or fifty years ago, and they were punctually and cheerfully paid until this agitation began. When the Land Act was passed, the tenants on whose behalf you have written had their rents fixed at a reduction of about 15 per cent., and others agreed as to their rents out of court on this basis. Now, when it became evident that this would be a difficult winter for the farmers, we voluntarily said that we would give a reduction of about 25 per cent. to those who had not benefited by the Land Act, which we accordingly did, and they have paid. We did not think that those who had had their rents fixed for fifteen years at their own choice would have any ground for asking more still, and although we do not think that those tenants have any grounds on the merits of the case, we are willing to waive that point and allow them 10 per cent. on the gale due September 1885, which with the 15 per cent. already received from the Land Court will put them on the same footing with our other tenants who have received 25 per cent." That was our reply to the letter of the priest asking for a reply—in fact to the memorial. Father Sullivan acknowledged the receipt of this letter, but no one came in to pay. I then visited at the houses of five of the principal men. I may here say that I did not see the tenants themselves, who seemed to hide themselves out of the way; they did not wish to see me, I suppose, but I saw some members of their families, to whom I said what I had to say to the tenants themselves. I even went to the trouble of visiting twice at some houses, wishing to meet the tenants themselves, because I thought it of great importance that what took place then there should be no trickery about it, and I did not like to have messages carried from one to another; but some were kept out of my way I imagine, at all events I did not see them, and therefore, I had to communicate

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with the next best person I could. I saw one of the sons of one of them, who is a leading man in our neighbourhood as a Nationalist, belonging to the local branch of the National League, and I had a conversation with him on the subject. I told him I thought my father was going as far as ever he could to meet them, but that giving only 25 per cent. to the other men he could not possibly concede the whole of their demand of 25 per cent. on the judicial rents, which, added to the 15 that they had from the Land Court, would have put them in a totally different position from the leaseholders. "Well," he began to say, "I am not a violent politician, I am not a violent politician, indeed," he said; "I advised them to pay their rents honestly; but," he said, "it was put to the vote, and I must tell you," he said, "that it was the worst chance in the world that it was not 6s. in the pound, 30 per cent. instead of 25 per cent., that you were asked for." In fact, he gave me to understand that it was a slip, and that we were fortunate in being only asked to pay 5s.

24,946. Put to the vote at a meeting of the tenants themselves?—At a National League meeting, which takes place always at their branch at Duncannon.

24,995. Which was in a great degree composed of the tenants themselves who were personally interested?—Undoubtedly they belong to it, and there are a great many others on other estates. This is, I should say, one of the strongest in our country, if not the strongest. It is very well organised and has been all through, and embraces, I suppose, a district of about from their own centre some eight or nine miles taking a radius. There are two elegants there of the Church of Rome who are very able men, Canon Thomas Doyle and his nephew, Patrick Doyle, who is his curate too. Patrick Doyle is the president of this branch, and they have worked the thing certainly in a most able manner, and no question about it. They first attacked Lord Templemore, and Lord Templemore showed fight, and they completely beat him, and they took us to the next best case. As no one came in to pay, as I said, I gave them till a certain day to pay their rents, saying that if they did not come in I should be obliged to hand them all over to the attorney for the enforcement of payment. None of them appeared. I then gave these five names to the attorney, Thomas Boyd, of New Ross, who called on them for payment, and who, on receiving no reply, issued writs in the superior courts against all five for one year's rent. The interests in their farms were then put to auction at Wexford in July, and Father Patrick Doyle bid to within 25 per cent. of the amount due, and finally the five farms were knocked down to the landlord, and since then notice of ejectment on title has been served, the sheriff having conveyed the title to the landlord. I have been informed that before the landlord's offer of 10 per cent. was received, the tenants were brought to the chapel where they worship at Ballybelly and were there, in presence of their leaders and several of their priests—four or five priests, I know the names of four, I do not think I know the name of the fifth—made to sign a bond that they would pay no rent till their demands were complied with in full. At the same time all who had the money were required to pay their half-year's rent, less 25 per cent., which was lodged in the hands of some trustee, name unknown to them, so that when the landlord's offer of 10 per cent. was received they were already pledged to refuse. I have since been round almost all the fifty tenants, and I found them all pledged to act in this way, from conversations I had with them, as I went to them and asked them what about their rent and what they were going to do; so that at the present time one half owe a year and a half's rent, and the remainder owe a year's rent; and I may say that three of these cases are likely to be tried on Saturday here in Dublin. I must also state that I have heard that 6d. in the pound has been levied on their valuation to defend these men, and they seem to be determined to put matters to the utmost extremity of the law. Of course we do not know what is in the future, but it is as strong a case, it

appears to me, of determination to resist payment on political grounds as could be very well made out.

25,000. And you have reason to believe that, with the abatement you have offered, these men would have no difficulty in paying?—I have. I was told by the clergyman of our parish that he met one of those five tenants, and that he had a conversation with him, and he told him he was perfectly ready to pay, but that he dared not, and that if I had been able to make the offer of 10 per cent. when they first came in, he thought that they would have accepted it; but that they had been since that pledged to this course by the League, in fact by the National League in our district, and there was no getting out of it.

25,001. Would you think these would be any advantages in admitting leaseholders into the court to have judicial rents fixed?—I think that there might be some unfairness, from the fact that everything nowadays seems to be in the shape of an abatement. Now there are many leaseholders that perhaps might have or ought to have their leases raised. Well, if they were admitted into the court, I sincerely think anybody would be brave enough to raise rents these times.

25,002. Have you got any that might be raised?—I do not think so.

25,003. I suppose that those which would be raised are most of them very big houses and very old mansions?—I cannot say, because I have had no experience.

25,004. You take your own case?—In our case I do not think it would operate in that way.

25,005. But as you have to make greater abatement to them than to the others, it would not make very much difference to you?—Well, you see we have a free hand with the leaseholders. They were not the men who gave us trouble, and we freely settled with them; but it was the men who had their fair rents fixed by the Land Court that we had the trouble with.

25,006. Do you think any of your tenants would wish to buy, and would you be willing to sell?—I have had only two applications from pot spots, and therefore I do not think it is in their minds at present. I think they think they will get the land for nothing. I think they are desiring the property, as they call it in the market, and I think they think they will get the land for nothing, and, except in two instances, I have had no applications for purchase at all; but I imagine that if they thought that the law of the land was really going to be carried out, that they might then come to a determination to purchase if they possibly could.

25,007. And would offer such terms as you could accept?—Very possibly too, but that would so very much depend upon the political situation. I believe the two things are going together, running side by side, and so long as there is uncertainty, and so long as they think that they are going to have the land at their own valuation, or for nothing, or for the price value, through their political combination, I do not think we shall be able to agree at all upon prices, but I think that if we were once what I may call to fix in their minds that undoubtedly the law would prevail, I think that then they would be very glad to purchase, and that we might be able to come to some conclusion upon the subject.

25,008. As far as you and your father are concerned, I suppose you would be very willing to sell a great deal of your property?—We should be very willing to sell a good deal of our property if we could do so on fair and reasonable terms.

25,009. Sir James Caird.—Have you considered what reasonable terms would be—taking the present rents, how many years' purchase?—Well, I suppose from 20 to 25 years' purchase, but I do not like to be committed in any way.

25,010. I do not wish to commit you.—I do not like to be committed in any way—that is at the present day, when everything is in such a depressed state, of course.

25,011. You know the state of the farming population in your neighbourhood, I suppose, very well?—Yes, I do.

25,012. Do you suppose that their financial position

is as good as it was a few years ago?—I do not think it is.

25,013. They are poorer?—I should say they are.

25,014. Can you give any reason for that?—There are a number of reasons, I think.

25,015. Yes?—I think that their minds have been so disturbed by political questions and agitation, that they have not paid that attention to their land and the working of it that they formerly did.

Mr. R. MURKALLAN MARIN, M.P., continued.

25,016. The President.—Are you a landed proprietor?—Yes.

25,020. Whereabouts?—In the county Kilkenny and Queen's county, and as an agriculturalist I have a very extensive knowledge. I turned myself some years ago 2,000 acres of land in my own hands. I desire just to give you some economic views, rather than political ones, and I gave a *prima facie* of what I desired to express an opinion upon; and the first matter that I gave a *prima facie* on was as to how the operation of the Act of 1881 was affected by the defective machinery of section 8, which is altered from that in the original Bill, clause 7, thereby not making due provision, as in the original scheme, for the fluctuation of prices of agricultural produce and cost of production during an unhealthful period, the statutory term of 15 years certain. Hence the present fluctuation of prices has neutralised the operation of the Act. In fact, I just brought you the original Bill, and if you refer to the 7th clause you will see there what I refer to—the 7th clause, that is the original Bill as introduced by Mr. Gladstone. It was clause 7 in the Bill, and it has become clause 8 in the Act. I will just direct your attention to this. You will see by sub-clause 5 that the fixing of fair rents was to be estimated in reference to two considerations, firstly, in reference to where it is in Ulster and subject to the Ulster tenant-right custom, in reference to that custom; and secondly, with regard to holdings other than those affected by the Ulster custom, or a similar custom, then it was to be fixed in reference to the claim for compensation for disturbance as well as to the claim for improvements. Well, those two ingredients were struck out of the Act. When we came to that point, I strongly objected, and my colleagues strongly resisted the exclusion of that reference; and what I want to point out with reference to that is, not merely were the improvements to be considered, but the claim for compensation for disturbance—that is, a matter other than improvements; and under the Ulster tenant-right custom the tenant was entitled and usually sold his interest for 5 years' purchase in unimproved lands, and therefore what I wish to adduce or bring forward is that if that had remained as originally the clause stood, it would not only allow improvements to be considered, but also the claim for compensation for disturbance, even where the land was entirely unimproved, and where in fact there was only a mere right of occupancy—thus touching the doctrine of "prime value."

25,021. Can you tell me what was substituted for it?—Yes, section 8 of the present Act. I should like, if I could, to refer you to the Ulster tenant-right custom.

25,022. To read the Act that was passed?—I have a copy of the Act here, and I will show you.

25,023. How is it now estimated? perhaps you can tell us shortly without reading?—This, I think, will give it to you. If you go to clause 8, there you will see that it is entirely excluded in the fixing of the rent in reference to either of those elements. Clause 8 fixes the rent in which all the circumstances of the case, the holding, and the district are to be considered, but no reference either to improvements or to compensation for disturbance. The clause passed through in its present form, and subsequently Mr. Gladstone proposed a clause, on a motion of Mr. Healy's, which you will see in the subsequent sub-section 5 there. I will hand it to you. That is what they call the Healy

clause, a subsequent and distinct thing. You will see there that provision commencing there, "No rent shall be fixed or made payable in any proceedings under this Act in respect of improvements made by a tenant or his predecessors in title, and for which in the opinion of the court the tenant or his predecessors in title shall not have been paid or otherwise compensated by the landlord or his predecessors in title."—You will perceive by reference to that, that there is no reference to claim for compensation for disturbance, or, in other words, the elements of prime value which did exist in the original draft Bill.

25,017. Is it an agricultural district, a tillage district?—It is a mixed agricultural district.

25,018. Good, land?—Good, fair land.

25,024. "No rent shall be fixed or made payable in any proceedings under this Act in respect of improvements made by a tenant or his predecessors in title, and for which in the opinion of the court the tenant or his predecessors in title shall not have been paid or otherwise compensated by the landlord or his predecessors in title."—You will perceive by reference to that, that there is no reference to claim for compensation for disturbance, or, in other words, the elements of prime value which did exist in the original draft Bill.

25,025. That was deliberately left out after full discussion, I suppose?—Yes; in fact it was owing to Healy's proceedings that the Government struck out that clause. Mr. Law struck out that portion, and at a subsequent period was introduced what was called the Healy clause, which only refers to the improvements of the tenant, but does not make any reference to the claim for compensation for disturbance. Now allow me to point out this to you, that in giving compensation for improvements it is not the letting value of the improvements that is looked into, in this way: that the Act and that section cuts down the letting value from what would be called the letting value if a man went into the market; but the courts cut down the letting value to what they consider a fair rent, and not the extreme letting value, and the result is that in the advancement of the improvements they do not give the letting value thereof, because if they gave the letting value in the advancement of the improvements then they cannot give at the same time the letting value for the residue.

25,026. It would be very complicated, because you would have to take in all the improvements, and the improvements would belong to the landlord?—Would belong to the landlord. No! only a different advancement. *Adams v. Dawson* decided that; but I wish to point out that in allowing the claim for compensation for disturbance to be considered that virtually put in the full consideration of the widest possible advancement of improvements. Though it did not allow the letting value of improvements to be taken into account, it let in another element—namely, that of unimproved land analogous to the Ulster tenant-right custom. You would strike a rent with reference to the fact that the tenant was being disturbed; in other words, the right of occupancy.

25,027. That is not in the Act now!—That was struck out, and I wish to call attention to the fact that the defective machinery of that section 8 is the cause why the rents have been fixed at a higher rate than they would have been fixed under clause 7 of the original Bill, and that they ought to be fixed with the fluctuation of prices that has taken place. And the next point I wish to convey is this: that the Land Commission itself, taking the Act as we now have it laid down, failed to give certain instructions and gave misleading data to the assistant-commissioners. What I refer to was simply this: The problem the commissioners had to deal with, the first time it has occurred in our jurisprudence, was to fix a rent certain for fifteen years, and that on the failure of payment of any one year's rent, the tenant could be evicted. That was the problem they had to deal with, and on going to deal with that you must understand there was no

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allowance whatever for fertility, for sterility, for bad seasons. There was no allowance the *sterce* as there is in the old Civil law, and the same as there is in the Code Napoleon. Both in the Civil Law and in the Code Napoleon they allow an absolute reduction in exceptional cases, such as sterility of the soil or bad seasons, or something of that kind. So that I only mention that the problem to be solved was, that the rent was to be fixed for a statutory term of fifteen years certain, and the failure of one year to incur evidence, and they had to deal with that. And now what did they do? In the originating notice, the statutory proceeding that is taken under this Act they insert two matters. They insert first the present rent, and secondly the poor-law valuation. They put the area first of the holding, and then they put the present or old rent, and then, thirdly, the poor-law valuation. What I wish to say with regard to the present rent is this: present tenant with respect to 1881, and that, which has been inserted ever since, was in fact a competitive rent. In fact the reason of the passing of the Act was that rents were hitherto fixed not by valuation but by competition. Well, a competitive rent is put down in the first instance, and what does that amount to? They did not confine into the history of how that grew—how that competitive rent had increased during series of years: they put down no data.

25,028. *Sir James Caird*.—How do you know they put in a competitive rent?—I call what they put down as the present or old rent a competitive rent.

25,029. They put down a rent which they deemed fair after careful examination, and which was generally a reduction on the then present rent?—What I am talking of now is the originating notice, the rule of the court. By the rule of the court they obliged an originating notice to be served, and in serving that originating notice they must put down, according to the rule of the court, the present rent, that is before it goes into court, and then they must put down the poor-law valuation. What I maintain is that that present rent that was put down was a matter that should be looked upon merely as one of the circumstances of the case, not as a vital factor, and what I mean is, that by putting it prominently in that position it became a very prominent factor.

25,030. *The President*.—But they gave no reasons for their decision, and you have no real means of knowing what data they went upon and how they came to their decision?—This is only the initiatory stage.

25,031. *Sir James Caird*.—That had no effect on the rents to be subsequently fixed?—Why not? This was only in the beginning of all. What I complain of is that one of the data they brought forward and placed before the sub-commissioners was first the competitive rent, a rent arrived at after a certain series of years by competition.

25,032. *The President*.—You think they ought to have omitted that?—Yes, and that was objected to at the time, but still the commissioners held to it.

25,033. And you think that the commissioners ought to have settled the new rent in absolute ignorance of what the existing rent was?—I think they ought to have put down the area and left the fair rent to be fixed according to the terms of the Act, without prominently putting forward the other two matters. Now the first matter I am alluding to is this, as they have put down a competitive rent, I think they ought to have gone back on the history of rent in Ireland to see how the competition had brought it up to that figure. I was engaged as counsel in an ejectment case myself in 1867, a most peculiar case, in which a landlord in 1806 had let land on 7s. 2d. an acre under a leasing power. It was in Kilkenny in 1867. An ejectment was brought to have the lease invalidated, but it was held by the jury that 7s. 2d. an acre, although confessedly only a fourth of the rent in 1867, was nevertheless a fair rent at the time the lease was made. I went then into a short review of the increase of rent in Ireland, and I found this on that inquiry; that is, in 1867, that is a treatise which is headed "A Scheme of the Money Matters in Ireland,"

by John Brown—in 1729 the rental of Ireland was stated to be £2,025,000 only. That is old history. I will bring you nearer to present times. Just before the Union occurred it was in the Irish House of Commons stated by Flood that the rent of Ireland was only £4,000,000 a year. That is all it was, we will say, in the year 1800, just before the Union occurred. Now I will bring you a jump up to 1815. In 1815, owing to the Peninsular war, there was tremendous competition, and an increase of rent took place and the rental was then about £12,000,000; and then came a crisis like the present, when the peace set in, and that crisis was met then by Protectionists, and Protectionism continued from 1815 until 1846. During that very period, owing to competition as well as to Protectionism, the rental of Ireland increased to £14,000,000. This was the result of my inquiries at the time. It was increased then to £14,000,000. That was in 1846. Then came the Free-trade period, and the Free-trade period proceeded on till the Act of 1870. In the year 1870 you will see a statement by Mr. Gladstone that the estimated rent of Ireland was £15,500,000. That was in 1870. I then bring you down to 1881. In 1881, according to the evidence of John Ball Greeno, the agricultural rental of Ireland was £17,800,000—I mean excluding the towns.

25,034. *The President*.—Are there any data to go at this—how did they get at it?—John Ball Greeno succeeded in getting it. Then the valuation was between £10,000,000 and £11,000,000, and in order to make up the difference he produced data as to their taxes and returns, and that was the best information he could get because it was afforded him from the proprietors. It was the best information that he could get. You will see it in the Beeshore Commission. Then he gives the agricultural rent at £17,000,000 excluding the towns, but the whole of it might be up to £20,000,000.

25,035. *Sir James Caird*.—He stated this on the Beeshore Commission?—Yes, that the agricultural rental of Ireland was £17,000,000. That was the competitive letting value. That element has been inserted ever since in the originating notices. They have put down there ever since the competitive rental, and in point of fact, that is only a rental after the violent fluctuations that I have shown you have taken place within the present century. They have put down the increased rental—that is the competitive rental of 1881 or subsequent years, amounting to £17,000,000 in the gross, varying in individual cases. They put down that in the originating notices without going back into the history of the matter and taking into account the violent fluctuations that had taken place in the century, because, if they had in their minds the violent fluctuations that have taken place, they would have made a very large margin in the striking of rent for 15 years certain. So that I say that the insertion in originating notices of such rents was misleading, seeing that the sub-committee members were called upon to fix a rent certain for 15 years; and yet there was put down a competitive rental that had occurred during the competition of a single century, without going back into its history and giving instructions as to what the man who was fixing rents might say: "That is all right. The rents have gone through certain violent fluctuations; those fluctuations might take place within 15 years, and we will give a sufficient margin of increase against the same matter." That is the first matter I would submit.

25,036. *Sir James Caird*.—If these figures are correct there must have been a great rise of rental during the period of Free-trade?—Yes, there was an extraordinary rise during the period of Free-trade, from 1846 to 1881, from competitive letting, and the absence of industries other than agricultural, notwithstanding the action of Free-trade; but no matter from what cause—I won't confine it to any matter—the fact remains that there was an enormous increase, nearly £3,000,000, in the rental.

25,037. Do you know that there was a great change of tenancy at all during that time from competitive

letting?—Oh yes; if I went into the sad history of "consolidation" of holdings in Ireland.

25,038. *The President*.—Here is Mr. Ball Greene's evidence (evidence cited).—You will find that Ball Greene states, no doubt, in his evidence that the rental of Ireland was £17,000,000.

25,039. *The President*.—And yet there are numbers of people who say that there has never been any rise for a long time, and some people draw a distinction between Ireland and England on that matter, and say that in England we have had a great rise of rent and in Ireland not; that in Ireland it is just the same?—I do not mean to say that it was owing to ordinary competition, but what Mr. Gladstone stated was that there was a fair market in England, but that the absence of merchandise and other causes have caused a competition which cannot be said to be what would be a fair market competition. Of course lands were let by competition, save perhaps in parts of Ulster.

25,040. And you have told us that there has been a considerable rise in the rental of Ireland up to 1881 steadily?—I state the facts on the Bessborough Commission there, and that down to 1881 the rental of Ireland is as I have stated; in fact it won't be contested here that the agricultural rental of Ireland was £17,000,000, and now, with respect to the present time, 25 per cent. is taken off, and in round numbers the present rental of Ireland is perhaps about £14,000,000. I then wish just to say, from even my own practical knowledge, that since the Free-trade act in, since the action of Free-trade—at first, as we all understand, it was rather retarded by the action of the corn ring in America. I happened to be engaged in the investigation of it at the time. The corn ring in America prevented the real effect and development of Free-trade in this country, and they held the corn at a certain price, but when the corn ring was smashed about twenty years ago in New York we became flooded with foreign corn; in fact the over-production of the corn flooded our markets and reduced our cereals to a very low rate, still I found our farmers here, and I myself, practically, that while we were able to walk there into the market, to feed our cattle with them—and while high prices prevailed for meat, we were able somewhat to neutralise the effect of the low prices of cereals. But it is only recently, since the development of the transit of live meat from abroad and dead meat by the preserving process—it is only since that period, and especially during the last two years, that meat has so fallen from the foreign competition, that I find that the farmers here are not able to realise from the low prices of cereals by turning them into feeding fatstock. That is what has occurred, I may say, almost the last plank from a great many of the tenant-farmers. I found these speculating liberally while high prices for meat prevailed; they engaged in tillage farms here, and were able somewhat to hold their own because they were able to turn their corn and other produce into meat; but now, and for the last two or three years especially, the Americans have turned their cereals into meat—in other words, they have concentrated their products in the shape of meat. They first concentrated their soils in the shape of corn, and then they overwhelmed themselves and us with corn, causing a reaction on themselves, and since that they have concentrated their virgin soils now into meat, and they have imported that meat, which at present prices has struck tillage farmers as well as grass farmers. That is the view I take with regard to the rental, and I trust I am not trespassing too much. Have I conveyed myself?

25,041. I understood perfectly.—I would then just say, that in face of that violent fluctuation of rent which took place, the commissioners undertook to fix a rent for fifteen years certain, with one year's compensation to insure eviction, without looking over the history of the violent fluctuation which took place in the rental. Had they done so I should have thought they would have struck a lower margin, or at least have allowed a margin for fluctuation. That is the first point that I complain of—that the commissioners put the existing rental into the originating pot, and that they issued no instructions to make allowance for

fluctuations. Here is a memorandum which I happened to make myself in the case in which I was concerned as counsel, and that if they had adverted to such a principle they would have struck a considerably lower average as a sort of insurance. And the next point is the valuation, and I wish your attention to this, because it is a point that has not been raised by men who have discussed the question of valuation, and I wish to call your attention to a very important phase of the matter. The commissioners put down in the originating notices the valuation as well as the rental. Now, practically speaking, the first Valuation Act of Ireland was the 6th of George IV., in the year 1825. That was merely a sort of preliminary valuation. It was called a Preliminary Act—the Boundaries Preliminary Act—which was preliminary to the second Act passed in 1826. The second Act, passed in 1826, 7 Geo. IV., c. 62, was what was called the townland valuation. After the first or preliminary Valuation Act of 1825, then came the Townland Valuation Act, and the town lands, not holdings, were valued. That was passed in 1826, and all the town lands were valued, and they were valued on this principle, that is, what a good farm would let for at certain prices, importing the letting value into the Act. That was the system under which that Act was framed. Well, the next Act that was passed, in 1836, 6 & 7 Will. IV., c. 84, was called also the Townlands Valuation, and there were 26 counties valued in that; and this is the point that I wish to call your attention to. That Act was framed on what I call the economic principle—that was, founded not upon the principle of letting, but what a solvent tenant would be able to give for land at stated prices, at prices stated in the schedule. The other was competitive mode. This was what I may call an economic mode. One was what the land really would let for irrespective of the valuation; the other was what a solvent tenant would be able to give for the land at certain stated prices in the schedule. Well, that applied only to land. As to houses, the houses were even under the second Act left on the competitive principle. Well, this is the point I wish particularly to bring your attention to, that Act under which 26 counties were valued was under what I call the economic principle. Do I convey myself?

25,042. Yes, perfectly.—Then the 9th and 10th of Victoria, chapter 110, was the next Act, and this is the tennement valuation (the other was for the entire townland), and then the different holdings were valued under the tennement valuation. The Act applied to certain counties, six in number, and four offices. But then the competitive system was brought into that Act under the letting principle, and there was a conflict of the Acts under which part of Ireland was valued—a conflict between the system or mode under which they were valued. The townland valuation was on the economic principle and the tennement valuation was on the competitive principle. And then, at the instance of Sir Richard Griffith, the 15th & 16th of Victoria was passed in 1852. The previous Act was passed in 1846, so that after these few years the 15 & 16 Vic. was passed, which restored the economic principle.

25,043. And that was the one under which Sir Richard Griffith acted?—It was; but Griffith employed several of those who had been valuing under the letting system, and it caused such a variance between them that, to produce some show of uniformity, they levelled up and down. When they found that one portion of Ireland was valued according to a letting principle, and they valued another according to the economic principle, they then brought down the letting principle to the economic principle, and left those standing that had been valued, and tried to level up and level down, so that what I wish to bring forward is this, that I assign that entire series of valuations as defective and unreliable.

25,044. Sir James Caird.—The valuations made under the Act of 1881?—No, but what we are now talking of is the poor law valuation that is inserted in the originating notice—that is, the originating notice contains two things, the rental and the valuation.

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I say that is erroneous also, because these erroneous valuations I arrange altogether on the grounds I am making to you, the entire valuations of what are called Griffith's—that looking upon them as a valuation of agricultural holdings, they may be very good for taxation purposes—as they were intended for, but now, when applied as a test of rent, I merely wish to show you the conflict of the inconsistent modes by which the rent is valued. I can show you the Acts that will carry out my contention, that some of these Acts were based on the competitive system of letting and others on the economic system. Again, as you are content with these matters—what I have pointed out is not sufficiently apprehended, and I am obliged to point out further deficiencies. In all these valuations when they propose is this: What a solvent tenant will give or what land will let for at given prices. That is the problem. They do not look at all into the cost of cultivation, which is varying. The prices of produce they insert in their schedule; they will insert nothing of its cost. The schedule may vary, but they put down a given rate of produce for the different articles—cereals, butter, or beef, or anything of the kind—and then they say what rent will be affordable according to those prices, but they do not put in the cost of cultivation.

25,045. *The President*.—Do they tell you what rate they go on?—I thought they kept it entirely to themselves. I am talking of the Valuation Acts.

25,046. *Not of the commissioners?*—I am not speaking now of what the action of the land commissioners was, but of these Valuation Acts. They were all unscientific and unsound, and I arrange them as unscientific and unsound, that they only regard valuation of rent in reference to a scale of prices of produce, and do not include the cost of cultivation. For instance, the labour element they do not at all take into account; what is the price at any period of labour. There is no scale down for labour. There was a period in Ireland—I remember it myself—when men's manual labour could be got, which in this country is more adapted for agricultural use than machinery, for 6d. a day. You could get any quantity of farm labour at that cost about the period of 1840 and after.

25,047. *Mr. James Caird*.—And I remember it. Now what would you get it for?—The cost of labour has increased 100 per cent. I do not exaggerate.

25,048. That is to say, it has doubled?—Yes. Then I say it is a fallacy for you to compare the result of a valuation at one period and another merely giving the prices of produce, which is a very common error to hold that the prices of produce at a particular period were to be a guide to the rent, unless you look to the cost of production or cultivation; and if you find, as I maintain, that here in Ireland the cost of production or cultivation has increased double or more than double. No legitimate inference can be drawn per se from a question of prices of produce at any particular time.

25,049. But what has all this to do with the subject that we are dealing with?—I will just show you the relevancy of the subject, which is this, that I wish to call your attention to the fact that in the originating notices there were misleading data both as to the rental and as to the valuation, and of course those misleading data led the commissioners to a result of not fixing a fair rent for 15 years.

25,050. *The President*.—You think Griffith's valuation was too high, then?—Yes. I think it was unscientific and unsound, and not a reliable matter, and entirely unreliable, yet it was put down, like the rental, as a main factor in deciding the rent.

25,051. *Mr. James Caird*.—Was Griffith's valuation put down as well as the existing rent in the originating notices?—Yes; and I will just give you an instance. Mr. Joshua Clarke, late chairman of the Queen's County, said when a case came before him, "I am not a judge" of the value of land, but "I will strike a balance" between the rental and Griffith's valuation; and that was publicly stated in court. But I mention it only to show that the insertion of the fallacious factors of rental and valuation in the originating notices was

an erroneous matter, in my judgment. And then I call your attention to another matter. The relevancy of these matters is to show that the rental that is fixed by the Land Commission, was not a reliable valuation, because now it is a subject matter whether the judicial rental is sufficient or not.

25,052. But this depends on whether you are correct in supposing that they have settled it between the Government valuation and the actual rent?—Not necessarily between, but upon the strength of these factors.

25,053. But they may not have done so?—They may not, but still they were factors put down in their official documents. They were protested against at the time, but still they were held so, and I say they led to this. Now with regard to another matter—a very important point with regard to local taxation. I say they did not require or set down any tables or matters with regard to local taxation when fixing these fair rents. There were no tables or data of that kind sent before the assistant commissioners in assessing fair rents, and they did not sufficiently look to the enormous transactions that have taken place with regard to local taxation in Ireland. I will just give you an authority from 1826, from the Select Committee that sat in 1824, and different returns that were ordered. There was no local poor rate at that time, and the poor law system was not adopted in Ireland until 1838, but the county cess in Ireland was £750,000 alone for the whole of Ireland.

25,054. In 1824?—In 1824, the return.

25,055. How much?—£750,000. There was no poor rate, you will bear in mind, at that time. Then in 1838 the local taxation, which included borough rate which is not very material, perhaps about a sixth of it—some borough taxation, but practically speaking the gross local taxation of Ireland in 1841 was two and a half millions. It had jumped up from 1824 to two and a half millions. In 1833 it was three and a half millions, and in 1886, at the present time, it is £3,777,000. This is from 1824. It has now come up to three and three quarters millions, and that is a most material matter—the local taxation in the assessment of rent, and there were no tables or data of that kind furnished at the time. I state that the land commissioners or assistant commissioners got no official data whereupon to fix fair rents in these regards. Now, if it was not so technical, I would just wish to call attention to one matter, which is this, that I have already adverted to in the Act, because it affects the operation of the Act very much—that is, in the Act here there are certain statutory conditions. The tenant is bound to pay the rent, and there are certain other statutory conditions touching the tenant who goes into court or signs an agreement under the Land Act, and you will see a list of the statutory conditions here. I suppose you are familiar with them. I will not detain you but just to refer you to them. Those are the statutory conditions like the covenants in a lease, that he must pay the rent and certain other things. Well, in the original Bill that I have shown you, the tenant on breach of any one statutory condition was liable to eviction and he lost the whole benefit of the Act.

25,056. Non-payment of rent?—The non-payment of rent comes under the ordinary statute for non-payment of rent.

25,057. It is put down there as one of the statutory conditions?—Oh, yes, that is the first statutory condition, but that is regulated by the ordinary Act of 1860, which is the Act by which a man may be evicted on non-payment of rent.

25,058. Persistent waste is the second?—You will see the scales of them set down there.

25,059. But further, you say that for breaking any of these the tenant can be evicted?—There is a lot of them down here. They are peculiar statutory conditions just like the covenants in a lease—first, non-payment of rent, and if he does not pay the rent he is liable to be evicted as formerly; but as to the other statutory conditions in this Act, on the breach of any one of these the tenant is subject to eviction, and I may claim the potency of the equitable clause that I

can refer you to here. There is an equitable clause here in this Act, which, if you look to section 13, you will see that there is an equitable clause, and you will see the relevancy of this presently. Now, you see, there is the sub-section, and if the tenant consists of a bench of any of these statutory conditions he can go into the court, and the court can remove the whole circumstances and see whether that bench may be met by any compensation, and evulsion saved.

25,060. The President.—If it can be settled by primary compensation, the tenant is not to be evicted?—Yes, but I merely mention that. There is no provision of that kind with respect to the non-payment of rent. The condition as to non-payment of rent is left under the law already existing, that the tenant can be evicted for non-payment of one year's rent without any equitable provision such as in that Bill brought forward by Mr. Parnell. That was practically a Bill—I do not want here to discuss it—so that the tenant could not have an equitable jurisdiction over rent as it can with respect to all the other statutory conditions except as to payment of rent. I wish to mention to you that if you take the case of a tenant who finds that he is now committed to a 15 years' term of rent, while one year's non-payment evicts him, the tendency after a revolutionary Bill in place is this—to have them combine into an illegal combination if they have no remedy by law. If they are shut out from remedy or resort to an equitable remedy from the statutory conditions, if they find themselves bound down to 15 years without any power of remedy such as in the Code Napoleon or civil law, the tendency is to have these men combine together.

25,061. Sir James Caird.—Has this equitable jurisdiction that you inserted at section 13 given the tenant a right to enter the court in the case of non-payment of rent?—No; that is left under the ordinary law (the Land Act of 1881), but any of the other statutory conditions, except as to non-payment of rent, he was at liberty to go into the court upon.

25,062. And I understand your complaint now is that the same condition is not imported into the Bill of 1881?—Witness. The non-payment of rent?

25,063. Into the Bill of 1881?—This is the Bill of 1881 I allude to; but what I complain of is that as to the first statutory condition as to non-payment of rent, there is not the same remedy given as to its breach as in the case for the others.

25,064. That is to enable the man to go into court?—To go into court. That was practically the remedy in Mr. Parnell's Bill which was rejected.

25,065. How did it happen to be omitted in the Act of 1881?—It is omitted—done deliberately.

25,066. The President.—It was done deliberately?—It was done deliberately. I do not dispute that.

25,067. Sir James Caird.—I understand that you disapprove of that, that a man must—should be evicted if he did not pay his rent?—Oh, no, what I said was that the Act of 1881 should have allowed the tenant to go into the law court on breach of the first statutory condition, as in the case of the others.

25,068. The President.—How could non-payment of rent be pecuniarily settled to the satisfaction of the landlord without paying the debt?—Just as in the Civil Code. The Civil Code allows that very matter.

25,069. Sir James Caird.—You mean that the court should have power to mitigate?—To mitigate, for sterility, or failure, or something of that kind.

25,070. As in the Code Napoleon?—Yes, as in the Civil Code. It is the same as the Code Napoleon.

25,071. Then do you mean that your amendment should be made in the Act of 1881 to import this into it?—I think so, unless you determine that it is to be a matter of purchase, and dual ownership abolished altogether, and then there would be no necessity for that. But then supposing you were amending the Act, I am merely pointing out the fact that the Bill just forward by Mr. Parnell merely proposed to place the statutory condition as to non-payment of rent on the same basis as the others.

25,072. And then you think that, if there was any amendment in the Act of 1881, this should be included

in it?—I think if it is determined that the Act of 1881 is to be revised this should be imported into it.

25,073. You would then attempt to fix a rent without fixing prices?—Yes; but understand me, that I think the dual ownership ought to cease, and then the necessity for that would not arise. But I should just wish to say, in reference to these matters, that I wish to bring forward a case that will illustrate the matter very strongly, and indicate the tendency to illegal combinations from the present state of the law. Now I can give you a case that I will vouch for myself and prove it, and it is this: There is a certain holding of 300 Irish acres, valued at a pound an acre, in the county Kilkenny called Boshin. That holding was leased in 1826, during the Protectionist period between 1815 and 1846, when I may say the prices of produce were guaranteed, so to speak, by Act of Parliament, to a most solvent, respectable, and improving tenant—Mr. Murphy. That lease was for 99 years—a very long lease, I may practically say a lease for ever. Well, the valuation of that, as I said, was £1 an acre—£300. You will find that this is a very strong case. The rent reserved under that lease is 31s. 6d. an acre, besides rent charge, which is perhaps another shilling more. There was no poor rate at all at the time that lease was entered into. Then came Free trade, and no compensation was given under the Abolition of Corn Duties Act to lessors like him who had entered into long and irrevocable contracts, and had embarked their fortunes in their holdings. The holding is now not worth more than 10s. per acre. The man, being a leaseholder, he could not go into the court under the Act that was passed in 1881. He was evicted in 1883. He is now out of possession. He received as a family fortune £24,000, which was sunk in this farm. I brought this case before the House in 1881, arguing for the extension of the 21st section of the Act of 1881. The land is now unoccupied, and practically waste. No one will touch it. No outrage has been committed. The tenant has died of a broken heart.

25,074. You did not mean to maintain that any transaction between man and man must be guaranteed by Act of Parliament?—I do not think I conveyed myself in such sense. He took this lease for a long period at a time when Protection existed.

25,075. But it is not incumbent on the Legislature to give protection—there is no contract on the part of the public toward those two persons?—I agree upon that; but the matter I disagree upon is this, that it should have given to persons in a similar position compensation for the loss they had sustained by entering into a lease of that sort—a perpetual lease.

25,076. He did it at his own risk, of course; the State had nothing to do with that?—I brought forward that merely as a case that leaseholders ought to be allowed to come in under the Act. I used it to show that leaseholders might fairly ask to be allowed to come in.

25,077. What distinction would you make in the case of leaseholders? Would you limit it to agricultural leaseholders for thirty-one years, or something like that?—I speak about agricultural leaseholders, and I consider this an agricultural lease, though it was for 99 years.

25,078. But then you would not apply it to a lease like that, which is almost equal to the property altogether?—I mean an agricultural lease. I would not mind the length of term.

25,079. But I mean an ordinary thirty-one years' lease?—It is an exception that ought to be admitted to the court. I say that it is a case that ought to be admitted to the Land Court. He applied to be allowed to go into the court and it was declined, and he has been evicted, and that is in my own immediate locality; and there has been no outrage, and there has been no boycotting, and nothing done with respect to that except public disapprobation. Of course there was a meeting held there. I allude to that because in the programme of the Royal Commission there is a question asked as to illegal combinations, and I may here be a case which is a very violent incentive to

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such combinations, and yet nothing of the kind has occurred; and the land is not worth at this moment 15s. an acre. I would not give 15s. an acre for it.

25,080. And the rent reserved was 51s. 7.—The rent reserved in 1820 was 51s., and it is not worth now half the rent. I would now just ask you here, there are a few objections that have been made here with regard to tenants refusing to fulfil their legal obligations, there are a few objections that are put forward that I would just venture to refer to very shortly. It is said that there are bank deposits in the country, and there are very large bank deposits, and therefore it is not very explainable how it is that the tenants do not pay their rents.

25,081. Is it certain that they are tenants' deposits?—Oh, of course a great deal of them are not so, but I will take it that a great deal of them are. Now take it that there is £30,000,000 of deposits, and the great bulk of them are, I will suppose, tenants' deposits; what I wish you to understand is this, that although the tenants have those deposits, and they are very uncommercial, and I know tenants that have deposits of £300 and £400 and £500 in bank, and they will go and discount a bill at 5 per cent. and have that deposit at the time.

25,082. And they do not like to touch the deposit?—They do not like to touch the deposit?

25,083. We have had a good deal of evidence on that point.—Then I need not trouble you.

25,084. But it is useful to hear, because you say that you have special knowledge of the character of the deposits?—Of the character of the deposits.

25,085. And of the depositors?—And of the depositors. I know that bank managers will not now discount any bills of tenants unless somebody who has deposits will back those bills, and the result is that there is a regular network of bills all over the country in which all the men who have got deposits in the bank have endorsed the bills of their neighbours, not merely their own, and they have endorsed those bills, and they have, in fact, covered the deposits, and in some cases exceeded them.

25,086. Do you mean to say that there are bills to the amount of £30,000,000 out?—I believe there are considerably more.

25,087. And, in fact, that the £30,000,000 have disappeared, being covered by liabilities?—Yes, I am speaking in general terms, but I am quite satisfied of that. I will just give you an instance. I know a certain gentleman; I will give you his name, if you like?

25,088. We do not want that.—I know a gentleman who went into a bank—a land agent over a large property in the county Tipperary; he went into a bank in the county Tipperary, and was there presented by the manager with a sheet of bills, and he said, "Will you look over these bills and tell me what they are worth, because I wrote to them, threatening them, but they won't even pay the discount?" He said, "I need not look over them; but as they represented between £4,000 and £5,000, I assure you, if I had £500 now in my pocket in cash, I would not give you £500 for the £5,000 of bills."

25,089. Then those £5,000 bills had not been endorsed by depositors?—This was four or five years ago, before the bank rule alluded to. I am giving you a very common occurrence, because men who have deposits look upon themselves as aggrieved if they are pressed as sureties. You cannot convince them that unless the debt is their own—of course there are a good many of them otherwise—you cannot convince them that unless the debt is their own, commercial men can hardly understand them; but I am telling you what is literally the fact, that men are free and generous to endorse bills—if you call that generosity—where they do not intend, perhaps, to be ultimately liable, but they want very much an attempt to have those bills realised at their own expense, provided they have got none of the money.

25,090. I can understand that, but I am sure also that they will have most their engagements?—But notwithstanding that, I give it to you as an instance of the

fact that the country is at this moment covered with a network of bills.

25,091. Your evidence on this question is that, notwithstanding these deposits being in a great measure deposits of the agricultural classes, they are covered by bills of equal amount held by the banks in which these deposits are maintained?—Yes, that is the fact; and the produce of those bills covering the deposits are given for rent and for different other purposes; and I will even give you now an instance that comes to my knowledge. The small shopkeepers of the different towns of Ireland supply those men with seeds, manures, and groceries, and all that sort of thing, and they find it difficult to get money from them, and they take their bills, and they discount those bills by means of the wholesale firms, and there is the discount paid by the tenant on these, so that I assure you that the financial position of tenants at present is a very serious thing.

25,092. And of course those bills so discounted must be either paid by the tenant or by the man who got the money?—They are paid and renewed; there is a system of renewals going on for years.

25,093. And yet you believe that those deposits which represent a great part of the agriculture of the country are left untouched?—I am sure they are left in an untouched state, and the manager won't allow them to be touched till the bills are realised; and I only use the arguments in this way: you have evidence of deposits, and so there are very large deposits in the banks. That is so, but I say that those deposits are covered, and more than covered, by liabilities depending on them. I merely wished to show the great state of unattractiveness the country is in.

25,094. The President.—We often wanted an explanation of why this large sum is in the bank.

25,095. Sir James Caird.—Are you in any way connected with the banks?—No, I am not connected with any bank. I happen to know how the financial position of the tenants in Ireland is at present, and I can tell you nothing could be more rotten.

25,096. We may take it from you that the financial position of tenants in Ireland is far from being good?—Oh, I say it is lamentable. I cannot express it in language too strong for it, and it is in Ireland the greatest misrepresentation to say, as is done institutionally, that bank deposits represent a certain amount of money. There is only another point, which is this. It is said, and it is a very fair observation, that a tenant will give for the occupation of his farm a sum perhaps representing the value of the fine, for the occupation of the land, and people will say that, no matter how the tenants get it, they will give for the tenant right or occupation of the land very large sums, and they will say, "Why do you give that when there is a fixed rent there?" and the explanation of that is this: The tenant comes forward to pay a certain amount, and I can give you instances—he comes forward to buy at a certain high rent, but he does not mean when he is buying that the rent won't be changed; in fact, he takes it as we say in law, subject to his option. He does not say "I intend to pay that for ever." He takes that subject to its equity, to the chance of legislation and the chances of political organisation—namely, the one to which I belong.

25,097. Why does he pay those high prices when there are so many conditions to guard himself against?—On the contrary, he has no other way of investment that gives him an occupation. There is not very much commerce in the country, and he wants to reside in the country, and he buys the occupation of the place subject to inequalities and frequently with borrowed money.

25,098. In hope, do you mean, that the rent may be cut down?—Or that a Land Purchase Act may be passed, and that he will purchase. In other words, he does not take it in the sense of a commercial transaction that he is to be bound to pay that rent, and that there is to be no change, which is assumed by men who have based arguments on it. In fact, I have said, "Why did you give such a huge sum for the place?" And the reply was, "There will be a Land Purchase Bill, and (unless) did this I must leave the country, for there is no con-

"more." I put this forward to meet the objection which is also very often put forward, that tenants pay, very large sums for the composition or tenant right, and that this proves that they could pay their rents if they wished. Now there is another matter. You have asked for some information with regard to whether tenants are anxious to purchase their holdings, whether there is a general desire as to purchasing their holdings now. Now I would say upon that, that there seems to be a unanimity of agreement that even the National party wish to have a single ownership and to abolish the dual ownership.

25,089. The President.—And the tenants do wish to buy?—I will come to that in a moment. Then with respect to Gladstone's Bill of 1885.

25,100. Sir James Caird.—You do not refer to the Purchase Bill of 1885?—No; but coming to the Bill of 1885, I say there is a general disposition, and I come to the matter that more immediately concerns the Commission here. I have seen among the tenants a very considerable desire on the part of the tenants to purchase if they could do so satisfactorily, but there is a considerable number of landlords who are giving reasonable inducements and others are not. I know estates—there are Lord Stanhope's tenants in Bellinakil—where they have agreed to purchase for 16 years. Is it material that I should give you a few instances down in my own locality?

25,101. If you have anything to bring forward.—I have looked to the working of the programme here; and I see that Lord Normanton's tenants have agreed to purchase at 18 years' purchase. First, Lord Stanhope, Bellinakil, he has agreed to take 16 years' purchase and wipe out arrears.

25,102. What character of country or land is it?—Well, it is principally grass land, but there is a market town near it and a fair near it.

25,103. Where is it?—It is in the Queen's county; it is some 100 miles. Well, Lord Normanton, who has property in county Kilkenny, has agreed to take 18 years' purchase. They are at present negotiating and carrying out this.

25,104. And wipe out arrears?—Yes. Mr. Arthur MacLishan is another; for 16 years' purchase he has agreed with his tenants.

25,105. The President.—All these will be a great loss to the landlords; the tenants could hardly expect to get better terms than those?—I will just come to that after I give you a few of them.—Captain Hardy, 18 years, Mrs. Burns has agreed 18 years, and those are all in negotiation at present and the negotiations half concluded. Now upon that none of the tenants would wish this. Some of the tenants would like a perpetual rent charge, omitting the sinking fund and giving a lower perpetual rent charge. And I am now assuming that we had to proceed on something analogous to Mr. Gladstone's Bill, that whatever the proceeding would be there would be a sinking fund with 4 per cent. or 5 per cent. They would be entitled to have a rent charge done and have no sinking fund, and they would wish it, they proceeded, that they should have the option at 3 or 4 or 5 years of turning round upon what I may call

the 49 years' system. But I will just mention this plainly that from my own knowledge of the tenants—I will not go behind in saying it—that there must be either what is styled compensation against the landlord—I am a landlord myself—or else there must be cheap money.

25,106. To buy?—There must be a certain number of years' purchase, what the landlord will regard as compensation—there is no use in concealing the matter—or else there must be cheap money. You have asked here about local authorities and charging of the rates. My experience is that the tenants will not agree or the mortgagees will not agree to a liability of that kind.

25,107. Sir James Caird.—We have not found anybody to approve of that?—Then with regard to the tenancies.

25,108. I really think, Mr. Marzani, that we need not go into that.—Then I come to another matter. I assume that you have seen the provisions of Mr. Gladstone's Bill. One of the material provisions was this, that he would take up jointures and charges of that kind, and it took these off and purchased the whole estate, taking the liability off, and sold to the tenants free from that liability.

25,109.—And do you recommend this as an alteration in Lord Ashbourne's Act?—Yes, it is an alteration.

25,110. Do you propose this?—An alteration of Ashbourne's Act following Gladstone's.

25,111. Is it not only historically, but do you propose that it should be done?—I propose that it should be done. If you allow me to illustrate it thus: Take a present income of an estate of £3,000, there is £1,000 a year as a jointure for a wife, and the trustees will not be satisfied unless there is sufficient to provide for the full amount. That would represent £33,000 costs in round numbers. Well, the deposit fund would be about £10,000 in round numbers, and that would be £43,000, two-thirds of the price of the estate, which would be tied up for a time, and would not go to the creditors or to the owner, and thus one of the matters that would prevent landlords and tenants from dealing, not merely as to the one-fifth, but that the life jointures and provisions of that kind are not redeemed under Ashbourne's as under Gladstone's.

25,112. What do you propose should be done?—That the provisions of Gladstone's Bill should be incorporated in the new Act.

25,113. That they should be allowed to remain charges on the money?—Yes.

25,114. That the money should be expended and the jointures paid out of it?—Yes. In the sense of the provisions of clause 8 of Gladstone's Bill.

25,115. And only to pay the money over to the land, lord after satisfying the mortgagees?—After satisfying the mortgagees. There were only one or two other matters that I have no idea of with respect to the redemption of family charges.

25,116. Perhaps you could come to-morrow morning?—I shall be happy to do so.

The Commissioners adjourned to the following morning.

Dec. 6, 1895.

Mr. E. MacLishan
Marzani, M.P.

(Before the EARL OF MALTBY, Mr. NORMAN, Q.C., and Mr. KNIFE.)

Mr. MARTIN BUTTERLY, examined.

25,117. Lord MALTBY.—You are a tenant farmer?—I am.

25,118. Where is your land situated?—At Blanchardstown.

25,119. In this county?—Yes, county Dublin.

25,120. What is your opinion with regard to the working of the Acts of 1870 and 1881?—The Act of 1870 worked of course very well with regard to the tenants who did not hold under lease. They got advantages in many cases under it. Tenants who were tenants at will, if they had to leave their farms, of course got compensation for disturbance and improvements; but unfortunately advantage was taken of that Act, and

I know a case where the landlord found himself quite justified in ejecting the tenant and paying him compensation because he was sure to get a higher rent for the land. In or about that time there was no difficulty in getting a tenant; and the land in the county of Dublin and other counties in Ireland was at a premium, and there was a great inducement to landlords to act in that way on account of the high prices that were offered.

25,121. They thought it was worth their while to eject a tenant and pay him compensation for disturbance, as they would be recompensed by the higher rent?—Yes, by a higher rent.

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25,122. But that they cannot do any longer?—That was with regard to the Act of 1870. A good many cases occurred to my own knowledge.

25,123. Well, I don't think we need go into that now, for by the alteration of the law, as it now stands, that can no longer happen.—No, I know it can't.

25,124. If there is any alteration you would like to suggest with regard to the Act of 1881, we shall be happy to hear you.—Well, in the Act of 1881, in my opinion, the great defect is in not including the leaseholders.

25,125. We have had a great deal of evidence on that branch already.—Yes; it is the greatest grievance the tenant-farmers of the county Dublin have to complain of—that they derive no benefit from the Acts of 1870 and 1881—no benefit from either.

25,126. Mr. Neligan.—Are the lands in the county Dublin generally held by lease?—Principally all lands in the county Dublin are held by lease. I know most of the estates in the county Dublin, and am acquainted with them.

25,127. Lord Ashbourne.—It would meet this grievance if the leaseholders were allowed to go into Court like the tenants at will?—It would. It is the greatest grievance they have to complain of. Numbers of them took leases after the passing of the Act of 1870, and it is nearly all the leases granted after the passing of that Act that they complain of. In many cases where leases had run out, conditions were imposed on their renewal which they had to accept. They had no alternative but to take them, because their improvements were all there in the land, and if they left they would lose everything. It's not like other countries, where landlords, as in England and Scotland, make the improvements. But that is not the case here. I know one landlord in Dublin who adds an improvement rent on the tenants when he makes improvements, and the tenant, though reluctant, has no option left. If he rebels, he surrenders everything he has done. At present they are exhausted trying to pay their rents. Of course I could allude to many cases if—

Lord Ashbourne.—I don't think it is necessary.

25,128. Mr. Neligan.—Were there any statements given on the rents of those landlords?—Very few indeed gave it. Lord Howth is the principal one of the few that made statements to their tenants. He certainly is trying to meet his tenants. That was in the county Dublin.

25,129. Lord Ashbourne.—Are you anxious to purchase your holding if you could get it on fair terms?—I would be very glad to purchase, but I don't think mine is a holding that could be reasonably purchased.

25,130. Why not? Is it that the rent is so enormously high?—Quite so.

25,131. But supposing that a fair rent were fixed, would you purchase then?—Oh, I certainly would.

25,132. How many years' purchase at a fair rent would you be prepared to give?—Twenty years. It is my opinion that if a fair rent were fixed, twenty years' purchase would be a fair purchase, and I believe that will be considered as both by the landlord and tenant.

25,133. Mr. Keefe.—Do you think a judicial rent a fair rent?—No; I say that the judicial rents fixed in the county Dublin have not been fair, and I will give you an instance. If you like, in a case I was interested in. It was an application made by the tenants of Lord Talbot in 1888 to have fair rents fixed. I made a valuation for these tenants of their holdings, and I must certainly say that I was almost more favourable to the landlord than to the tenants. I fixed that most of the tenants were paying from 60 to 75 per cent. beyond the valuation; that all the improvements that were on their farms were their own buildings; and I gave a detailed account of my valuation of the land, and of the improvements made by the tenants, and everything else, and I must certainly say that in the face of all that, the old rents they had been paying, were made

the fixed rents—the judicial rents. I think that was excessive; and I believe if the rents had to be revised now, the Commissioners would find a different state of affairs.

25,134. Mr. Neligan.—What year was that in?—That was the year 1888.

25,135. Lord Ashbourne.—Then you are of opinion that some of the judicial rents in the county Dublin are not fairly fixed?—I am.

25,136. That they are too high?—There was no reduction made. There is another case on the Drogena estate. If you like I will instance my own case, as it will show the class of cases generally in the county Dublin. I took a lease of 72 acres of high land in 1871. The lands had been for many years in the hands of a careless farmer, and I believe he had almost a freehold interest in it. It was heavily mortgaged, and was sold in the Landed Estates Court after being neglected for seven or eight years. The landlord bought this farm, with three others above it. I took it at 5 guineas an acre in 1871. I was given an agreement in the lease to expend at least £500 on buildings. There was no house on it at the time, and scarcely a decent stable or cattle house. I was bound to have the buildings erected within three years, otherwise the £500 would be forfeited. I may tell you that I deposited the £500 on security for the building of this house and other improvements, and it was to be given back to me when the buildings would be completed. I completed the buildings on which the landlord allowed me 5 per cent. for the money and also allowed me the £500 by instalments from time to time in my rent. I made all the improvements, and spent in place of £500, £1,000 on buildings. I had been used to market gardening, and I thought I would be able to convert this land into a market garden for the raising of vegetables, which would be more profitable than the ordinary rotation of wheat and oats. I went on that way for four or five years, and I spent in two years over £1,500 in repairs, which I brought out from Dublin in boats, and had it deposited on the banks of the canal, and then carried up to the farm, until I made nearly the whole of the land highly manured ground. Then the price of Irish vegetables came down after a bit by importations from Holland and France, and then cut us out of the English and Scotch market, and then I had to turn it into a farm for growing wheat, oats, and potatoes on, and up to 1879 things went on pretty well. I got fair prices—30s. a barrel for wheat, then 12s. to 14s. for oats, and potatoes from 3s. to 4s. a cwt., and these things paid pretty well. But in 1879 my potato crop was a failure. The disease set in on them, and soon was a wet season, the wheat and oats also began to fail. It was bad, and in a drooping condition. By my accounts I had that my expenditure for that year—paying for labour, taxes, and all incidental expenses—was £1,067, and all I realized for the whole of the produce of the farm for that year was about £690; so that in that I lost that year nearly £400. The year 1880 was very little better, and I lost considerably in 1881, and then I had to lay down the most of the land in grass, at enormous expense and labour. The wheat crop continued falling down from 80s. a barrel to 16s. and 18s., and oats to 3s. and 10s. a barrel. In 1883 we had another bad year, and my rent of that farm was 5 guineas an acre for 72 acres—£375 12s. 8d., is what I pay per annum. The valuation is £179 6s., so that I am paying nearly more than twice the valuation of this farm. I applied to the landlord last year, and explained the whole circumstances to him, and asked for an abatement of the rent, and he would not give me a shilling. I paid my rent in March last, and after applying at the present time, he would not give me a shilling abatement of the rent, and of course I have no alternative but to pay. I spent over £2,000 on the farm buildings and the house I live in, and I have as other alternative than to pay my rent, or he could make a bankrupt of me, or spend me. I know of other cases very similar to mine, only of course they might not have spent so much.

25,137. Mr. Neligan.—Yours is a strong case for a

judicial rent?—That is my case. I know of another instance, the case of a man.

25,138. Don't mention names.—I won't. It is the case of a tenant who paid his rent too, and he would not get an abatement.

25,139. Lord Milnes.—You know it is impossible to compel a landlord to give abatements. All the law we do is to have a fair rent fixed.—I know. I took the land, as I told you, when it was in a bad condition, and there is much better land on the estate—in far better condition—for three guineas an acre.

25,140. Mr. Neligan.—That is your rent?—No, five guineas is mine.

25,141.—Lord Milnes.—The Scotch or Irish acre?—The Irish.

25,142.—And you would be willing to give 20 years' purchase for your farm at a fair rent?—I would.

25,143. And you would like to purchase at a fair rent?—I would.

25,144. Do you think that feeling is shared in by the tenants in the county Dublin?—I do.

25,145. That they are anxious of becoming owners of their land, for the sake of being owners?—Every tenant farmer I know—and I know most of them—is most anxious, once a fair rent is fixed, to become purchaser.

25,146. They are anxious to become purchasers?—They are anxious.

25,147. Do you think such a result would have a beneficial effect on the peace and tranquillity of the country?—I do, certainly.

25,148. Mr. Keipe.—How many years has your lease to run?—Over 60 years. My lease in 1871 was for 61 and 81 years. It was given in the two ways.

25,149. Lord Milnes.—With regard to the fixing of a fair rent, do you think it would be desirable, where no purchase was effected, that there should be a power to fix the rent at more frequent intervals than 15 years?—I think 15 years would be a fair term. The landlord and tenant having got the rent fixed for 15 years—and rents, I may observe, have been well paid in this county—would have ample opportunity within that period of considering all their circumstances and making fair averages and advances, and then if necessary they could apply again.

25,150. And so far as you know the tenants would not be anxious to have that period lessened?—I don't think so.

25,151. Mr. Keipe.—Are you able to speak on behalf of all the tenants in your locality?—I have spoken to many of them on the subject.

25,152. And that is your opinion?—Yes. I can give you their opinion.

25,153. Mr. Neligan.—Is it very long?—I don't think it is.

25,154. Mr. Keipe.—Do you think that the rents fixed in 1883 and 1882 as fair rents could be regarded as fair rents now?—The judicial rents?

25,155. Yes.—I told you that the rents I spoke of are not fair rents at all.

25,156. Lord Milnes.—That they were not fair rents when fixed?—I believe not.

25,157. But supposing them to be fair rents at that time, would you consider them to be fair rents now?—Well, this is an exceptionally bad year.

25,158. When you say an exceptionally bad year, I suppose you take for granted that there will always be either exceptionally good or bad years?—Yes.

25,159. Mr. Neligan.—Do you mean, by a fair rent, the rent that will bear the strain of a bad year?—I do.

25,160. And the rise and fall of the markets for 15 years?—Yes, I take one with the other.

25,161. Mr. Keipe.—How are we to know what will happen for the next 15 years?—This year is a very bad year. I saw cattle sold for £15 16s. that I sold the same quality for £20 a few years ago.

25,162. Was this week's market a bad one?—There have been worse.

25,163. What was the price of beef to-day?—I saw beef sold for 40s. a cwt.

25,164. What was the top price of beef to-day?—*Dec. 8, 1888.*
From between 47s. to 50s.

25,165. That is what it was last Thursday?—It was a sluggish market.

25,166. I suppose there was not a large supply?—There was about an average supply.

25,167. What I want to know is—we have it in evidence here that the Sub-Commissioners find it necessary to give now from 7 to 15 per cent. of additional reduction from what they gave in 1881 down to 1885. Now, do you think the tenants who got three rents fixed during that period would not be a little dissatisfied now at seeing their neighbours getting 15 per cent. additional reduction, and that they would not like a shorter period than 15 years for having a revision of their rents?—Well, 1881 down to 1885, most of the judicial rents served were too high, and the abatements were scarcely enough. The rents were fixed too high.

25,168. That is exactly what I asked you. Did you consult the people about the length of the term?—In fact, I may tell you this much, that the county Dublin farmers have learned to avoid the Land Court. They would not approach it now, having got experience by the few cases that were brought there and tried. I wanted some farmers to come before this Commission, but so much were they disappointed at the other Commission that they would not come near you.

25,169. Your experience, then, is that the tenants have lost all confidence in Commissioners of any sort?—They certainly have. The tenants of the county Dublin, I would say, have lost all confidence in Commissioners. I could not get a tenant to come before you, and I believe you have not been troubled with many.

25,170. Lord Milnes.—Are there any suggestions you would like to make with regard to the Land Purchase Act?—I was considering that if the term for repayment was extended from 49 to 60 years it would be an improvement.

25,171. You mean an extension of the period for repayment of the loan?—Yes, from 49 to 60 years. That would make the judicial rents easier.

25,172. Yes, it would make them much less.—It would.

25,173. Mr. Neligan.—The instalments would be lessened?—The instalments would be £67 instead of £100. At present it is a reduction of 20 per cent. I wrote to Lord Randolph Churchill in August on that very point about the leaseholders, and I had a reply from him thanking me for my letter, which he said would receive his careful consideration.

25,174. Lord Milnes.—Do you think that would impair the security of the State in any way?—I think not. I think it would be monstrous if the present generation were to be called on to make all the sacrifice for securing the foothold of the land for future generations.

25,175. You don't see why you should do anything for posterity, as posterity can do nothing for you?—The further it is extended, the better.

25,176. That would be an argument—a strong argument—if you were called upon to make sacrifices for the purpose of purchasing, but when you would be only called on to pay 20 per cent. less than you are paying at present it would seem a distinct advantage.—It does. I am not in favour of compulsory purchase. If it would not benefit both landlord and tenant I would not have it at all. I would not be in favour of doing away with the resident gentry.

25,177. Mr. Neligan.—What you want is to make purchase more attractive?—Yes.

25,178. Mr. Keipe.—Some people say that the landlords would insist upon getting a longer number of years' purchase than 16 or 20 years. What is your opinion?—They might; but I consider that would be fair, perhaps.

25,179. But that would not benefit the tenants?—It would benefit them in this way: that instead of paying £80 they would only have to pay £67.

25,180. Provided the price was the same; but if the landlord insisted on getting a longer number of years'

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purchase?—Then it would fall through—it would not work.

25,181. Do you say that the landlord should expect to get a larger number of years' purchase because the tenant is paying less?—In one sense.

25,182. That would be of no importance to him, as the only party to suffer by the delay of payment is the State.—Yes.

25,183. And don't you think it would also be an advantage to the country that the tenns should be got over as quickly as possible?—It would. I know a case on the Donville estate which perhaps I may be allowed to mention. In old Sir Crompton Donville's time his tenants were the most happy to be found anywhere, and when they became pressed in the year 1847—he held some of his tenantry at will—he reduced his rents until he tided them all over the worst times; and in my younger days the village of Sauty was a model village for all parts of Ireland. They were a happy, prosperous, and comfortable tenantry; but the moment Sir Charles Donville got possession of the estate in 1870 every tenant whose lease ran out had his rent raised from the old rents of £4 to £6 and £6 to £8 an acre. In fact, he created a new tenantry, and sent the old tenants about their business. All that time they got small compensation. Of course, as I say, it was not right he should allow anything for tenants' improvements. But he got this increased rental, and within six years' time there were six bankrupt tenants, and they had nearly all failed. One young man named Nelson who came from Scotland and took a large farm of 125 acres adjoining the demesne—a more industrious man I never saw—he introduced all the most improved machinery, Clydesdale horses, and everything pertaining to high-class farming. Well, he commenced a large system of tillage-farming, and went on until 1870, and met his first crash in 1880. He was not able to pay his rent, and applied for an abatement, but Sir Charles would not consider such a thing. A petition was even got up by the farmers of the district, but he would not hear of it. The following year he was cleared out for non-payment of rent, and went back to his own country penniless, although he brought a large capital with him to this country. That land, like others on the same estate, for three years was a perfect common—a waste—and was grazed by the people around, and it is now let for £4 an acre. Sir Charles had to go out of the country the next year, and died an abject bankrupt; but before he left he destroyed the whole estate.

25,184. Lord Milltown.—Then I gather from your evidence that you are in favour of landlords coming under the Act to have a fair rent fixed?—I am.

25,185. But you are not in favour of lessening the period for the revision of rents from 15 years—that you consider a fair period?—A fair average period.

25,186. Do you think the instalments for the repayment of the purchase loan might be protracted from 50 to 60 years?—Yes.

25,187. And you are not in favour of compulsory purchase?—I am not.

25,188. Mr. Nathan.—How many years has your lease, to run?—It was for 60 years with an extension of about 21 years.

25,189. What was the original term of your lease?—It was a 60 years lease, and then there was an extension of 21 years, treating it as 81 years, and there are 16 years of that gone.

25,190. Mr. Kaine.—Should times not improve, would you be able to pay your present rent?—I would not be able to pay it. I am not now paying it out of that property at all. I am paying out of other sources. As I told you, in 1869 I lost £300.

25,191. Mr. Nathan.—If you had not other resources to fall back upon, you could not pay?—I could not.

25,192. Mr. Kaine.—Have any landlords in your locality given reductions on their rents?—Mr. Hamilton and Sir Edward Cecil Guinness have. Sir Cecil Guinness has certainly made some abatements. Mr. Hamilton I did not hear much complaint of. I think quietly he is making settlements with his tenants. He is the old member for the county Dublin. Lord Annull, who

is poor, has a small class of tenants at the Strawberry field. They had a bad season, but I don't know what arrangement he made with them, but I think he made some temporary abatement. Then we have Dr. Kirkpatrick—he is a good landlord and gave some abatements.

25,193. Have any abatements been given on the judicial rents in your locality at all?—No. There is scarcely a judicial rent fixed in the neighbourhood at all.

25,194. They are all leaseholders?—Yes. On the Donville estate there is a memorial to the Court asking for abatements, and they have not got any answer to it yet. Of course the estate is in the Court of Chancery, and there is a difficulty about it; but the tenants have not paid the last March rents yet. It is the only estate on which I know there is a regular strike against obnoxious rents. Lord Howth is considered, I heard, pretty fair. Mr. Rochford, his agent, has stated that he got permission to make the best terms he can with the tenants.

25,195. What effect would it produce on the tenants if they were assisted to become the owners of their land?—It would give them a great stimulus to exertion, to know they had what would really be a fair rent fixed for 15 years; but if they could become owners of their own holdings, I think it would tend greatly to the benefit of the country. As regards the farmers of the county Dublin, I know they have tried to pay their rents promptly. There were no rents paid better in any other part of this country.

25,196. And they got no consideration from their landlords as the tenantry did in the south of Ireland?—They have not, and another year would crush them.

25,197. And that observation would apply equally to the north of Ireland as to the county Dublin farmers?—I think it would. I think one year more would crush all the tenant farmers in Ireland. I know of one instance in which, to oblige a friend of my own, I had to join him in a bill to a hawk at six per cent, three years ago, in order to enable him to meet his rent, and he was only able to reduce that very little amount, and he would not get a penny reduction from his landlord.

25,198. It has been stated here that numbers of tenants are well able to pay their rents, but will not do so. Now, what is your opinion of the financial condition of the tenantry of Ireland?—I don't believe there is a tenant farmer in the county Dublin that, unless he has an extraordinary rack-rent, but is willing, and has paid his rent. There is no commission to do otherwise.

25,199. And that inability to pay the rents is caused by the low prices of produce?—It is, and nothing else—by the great difference in prices now and some years ago.

25,200. And the importation of foreign cattle, I suppose, has something to say to it?—Falling in price and everything.

25,201. Are you able now to give us any opinion as to the future prospects of the tenantry of this country?—Well, all I can say is, if the importations are to continue in the future at the same rate as they have in the past, that things will look very bad indeed for the tenantry. Certainly, if the prices that are realised now or stock or produce do not improve, I don't know on earth what will become of land at all. My only hope is that things will improve in Ireland. Of course trade is bad in England; and England, we all know, was a great market for our produce, and Scotland too.

25,202. Has your attention been drawn to the reductions that the English farmers have received from the landlords in that country?—They are very considerable. A gentleman a few days ago told me that he would give me one of the best farms in Essex at half the rent he was paying for mine, and that he would give it free of rent for one year—what I would have nothing to do but walk into a magnificent house, with all the necessary out-offices required for farming purposes. That was Professor Correll, who has been there himself for years.

25,203. Of course the tenant farmer has many advantages there that we have not over here?—They

have much better markets in Essex. It is the best part, and Professor Carrell knows my farm.

25,204. Lord Milnes—And do you really think you would have greater advantages in Essex than you would in the county of Dublin, at Blackchardstown?—I don't know. I know I used to ship largely to England, and unquestionably the markets are better there.

25,205. Mr. Keppel—Speaking generally now, you think the English farmers have an advantage?—I think they have a better market for their produce. At present I believe the markets are bad enough in England.

25,206. Mr. Neligan—In England, I believe, they are nearer to the markets?—They are, and they have better railway accommodation. The freights we have to pay here are exorbitant.

25,207. Lord Milnes—I am glad you mentioned that—it is very important.—Yes, the freights we pay are very high, and our railway accommodation is not nearly so good as theirs.

MR. PATRICK S. O'BRIEN, examined.

25,213. Lord Milnes—You are Chairman of the General Board of Guardians, I understand?—Yes.

25,214. And a tenant farmer in the County of Longford?—Yes, and Cavan as well.

25,215. How many acres do you farm?—About 300 acres altogether.

25,216. Do you hold under more than one landlord?—I hold under three different landlords.

25,217. Do you hold under lease or how?—I hold two of the farms by lease in Cavan, and in Longford I have a judicial rent fixed for the holding.

25,218. Are you anxious to have an alteration made in the law, which would permit you to go into Court and have a fair rent fixed for your leasehold farms?—Oh, decidedly.

25,219. And that is the general feeling of the leaseholders in Longford, you think?—Oh, yes.

25,220. Are the judicial rents that have been fixed giving satisfaction?—No, they have not given satisfaction from the very first.

25,221. From the first?—Not from the very first. I may say I have a great deal of experience—though I have only had our rent fixed for myself—but I have a great deal of experience in valuing for others going before the Land Commission Court in both Longford and Cavan, and at the time those rents were fixed—

25,222. Mr. Neligan—When were they fixed—what rents do you allude to now?—The rents in Cavan and Longford. They were fixed so far back as 1882 and 1883. We regarded them when fixed as being about from 15 to 20 per cent. too high.

25,223. Lord Milnes—The judicial rents were fixed, according to your judgment, at from 15 to 20 per cent. too high?—Yes.

25,224. Were the landlords of that opinion, or were they satisfied with them?—No.

25,225. But they did not think them too high?—I should say the landlords were not of that opinion, judging from how they fought them out in Court.

25,226. Where they satisfied with them?—Yes.

25,227. They were?—Yes, to some extent.

25,228. But they did not show that by the number of the appeals they brought?—I should state one thing that had a most disastrous effect on the fixing of rents and the effecting of settlements made out of Court—it was that it was wonderfully in regard to the County of Longford and the County of Cavan—I allude to the first two years after the sitting of the Court of Appeal. The judicial rents fixed the year after the passing of the Act were all appealed against almost, by the landlords. These appeals were heard in Mullingar by the Chief Commissioners, and they in almost every case increased the judicial rent; so that a number of the tenants already in the Court, whose cases had not been disposed of, holding under these landlords rushed in and accepted the landlords' proposal, which was often not more than a reduction of 10 or 15 per cent. and I know of a case

25,209. And that is a matter of serious importance—these freight charges?—It is; the charges are far cheaper at the other side.

25,210. Mr. Keppel—in reference to the farmers in England—they are not supposed to make any improvements on their land in the shape of buildings—it is the landlord does that?—As far as I know, all the improvements are made by the landlord, or allowed for in money value by payment. In Scotland, too, a good deal of that is practiced.

25,211. And if the tenant cannot see his way to making his money out of the farm, I believe he can give it up to the landlord?—He can walk out.

25,212. And that is not the case here?—In this country you have to invest all your money in the farm—all your holdings are your own money expenditure—and if you walk out you must leave all your property after you.

where it was not more than 5 per cent. of a reduction. Mr. Parnell I have the extent here showing how the judicial rents 8 O'Brien were increased.

25,229. That is sufficient—you need not read them. By how much were the judicial rents increased?—By something like 10 or 15 per cent. from the judicial rents fixed by the Sub-Commissioners.

25,230. And the result of that was, you say, to deter the tenants from going into Court?—Decidedly.

25,231. To get fair rents fixed?—Decidedly.

25,232. And then they made settlements with their landlords?—Yes, on the proposals made by the landlords. In a case where I valued, the tenants came to me and consulted me. I told them they would be entitled to at least the reduction made by the Sub-Commissioners of from 20 to 25 per cent.; but their answer to me was, 'See what has been done—the rent has been brought "back again to the old figure." Another thing that influenced them very much in Longford and Cavan was the threat of the landlords to deprive them of the use of bogs.

25,233. It has been held that the Court has power to give a tenant the right to bog to which he was accustomed before he came into Court.

25,234. Mr. Neligan—The fixing of fair rent does not alter the rights of tithery.

25,235. Witness—That has been represented to them over and over again; but all the same it has interfered with them, and the landlords have charged a rent for bogs for which they never charged before.

25,236. That is not quite the law?—I heard that before. I heard Lord Justice FitzGibbon give that opinion at Cavan, but the landlords have not acted on it.

25,237. Lord Milnes—But at all events the fear of losing tithery, you say, has influenced these against going with the Land Commission Court?—Yes, the fear of losing tithery, and the fact that the judicial rents fixed by the Sub-Commissioners had been increased on appeal.

25,238. And the result of your experience is that the rents agreed upon with the landlords outside Court are higher than what they ought to be?—Decidedly. And also a number of the tenants who availed of the Arrears Act exhausted all their means by so doing, and in a short time after, when they applied to the Court under the Act of 1881 and 1882, they found they owed a year and a half or two years' rent. In that case they were forced to accept the landlords' terms, because they were not in a position to clear up all the arrears. The landlords proposed a certain reduction, and if not, an ejectment process was issued against him. I know numerous town lands on which that rule was carried out, and the tenants were forced to accept ruinous reductions. I could give you the case of a man not far from me. His rent was £12 15s. a year, and the landlord proposed

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a reduction of 15s.—The tenant had to accept it or go out, and ejectment proceedings were brought against him this time twelve months for three years' rent.

25,238. What was his Poor-Law valuation?—Something about the same as the rest.

25,240. Well, that does not seem very high?—Well, no; but the Poor-Law valuation in the north is very high.

25,241. But you are speaking of Longford?—No, I am speaking of Cavan.

25,242. Did the reduction of 15s. reduce the rent below the Poor-Law valuation?—In or about the Poor-Law valuation.

25,243. Still you think that was too high?—Decidedly. It was a ruinous rent; and he never was able to pay it.

25,244. How many years had he been paying that rent?—was it an old rent?—I should say he was paying it for 15 or 20 years.

25,245. And he paid that rent up to recently?—Yes, until the year 1879 or 1880, until the depression set in and low prices. The prices since then combined to ruin him.

25,246. Are the rents pretty well paid in your county?—Very well.

25,247. Has there been any attempt to prevent the tenants if they wished to pay?—No, none whatever, but a very large percentage are unable to pay. I should say 20 per cent. of the farmers are unable to pay any rent.

25,248. Are you now speaking of the whole Union or of Cavan alone?—The whole of the Granard Union.

25,249. Does that extend to Longford?—It extends to Cavan, Longford, and a small portion of West Meath.

25,250. Do you think 20 per cent. of the tenants in that Union are unable to pay rent?—I think 20 per cent. of them are unable to pay any rent.

25,251. Any rent at all?—Any rent.

25,252. What would you suggest should be done with those poor people?—They are not only not able to pay their rents now, but they have been in that condition for the past four years. I know landlords who have not received any rent from this class of tenants for four years.

25,253. Through inability on their part to pay?—Through inability on their part; and they have not taken steps to enforce it, knowing that they could not get it from them.

25,254. Can you make no suggestion as to what is to be done with these poor people?—I would propose to make a substantial reduction in their present rent and wipe out all arrears.

25,255. What would be the use of that if they cannot pay anything?—That's because the rents are and have been too high.

25,256. But according to your statement they have not paid any rent for four years?—Yes.

25,257. It can't help them, then, to reduce their rents?—No, but they got impoverished and lost all means of trying to meet the rent in 1879.

25,258. What was an abatement to be seen who have not paid any rent for four years, and who are in no better position now?—As I said before, they lost all means of trying to meet their rents in 1879 and 1880, when the landlords gave no reductions. It is hard for a farmer to improve if he has no capital.

25,259. Exactly; then how can you improve their position, because reducing the rent of a man who could pay no rent for four years does not improve his position?—They want a substantial reduction of their rents—I would say at least by the half. They were never able to go into Court.

25,260. I cannot understand how, if they had paid no rent for four years, and are still pressing for reduction, it would make any difference to them?—Yes, I know some cases that were before the Chairman for Cavan. I believe there are 500 tenants in the County of Cavan against whom decrees for possession are held by the landlords. I know one landlord who took out 70 decrees, and in one case where a tenant owed five years rent the Chairman asked was he abstinent, and, "It appears so," said the landlord.

25,261. How many acres do each of those people hold?—They average about 15 acres each.

25,262. Is this bog land?—Yes, a great deal of it is hilly, peasy, thin, and cold.

25,263. What rent do they pay an acre for it?—From £1 to 25s.

25,264. That is rather high?—Rather high.

25,265. For bog land?—Rather high. Indeed the rents are all too high, and yet they do not differ much from the Poor-Law valuation.

25,266. But do you see any means by which these poor people who have no longer any stock or any means of cultivating their land can be lifted out of this slough of misery?—First by reducing their rents to one half—that's all.

25,267. That won't stock their land?—Their labour is their great capital. I believe if they had the arrears wiped out and that their rents were reduced 40 per cent. they would make an effort to meet their rents.

25,268. Do you think that would make them able to pay their rents?—I think it would. They are a hard-working, industrious people.

25,269. But I don't see how they can make bricks without straw?—Well, take myself as an example, and they are nearly as good a position as I am, for I have to pay for my labour, while they do all their own work, and have no value on their own time.

25,270. But they have no stock?—No, they lost all in 1879.

25,271. What is the use of their labour, then?—It produces food for them.

25,272. The land grows crops for them, then?—Yes, potatoes and oats; but if they were sold they would not produce much.

25,273. Do they grow barley and oats?—Oats only.

25,274. The lands are not in grass, then?—No.

25,275. It's all laid out in tillage?—Yes, for the most part.

25,276. Are the people in your county anxious to purchase their holdings?—Yes, if they could come to terms.

25,277. Mr. Keppel.—What is the average number of acres on each of the farms you speak of?—The average number is seven or eight.

25,278. But you said 20?—But that would be the larger ones.

25,279. Lord Millicom.—About the same sized holding, I suppose, as in a congested district?—Exactly. I will give you an idea of the farms. If you go to 30 acres, that means 80 per cent. of all the farms in Cavan.

25,280. Mr. Neilson.—Then, in point of fact, a system of migration is what is wanted for them?

25,281. Lord Millicom.—They never can live and thrive on six or eight acres of land.

25,282. Witness.—I told you the condition of those tenants, who are almost in a permanent state of bankruptcy; and they number 20 per cent. of the farmers.

25,283. But these people never can do any good?—Oh, yes, if the rent was reduced. I spoke to one man, and said, "Your rent is 25s; about half that rent would be the price you should pay for it." "Well," said he, "if I had it for that I would struggle to pay."

25,284. He might struggle; but how a man could live and do for himself and his family on such a holding, I cannot see?—But they have lived there in the past—in better times.

25,285. And his ability to continue on would depend entirely on whether there would be a failure of the potato crops or not?—They suffer more in the price of calves. They feed calves and pay the rent by them. The farm produce is required for the support of the family.

25,286. Do you think these people would be better off if they were the owners of their holdings?—Yes.

25,287. What sort of installation would they be able to pay?—I have not the slightest hesitation in saying they would give fifteen years' purchase for their holdings.

25,288. At the present rent?—Yes, willingly, when fair, and would pay it.

25,289. Mr. Neligan.—Do you think they could pay the instalments to the Government?—I do. I know a number of them that proposed that.

25,290. Lord Midleton.—That is curious, that if they cannot pay their present rent now—of course the purchase would make a reduction—they would willingly pay it if they became purchasers. Do you think that would afford a sufficient security to the State?—Quite as good as the large tenants, because, as I said before, the large farmers have to pay for their labour, but these people have their own labour. Of course if they charged themselves with labour it would leave no margin for the rent.

25,291. Mr. Knapp.—Have the majority of those tenants got judicial rents?—No, they have not. The reason of that is the Poor-Law valuation and the rent are almost the same, and they had no business going into the Court, for they would not get a reduction.

25,292. Your statement was that they were deterred from going in by the increases the Commissioners made?—Yes.

25,293. Lord Midleton.—That was one of the reasons?—Yes; and another thing is that when the land is shown the valuation there is no use in their going in.

25,294. You think the Poor-Law valuation is too high?—It is in Ulster. In Longford, in the best land, it is fair enough. It is very irregular. I don't want to dwell on this point.

25,295. But the prices when Griffiths's valuation was fixed—on the prices of 1859—they were something like 50 per cent. lower than the prices at the present day. Does not that seem as if Griffiths's valuation would not be too high now?—It would seem from that; but I think that very much. We have heard a great many reasons about that.

25,296. There is no doubt about the prices though?—I think his valuation was made in a rough and ready way.

25,297. No doubt, but the prices on which he based his valuation were those of 1859, and these I find on a comparison with the returns of the *Farmers' Gazette* were lower than the prices now?—Another thing I noticed about the *Farmers' Gazette* last week—that the average price of oats was 11s. 3d. in Glenside the highest price for white oats did not exceed 8s.

25,298. Is that per cent.?—The harvest of fourteen years; and yet it is quoted in the *Farmers' Gazette* at 11s. 3d.

25,299. You will see the prices here in this return?—I have seen it frequently.—That is a very curious thing?—It is.

25,300. How do you think that is accounted for—by a higher standard of living?—I cannot say.

25,301. I would be very sorry to see that diminished?—The people will never go back again to potato twenty-one times a week,—what they lived on before.

25,302. And perhaps were not able to get that? No doubt.

25,303. If the crops failed?—No doubt about it. We regard the only settlement of the present state of things is purchase.

25,304. Do you think the tenants would offer a fair price as between man and man?—I am aware of it.

25,305. The sort of price they would be willing to take themselves if they were landowners—is that really so?—That is really a fact. They have offered a very reasonable price, and in order to get something myself I offered a reasonable price.

25,306. Mr. Knapp.—What was that?—I offered eighteen years' purchase, for my Longford holding to Lord Glenside.

25,307. At your present rent?—Yes, and that is 20 per cent. too high.

25,308. And that would be what you consider a fair sum?—Yes.

25,309. Has his lordship offered to take the price?—At the end of a very long correspondence he has consented to take twenty years' purchase, and I think he would be disposed to deal with me on more reasonable

terms; but, as I told him, his agents object—for what reason I don't know.

25,310. Of course if all the tenants of Ireland became owners of their holdings the business of agents would be gone?—Precisely.

25,311. Mr. Neligan.—You were willing to give eighteen years' purchase at your present rent, and the landlord wants twenty?—Yes.

25,312. Well, I would not despair of seeing it arranged between you yet. There were other tenants who only offered fifteen years' purchase, but if the landlord showed a disposition to deal with them they would give more.

25,313. Lord Midleton.—Do you hold under a lease from Lord Glenside?—No; I hold under a *feudal* rent.

25,314. Is that the rent that is 20 per cent. too high?—Yes. The other tenants were communicated with, and would only give fifteen years' purchase. I continued the correspondence, and increased it to seventeen years' purchase, and in the end to eighteen years' purchase, and when I thought everything was arranged I received the following letter from the agents:—"Messrs. Croser write to know if you are prepared in case the purchase is carried out to pay down one-sixth of the purchase money which the Lord Commissioners require?" Now at their first letter they say the landlord was willing to give the entire guarantee.

25,315. Mr. Neligan.—Giving him twenty years' purchase?—There was no purchase at all mentioned at first. The whole correspondence dropped away then, and I naturally came to the conclusion that the agents, so far from assisting us, wanted to prevent a sale.

25,316. That guarantee deposit is a hindrance to sales, I suppose?—It is, but it would not be with his lordship if he were let alone.

25,317. Mr. Knapp.—Do you think the agents are a great obstacle too?—I think they are. I believe in my case the landlord and tenant if they could approach each other, would agree.

25,318. Lord Midleton.—Has there been a good feeling in your county up to the date of the agreement between landlord and tenant?—Very good.

25,319. And is this feeling still existing?—It is—not is pretty fair.

25,320. There is no mutual ill-will between them?—None.

25,321. Of course each man wants to make the best terms he can for himself?—No doubt. At present there is a number of tenants who have something left, and that enables them to go on—they all expect substantial reductions, for if things go on as they are now they will have nothing left at all and will be reduced to bankruptcy.

25,322. I suppose you think your prosperity very much depends on the commercial prosperity of England, and that if there is a revival there the prices will go up?—I mean because England is your great market?—I think so; but I also think, if ever you have a revival in prices you will have the foreign competition set in as heavily as ever again. I have been in America and travelled about there and seen the Chicago beef industry, and I am satisfied that if you have high prices here you will always have active competition and plenty of meat coming over.

25,323. But don't you think, finding they are not getting high prices over here, these opportunities are coming to an end?—Undoubtedly, but with high prices it will revive again.

25,324. And you believe they will be able to keep the prices down?—I believe so. If ever they get the chance of high prices they will be prepared to do it.

25,325. Don't you think if the population of America increases they will want the food for themselves?—No; they would consume a great deal of it, but they have vast supplies at their command.

25,326. Then you think that with a revival of prosperity and the consequent increase of prices American competition will be keen as ever?—Certainly.

25,327. Mr. Neligan.—There is no doubt that the

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American supply must control prices?—Yes; most undoubtedly.

25,328. There must, I suppose, be a certain figure below which they cannot go?—Certainly.

25,329. Lord Milnes.—Do you think, as was stated here by a witness, that if beef were up to 46 shillings it ought to pay in?—Well, there is one part of the county of Longford that is not interested in beef. It is a store cattle country, as well as the whole of Connaught.

25,330. But the price of store cattle ought to be regulated by beef?—The price of store cattle was ruinous this time twelve months, but it is better now.

25,331. Are you not getting a better price for animals now than two years ago?—As good a price—we generally can dispose of anything that is very good. There is another class of cattle that don't do in our country. The land would not feed good cattle, and, except in times of high prices, bad cattle are unsaleable. This time twelve months I bought cattle in May and offered them for sale in November, and I could not get my money for them.

25,332. But this year you would?—If they were of good quality.

25,333. You had good grass this year?—Yes; but you must have the quality or cattle will not sell so well.

25,334. Mr. Nelson.—I did know something about Grassard at one time, and as far as my recollection serves me there was a good deal of fine grass there?—Yes, it is principally a grazing country about Grassard and Edgewoodstown.

25,335. Mr. Kepe.—Speaking of prices now—supposing the statement to be correct that prices were as low thirty years ago as they are at the present time, taking the additional cost of labour into account, is it not more difficult to pay rent now than then?—It would.

25,336. Were there any advantages that the tenants had at that time which they have not now?—They had labour more plentifully and cheaper in those times.

25,337. You are thoroughly acquainted with the North?—Not further than Connaught.

25,338. And the wearing extended to you?—Yes, but that is more than 50 years ago.

25,339. Are you correct in that statement?—I don't think we have had wearing at all for a number of years. There are bleach mills on my farm, and for 30 years past they have been in a state of ruin.

25,340. With reference to Lord Ashbourne's Act of 1849—the Purchase Bill—after what has transpired between your landlord and the agent and yourself would you think it necessary that the Government should interfere between the landlord and the tenant in order to bring up a large number of sales?—Yes, I think it is absolutely necessary to make it compulsory like the Act of 1881.

25,341. Lord Milnes.—Compulsory on both sides?—On both sides.

25,342. Mr. Kepe.—Do you think it would be a greater interference on the part of the State to step in now and make sales compulsory than it was in 50 years ago?—I don't know, but it is absolutely necessary that something should be done, and done immediately, because to this 20 per cent. of whom I spoke you will add fifty more next year, the way things are going on.

25,343. Do you believe that the agents are opposed to those sales?—I am quite sure of it.

25,344. Would you make it compulsory if 75 per cent. of the tenants on a holding were willing to buy—what are your suggestions?—I would make it compulsory. I would not extend purchase to very extensive holdings—at least for some time. I would confine compulsory purchase to farms valued at or under £50.

25,345. That is a matter of very little importance at the present time—the thing would be too vast.

Mr. Nelson.—It would be enormous.

25,346. Wilson.—It would be vast.

25,347. Mr. Kepe.—The better might complain then that the small farms would not afford as good security as the larger ones?—That is a mistake. They will afford a better security, because on those farms there are men who are willing to work for an independence and a home. At present they consider they are working for nothing. They look on it that at present they are paying their money for nothing, but that if they purchase in forty years or so the place would be all their own.

25,348. What effect would that produce on the people?—I believe the very best effect. The people would then begin to feel that they were creating a property for themselves, and that what they were paying for their land they would be getting into bank, whereas by paying their rent now they look on it as pitching so much money into a lough.

25,349. They look on paying their rent now as if they were throwing their money away, there is so very little value for it?—That is the way they look on it.

25,350. I think you said there is a general desire on the part of the tenants to purchase?—All those tenants on the Grassard estate offered fifteen years' purchase, and I offered eighteen, and it there were no go-between I believe that the landlord and the tenants would come to a settlement.

25,351. Mr. Nelson.—As I understand you, you bought the tenants of one townland up to 18 years' purchase?—No, only 15; I had 18 myself.

25,352. Mr. Kepe.—How many acres are in your farm?—About 60.

25,353. And you said you would confine compulsory purchase to £50 rentals?

25,354. Lord Milnes.—No, he said £50 valuation.

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Mr. James
Foster

25,355. Lord Milnes.—I believe you are a tenant farmer in the county of Kilderry?—Yes, I hold about a hundred acres.

25,356. Is that Irish or statute measure?—It is Irish.

25,357. How do you hold, under a lease or under a judicial sale?—I went into court.

25,358. For the whole?—Yes, I served an originating notice.

25,359. In what year did you serve the originating notice?—About 1882. Indeed, I should say some 24 or 25 tenants on the estate served notices. The property is a small one—only about 1,500 acres altogether, and we came in for the sale end of the leasing by the Sub-Commissioners. Only three cases were brought into Court, and of those three, one was a valuation of £2 15s. Griffith's, another £28s. and the third £12. We appealed from the decision of the Sub-Commissioners—I mean the tenants appealed—and brought the appeal before the Head Commissioners in the case of the £12 valuation

We thought the £2 15s. case too small to go on with, and there were circumstances connected with the other which prevented our bringing it on. We tried the appeal in the £12 case, and the result was that the judicial rent was fixed at £16.

25,360. You brought that as a test case?—We had only the three. We could not bring the £2 15s. case, it was too small, and there was a technical objection to the £30 case which we did not bring.

25,361. That was on account of arrears?—I think that was the way it arose.

25,362. Quite so. The point would be fatal?—Yes, the case would be thrown out entirely, as we brought the other case. Then that rent was decreed by £4. The valuation was £12, the judicial rent £16, and the old rent was £30.

25,363. What was the result?—That the judicial rent was affirmed. They took off a small title, and that prevented us going into Court again.

25,365. And, as a result, you paid up the rent fixed by the Sub-Commissioners?—Only one case went through the Appeal Court, although we had, as I explained, three cases, but then the agent offered a settlement on the same terms as the case that was disposed of in Court, and the tenants took it because they had no confidence in the Land Commissioners.

25,365. And you among the rest?—Yes.

25,366. And in that way you had a judicial rent fixed by agreement?—Yes.

25,367. At that time did you consider that too high?—I did, but I thought that if I went into Court I would get nothing at all.

25,368. You thought the rent was then too high?—Yes.

25,369. And yet you saw no reason to refuse the terms offered?—Because I had no confidence in the Land Commission.

25,370. Well, if you thought your rent too high then, I suppose you are more strongly of opinion that it is too high now?—I am. It was an enormous rent to put upon my place. I got a reduction by the terms we accepted. My valuation was £282, and I was paying £139 for this wet, cold land, as the top of a mountain, and it was reduced £48 a year.

25,371. But still you thought that too high?—I did.

25,372. And you think so still?—Yes; and as proof of that I may mention that there are other farms on the property, better than mine, paying less.

25,373. Then, unless you get an opportunity of having that judicial rent revised, it would be hard to see what could be done in your case?—That is the only conclusion.

25,374. That is, that unless you get the judicial rent revised?—I think, if it were revised, that would be the thing.

25,375. That is the only thing I see for you.—My object, in going into these details, is to tell you that there are two cases on the estate—the valuation of one is £178, and the valuation of the other is £181. The £178 farm is not only the best on the estate, but the best land in the neighbourhood. Well, then two cases were brought into Court in 1886, and the one, the valuation of which is £178, got off at £165, but the £181 case was only reduced to £154, while in the case of the little miserable farm of £112 valuation, it got £4 reduction—something like £30 per cent.

25,376. Well, according to that the result would be extremely uneven?—Yes.

25,377. Then the remedy for that would be a revision of your rents?—Yes, decidedly, a reduction.

25,378. I don't know about a reduction, but a revision of the rent would seem to be the only remedy?—Certainly.

25,379. At present, according to your agreement your rent is fixed for a period of 15 years?—Yes.

25,380. Would you think it desirable that there should be a practical revision of those rents every five years or so?—I think that if it could be avoided it would be much better not.

25,381. Not to have a revision every five years or so?—Yes, I think it would raise the minds of the tenants from their business.

25,382. I agree with you; it would. The only thing I see in purchase.—We have been offered a scheme by the landlord, as I told you, and we offered 18 years' purchase on our present rents, but that is all out of the question now.

25,383. Then either the purchase must be compulsory at a price to be fixed by some tribunal, or you should get a revision?—There are only two ways that I see of giving relief in a case like yours. Would you be satisfied that the question of the price to be paid for the purchase should be submitted to a trained Commission?—Certainly. Not to the existing Land Commission unless it was very much improved, if it commenced on the same scale as they did in fixing rents.

25,384. Then what would you suggest in order to bring about a purchase?—I would suggest that if the payment of instalments were extended beyond 49 years—

25,385. Would that put you in a position to close

with the terms you offered?—No, not while speaking of 18 years' purchase.

25,386. Then I don't see how your case can be met except in either of two ways: either compulsory purchase—the price to be fixed by a competent tribunal, or a revision of your judicial rent?—We have enormous poor rates and county rates. The poor rates are three shillings in the pound in this district.

25,387. Would it satisfy you that the purchase price should be valued by the Judge of Assize?—I would submit to any one who would have a reasonable mind.

25,388. You must take your chance for that; you would be in this position, that when he came to the conclusion as to what the price should be you would be bound by it?—There is no use in thinking of anything else unless there would be a permanent reduction given to me of 40 per cent. of what I am paying.

25,389. By the Purchase Bill you would have a reduction?—But then there would be poor rates, which run up to four shillings in the pound, and county rates to two and sixpence and two and eightpence.

25,390. Mr. Knipe.—Four shillings?—Yes; I am a poor-rate collector myself.

25,391. Is that high rate in consequence of outdoor relief?—No; there is no abnormal outdoor relief.

25,392. Mr. Neligan.—And how is it that the rates are so heavy?—The district is very poor, and it is a poor population.

25,393. There must be a great number of paupers there?—Yes. I live in a mining district, and that has a great deal to say to it.

25,394. Are the people out of employment there?—No, but the people marry young, and then the young miner's family are thrown on the rates.

25,395. The only other suggestion would be that you should appoint a tribunal to fix the purchase-money?—That would be going too far, I am afraid.

25,396. Mr. Knipe.—That would have a fatal effect with the farmers in the way of taxation—that they should fix the tribunal?

25,397. No, but the rates for the tribunal?—Yes, it would.

25,398. Mr. Neligan.—Are you allowed half the case?—Yes.

25,399. Mr. Knipe.—Have the rates been so high as that for any length of time?—They have been higher. They have been three shillings, four shillings, and eight shillings. The last rate was three shilling and sixpence, and this year they are three shillings and threepence. The only explanation of that is—the density of the population and the poverty of the district.

25,400. You complain that the rents fixed in 1881 and 1882 are high rents, and different rents to pay now?—Difficult; the tenants are not at all satisfied with them now.

25,401. Did you understand Judge Neligan when he spoke about the revision of the rents every five years?

Mr. Neligan.—A practical revision.

Witness.—I did perfectly understand him.

25,402. Mr. Knipe.—In that case the tenants who got their rents fixed in 1881—provided you had a particular time to have them fixed, my every five years—then they would have a right to come into court now, and have them revised for the next five years?—Well, that would be very good if it were not to be going on every other five years.

25,403. Don't understand that you would be obliged to go back on the same process for every five years? I am under a cloud, then—I don't see how it could be done without going through the same formality on every occasion. Would you say that the matter should be disposed of without evidence given of the letting value of the land?

25,404. I presume that the last thing to go on would be the price of produce for a certain number of years.

Mr. Neligan.—All prices; labour, produce, and everything.

25,405. Mr. Knipe.—Is it your experience that the tenants who went into court this year got more reduc-

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time than those who went in in 1831?—Most decidedly.

25,406. If so, would not a revision of the rate every five years be an advantage?—I would not say it would be an advantage to the tenant, and for that reason, that the first necessity in the case would be that the tenant, as well as the landlord, should have confidence in the tribunal; and it may be said, without exception, that there is no confidence in the Land Commission.

25,407. Have you now lost confidence in all Commissioners?—I don't know that.

25,408. Would it not be possible to establish some tribunal to do it?—It might be considered possible, but I would like to have a fair and honest Commission, that would not touch the scales at one side or the other, but act fairly between each party. In the case of the £12 valuation that I told you of, when the Sub-Commissioner came out of Court I went in, and one of them said to the tenant that he had no interest whatever in it, but that, as they found him anchored there, he should stay there, and then they fixed the rent for him.

25,409. Have there been any applications for reductions of rents on the estate on which you hold?—Yes, repeatedly since then, and they gave about a month ago a reduction to those who had paid their rent. A reduction of 15 per cent. was given to the non-judicial tenants.

25,410. And nothing to those who had got their rents fixed in the Land Court?—No.

25,411. Is that the usual practice in your part of the country?—Well, I cannot say; I don't know. I live on the borders of the county Kilkenny and the Queen's County, and I know nothing about the Queen's County part of it.

25,412. Do you know of any instances where the landlords gave reductions on the judicial rents?—Not personally. We have a large property here where I live, belonging to Miss Wandesford of Castlemeath. There are 30,000 acres in it, and very few of her tenants went into Court at all. As a matter of fact, none of them went in, and she has given them a reduction of 20 per cent.

25,413. Mr. Neligan.—That must be a well-situated property?—The land and her predecessor were kind, and were never rack-renters.

25,414. Mr. Keape.—In your capacity as a collector you have a general knowledge of the state of the country?—Well, I have a pretty good knowledge.

25,415. What is the financial position of the tenant farmer?—Miserable; I am not long appointed a rate-

collector, but I had no idea of the poverty of the people till I commenced collecting rates. In fact, I would not have believed it if I were told it.

25,416. Mr. Neligan.—Would you say that condition of things is general in that county?—I don't know. It may in a great measure.

25,417. What part of the county is it you speak of?—It is on the borders of the Queen's County. I live between Castlemeath and the Queen's County.

25,418. Your district is a large one?—But the Queen's County runs up narrow there, and I have not much interference with the people in the Queen's County.

25,419. Mr. Keape.—It ought to be a good indication of the rest of the country. What do you know of it?—I can only tell you that as the course of my collections I went into the houses of men who had thirty acres of land or forty, and I saw there in the summer in many instances eating dry potatoes and salt for their dinner.

25,420. Did they seem to have a sufficient quantity of stock?—No, it was very scarce. I heard that many of them depend on the sale of hay and mowing. They try to sell it either on the land or take it to the market.

25,421. The reason I ask you is that it has been stated here by witnesses that many tenants have means to pay their rents and refuse to do so, and I want to know what is your opinion on that subject?—As far as I know, in my whole district there are only a few who have any money. There may be a little more, but, as a rule, the people are all very poor.

25,422. In a worse position than they were in four or five years ago?—Yes.

25,423. Is it your opinion that if they had money they would honestly discharge their debts?—They would, with a qualification: If they considered their rent was anything approaching reasonable they would pay it, and there never would be a question about it; but when they don't consider it reasonable they don't think there is any moral obligation on them to pay it.

25,424. Is it a rule that where the landlord gives reductions the rent has been pretty well paid?—I think so.

25,425. Mr. Neligan.—I infer, from what you say, that the condition of the people has been deteriorating?—Yes, for years.

25,426. Since that period you told us of?—It is a poor district for many years. The price of produce for many years past has been falling, and that has had a sensible effect on the farmers.

The Commissioners adjourned to the following morning.

THIRTY-FIFTH DAY.

Friday, December 10th, 1886.

The Commissioners met at 36 Merrion Square.

PRESENT:

THE RIGHT HON. EARL COWPER, President

THE RIGHT HON. THE EARL OF MILDENHALL.
MR. NELIGAN, Q.C., Recorder of Lonsdown.

SIR JAMES CAIRD, K.C.B.
MR. KEAPE.

(Before the President, and Sir James Caird, K.C.B.)

Mr. MASON'S evidence continued:

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Mr. Mason.

Witness.—There is just one observation I wish to make, nothing more.

25,427. Sir James Caird.—Before you begin I am anxious to ask you one question on a point of the evidence

which you gave. You spoke of thirty millions of deposits in the banks?—Yes.

25,428. And that probably two-thirds were by tenants?—There might be. I will just observe—

25,429. Well, then you went on to make a statement, which is one of much importance, that bankers will give no credit without the endorsement of depositors?—Yes, certainly.

25,430. And that you believe, or it is the belief that money lodged under such endorsement were equal to the amount of the deposits?—Fully.

25,431. Now, it is a very important statement. You are not a banker yourself?—No.

25,432. Have you any sufficiently good ground to enable you to speak with any certainty upon this point?—I have to qualify my last evidence when I say that I am not associated with a bank. I am treasurer of a Loan Fund in my district, and I have therefore very considerable experience of banking in that locality.

25,433. Well, but that would of course apply only to a limited area?—Yes; but the next point I have is this: I am by profession, as you are aware, a lawyer, and people come to me for advice, of course as the representative for North Kilkenny; but people from three counties especially—the Queen's County, Tipperary, and Kilkenny—come to me for advice, most frequently upon their financial conditions.

25,434. But that of itself would give you a slight knowledge as to the amount of the deposits of the farmers?—It would give me knowledge of the modes and habits of the people. I know people who have deposits in banks, and I know that these people will continue to give bills on their own account. They will give bills at six per cent. interest—six per cent. interest is charged, although they see only getting thirty shillings on deposit. And I know also that they give bills to the local tradesmen, the men who supply them with manure or other such matters. They give bills in payment, they negotiate bills on their own account, although they have large deposits in the banks; and I know from my numerous clients in the Midland Counties, there have been sales since the Munster Bank failed—there are rules by which with regard to deposits, that if a man deposits money in other banks and endorses bills they won't discount them.

25,435. The President.—And these have been adopted since the breakdown of the Munster Bank?—They had been prevailing before that, but now they are even more strict; and I know that the improvidence of the people is extraordinary. I shall now give you an illustration of a marriage. Some time ago a man came to me to consult me, a tenant farmer, and spoke to me on the subject, and said he gave his sister £250, that was four or five years ago. He came to me the other day, and I said to him, "What do you want?" and he said to me, "It is about the bank." A bill had been passed at that time for £250 in the bank, and it is unpaid ever since. He had the improvidence of giving a fortune to his sister of £250 and paid it by a bill, for which he paid discount, and the bank is coming down on him for this.

25,436. Sir James Caird.—Had he any deposit in the bank? Well, that instance seems in a way some modification of the statement you made. In this way, that a man gives his bill and gets it endorsed by a depositor. Now the Bank would not have done it unless they got the endorsement of a depositor on the bill.

25,437. And that depositor is liable for the bill?—And that depositor is liable for the bill. And further, these men have very little hesitation in lending their names to their brother tenant-farmers or others; but if you attempt to enforce that against them they consider it a very great hardship. They will say, "The debt is not mine;" and they will refuse it, and feel that it is most unfair if it is endorsed to be enforced against them, when they have not any of the money.

25,438. But your personal knowledge does not extend much beyond these three counties, which which you are particularly connected?—Yes.

25,439. It is rather a case of *ex uno disce omnes*?—Certainly. It just extends as a rule over three counties, of which I am a magistrate for over thirty years of two of them, and I have a very large experience of

them; I absolutely know their financial condition, and they come to me to consult me. They feel that if they exposed their private affairs to attorneys, that as they are agents and the lawyers of banks, landlords and shopkeepers, they would not be safe, and they are afraid. Therefore, they come to me; and I know the private circumstances of the tenant-farmers in these three counties, more than any man, perhaps there.

25,440. The President.—There must be, in these cases of depositors, a great number of people who borrow money and fail. Will the banks come down on the depositors and make them pay up?—The banks try not to do that, as they don't like to come into collision with the people if they can help it, and the course generally taken is that the bills are renewed.

25,441. Sir James Caird.—And they are safe so long as the deposits remain?—Yes, and the bills are discounted usually, they discount a bill for years and years of renewals.

25,442. The President.—It must end in a crash some day, and all these deposits being drawn out?—It will, of course. It is impending, and a crash will sooner or later come.

25,443. And the deposits will all disappear?—And the deposits will disappear in liquidation; and if the banks wind up suddenly their assets, I apprehend there will also be bound to be such improvidence. The expansion of the banking system is enormous. Now, thirty years ago there were only one hundred banks in the country; now four hundred, including branches, ply a working trade. In the city of Kilkenny there are four banks doing a good business.

25,444. We have got evidence to show that people are not lending money to the farmers as they used to do, and that the farmers have great difficulty in consequence?—No doubt. They are more cautious.

25,445. And this is a comparatively modern thing, this insisting upon obtaining the endorsement of bills by depositors?—Yes.

25,446. And it came in within the last three years?—Yes, the security is with the depositor; he gets the credit, and he is the security.

25,447. And they receive this money, all they can, in instalments?—Yes, all they can in instalments; and the banks are trying now, when bills are running back, to get the people to pay in instalments. But still they might remain unpaid on account of the depression of produce in those times. Things are getting a good deal worse and worse. I cannot too much impress upon you the actual insolvency of the tenants in these three counties, and of course this is the *ex uno* argument, which I am using very much, as regards the general default, which I think quite legitimate from my long experience. I won't delay you, there are only two points, which I wish to advert to, and that is: I mentioned yesterday that there was the difficulty—the great difficulty—as to incumbrances both by landlord and tenant, jointures, and annuities of that sort. These were met by provisions in Mr. Gladstone's proposed bill, that he called rules as to incumbrances. I presume you have seen them and read them. They are here in one of the clauses.

25,448. Sir James Caird.—You need not go into it—I should like there to be incorporated, and I only refer to them because there are certain rules, say as to incumbrances. Here they are, the 8th, 9th and 10th clauses. I think these ought to be incorporated into any amendment of Lord Ashbourne's Act. The last point which I ask you to turn to would be in the thirty-ninth clause of this proposed bill of Mr. Gladstone. This is a most important provision, and that is in reference—Mr. Murphy, I think, will speak to you—he agrees with me in this matter. He is dramatic, I believe. The thirty-ninth clause deals with trustees, and gives trustees a discretionary power to sell an estate for a lower price than the statutory price that was named, that is twenty years, subject to certain defalcations. That power was given to trustees under the Act, in order to effect a sale. That was a discretionary power given to trustees.

25,449. The President.—But that would not apply

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to Lord Ashbourne's Act, where there are no trustees?—I will show you what I intend to apply. What I intend is—any trustee that under an incumbrance, was also permitted to agree to reduce the amount due upon such incumbrance with the incumbrancer, and was at liberty to make those terms, if he was only a trustee; and this indemnity clause which gave them that power, provided that any such trustee that exercised that discretion under the section should not be liable to have the discretion examined into, and should not be subject to be reviewed by any court of law or equity. I would propose that family charges, that is the corpus of an estate, not being mortgages, or anything of that kind, but family charges, such as jointures, or charges for younger children, or legacies—when property has depreciated, say 25 or 50 per cent. by depreciation, that there should be deducted from those family charges some corresponding deduction, so that the inferior would be eased in that regard.

25,450. In proportion to the reduction of rent?—Is proportion to the reduction of rent.

25,451. Sir James Caird.—Was it in Mr. Gladstone's Bill?—No. It would extend the provisions of Mr. Gladstone's Bill as to trustees to the power I am now speaking of, and Mr. Murphy, whom you will also hear afterwards, thoroughly agrees with me in the views I am now putting forward; and that is, that that rule should not apply to mortgages, because there is a priority in mortgages, but with regard to family charges on an estate. If there is an estate of £3,000, there may be £1,000 for jointure to the widow. That £1,000 comes out of the former £3,000, which is not worth more than £2,000 now. Now the settler would never have given that £1,000, if he had anticipated or knew that the property was only £2,000, and a deduction should be taken from that now—that there ought to be a deduction from the family charges extending to younger children and legacies, but not extending to a cross-charge, that is a mortgage. Neither would it touch a jointure or any family charge of that kind if sold *à la mortgagor* previously, but there ought to be an amendment Act, I think, subject to that, there ought to be fairly a deduction of family charges upon property depreciated, say 25 or 50 per cent.

25,452. Sir James Caird.—We quite understand that.—Then I need not press that further. There is just another matter which I would allude to, and it is this. With regard to local authorities, you have abundant evidence that they would be objected to.

25,453. The President.—I think we have no evidence in favour of the possibility of local authorities interfering with any advantage.—Then, allow me to put forward this. It was proposed under Mr. Gladstone's Bill that the Irish Parliament would mortgage the soil of the country for a large sum of money for land purchase. That was proposed. Now, if that proposal is not to be carried out, and they will not agree

to the establishment of an Irish Parliament, what I would claim would be that the Imperial Parliament should take up that liability without any deposit—that they should take over the liability which we were prepared to take up.

25,454. Sir James Caird.—Do you mean any liability, without any deposit?—The entire liability, without any deposit.

25,455. The President.—Do you mean to do away with the one-fifth? That that liability which Mr. Gladstone undertook for the Irish Parliament should be taken over by the Imperial Parliament?—Allow me to hand in here what is called a National Liberal leaflet that has been scattered abroad broadcast, and this is showing the suppression of our trades and manufactures in Ireland.

25,456. Sir James Caird.—That is all over long ago.—The reason I mention that is, that I claim that England ought not to refuse the liability for this advance on account of the destruction of our commercial interests, and as a compensatory equivalent.

25,457. The President.—We did a great deal to improve some commercial interests.—I admit that, but you benefited from the suppression of our commercial interests at the time.

25,458. Sir James Caird.—Others. That is all long gone by.—It is all history, if you like, but its results remain to this day.

25,459. It is ancient history?—It is. It is not merely as an economic argument I put it forward. I shall give you an instance of one—

25,460. Sir James Caird.—We have had this question of deposit very often before us. You need not trouble yourself about it. Take that instance of the picture of £1,000 a year out of a small depreciated property.

25,461. The President.—That is a very valuable suggestion.—And I wish you would ask Mr. Murphy about that. He thoroughly agrees with me on that subject, and thinks it very important indeed. I think I need not state anything further. You were kind enough to allow me to refer to the civil law and the canon law, allowing remissions of rent, yesterday, and that it is a popular thing. If you look at it you will be able to see in a popular sense what the old civil law and the canon law did in sturdy and peculiar times.

25,462. This Roman law was very much referred to at the time of the debate on Mr. Foster's disturbance bill.—Yes. And there is another pamphlet, by myself, if you have time to look at it.

25,463. Sir James Caird.—By yourself?—Yes. It was written in 1868. It was written before the Church Act. The first part of it is history, but the second part is with regard to the copyhold system. I have only to thank you for the courtesy and attention and patience with which you have listened to me.

[The Kest of Lestrum, examined.]

The Earl of
Lestrum.

25,464. The President.—Do you wish to give evidence upon any particular point?—I thought perhaps you would like to hear me follow some of the evidence that my tenants gave in Londonderry.

25,465. With regard to the Trinity College leases?—With regard to the Trinity College leases. I think they were the college tenants. They rather dwelt upon the depreciation of the value of produce, and how it affected them. And I think that is part of the circular. That is what was sent to me.

25,466. Yes. That the difficulty in the payment of rent was occasioned by the depreciation of prices.—That is where I would rather begin.

The President.—I am afraid I have not got the book with that evidence in it. (To Sir James Caird.) But you have got it. The three days I think in Londonderry.

25,467. Watson.—I believe it was to this effect, that the College tenants told you that owing to the depre-

ciation in value of farm produce I had last year given them a reduction of 10 per cent. upon the judicial rents.

25,468. The President.—Yes. I think they all said that you gave them a reduction?—Yes, and that this year I refused to do so, because the College had not joined with me last year; that I told them that if the College would join, that I was willing to give it.

25,469. Yes.—And that is their position. Their position is obviously a hard one, because if so happens that I am owner of a fee simple estate which adjoins them in Donegal—there are two estates I have, about 30,000 acres each. One is the College estate, and one is fee simple; and I am now going to treat my fee simple tenants differently from the College estate tenants. That is to say, I am going to give 10 per cent. reduction this year, and I refuse to give it to the College tenants, because the College will not share the burden with me.

25,470. You think we ought to consider the whole question of the College rents?—I should think so.

25,471. You see, the only thing we have to inquire into is why the Act of 1851 has not worked, if it has not worked, and how far the non-payment of rent, if it took place, was owing to intimidation or the fall in prices, and also with regard to the purchase Act—what proposal may be made to enable it to work better than it has done now. I don't see that this comes under any of these heads.—Well, I think that the depression in price—

25,472. I don't think I can see how it has affected the non-payment of rent.—Well, the College tenure has distinctly affected the non-payment of rent.

25,473. You wish to touch upon that point?—Yes. We have a stealer over one of our estates, and there was a combination against the payment of rent.

25,474. Sir James Caird.—What is the relative amount of the rents you receive and that which you pay to the College?—The rents that I receive? I received last year £5,000, the rent I paid—I gave, is £3,073. That is taking last year alone. That was the amount I received last year.

25,475. The President.—And what did you pay the College?—£3,072.—Out of the £5,000?—Out of the £5,000.

25,476. Sir James Caird.—How much is the whole College rent?—All the rental of the College estate? It is somewhat fluctuating, because it still keeps coming down. They are not all under judicial leases. But this would be up to a year ago. I think the rental is £3,805.

25,477. There is not very much difference between what you received and the whole amount—£380, apparently?—That is so. There is an arrear of £1,300 on the College estate.

25,478. And the amount that you pay is a very substantial sum?—£3,072.

25,479. The President.—You happen practically to know what the grievance really is, and we shall put it down if you have no objection and wish it to appear on our notes, and if you state it shortly. Perhaps that is what you would like?—That is what I would like.

25,480. If you just state clearly in a few words all that you wish to have said, that the reporter may put it down, we shall be very glad.—Well, this is the reply of the College to a memorial by the tenants, asking for this 10 per cent. abatement this year, and that will bring out the points which I wish to refer to. This is the College reply:—"13th November, 1886."

25,481. Sir James Caird.—Was this a resolution from the tenants to the College authorities?—Yes, asking them to share with me this 10 per cent.; and this is their reply. I will read the whole thing and name the points, or shall I name the points?

25,482. The President.—Name the points, and then hand it in if you like it to appear in evidence.

25,483. Witness.—The points were these, that they relied upon these grounds; that the rents payable by Lord Leitrim to the College are low when compared with the valuation of the land. And secondly, because the valuation of the College rents from time to time in reference to the price of commodities is already provided for by statute law.

25,484. Sir James Caird.—Is that true? Is that the case?—Yes.—Your rents payable to the College vary by the price?—Vary by the price of commodities every ten years.

25,485. The President.—Then it is variable every ten years?—It is variable every ten years, and that is fixed by statute law.

25,486. You might mention what commodities they are.—Wheat, oats, beef, mutton, and butter.

25,487. Sir James Caird.—When does the next term of ten years come round?—I think it is 1893 in my case, and 1895 in the other tenants' case, I think.

25,488. In the meantime you are paying on a pretty high valuation?—We are paying upon what was fixed in 1865. It has not been varied since 1865.

25,489. The President.—It would have gone up in

1883, wouldn't it, if they had insisted upon a revaluation?—May I answer that a little later on? because it would take me away from the letter.

25,490. Yes, just take your own course.—If you will allow me I shall follow on, as I think it would read better. I should like to deal with these points out of the College's own mouth. This is evidence given before the Devon Commission. Upon the point that the rents payable by Lord Leitrim are low, when compared with the valuation of the land, Mr. Richard MacDonnell, who was tutor of Trinity College, says:—"The scale of fines depends upon the assumption that the tenant has an interest equal to the rent he pays." Further on he says—he was asked, "Have any applications been made from the direct tenants to the College for assistance in either improving the buildings of the under-tenants, or improving the land by drainage?" and he says:—"I cannot say that I ever knew but of one case since the period of my lordship, in which the immediate tenant of the College applied for help to improve the building of an under-tenant, and that was from Mr. Armstrong, in the county of Armagh. He applied to me with respect to abating a tenant's house. I told him I did not think that it came within the principle upon which the Board acted, he having a much greater interest in the lands than the College had." And again he says in reply to the question:—"Suppose a tenant to go into extensive treatment of the land, as he is at all certain that the College will not raise his rent?"

25,491. Sir James Caird.—Can the College raise his rent?—Yes, according to a scale of commodities.—Your rent?—Yes.

25,492. When this is saddled on the tenant, do you mean he—?—I am going back behind the Statute of 1851 to show you upon what basis—what was the proportion of our interest to the College interest in the estates. And with regard to that rate of rent, it was not founded upon an improvement upon the property. It was a percentage upon the rent suggested by the rise in prices and the change in the value of money. Then Dr. Longfield, professor of law and political economy at the University at Dublin, says:—"They have made an increase of the rent, upon the supposition mentioned by Dr. MacDonnell, which assumes that the tenant's interest was equal to the rent which he paid." Now you will observe that in the reply they have assumed that my rent, the rent I pay, is low when compared with the valuation of the land. It seems to imply that if I paid the valuation of the land, that is the Government valuation, I should still be paying only what I ought to pay.

25,493. The President.—And you contend that?—Giffith's valuation of the land, or rather more than half the valuation of the land; but at all events that is simply no reply. It is not to the point, I mean.

25,494. Sir James Caird.—What is the term of your lease?—Perpetuity, and I paid 20 per cent. more for that perpetuity. We bought our perpetuity in 1821. We paid 20 per cent. increased rent for that perpetuity.

25,495. The President.—And your own rents having been cut down, it was less valuable than perhaps?—Yes.

25,496. You are not in a different position from that of men who bought an estate before the rents were cut down and paid a large sum of money in the Incorporated Barony Court, and then had his rents cut down to two-thirds; whatever hardship it is in one case, it is very much the same in another?—No, I don't see that, because we entered the estates long before the Land Commission was established a matter of that kind. But this process of arrangement of rent was arrived at by the Government of the day—this Bill, this statute law, under which we hold from the College was practically a Bill of the Government of the day, as it was introduced as a Bill, and here the name of the Solicitor-General for Ireland and the Chief Secretary for Ireland on the back of it.

25,497. That made it a produce rent?—Yes, a com-

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modify rent. The Government practically undertook to arbitrate between the College and us, and the Government are responsible for our position. I maintain that the Government are responsible for our present position, and they ought to take us out of it; it is perfectly impossible. The Government brought us into it. We left ourselves in the hands of the Government, and the Government brought us into it, undoubtedly believing that the theory of the Act was right. We don't in any way complain of what the Government did. We think that the Government believed that they were doing a fair thing; and it was perfectly impossible for them to see that the theory would not work in practice. Now, there is a second point in this case. They refused this reduction to the tenants because the variation of the College rents from time to time is already provided for by statute law. My reply to that is, that as our amount of the rent—the rent paid by the under-tenants to me—is provided for by statute law, I am making a concession upon the statute law rents. We asked the College to make equally a concession upon the statute law rents. We as a tenant, how can we make a concession under existing circumstances on our statute law rent? My under-tenants are bound to me as tight by statute law, as I am bound to the College by statute law; but I will not make a concession to my under-tenants, neither will the College make a concession to me.

25,498. You think that the reduction ought to be apportioned between them?—Between them.

25,499. I suppose a great deal of what you say would apply to any head-rents—that the owner of head-rents ought to share the reduction?—No, I am very glad you have asked me that question, as I might very probably have passed it over. I rather fancy it has been misunderstood by the members of this Commission generally, but at all events it has been misunderstood by the people. The difference is this: the difference between us and any owner of head-rents or any leaseholder so called in Ireland is this, and it is a very important difference—that our rents are variable every ten years; and no owner of head-rents has a head-rent which is variable in any degree.

25,500. Sir James Caird.—Well, you have an advantage then here over others in that way, that there is a period at which they will be reconsidered?—But, unfortunately, it would cost me £3,000 to go and attempt to get a reduction.

25,501. The President.—Legal expenses, or what?—Yes.

25,502. Sir James Caird.—Not the ten years period?—Yes.

25,503. Would that not, if made, follow the price?—But it cost the College £3,000, the only concession it ever put this Act in force; and that was against my uncle. That I have from him.

25,504. I don't understand why it should.—The expense of passing the prices in thirteen different towns, and to have an arbitration, and the whole thing cost them £3,000; and no person ever attempted it since.

25,505. Then it was only tried once?—It was only tried once.

25,506. The President.—I think your point is very simple, that they have no right to assume that you ought to pay full rent, which they have done, and that they should bear their share in any reduction that you give to your tenants?—Yes.

25,507. And that you differ from the owner of head-rents, because you receive a variable rent settled by Act of Parliament, and the rent is to vary every ten years?—Yes.

25,508. Then, have you any personal suggestion to make, which you think ought to be done, to give you justice?—May I come to that a little bit later?

25,509. Certainly. The College have maintained that this critical condition has been brought about through the Act of '81?—They have frequently said that, and we maintain the contrary; and here is a letter of Mr. Thomas Connolly, who was a College tenant,

dated 1876, to the Provost, and I should like to read it to you and hand it to you?—London, March 1876. Mr. Provost, I have received from your Registrar, Mr. Harter, a circular intimation that it is the purpose of your Board to attempt a third time in twenty-five years to raise your rents, under the supposed right conferred by the Act 14 & 15 Victoria, cap. 128 & sec. xii.

25,510. Sir James Caird.—Does that Act affect you?—Yes.—He is under the same tenancy as you?—Precisely. He is a Connaught landlord as well. "I wish to be allowed, Mr. Provost, to point out the wrong which would be done to your immediate tenants by this, and the great injustice of the proceeding as regards your own position. The matter stands thus: In 1853-5 your private Act passed, constituting the perpetuities, and granting you certain rights of revising the rent then reserved. The operation of granting the perpetuities in 1853-6 raised the rent one-fifth, and the rent has been once raised since 1855, making two rises of rent. It is now contemplated to raise the rent a third time, and a revision is asked for that purpose. You will believe me, Mr. Provost, and I can show my rental to reach the fact, that I have not thought it right to raise the rent of the occupiers during the period since 1855, although you have raised my rent twice, and am now preparing to do so a third time. I was not justified by the state of the property in raising their rents. That being the case, I venture to say that your system of averages to be taken every ten years is, and has been proved to be, fallacious, for, whereas it has enabled you to raise my rent a second time, and has inflicted on me serious loss, I have not been able to raise the occupier's rent (having regard to his condition) twice, or even once. What is the case now? A third revision is announced for the purpose of a third time raising the rent. This time you will find it not only impossible, but it must lead to a revision, not of your immediate tenants' rents, but of your Act of Parliament. I have designated your rights as 'supposed' for if the average system is fallacious, showing an increase in value which does not exist, your entire right must also fail. It is the fact that the enforcement of this right, while it has not injured the occupier, has so affected your direct tenant as to take from him money which your estate has not produced, and will place him in a worse position than he was before he got his grant in perpetuity. It will go further, and place him in a worse position than that of a paid collector of your rents. Let me once more beg of you to compare the position of your (so-called) perpetual tenant, for the last twenty years, with his former position. He first paid all rent and fees up to 1853, which entitled him to immunity from increase of rent for twenty years; yet he has had his rent raised twice in that time, and is now threatened with a third rise, to be paid not out of your estate, but out of his pocket. Now, Mr. Provost, this state of facts is worthy of your consideration before you 'steals the bow too far.' Hoping to be favoured with a reply," &c.

25,511. The President.—It is immaterial that the cost of revision should be £3,000. How would they make that out?—They have only to look at and compare the price of commodities?—But we further believe that the theory is wrong, but we could not prove it. We have got an increase of 20 per cent. over and above the 20 per cent. perpetuity; but the prices in 1863 showed a 47 per cent. rise.

25,512. Sir James Caird.—Well, it would be very different now?—Well, it shows you that there is something of an artificial nature in the average scheme.

25,513. It would be favourable compared with 1863, not with the increasing prices?—Yes, it would be compared with the last data. How can it be right to one of the commodities when it is not given upon my property? And there is no beef or mutton made upon my estate.

25,514. But the price of cattle and meat very much go together?—Yes, they follow one another, no doubt.

but we believe that it will not bring matters right, you see, and the cost is so tremendous.

25,515. I cannot understand why it should cost anything like it if it is merely a question of price.—It has to be proved for all these years over thirteen towns, and the squabbling over that would be very gross, as you may imagine.

25,516. *The President*.—It don't do to take the price for ten years?—No, the price for ten years.

25,517. Then that is an argument against produce costs altogether. Incidentally you have given us a valuable bit of information.

25,518. *Sir James Caird*.—Would the College tenants not agree to some independent arbitrator to prevent that inquiry?—No, because they wish to keep all their rents. They won't meet us on any ground. We have tried them in every sort of way.

25,519. *The President*.—Then come to what you wish to be done.—Well, I just want to recall how it will stand now.

25,520. Yes.—Our rent was say £3,000. I think that was about the rent of any estate before this Act passed.—In those days.

25,521. Now it is £3,972?—Yes, but I paid a fine in those days.

25,522. Now you pay no fine?—No, but haven't I paid a fine of 5s. 6d. in the pound of rent? The 21 years' lease was fixed at a rent of £3,000, and a fine of 5s. 6d. in the pound on the rent; for I paid that every year. So that it always remained at the 21 years' lease, and practically we have a perpetuity. Then take that 5s. 6d. in the pound. It went to pay the salaries of the College board, and of course the College board cannot run out my lease without mortgaging their incomes. Therefore we had practically a perpetuity, and the Government say that. The Government saw that we had got a substantial interest in our holding, as the bumper of that day and the professor of political economy said that practically we had as large an interest in the estate as the College itself had. The Government of the day saw this, and they endeavoured to maintain our interest at that time in their new process of arriving at a valuation of our rents; the Government of the day arbitrated between us. I want to connect the Government with this particularly; and I say that the Government ought to interpose now when we fail to arrive at an arrangement.

25,523. *Sir James Caird*.—Are there many landowners in the same position at your locality in this country?—Yes, a great number.

25,524. I mean this case, recollect?—I thoroughly recollect. Only perhaps some graver case, because it is a most extraordinary tenure. I am hardly competent to speak upon it. There is a better quality case in it, by which this tenure is handed down even to the occupiers. Now, I have no occupiers except yearly tenants.

25,525. *The President*.—The *tenet quædam* clause is that whenever your rent is raised or lowered by the party above you?—You are to hand it on to the man below you; and in the county Antrim there are a great number of these people actual occupiers.

25,526. I read about that. And in some cases the rent is so cut down, that the middleman is actually out of pocket. That is not the case with Trinity College? You don't know any case in which the middleman is actually out of pocket by being added with this line?—Yes, I believe so.

25,527. And of course in these cases he ought to be allowed to surrender the lease; but I fear that that would not meet your case?—No. Still he has a substantial interest in it. It is more a general injustice than anything else.

25,528. *Sir James Caird*.—Do I understand you to say with regard to the other property claims, that if the rent of the College is raised as you can raise it on your actual tenants?—No, because I have nothing but yearly tenants. They are new judicial leaseholders; but I believe that is so in the case of a great number of tenants. I believe it is so in the case of about 500, hundred in the county Antrim. I believe

there have also been cases in Kerry; but I can speak with regard to Antrim, that it descends to the occupier, but it does not descend in my case to the occupier at all. And I have tried to explain to you how in our case the occupier is affected now with regard to temporary abatements. That is the only way in which hitherto they have been affected, I may say.

25,529. *The President*.—You think that the Government should now intervene again and make some new arrangement?—Yes.

25,530. In fact, that is what it comes to. I think you have stated your case now?—Well, at the passing of this Act in 1831 our original rent was added to our fine—our fine was added to our original rent; and one-fifth more was added to that, and that formed the perpetuity rent. And therefore the aggregate of rent and fine, and 25 per cent. added, was our perpetuity rent; but so that they have added another 20 per cent.

25,531. So that it now comes to £3,072?—So that it comes up to 40 per cent. since it was taken by perpetuity. They say also that the statute would show that they are entitled to 67 per cent. altogether, and that is what we have got to fight against.

25,532. With regard to us we could not do more than state your case, so that it may speak for itself.

25,533. *Sir James Caird*.—You bring before us—as I understand it, you think that the Government have the power of interfering, and you think they are the lessor, bringing in a bill converting your rent into a produce rent, and that they are, therefore, responsible for this Act? That is your argument?—Yes.

25,534. *The President*.—I think that that disposes of that point, the question of the Trinity College rents, doesn't it?—Well, I should like—it won't take very much time—to refer to another point, which just shows how unfairly it bears.

25,535. *Sir James Caird*.—You are not going into any new argument, but merely an illustration?—Merely an illustration. Perhaps you have had enough.—I think we have enough.

25,536. *The President*.—I think we see the main point.—There is a very curious instance in Kerry in which they have an estate in their own hands, and they let the estate to the occupying tenant, and in that case they have given a reduction.

25,537. They have?—Yes.

25,538. *Sir James Caird*.—Then they feel, perhaps, that they get all the benefit, you see. That is to say, they get the whole rent to themselves?—Yes.

25,539. They are in a different position from that in which they are with you?—Well, I am an analogous case in this respect. At the time of the taking out of the perpetuity—no, I am making a mistake—at the time of the first revision of the rent after the perpetuity was taken out, when Mr. O'Connell, in the county of Kerry, found that the College had raised Lord Leitrim's rent 25 per cent., he raised the rents of his under-tenants 25 per cent. Now Mr. O'Connell had not taken out a perpetuity, and in course of time the lease fell in to the College. The College sent round their valuations, and they were advised to maintain the 25 per cent. that Mr. O'Connell had put on. And they maintained this until the year 1831—until the passing of the Land Act.

25,540. *The President*.—And then how did they do?—Then they took off the 25 per cent. which Mr. O'Connell put on; and that 25 per cent. was exactly the rate of rent they put upon their own perpetuity tenants. And just observe that they took it off the yearly tenants, but they did not take it off their perpetuity tenants.

25,541. Yes. And you think that it ought to be extended to them all round?—Well, we were willing to settle for less.

25,542. I think that that disposes of the Trinity College question so far as you are concerned?—Yes, thank you very much.

25,543. I believe you reside a good deal in Ireland, and know a good deal about landowners' estates, don't you?—Yes.

Dec. 19, 1884.

The Red of Letters.

Dec. 16, 1886.
The Earl of
Lathom.

25,544. Putting this Trinity College question out of the question, you have been making an abatement to your tenants, and they have been paying you readily, and you have nothing to complain of?—Yes.

25,545. I suppose you feel that in those times you are practically called upon to make an abatement because the tenants could not easily pay the rents which they have been paying before on account of the fall in prices; wasn't that the case?—Yes.

25,546. There has been no combination or anything of that kind among your tenants? No intimidation?—None whatever, except with regard to the receiver; there was when the College appointed a receiver. There was the most determined opposition to him.

25,547. So far as you yourself are concerned a very good feeling prevails between you and your tenants?—Yes; except in consequence of the College having refused to join me. I know that there will be an outbreak now of combination against this rent, because they are put in a different position from my other tenants. You asked me just now if I had any suggestion, or plan, any idea, as to how we could get over the difficulty, and I said that I believed that the Government were responsible, and that the Government ought to get us out of the difficulty. Of course we would be

very glad to get a reduction of rent; but there is another alternative, and that is purchase. Either the College should purchase us out, or we should purchase them out.

25,548. The College cannot do that by private arrangement?—No; the College has no power to sell so far as that goes, and we have no power to buy.

25,549. The Witness then put in the following reply to the Trinity College tenants' memorial, referred to in his evidence:—"13th November, 1886. Sir,—Your memorial to the Board of Trinity College requesting 'the College to make a temporary reduction of 10 per cent. on the tenancy rent paid by Lord Lathom to the College in order to enable his lordship to give a similar reduction to you was this day considered by the Board. They desire me to say in reply that inasmuch as the rents payable by Lord Lathom to the College are low when compared with the valuation of the lands, they cannot comply with the request of the memorialists, especially as the mode of valuation of the College rents from time to time in reference to the prices of commodities is already provided for by statute law.—I am, Sir, your obedient servant, Thom. Such, Registrar."

Mr. WILLIAM PERROT, examined.

Mr. WILLIAM
PERROT.

25,550. The President.—I believe you wish to give rebutting evidence with regard to the case of Mr. Charles Denis, who was examined by us on the 20th of October. Isn't that the case?—Just so.

25,551. We only just heard that you were coming up, but we have not read the evidence over lately. Have you got a copy of it?—No.

25,552. You know very well what he said?—Yes.

25,553. And, therefore, you could make a counter-statement without reference to each question put to him?—Yes, I could. He has a very extraordinary way of misrepresenting facts. In the first place probably he told you that he is a tenant farmer. I can show you from his letter [produced] that he is no tenant farmer; that he is a gentleman farmer.

25,554. You deny that he is a tenant farmer?—Yes, I would deny the statement.

25,555. Sir James Caird.—But a man may be a tenant farmer and yet a gentleman farmer?—But I submit that where a gentleman takes me, as you will see by his letter there, to put the residence in a fit position for a gentleman to inhabit, and where he states who he is, you will see that he would not inhabit any place that was not as near perfection as possible.

25,556. The President [reading from letter].—"In fact, I cannot live in any place unless it is as near perfection as it can be."

Witness.—The idea of a gentleman coming up and representing that he is a tenant farmer, I think that it is perfectly ridiculous. He has a way of advertising to things in the most extraordinary manner. He gives his evidence in such a way as to cause a very misleading construction, and some of his facts are without a single shadow of foundation. This place has four reception-rooms, a gate-lodge and porch. He saw it in 1877 under every disadvantage, and then took it. I laid out about £150 on the house. I had to paint his drawing-rooms in white and gold paper, which is rather an unusual thing for a tenant farmer. I put new liver bells—in fact, did some things that were unnecessary to please him; gravel for his walks and blinds for the windows, and then he goes and says he is a tenant farmer.

25,557. The President.—You say this is a gentleman's residence, with 65 acres attached?—Yes. Then he represents that he pays over £3 an acre or thereabouts, and that I offered him no reduction.

25,558. £3 an acre?—Yes; and so far from offering him no reduction, I authorised my solicitor, Mr. Charles Perrot, of Deane Street, to offer 25 per cent. reduction if he paid the year's rent that is due, and in place of

his land being at £3 an acre, that would bring it down to 22s. an acre; that is a very broad statement.

25,559. How will it bring it down to 22s. an acre?—Because his rent would be only £82 10s., and that is only £1 5s. an acre.

25,560. You consider that he pays so much for his residence and so much per acre for his land?—Yes, and I was willing to give him a reduction of 25 per cent.

25,561. But 25 per cent. would not reduce £3 to 22s. an acre?—It would reduce the rent to £82 10s., it would be £27 10s. off, so that his rent would be only £82 10s. a year, or £1 5s. an acre; and if the rent of the house was taken into consideration it would be only £1 an acre; that is very different from £3 an acre.

25,562. How does he make it out £3 an acre?—That is just what he has stated. It would not be £3 an acre, nor anything like it. His general statements are so well known that I could almost go over all the points of it.

25,563. You say it is a gentleman's house with a small farm attached?—Yes, a gentleman's residential place.

25,564. You have offered him 25 per cent. reduction?—Yes, through my solicitor, in case he paid his year's rent which is due.

25,565. And which he has not done?—No.

25,566. Sir James Caird.—Had you offered it to him previous to the date of the evidence on October 20 last?—He might not have been offered so much, but he was offered 20 per cent. up to that time. I am not sure whether he was offered 25 per cent., but I am certain he was offered 20 per cent. on the least. I put in a new kitchen range at a cost of £10, and I have put liver bells in the walls to please him.

25,567. How much rent is due, now?—A year's rent.

25,568. Is it long due?—Last September; and even the other day when he was brought before the magistrates at Gillingham for disobeying their process and cutting timber, he disputed that he ever signed the lease, so that he is so flippant I don't know how to manage him. He uses statements which are published up, and it is a pity to let them go without contradiction. He generally states that his neighbours got a reduction some six years ago. They did not get a reduction six years ago; none of them got a reduction. There was some reduction for one year very recently; and another statement he also made in that he always paid his rent in advance. That is another misstatement. I will tell you what he did. He was to give the final sale of the

seven years as a deposit, and then he always said afterwards that he paid the rent in advance, but this was the security sale, the final sale of the seven years which he got credit for when the time was out.

25,569. The President. Is this an agricultural holding? Is there was no lease would he have been able to bring you into court?—I don't think he would; he tried it.

25,570. But then he has got a lease; if he had no lease, is it the sort of holding that would come before the Commissioners?—I think not; it would be held to be a residential place, and not a mere farm. He tried that, and the Commissioners based the case here, and the matter was heard before the Appeal Court; the Appeal Court gave it against him. He brought me into Court and put himself into heavy expense. I did not decide that he was not to go into the Land Court. The Court of Appeal held that the lease held good, and they held that by mere notice of surrender he could only surrender the lease but could not come into Court. I would rather retain him if I could though he is cutting down timber.

25,571. Sir James Caird.—Cannot you restrain him from cutting down timber?—No, the magistrates gave a precept, and I brought him before the magistrates on last Tuesday where Sir Robert Peel was sitting at the sessions, and there was some flaw in the precept, and he says he will cut away as fast as he likes.

25,572. Is he selling your timber?—He is actually doing it.

25,573. Are there many trees?—Yes, a good many. The trees were planted there by my father-in-law Captain Tallan, to protect the house; and although I am only a middleman, I have an interest of over £1,000 in the house.

25,574. Is it a long lease you gave him?—I gave him a lease of fourteen years, with a clause of surrender at the end of the first seven years which were out last March twelve months.

25,575. And you must go on for another seven years?—On exact him if he does not pay me, for I have a hard-earned to pay myself, which is very heavy. He also states generally speaking that wages are up, and that that goes against him, and that the rents are reduced all round him while wages are going up.

25,576. Not since he entered on his new tenancy?—No, not at all—in fact, he is a low class man. It is a misrepresentation to say I raised the rent £10. He agreed to a rise of £5 in the second seven years, but I did not put it on him.

25,577. But it is not £10, but £5?—No, it is £5.

25,578. And that was according to the lease?—Yes; and if I was to vary that I would break my own lease. He states that I want him to give up the place with his improvements; they would not be worth a £5 note to me. In one place he says he has put up 15 gates, and in another place 10 gateways; and what he calls gates are little more than mere hurdles, the roughest thing in the world, not worth more than half a crown apiece.

25,579. The President.—Do you believe he sunk £1,011 in these improvements?—I can show you a letter to my solicitor stating that he sunk about £400.

This is an extract from a letter to his wife, and that he will take £50 for the whole thing. Now if he sunk £1,000 he would not take £50 for it.

25,580. Sir James Caird.—Perhaps he would not get more?—That was what he asked. I can show that almost all his statements are greatly exaggerated, or no foundation for them at all.

25,581. The President.—You have looked over the evidence?—Yes, I know the line of evidence he would give. He says the permanent improvements are £400, and he told you probably £1,000. I asked my nephew how much he had laid out, and he said probably £40, but you will never get 1s. for them—it was laid out so quietly—rough hurdles for gates.

25,582. I think you have had your opportunity of cross-examining him, and that is all you wanted?—Yes. He says I refused him a reduction. I have never had an opportunity of giving it to him. It is also untrue that I ever said I wanted to deprive him of his so-called improvements; in fact, all his statements are either most highly coloured and exaggerated, or else devoid of any foundation. Then he says the fences on both sides of the road would cost him a tax of 10s. an acre. I was asking when it would cost to maintain those fences, and I was told £1 would do the whole thing, instead of 10s. an acre. If judicial leases are broken—

25,583. Sir James Caird. This is not a judicial lease?—No, but if the time should come that he would get a judicial lease—I as a middleman, holding the place in which I have an interest of over £1,000 by reason of the purchase and outlay for him and others—I hold under for a farm grant—I would ask you to consider that it would not be fair to me if this lease is broken; that I as a middleman, holding under a fee farm grant, should be held on to pay the same for ever, while my tenant would have all the benefit, I would ask that I should have power to break my fee farm grant too.

25,584. The President.—You mean that you ought not to be saddled with a thing that brings you in nothing?—Yes, or I would submit to you that in your recommendation you should consider whether a middleman holding under a fee farm grant should not have the same privileges as my own tenant has.

25,585. Of surrendering your lease?—Yes, in case the times ever came so bad that my tenant would be paying me perhaps less than I am paying myself.

25,586. Yes, we have had that point before; that if a middleman's interest entirely disappears he ought to have the power of surrendering his lease.—It would be something more than a lease, it would be the surrender of a fee farm grant.

25,587. To give up the whole thing?—Yes, and also with that the title rent charge, because it would be very unfair if Mr. Denistair at any time went into court and had his lease so cut down, that he would be paying me less than I had to pay to the head landlord, that then I should have power to get out of it, not only to regard the fee farm grant, but the title rent charge which I am liable for now. I think every one is bound in justice to show where these misrepresentations have taken place and to meet them, where, as in this case, they have been made without a single bit of foundation for them.

Mr. JOHN HAMILTON FRANKS, continued.

25,588. The President.—You have some evidence to lay before me, Mr. Franks?—Yes, my Lord.

25,589. Will you read your evidence right through?—If you will allow me. I first propose to take up the question of the Church purchases. I was solicitor to Church Temporalities Commission from middle of 1876 to close of Commission in 1881. The earlier years of that Commission were given to work of Commission. The sales took place principally from 1875 to the end of the Commission. As solicitor it was my duty to carry on the corresponding work from the "acceptance" by the purchaser to the registry of his deed. I have since 1881 been solicitor to the Church Property Branch of Land Commission, and as such I have super-

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intendence of Legal Branch in connection with the management of Church Surplus Property, which consists of every species of property in land, and is represented by an income of over £350,000. I have also, in my private capacity, control of unimproved properties in counties Dublin, Wexford, and Westmeath, producing about £3,500 per annum, both as trustee and also for non-resident owners. As considerable misrepresentation seems to prevail as to the manner in which the Church Sales were conducted, it may be interesting to the Commission to have information on the subject. On commission by the incumbent, he submitted to the Commission a verified rental of his glebe lands to tenants. I should like to show you a copy of one of

Mr. John Hamilton Franks.

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Mr. John
Hassell
Franks.

these rentals. This merely gives the names of the tenants, the annual rent, and it was furnished to the Church Temporalities Commissioners for the purpose of arriving at what rents the communicating incumbent received from his tenants. On receiving this the practice was to send some one to the lands to check the rental with the tenant's receipts, so as to, in fact, check the statement which the incumbent furnished, and upon which the value of his life interest was to be assessed. Upon this rental we brought from the Church. We paid the Commission money—

25,590. Mr. James Caird.—Who are the "We"?—The Church Commissioners. It was paid to the representative Church body. In that way we become the purchasers. I just brought this [produced] here as a specimen of the rental. This rental was verified by declaration. The Commissioners also caused the lands to be visited, and checked the rental by tenants' receipts and otherwise. This rental served two purposes. 1st, for ascertaining the value of the incumbent's life interest; 2nd, as a rental for collection pending sales. The next step was to value for sale to the tenants, under the 34th sec. of the Church Act, 1836. That section was one which gave every occupying tenant what was called the right of pre-emption. We could not sell to the public, nor offer any holding for competition, until we had given the tenant an opportunity to buy at what the Commission considered a fair price. The properties were situated principally in the north—Tyne, Ayr, Arran, Dumfries, Glasgow, &c. As a rule, the rents were high. All round the rents averaged about £12, but taking out some exceptionally high rents, the average falls to £7 or £8. Some lots contained only a few perches, but some few over 1,000 acres. When the purchase-money did not exceed £50, the Commission—

25,591. Lord Milnes.—£7 for what?—£7 or £8 a year rent.

25,592. For each holding?—That is about the average, taking out exceptionally large ones.

25,593. What were the size of the holdings?—Here is a schedule of all the properties which were sold from the beginning of the Commission down to the close of it. You will see from that, that it would be very difficult to give a definite statement as to the average size of the holding.

25,594. But we may take it that £7 a year was the average rental of each portion of the glebe lands, taking out, as you say, the largest?—Yes, on an average from small and large. You know, of course, that that is a rough test to act upon. You will find as much as 4,000 acres, and some of them only a few perches, with miserable theached cottages upon them. As I was saying a while ago, when the purchase-money did not exceed £50, the Commission required the purchase-money to be paid in cash and would not take a mortgage at all. Here is a copy of the rules sent to each tenant, and at the foot of it you will see the statement that "if the purchase-money does not exceed £50, the full amount must be paid in cash; if it does not exceed £100, half must be paid in cash, and the other balance secured by mortgage. If it exceeds £100 and is under £200, at least one-fourth must be paid in cash, and the balance secured by simple mortgage, and paid in twenty half-yearly instalments." If it exceeded £200, the tenant could select any of the modes. The purchaser might pay one-quarter in cash, and give a simple mortgage, or give what is called an instalment mortgage. A simple mortgage was an ordinary mortgage for paying a capital account, and there was no proviso in these mortgages as to the time in which they should be redeemed. That implied an ordinary, common, law liability, that the mortgages could compel the purchaser to pay at any time.

25,595. Mr. James Caird.—£50 was in all cases required in cash, up to the £50 price?—Yes. £50 must be all paid in cash; and if the price does not exceed £100, half should be paid in cash, and half by simple mortgage.

25,596. What is the rate of interest?—4 per cent. And on the instalment mortgages 5 per cent—

four per cent. interest and one per cent. sinking fund.

25,597. Five per cent to redeem?—Yes. The Act said that the money must be paid back within 32 years, so that the longest time was 64 half-yearly instalments. The Commissioners had power to take a shorter term at the request of the purchaser.

25,598. Was the principal to be in all cases paid off in time?—Of course where there were instalment mortgages, but where there were simple mortgages, they were then like ordinary mortgages.

25,599. They went on for ever?—Yes. We have never in a single case called upon the mortgagee to pay off the money on the simple mortgages except he was in default, if he had not paid the interest on the mortgage.

25,600. You had no power to call up the mortgage when you pleased?—Instalment mortgages paid themselves off in the time contracted. Simple mortgages could be called in at any time, but there would be no outcry all over the country if we were to attempt to call in the capital amount, and yet I think it is very undesirable that mortgages should be allowed to stand out as such a long time. You can very well understand that as years pass these properties will be transformed and all kinds of interests grow upon them, and it may be very difficult to recover the money.

25,601. Do you recommend that the mortgages should be put on the same terms as the repayments under Lord Ashbourne's Act?—Yes, that simple mortgages should be.

25,602. Lord Ashbourne's Act does that?—Lord Ashbourne's Act, with reference to the simple mortgages, simply reduces the interest and leaves the capital money out indefinitely. My view is that these simple mortgages should be turned into instalment mortgages, which would not be hard upon the mortgagee, because he would pay the same amount of interest if they were put on the same footing as is established by the 26th sec. of the Act of '85. It reduced the interest and extended the term. A man paying, on what we called simple interest mortgage, 4 per cent, if his interest is reduced to $\frac{3}{4}$, it leaves a sinking fund of 17s. 6d., which without altering the rate of the mortgage would pay the mortgage in 32 years, and I think that would be a desirable change to make.

Mr. Nelson.—As I understand, what you wish is done by the 26th sec. of the Act of '85.

Mr. Hoader.—Not as regards simple mortgages.

Mr. Nelson.—The rate of interest made payable by such simple mortgages, and reduced to the rate of $\frac{3}{4}$ per cent.—do not that a sinking fund to work it off in 32 years?

25,603. The Witness.—No. There is no sinking fund provided, the interest is simply reduced.

25,604.—Mr. Nelson.—Your suggestion is that the simple mortgages should be turned into terminable mortgages, still continuing to pay 4 per cent?—Yes, that would put them pari passu with the people who buy under Lord Ashbourne's Act. I think the present way is most undesirable. I will give you an instance. Under the statute 3 & 4 William, where perpetuities were bought, a sum had to be paid down for what is called the price of the perpetuity. The Act gave power, instead of paying the money down, to give mortgages for it. These mortgages are now vested in the Land Commission. They are simple mortgages, without any provision as to calling in the mortgages. But the greatest difficulty presents now in dealing with these mortgages, because the title becomes so involved by lapse of time, and sometimes we find a sum charged upon a whole tract of country payable by a number of persons, and when we have to deal with it in the court, we must show who are the parties now legally entitled. In a similar way the same thing might happen to the simple mortgages. As time passes the lands get divided, and the title becomes difficult to trace from the original mortgage.

25,605. Mr. James Caird.—What is the whole amount advanced by the State for the Church purchases?—When you say Church purchases, that includes all present

properties, and also sales to the public. In sales to the public there were 1,387 cases left out on mortgages; conveyed to others with the consent of the tenant 365 cases left out in mortgages, and peasant proprietors 2,360 cases left out in mortgages.

25,606. Lord Millican.—Does that report show what mortgages have been paid off?—No.

25,607. Apparently from that report all the mortgages are still outstanding, and that I know not to be the case?—This report only brought it up to the close of the Church Temporalities Commission in 1881. The account which goes up to the present date shows the state of the Church funds.

25,608. Sir James Caird.—I want to know the capital sum that would be paid off by the change you have suggested—from simple to terminable mortgages?—There is £578,564 now due upon simple mortgages.

25,609. That is all?—Simple mortgages. There are instalment mortgages besides.

Mr. Horder.—They are provided for by the Act of 1885.

Lord Millican.—By the 23rd section.

Sir James Caird.—The instalment mortgages are very much greater.

25,610. Mr. Nelson (to Witness).—Do you wish to change simple mortgages into instalment mortgages?—Certainly.

25,611. That would necessitate the repeal of the 23rd section of the Act of 1885?—Part of it.

25,612. What you recommend is that the 23rd section of the Act of 1885 should be repealed as far as respects simple mortgages?—Yes.

25,613. Sir James Caird.—Does he not also include the instalment mortgages?

Mr. Nelson.—As I understand, he wants to make them all instalment mortgages.

25,614. Witness.—The existing instalment mortgages, as far as that Act affects them, have an extended time, but that only meets a very limited class of purchasers. My proposal is that it should be made to meet a very much larger class. I consider that section of the Act was drawn in a most unfortunate way, because it excludes those who are so much entitled as those who get the benefit of the section. The result of it is so lamentable, and I have had many letters on the subject complaining, and it has given rise to much discontent.

Mr. Nelson.—There are two classes of mortgages under this Act, the simple mortgage and the instalment mortgage. The simple mortgage goes on for ever unless the man wishes to come in, and the instalment mortgage is every year being paid off.

25,615. The Witness.—Prior to offering being made the Commissioners' valuer visited lands, and gave a special report as to the circumstances of the property, whether the rents were high or low, what advantages, if any, the tenants enjoyed with their holdings, and recommended the number of years' purchase at which the holdings should severally be offered. Mr. Marrough O'Brien, Mr. Staples, and Mr. Eyre Preston were employed for this work, but nearly all the valuations were made by Mr. O'Brien. I should wish to show you some of the valuations as samples, to enable you to understand that in cases where the valuer reported that the rents were high, yet it was taken into consideration in the number of years' purchase which the tenant was to pay.

25,616. Mr. Nelson.—This is a matter we cannot go into. I am afraid it reveals a little outside the scope of our inquiry.—I just wish to explain how the sections were carried out, with the view of showing that where the tenants complained of high rents, that was taken into consideration in the number of years' purchase. I understand that you wish me to deal with the question of the state of the church revenue as regards the arrears. The inquiry as to the church purchases is, I fear, outside the scope of the enquiry.

25,617. Yes, I think so. The rental of simple instalment mortgages for the year 1885 was £22,997. At the end of that year the arrears was £20,385. On the instalment mortgages the rental was £83,841, and there was an arrear of £34,578. Now, I should explain

that that arrear being brought up to a certain time includes half a year which had just accrued, and for which the time of payment had not expired. We send out orders to give them six weeks or two months to pay, so that those figures hardly give a fair notion of what the arrear would be. But I have brought with me here the state of the arrears as now in my hands for recovery. I find in the instalment schedule, tenant purchases, 207 in arrear, owing £16,235; 27 cases of purchasers of residences in arrear, owing £13,672 for 11d.; and I find in the simple instalment schedule 177 cases in arrear, owing £4,560; and the purchasers of residences reduced to three cases in arrear, owing £240. A large number of those cases represent cases in which action has already been taken, and the receivers have been for some time receiving rents in cases of purchasers of residences. Residences are the properties bought by the public subject to the tenancies of those tenants who were unable or unwilling to buy their own holdings. This morning I received a letter from a receiver in one of these cases which I have brought with me. I will read it: "Palmer.—Sir, I believe your secretary has written relative to the small receipts in the above case." Mr. Palmer, writing to me under date 18th of November, says, "I am aware that a conspiracy exists 'not to pay, and to let as much rent as possible as 'is possible, in the belief that eventually the Land Purchase Act will let them have the land for a mere nothing, and arrears wiped out.' It is hard to know what to do, the tenants being wretchedly poor. However, I will consult with —, and we will do all that can be done to get it out of them.—Yours very truly, —." That is from the receiver who is a receiver of the Land Judges Court. He was appointed on the 26th January, 1883, and now there is due to us five and a half years' instalments and balance amounting to £1,404 0s. 11d. Of course such a letter has no reference to peasant proprietors. Many of them have been proceeded against. By-and-by, in dealing with the question of rents recovered under the Land Purchase Act, I should like to make some suggestions about enforcing payments.

25,618. Mr. Nelson.—I believe those suggestions would be really what we would be most anxious to get from you. Do you say that many of the present owners are in arrear?—On the instalment schedule about 709 are in arrear.

25,619. Lord Millican.—Out of how many are those 709?—The whole rental is paid by 2,160 persons.

25,620. Are they much in arrear?—Those 209 owe £16,235. The amount of arrear recovered between 1st January 1884 and December 1884 from all classes on our rental of £550,000, by legal process, was £13,468.

25,621. Mr. Nelson.—Would that represent all you wanted to recover?—To a great extent, but not so much as with reference to residences.

25,622. With reference to those who would be paying instalments of purchase-money?—It represented the greater bulk. After all these years that I have been dealing with them there are, I should say, six or seven cases in which I do not know what to do. If we sell them out—I am on the verge of that. I have brought the proceedings to such a point that I can turn them out to-morrow—no nobody will buy we must then put in a receiver. But to save the necessity of doing this if possible we are trying to arrange with them.

25,623. The State or Government would be in about the same position if they were dealing with instalments for purchase-money?—Yes.

25,624. We will be glad if you will come to that part of the subject with reference to the remedies for recovery.—Very well. On this subject I have considerable experience, all arrears of Ecclesiastical Title Rent-charges (the rental of which is £377,261 a year), instalments of mortgages, &c. Rents belonging to the Church Property Department are referred to us for legal proceedings. The powers of law given by the 36th sec. of the Act of 1881 are very ample, but I would suggest, having regard to the fact that the Land

Dec. 28, 1886
Mr. John
Henderson
Presents!

Dec. 18, 1886. Commission are a Court of Record, they should have the following powers:

Mr. John Hamilton
Prætor.

1. By order to declare what arrears of annuity is due in respect of any holding. That such order shall be binding, final, and evidence as to the amount due in respect of the holding.
2. If they sell a holding under sec. 30 of the Act of 1881, that they themselves may issue warrant to the sheriff to put purchaser in possession; or if there is no sale, or if they buy in the holding, to give them, their nominees or caretakers, possession. I think this would be a most important provision. The Commission should pay the sheriff's fees as if the warrant was a writ of possession, and it should be obligatory on him to act if the warrant was such a writ issued from the High Court of Justice.

This latter proposal is an alteration of the 16th sec. of the Act of 1885. I do not see why the expense of an application to the High Court should be incurred in such a case.

3. I think they should have also summary powers instead of resorting to a sale to some similar writ to the Sheriff (like a writ of *f. f. f.*) to seize goods, cattle, &c., found on the holding for payment of arrears of instalments. The instalments to be the first charge on the proceeds of same when realised, no matter when the goods or cattle belonged to. This would have a twofold effect. (1) It would give a summary remedy to get arrears, somewhat like that which Poor Rate collectors now have. (2) It would prevent the land being turned into a common if the defaulter was evicted. Before either of these remedies could be put in force, a copy of the order declaring the amount due should be posted up on the holding and the nearest police barracks, with an intimation that if the arrears be not paid within 10 days, the remedies referred to would be resorted to. The order should only state the arrears, the holding, the name of the purchaser at the time of the sale, and not be directed to any particular person—as there is often difficulty in ascertaining what person is really liable. I also suggest there should be some local agency, whose duty it should be to report on any breaches of condition, such as subletting, subdivision. The Land Commission as now constituted have no check or supervision that I am aware of over holdings once sold. I have reason to know considerable subdivision has taken place on the holdings sold under the Church Act. They could also look after local covenants used in common, which on the removal of landlords will be nobody's business.

25,625. Is subdivision of holdings provided against in sales to tenants under the Church Act?—No, there is no provision whatsoever in the Church Act either as to subletting or subdivision. I suggest also, if the law is not changed on the subject, that the commissioners should draw up and send to every purchasing tenant a short clear statement as to the effect of the change of tenure, viz. right of heir to inherit, right of widow to dower, &c. There is profound ignorance in the country on this subject, and the result is sometimes very startling. In dealing with titles such as I have had to examine under the 25th section of the Act of 1885 you will find most extraordinary provisions. You will find the purchaser dead, the eldest son gone to America, the widow in possession. A country solicitor will probably advise her that she is entitled to take possession as administratrix, and then when we seek to get a new deed of mortgage as we have to do under this section there is nobody to give a legal charge, there is no real legal owner in possession, the heir is out of the country, and in most cases against his rights. The people think that the property is still subject to the same laws as if it was a personal tenure before the conversion. I think also

the 20th section of the Act of 1881, which prohibits as a penalty sale and subletting, should be extended by declaring that such subletting is void. The 13th sec. of the Conveyancing Act of 1881 empowers mortgages to sublet, and I apprehend that if a holding is sold the subletting would be valid, therefore I think there should be a prohibition. The point only occurred to me the other day. The effect would be this: If one of these peasant proprietors sells, the Act declares that should not be done, and the penalty is sale, but the subletting is good and a tenancy is created, and if we attempt to sell we must sell subject to a tenancy. It need not take much consideration to see all the inconveniences that would arise from that state of things.

25,626. Lord Ashurst.—If it was void you would have to evict the sub-tenant?—Yes, but as the law now stands you could not evict him; he would have a tenancy under the Act of 1881.

25,627. But if the subletting was void?—According to the words of the Act, the Act gives a certain penalty for subletting; it does not make the letting void.

25,628. Mr. Nisbet.—You have this great advantage by making it void that the parties cannot trust each other, either may turn round and repudiate the transactions.

Witness.—I think also there should be a prohibition against any attempt to create lands subject to a Government annuity, or to charge either with portions for younger children or jointure for widow. Having regard to the tendency of recent legislation, and the fact that by the Settled Land Act of 1882 and the Conveyancing Act of 1881 the country has been trying to get rid of the inconvenience of entails in settlements, it would be a miserable thing if these small purchases should bind up their lands in the same way which formerly was so unsatisfactory. If a purchaser wishes to provide for his family generally, it should be obligatory to sell the land to pay the portions off. I have found most ridiculous settlements made by Church purchasers which could onlyasperse the owner, and render proper cultivation impossible. Two questions now I should like to deal with, with reference to the Act of 1885 as it stands; first the question of the tenant's title, and how for the tenant right is in all cases security for the charge.

25,629. The President.—Yes.—It seems to me, in reading the evidence that was given before the several Commissions which have had this question under consideration, that it was always assumed that as a matter of course the tenant right would be part of the security for the Government charge, and that on the sale of a holding the enforcement of the instalment no question could possibly arise as to whether the tenant's interest merged or not. I think it was not intended by the statute that it should be necessary to make inquiries as to the tenant's title or as to charges thereon. But I fear a declaration as to the tenant's incumbrances on the holding would be worthless to protect against existing incumbrances which had not been shown prior to the purchase. We had a case in the Church Commission called *Wace's case*, which exactly applies, where we took the declaration of the committing incumbent as to his property being unincumbered, and as soon as he had left the country we got claims from incumbrancers upon the property, and there was a suit in the Rolls Court upon the subject, and we had to pay the incumbrances upon the property. I believe that this is a most important question, because I have considerable doubt as to whether the mortgage gives the instalments or the annuity payable the absolute statutory priority it doubtless should have over all charges and interests, whether on the landlord's estate or the tenant's interest.

It must be borne in mind that new tenants from year to year have a continuity of interest which should be legally transmitted, that in the case of leases, particularly old leases and fee farm grants, it is very possible the apparent tenant is not the legal tenant, and also that there may be charges of all kinds on the holding of which the landlord has no knowledge. Now, if I am right in the view I take, except in cases of voting order under the Act of 1885, although I think it was intended the mortgages given by purchasers should have statu-

able priority over prior charges or interests on the tenant's interest; they have not statutory priority, and if by chance the sale is not to the legal tenant the purchaser will take subject to the tenancy (even assuming the sale was not originally *ad rem*), and therefore the tenant-right or tenant's interest may not be part of the security, the tenant's interest not having merged in the fee. Shall I follow this argument?—It is a legal argument (I wish to refer to section 4 of the Act of 1886)?

The President.—Yes, if you please.

25,630. Sir James Caird.—Is not the argument that the tenant right is no security for the Government advance?

Mr. Nelson.—No; what he is now on is this, that under the Act of 1886 the instalments are not made a first charge on the property.

Sir James Caird.—And that there may be charges on the tenant right prior to it?

Mr. Nelson.—Yes.

Sir James Caird.—And that it may not be any security at all?

Mr. Nelson.—And that the Government may find itself pinned to some other incumbrance—but I do not know whether he is right in that.

Witness.—There appears to be considerable doubt as to whether the Commissioners' mortgages give an absolute first charge over everything. It has been generally considered that they did, but several competent opinions to whom I have spoken think the matter open to grave doubt, and I can only say that the question is of importance, for in the case of Church purchasers, although the mortgages contain wide powers to sell in cases where the tenant's interests have not merged in the fee, it is practically impossible to sell to recover arrears of instalments. Section 4, subsection D, of the Act of 1886 says that the provisions of part B of the Act of 1881—"shall apply to all advances under this Act." Now refer to section 26 of the Act of 1881, subsection 2—"Every such advance shall be secured to the Commission, either in such manner as may be agreed upon between the Commission and the person to whom the advance is made, and as the Commission thinks sufficient, or in such manner as is provided by part B of the Act of 1870 as amended by the Act of 1872." You will observe that there are two kinds of securities mentioned in that section; first, such as the Commissioners think sufficient, and secondly, divided by the word "or," as provided by the Act of 1870 as amended by the Act of 1872. The 54th section of the Act of 1870 is the text section I refer to. Under that section, in those days when the Board of Works advanced money to enable the purchasers to buy, they may advance to a tenant for the purpose of purchasing his holding, any sum not exceeding two-thirds of the price of the holding, and upon order being made by the Civil Bill Court to that effect. And upon the advance being made by the Board such holding shall be deemed to be charged with an annuity of £5 for every £100 of such advance, the annuity to be limited in favour of the board, and to be declared to be repayable by 35 years. The text section is very much in the same direction, but in that case where the Board advanced the money an order was made by the Landed Estates Court charging the holding; and then when we turn over to the 48th section we see that every annuity charged in favour of the Board shall be a charge on the lands subject thereto, having priority over all existing and future incumbrances. In both the sections I refer to the order giving that priority is made by a court of competent jurisdiction. You are all aware of the result of the Landed Estates Court Act upon sales. The order of the court sweeps away everything that is not mentioned in the conveyance. By the section I refer to, the Civil Bill Court apparently has the same power, and its order gives priority to the charge. Then came the Amendment Act of 1872, and if you refer to the first section of that, it says that notwithstanding the sale to a tenant by the landlord of his holding may not have been made under or through the medium of the Landed Estates Court, the Board may agree to advance to such tenant for the

purpose of purchasing his holding any sum not exceeding two-thirds of the value of his holding as assessed by the Board, and may then as security for the repayment of such advance charge his holding with an annuity of the same duration and amount as would have been charged thereon if the sale had been made by the Landed Estates Court, but no such advance shall be actually made to the tenant till the Board are satisfied with the title of the tenant, and have taken from him a charge on the holding in such form and with such powers of sale and covenants for payment to the Board as they may be advised will effectually secure the annuity charged in their favour, &c. Now that substituted a different kind of security altogether. That was a mortgage given to the Board. The Board were directed to commute into the title of the tenant, and if by any chance on that commutation there were charges upon the tenant's interest which had not been provided for, I think it is undoubted that those charges would prevent the tenant's interest merging in the fee, and the sale to the tenant under the section would be a sale of the fee subject to the tenant-right. If I am right in the view that I have taken where there were incumbrances on the tenant's interest, those incumbrances would come in priority on a sale to recover the annuity before everything. Now that would have a twofold effect. We have had cases in reference to the Church property where receivers have been appointed over the interest of a purchaser from us. It was merely then a question whether the interest or the instalments of our mortgages had priority. In cases where there were charges on the tenant's interest before the purchase, it has been held that we took priority as far as our mortgages represented what we had sold, viz. the landlord's interest; but if there was a valuable leasehold or tenant's interest that we went to the bottom of the Schedule for the balance of our charge. But dealing with these small cases a much more serious question would arise when the Commissioners would proceed to sell under the 50th section of the Act of 1881. There, supposing the estate produced £2,000, and the value of the annuity due to the State was £1,500, and that there had been a charge on the tenant's interest of £1,000, that charge would be paid and the State would lose, or as the tenant's interest had not merged the sale would be subject to the tenancy.

25,631. Lord Macdonald.—It could not override the rights of those prior mortgages?—I do not quite understand the question.

25,632. My point is that you cannot, in order to give a better security to the State, do away with the rights of prior mortgages who had previous rights on the property. Do you suggest, in order to give a better security to the State, to do away with the rights of prior mortgages on the tenant's interest?—I think now that under this Act of 1886, as the instalments in every case would be less than the rent, so possible harm could be done to anybody by giving the State annuity absolute priority.

25,633. Mr. Nelson.—It is intended to have?—I think it was intended.

25,634. Your argument is that, under the wording of the Act the intention has failed to be carried out?—I believe that is so under the construction of the section. You see my point—the word "or." And then I show that even if the security were taken by the Commission under the Act of 1870, even the Act of 1870 does not give security.

25,635. It is a very serious point, but at all events that is a matter for the law officers to consider, and it would be a very foolish thing now to ventilate it.—It is undoubted that the Act of 1886 passed, having regard to the inquiry before the Landed Estates Commission, and you will see all through the evidence there that it was assumed that the whole purchase money might be advanced as the charge would have priority over both interests. And I think it was the intention of the statute that the instalments to the Government shall be the very first charge on the property.

25,636. Sir James Caird.—But that intention has not been carried out?

Dec. 10, 1886.

Mr. John Hamilton Preside.

Dec. 16, 1886.

Mr. John
Hendson
Preside.

Mr. Nelson.—He says not, and he has argued it most ingeniously.

Witness.—I suggest also that if the tenant applying for the purchase is not the legal tenant, still the sale to him should have the effect of making it a sale of the holding to whomever should happen to be the legal tenant.

The President.—We have had that before.

25,637. Mr. Nelson.—We quite appreciate your argument.

Witness.—My view is, that as the ejectment for non-payment of rent wipes out all charges on the tenant's interest, so the sale under the Act of 1886 should have the effect of transferring to the purchaser the fee simple in possession, and that the value of the Government annuity should be the first charge on the proceeds of the sale.

25,638. Lord Williams.—Then my point comes in? —The ejectment for non-payment of rent wipes out everything except those claims for improvements created under the Act of 1870.

25,639. Mr. Nelson.—In fact, that if the tenant creates a mortgage the sale for failure of payment of the instalments should have the same effect as ejectment for non-payment of rent—the mortgage was gone unless he came in and redeemed. If the state sold out the mortgage would be gone.

Witness.—Not necessarily gone, but postponed to the value of State charge.

25,640. The President.—If there is a sale for non-payment of rent the landlord has the property.

Mr. Nelson.—But this would be where the landlord had got the purchase-money.

The President.—In the case of an ejectment the landlord takes everything, and the other people are done for.

The Witness.—By giving the instalments the same priority as the rent formerly had the Land Purchase Department would be quite relieved from the necessity of having to make any inquiry as to the tenant's interest. A few words in an Amendment Act would settle this. As the case now stands, inquiry as to the title of a tenant appears to be necessary as in cases under sub-section 5, section 1 of the Act of 1872. At the same time it is an inquiry which by statute could be very well dispensed with. The last section in the Act of 1885 includes tenants under fee farm grants in the definition of tenant. Suppose the case of a tenant holding under such a grant or by a lease has put his interest into settlement, giving himself a life interest, with remainders over, subject perhaps to charges for younger children at the time of a sale by his landlord. It appears perfectly manifest that unless the interests of those concerned in the settlement are represented, the tenant for his life has no power to mortgage the interest for any term beyond his own life, and that undesirably the sale to him would be one subject to the tenancy, and on his death, one person would probably be entitled to the landlord's interest purchased and somebody else to the tenant's interest. This is a point which arises frequently in tracing the titles of those who bought from the Queen Commissioners to see if a valid charge can now be given by applicants under the 25th section of the Act of 1886. The Settled Land Act of 1882 gives limited owners powers to sell. A power is now needed to enable such owners to buy, and when buying the superior interest to charge the whole estate. Where the Act has given limited owners a power of sale we should have power given to buy and charge. I now would like to deal with the question of the landlord's title. With regard to the landlord's title it has often occurred to me that the Land Purchase Acts for the creation of a peasant proprietary have followed too much statutes which were framed more to meet sales of a whole estate to the public, or even to the tenants, and have not dealt sufficiently with the question of selling to individual tenants their individual holdings, if and when they wish to buy. Except where the sale is by voting order, which practically involves, though in a mitigated degree, the trouble of a sale in the Land Judges Court, and is quite too expensive a proceeding for sale of one small holding, if a landlord agrees to sell such a holding he has not only to make

out his title to the whole estate, but before that individual holding can be finally sold, conveyed to the tenant, and the price paid over to the landlord, he must get the consent of every incumbrancer, mortgagee, and every person who has any charge over the whole estate, to free perhaps a holding of 50 acres, and then, when, after possibly months of correspondence to get all the useful records, cumbersome deeds here to be prepared to release this, say, 30-acre plot, it is needless to state the expense of all this is considerable to the landlord, if he undertake it. In my professional experience I have never yet met an incumbrancer who would facilitate any dealings with the estate liable to his charge without elaborate inquiry, and a costly reference to his solicitor. Moreover, as I have pointed out, till the landlord's title is proved, the sale is not complete, the money not paid, and the annuity does not begin to run till then. And I have heard that after tenants have signed purchase agreements they, as a rule, object to pay any more rent. These objections necessarily influence strongly against easy and expeditious sales of individual holdings separately on incumbered estates, which is a great pity, as the example of one good tenant purchasing and prospering on an estate would have an enormous influence on the others. I think both these objections could easily be overcome by the legislature without doing any real injury to anybody. I suggest that in addition to the purchase agreement, and preliminary statement sent in by the landlord under the present practice, he should lodge his last title deed (settlement), will, or disclaiming deed, as is done in the Board of Works for improvement loans, with a short affidavit or declaration that he is tenant for life, tenant in tail, or absolute owner, as the case may be; and that he has been in actual receipt of the rent of the holding proposed to be sold for — years. That then, if the Commissioners approve of the application following their present practice, they should have power to make no order on the application, the effect of which should be declared by the statute to be, to vest in the tenant of the holding the land as described in the agreement, map, and valuation sheet, lodged therewith, in fee simple subject to the annuity. The annuity to take priority as if it were rent, but otherwise the holding to remain subject to rights and equities standing thereon. This would get rid of the present mortgage and conveyance, which I submit are quite unnecessary. The purchase agreement properly verified should be all the tenant need sign.

25,641. Mr. Nelson.—Then you would transfer the estate by order?—Yes, each holding by order; by the present voting order. You have most of the expense and trouble of inquiry and examining title in the Land Estates Court. It is a most cumbersome proceeding. It is not a proceeding applicable in the case of sales to individual tenants. The plan proposed would render it quite unnecessary to act as to the tenant's title, as the benefit of the sale will accrue to whomever is the legal tenant. The purchase-money to be at once invested in the funds and carried to the credit of the Commission and title of the owner. The landlord's title to be investigated, not against the land, but against the money. The result would be to save the landlord loss by the investment, and carry out the sale on the spot. The Commissioners who, it should be remembered, have the assistance of two barristers as examiners, and a skilled Land Estates Court staff should have power to apply the final after examination of title given facts in discharge of incumbrances affecting the land sold, and if there are any such, to the trustees of the settlement, or to the creditor as the case may be. This proposal is an extension of the power given by section 5, sub-sec. 5 of the Act of 1883, and was worked out in detail, though with reference to the whole estate, in section 6, sub-sec. 7 and 8, and section 7 of the Sale and Purchase of Land (Ireland) Bill of this year brought in by the late Government. I may state that I made very similar proposals to the late Government with reference to that Bill when it was prepared. Of course that Bill dealt with whole estates. The central idea is that if the sale is a desirable one it should be

carried out forthwith. The incumbences cannot be really damaged by the conversion if the leasehold side in those like these contracts should not be kept in the position state and the parties in suspense. The present purchase agreement should be slightly modified, but with the Commissioners' order could easily be registered, and quite dispense with the necessity for any further deed.

25,642. Mr. Nelson.—In other words, you would adopt the provisions of Mr. Gladstone's Bill for the sale and purchase of land?—Of course we should have to modify it; it has reference to the sale of whole estates. My idea is holdings.

25,643. Adapting it to holdings?—Making it holdings instead of estates. The idea is an old legal one which, of course, you are very well acquainted with, instantaneous conversion.

The President.—It means that the money is to be retained by the court, and subject to the same charges.

Mr. Nelson.—An equivalent for the land.

25,644. The Witness.—I think when the owner has no real interest, incumbences should have power to apply for liberty to negotiate sales with the tenants. There are many cases now in fact in Ireland where, by the operation of rent under the Act of 1881, the nominal owner's interest has disappeared. Those estates now are under the control of the Land Judges' Court, under the management of receivers; and the expense is something deplorable, and the interest is accruing in the hope of sales which I believe are hopeless, and it would be a great advantage if the incumbences representing first charges should be given a power to deal with the tenants for sales. On the subject of head rent, I most decidedly think that the Commissioners should have much more ample powers to free the land sold from charges of every kind; and, therefore, should have compulsory power to apportion and redeem head rents, lay tithes, rent charges, and all incumbences on the fee. The question of junctions and terminable annuities is much more difficult if the landlord's estate is in settlement. The House Rule Land Bill contains clauses for the purpose I have mentioned, and I think if some of them were embodied in an Amendment Act to the Act of 1881, it would greatly further the policy of that Act. Having regard to the depreciation in the value of landlord's interests, I think it is most unfair that head rents and owners of lay tithes and other perpetual rent-charges should be allowed to hold out for terms as if no fall in value had taken place. Their attitude frustrates to a great extent the policy of the Purchase Acts. I was asked last week to purchase an appropriate Tithes Rent-charge for thirty years' purchase. I offered 28½, but am told the lowest price is 25. This I merely quote as an instance of the position taken by the owners of such charges, and certainly in this case it is not a very wise one, as there is nothing to prevent a sale to tenants, subject to such a charge, and then the charge would have to be collected from all the purchasing tenants.

25,645. Mr. Nelson.—Is the lay tithes rent-charge apportionable at present?—Not compulsorily; but Ecclesiastical tithe rent-charge is, by the Church Amendment Act of 1873. The lay tithes owner would have to collect from 30 to 40 tenants, and he would never get it. I have got a considerable experience upon that point. Ecclesiastical tithe rent-charge is recoverable by a large number of persons in small sums, it becomes practically uncollectable. You cannot sue a man for 5d. or 3d. I think that if the Commissioners are given power to apportion, in every case that power should be equalised by giving a power to the owner of the head rent or other such charge to compel redemption at a reasonable price of the apportioned rent, rent-charge, &c., when under a certain annual amount.

There is a special danger in allowing sales to take place subject to head rent, having regard to the law of ejectment for non-payment of rent.

It is only necessary for a landlord whose rent is unpaid to serve every one in the actual possession of the land, no action whatever is necessary to mortgagees or

others. Such an ejectment could be brought for one year's rent, after judgment was obtained and the writ of possession executed, if the Commissioners failed to hear of the proceeding within the six months allowed for redemption, their mortgage would be absolutely gone. To my mind that makes it a sine qua non that no holding should be sold subject to head rent on which a Government annuity is charged.

The President.—That is a new argument against it altogether.

See *Jones v. Caird*.—No holding should be sold subject to what?

Mr. Nelson.—Subject to head rent, because, supposing the head rent of an estate gets into arrears, the landlord has no power to sue any person for the money except the person who owes it. He gets his judgment in ejectment, and that would cost every interest but his own. However, that is one of those things that it is right to call attention to, because it could be very easily obviated.

25,646. The President.—It is only one of the many drawbacks of head rent in the way of purchase.

Witness.—You see what a door is open for collusion. The Commissioners being in Dublin would never hear anything at all about it. Some landlord tenant would simply say to himself, "By not paying this head rent I will get rid of the charge." He would not pay the head rent, and the landlord would bring his ejectment, the Commissioners would never hear anything at all about it, the writ of possession would be executed, and very probably the tenant put back as co-tenant, the six months would go, and our charge would be swept away. I think it is imperative for this and other reasons that no holding should be sold subject to head rent, whether indemnified by other holdings or not. The question of indemnity has been raised very often. It occurs in the Act of 1881. The Commissioners had power to give indemnities—that is, where a dozen holdings were all liable to one head rent they might sell half of those holdings discharged from head rent; the landlord and the Commissioners would give them an indemnity on the other holdings, but that would not get rid of the difficulty of the question which I have now asked. This view was taken in the preparation of the Land Bill at the beginning of this year. That Bill made a distinction between what is called "chief rents" and ordinary head rents. A "chief rent" was to be a rent of one-fifth of the gross profit rent, and by section 8 it was to be redeemed or paid by the State authority, with power to redeem at the sustainable price. As the State authority paid the rent, and was also interested in the tenant's improvements, the danger of ejectment would not arise. You see the State authority under that Act would require the instalments not directly but indirectly, and would have an interest in the instalments, and therefore by their paying the rent to the head landlord, the danger of ejectment would never arise. In the case of ordinary head rents they were to be redeemed compulsorily, but by the 47th section the head landlord was to get notice from the immediate landlord, and the Bill contained provisions enabling them either to agree to a price, or for their respectively having power to buy each other out on terms to be fixed by the Land Commission. The principle is very much the same as that contained in the copyhold Acts in England. You will understand that one estate is land may be liable to half-a-dozen different rents in this way: The occupier pays a rent to his landlord. That landlord may hold under lease for 100 years, and pay rent to somebody above him. That man may hold by fee farm grant and pay somebody above him, and so on. Now there should be power not merely to buy up, but power to buy down, because it is very fairly said that to redeem a head landlord may not be fair or equitable if he is to get a depreciated price, and, therefore, he should have power to buy that interest out of him, that he should be able to buy it out, and gradually buy the thing up and down according to the discretion of the Commissioners as might be found convenient. I think, as a rule, a good deal of misapprehension exists with reference to head rents in Ireland. It is generally

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assumed as immediate landlord has so large an interest that the head rent is necessarily as well secured as dividends in the funds. This is a very grave error, as I have considerable opportunity of judging. It is part of my official business to take proceedings for recovery of this rent-charge all over Ireland whenever it is in arrear. That charge is by statute recoverable from what is called "the first estate of inheritance," which on lands where there are head rents or the firm rents, is as a rule the estate in fee subject to the head rent. If that estate is created for non-payment of head rent, the superior interest becomes liable to the charge, but if there are arrears of this rent charge due we can only recover one year's arrear against the head landlord losing any other arrears due. I can state to the Committee that during the last week or ten days I have had official knowledge of three such cases where the head renter has evicted the perpetual interest under him for non-payment of head rent, and we have lost part of the arrear. These cases were respectively in the counties Tyrone, Sligo, and Kilkenny. It can only be assumed in such cases that if the middleman could, he would have paid, and not suffered eviction. Where receivers are appointed over estates subject to charges to the Church Property Department, I very frequently have to watch their accounts, and it is not at all uncommon to find the whole rental received by the receiver swallowed up by head rents. I have known also several instances where by reduction of rents by the Land Commissioners, under the Act of 1881, the middleman's interest has disappeared, and he has voluntarily surrendered to his landlord to be freed from the personal covenant to pay. A great deal of Ireland is held by fee farm grants, which are conversions of the old tenure by leases for lives renewable for ever. Many of these leases reserved rents which are almost all commercial rents; and the lessee is liable to yearly tenants at rack-rents. Part of the Church surplus consists of perpetuity rents, which were conversions under 5 & 4 William IV. c. 37 of renewable leases. In these cases a fine had to be paid on taking out the perpetuity, ascertained by reference to the head rent and annual value of the tenant's interest, but leaving, apparently, a very large interest for the tenant now holding under us. Our rental of these rents amounts to just £200,000, paid by 880 persons, and, *prima facie*, one would suppose they would be easily recoverable. My experience is quite the contrary. I would refer here to some cases in which receivers are appointed over very large estates held in the firm under us, and which, during my experience, have been always two years to the bad, and this although the receiver, by the rules of the court, is bound to pay the head rent in priority to anything else without any order. I have brought with me here two writs of ejectment that we have had to issue as head landlords. The annual rent in one case is £65 14s. 6d., and it is six years in arrear. We have got leave from the Court of Chancery to bring an ejectment, and the receiver says that all the money he collects from the tenants in the present state of things is hardly sufficient to meet taxes and to pay a man on account for the rent. That case is in the county Clare. Here is a very similar case, where the head rent is £50, and seven years' rent due. A receiver is appointed in that case too, and he has to bring his accounts before the Court, and, therefore, that shows that if the money could be got they would pay the rent.

25,647. Sir James Caird.—I would just like to ask you what is the origin of these head rents, how they began?—They were originally leases made by the Bishops' leases, with customary rights of renewal on payment of a fine. By the 3 & 4 William, cap. 37, those representing the tenant's interest could convert this into a fee on paying a sum down for the value of the inheritance.

I presume you mean these head rents only in respect of Church lands, but I am asking the origin of all head rents?—Well, I think most head rents were created by old leases renewable either by covenant or custom.

25,648. But all head rents did not arise from bishops'

leases?—No, but those particular ones were part of the Church surplus, and they were created in that way. There are also fee farm grants, they are conversions of leases under the Renewable Leasehold Conversion Act, they were leases for lives renewable for ever, and the Act I have mentioned gave the tenants power to convert the tenure into fee farm, as it was called in that country. We had power under the Church Act to sell our perpetuity rents for 25 years' purchase. The price named in the Act for these rents is 25 years' purchase, and one would suppose if they were worth anything like that, owners would have bought them up long ago on the credit system, as an investment on their own properties. The Church Commissioners in 11 years sold 1,602 of these rents, producing £260,832, and, as I said before, 880 remain unsold, and the last five or six years there has been scarcely a sale. The price is, I believe, quite as high now. My view is that it is impossible to lay down any hard and fast line as to value of head rents; some head rents may be worth on their net value, deducting proportion of poor rate, 30 years' purchase, but some may be worth little more than what an ordinary tenanted estate is worth now. There is nothing novel in the idea of compulsory redemption of head rents. I have already referred to the Copyhold Acts for getting rid of inconvenient tenures or interests. A precedent is also afforded by the 45th sec. of the Conveyancing and Law of Property Act, 1881, for purchasing quit-rents, chief rents, &c.; but it does not apply to Ireland.

There should also, I think, be compulsory power in cases where single holdings are sold, producing a price less than the amount of the mortgage, having priority on the whole estate, to apply the purchase-money not in part discharge of that mortgage, leaving the balance unpaid on the mortgage as a charge against the rest of the estate. The Commissioners should be satisfied that the sale is a *bona fide* one, and the incumbrancer should have power to object on ground of undervalue. If the incumbrancer consents, or passes incumbrancer refused to join in releasing the holding sold from their charge, the Commissioners should have power to release the holding, as County Court Judges have power to convey holdings sold in their courts, where a mortgagee sold out refuses to join in the deed to a purchaser. If the suggestion I made as to giving the Commissioners power by their order to work an immediate conversion in cases not under the Vesting Order sections of the Act of 1885 were adopted, the above power would not be necessary. In cases under the Vesting Order sections, the Commissioners would have this power. Sec. 8, &c. &c. The absence of such a power under the other sections is manifestly a great want. The owner of a first charge paying 5 per cent. say for £2,000, refusing to take £1,000 on account in cases of *bona fide* sales, and so blocking a sale, is a great hardship. I have known such cases. Now I will read a letter; I would rather not mention names, but it exactly deals with this point. I received it this morning. I am trying to carry out two rules by conveyance to some tenants on an estate where I am trustee, and I had agreed with the tenants for 20 years' purchase, the price altogether amounting to £1,800 or £1,400. The estate is heavily incumbered. The first charge is £2,000, the second is £1,000, and there there are some small charges. I wanted to get the assent of the first incumbrancer, understanding that all money received should be applied pro rata to reduce his mortgage. There was enough money to pay him £1,000 out of the £2,000 due. The mortgage bears 5 per cent. interest. Here is the letter I have got this morning:—"We have sent a copy of your letter to Mr. —. . . . It would be a serious matter to him to have his income diminished by your paying off a portion of his mortgage, leaving him to find an investment for the portion thus paid off where he can. It would be very difficult if not impossible for him to find a suitable investment at an equal rate of interest. If Mr. — is to receive payment of his mortgage by instalments he would probably expect that some arrangement should be made by which a loss of interest should not fall upon him." Now that came to me this morning and has re-

ference to this very point. In the Landlord Judge's Court in this country, if we were to suppose an owner having several estates all liable to the same charges and wishing to sell one of those estates, and filing his petition so that purposes in the Landlord Judge's Court, no insurance under such circumstances would be allowed to come in to shew cause against the conditional order. The Court would order a sale. They would say to him, "You are entitled, if you refuse, not to be paid off" by him. We will sell the land, and we will give you "the interest of the money." Of course we will keep "the money in court for you." Of course the vendor would have to make up the difference of the interest, what represented the difference between 3 per cent. and whatever the mortgage might be. But under this Act as it now stands the Commissioners have no power at all to release our holding from charges affecting the whole estate unless they get the concurrence of all the mortgagees, and that is almost an impossible thing to do. Owners have got enough to do already in getting the tenants to pay as matters stand. But nobody would be dissatisfied by sales of individual holdings, provided the money is applied in discharge of the mortgages.

25,645. The President.—Would not an indemnity suffice?—No indemnity would meet such a case as this. Hooping up information on the unsold lots is to my mind proceeding on a wrong principle.

25,650. Witness.—I am inclined to fear that the system of retaining one-fifth of the price as a guarantee deposit, which I have been informed is almost universally adopted under Lord Ashburton's Act, does not tend to create a reliable security. In that, I am apprehensive the opposite, if there is ever an agitation against payment of instalments, will be found to result for the following reason:—

I doubt if an Irish peasant purchaser would be deterred from such a strike by any sympathy either for the British mortgagee or their ex-landlords; in fact, I am not sure that to some the prospect of resultant loss to both these classes would not be an inducement to a combination against payment, such as now exists against payment of judicial rents.

I think, therefore, it should be insisted that the guarantee should be made by some class more in sympathy with the tenants than the landlord who is selling, or by those who hold charges on his estate. It is to be remembered that the guarantee, if the tenant class is called upon to provide it, is not at all the same thing as being called upon to pay part of the price. Many farmers who have a little money put by, might not wish to sink it in the purchase of land, or even as a mortgage on land, who, nevertheless, would be glad to invest it at 3 per cent. instead of on deposit-receipt at the bank. While touching on this point I would point out a result which arises from the construction of the guarantee section in the Act of 1880 when read with the 24th section of the Act of 1881, enabling the Land Commission to advance money to tenants to purchase their holdings, and which appears to be anomalous, and probably is the result of an oversight. Under the Act of 1880 the Commissioners can advance four-fifths on receiving a guarantee for one-fifth; but if the tenant wishes to pay down a part of the price (which, to my mind, is far better security than any guarantee) the Commissioners are relegated to the Act of 1881, and have no power to take less than one-fourth.

I have a strong belief that the farming class—of really anxious to buy—could obtain the necessary guarantee deposit in a large proportion of cases, if it was necessary, and if the clause enabling the Commission to retain part of the price at vendors' request was repealed.

It is, I fear, impossible to put pressure on by shortening the term to those who pay nothing; but I think it would be the best policy to offer a large inducement for cash payments on account. I believe, indeed I know, that the fact of having sunk money of their own is the very best security for the Government loan. The Church Act of 1869 took the farmers by surprise, and they had made no provision to pay the one-fourth, which was the minimum required; but without doubt they

were then anxious to buy, and saved themselves largely of the pre-emption section of the Act. It is a remarkable fact that 2,232 of the 5,232 tenant purchasers paid the whole purchase money in cash. It is said a certain proportion, but I believe a small proportion of the whole, borrowed the part which they had to pay down, at needless interest; but on the other hand a great many who need only have paid one-fourth paid half, and even more than half, at their own choice; and many who could have spread their instalments over 32 years, voluntarily elected the shorter terms of 10, 15 and 20 years, the result of which is that hardly a day passes that I do not receive remittances of Church mortgages for approval and execution, the instalments having all been paid, and the purchasers being now in possession, free of charge. It should be understood that when the purchase-money was very small, not over £50, the Commissioners required the whole to be paid in cash. But, as I stated, these Church purchasers were anxious to buy and made great exertions to do so. I am sorry to believe so much anxiety now exists among Irish tenants as a class. They expect so much now they never dreamed of 10 years ago, that although inducements are now offered which would have been greatly valued then, they hang back expecting something better.

The case is in a nutshell, legislation and the events of the last few years have reversed the position. All the anxiety for a sale is now on the landlords' part.

1. They guarantee one-fifth of the price for tenants from whom they found it next to impossible to extract rent. And I have little doubt the guarantee deposit, if tested as a means of raising money, is almost if not quite undesirable.
2. They, as a rule, pay all the costs of sale, conveyance, and mortgage.
3. They forgive in many cases large arrears of rent prior to the sale.

Of course the landlords' guarantee deposit, so far as the actual amount of money it covers, is no good as any body else's; but to my mind the security for the Government loan depends far more upon the influence the guarantor can be expected to bring to bear upon his principal, than upon the mere fact that, in case of repudiation or loss, one-fifth of the price can be saved. I fear, therefore, the landlords' guarantee deposit affords little if any real security for four-fifths of the State advance.

25,651. Sir James Corry.—What do you mean by the influence of the guarantor?—What I mean is this, that if the guarantee deposit was made by any of the tenant's relations or friends, by any class in his immediate locality, by local bodies for instance, that if he did not pay, very possibly pressure would be brought upon him; whereas by making the landlord give the guarantee, the landlord probably leaves the country, he can bring no personal influence to bear upon him, and in the event of a sale his position is that of a man who has a pecuniary charge to the Commissioners' advance, which of course he can never make. If the Commissioners fail to sell, how on earth could any individual landlord get any good out of the holding? If a strong body like the Commissioners fail to realise their advance, how could the landlord?

25,652. But the landlord leaves a fifth of the price as a security to the State?—It is not security so much, as in case of loss the State would get one-fifth of the price. That is no security for four-fifths.

25,653. It is a better security than nothing?—It merely means that if there is a loss the landlord should participate as far as one fifth goes. It is partial security against repudiation, but none against speculation. It is not my idea of security.

25,654. The State would be getting the landlord's interest for four-fifths of its value?—Yes, if the State can sell for four-fifths.

25,655. Is that no security?—I cannot free my mind from the idea that it is only participation in loss in case of repudiation.

25,656. Then are we to understand that you advise
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Hamilton
Franks

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Mr. John
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instead of that, that the tenant himself should pay a fifth of the price?—I think it would be a very much better security that the landlord's guarantee should be dispensed with, in fact not permitted, and that the tenant should find security for one-fifth of the amount, the guarantee deposit.

25,637. In fact the tenant should give this deposit instead of the landlord leaving it; you think that would be the safety for the State?—Yes; I do not know whether it reverses the policy, but I think that part of the Act, so far as the landlord's guarantee is made possible, should be repealed, and that the tenants should be bound to find either one-fifth of the price or one-fifth in the shape of the guarantee, which is not the same thing. I cannot free my mind from the fact that those poor Church tenants, when the pressure was put upon them, got the money in most wonderful way, 2,200 out of 5,000 paid the whole price. Where did that money come from?—Look at the enormous deposits that are in the banks all over the country.

25,638. I suppose the principle of it is that the man who can find the fifth himself or by guarantee is a fit man to become a proprietor; that because of his being a man of thrift and enterprise he would be likely to be the best purchaser?—Yes.

25,639. That is your view?—That is my view.

25,640. What is your experience of the success of the operations in regard to the purchases under the Church Act?—I think that it shows a very good precedent for creating a peasant proprietary, for although the times are harder now, and although those men bought before the Act of 1881, and therefore before any reduction of rent under the present prices took place, the fact that so large a number bought then, and the great punctuality with which their payments are made, give great confidence in extending the progress of peasant proprietorship. The tenants showed some anxiety to buy; but as matters now stand I should say a large portion of those who buy, merely buy in order to get a reduction of their present payments.

25,661. But in the case of the purchasers under the Church Act you had the assurance of men who had some capital?—Such a large number bought out of the whole number, they must pay part of the price. And I believe very few really borrowed that fourth of the price from outsiders, so that we must admit that they had money. They either had money in the bank or got money from their friends in America, or in some way or other it was raised. It is a most extraordinary thing that, unprepared as the country was for the principle of the purchase scheme, that within a very short time, between 1874, when the sales began, and 1881, when the sales ended, we had such a conversion. I should like to hand you, Sir James Caird, a statement that I have prepared here that I would perfect by saying that these are not selected cases. As I said before, in examining titles of purchasers under the 23rd section of the Act of 1885 I had always to go into the circumstances of the present state of the title, and therefore to see all the details of interest; that is, where a man bought from or sold to somebody else; and I told one of my assistants just to bring me a certain number of cases—he had no idea of what I wanted them for—from which I could compile a statement, showing the average rent, valuation, price paid to the Commissioners, and how much of that was paid in cash, how much was allowed to stand out on mortgage, and to show when a man sold to an outsider, as I stated, how much he got and how much was left outstanding of our mortgages. I will explain it. Take the first case. John Wiseman bought from the Commissioners in July, 1876, 24 acres. The rent was £285, the valuation was £41, and the price was £381. Of that he actually paid £185, and he gave us a mortgage for £205; and he sold in November, 1884, last month, to John Clarke, who paid him £500. He got £300 for what he had paid £185 for, subject to outstanding landwarrants, which were then valued at £326, as against £385 when the mortgage was granted. Now these are not selected cases, but cases taken at random. The next case is £29 paid to us, £285 mortgage, sold for £180,

subject to £61. That was £25 of the mortgage paid off, and he got £180 for what he had paid £29 for. The next case is £66 paid in cash, £170 on mortgage. He got £288, and the mortgage was left outstanding. He sold for the same price. The next case is £499 paid in cash, £1,000 on mortgage. He got £700 in cash, and there was £346 of the mortgage left outstanding. (Return handed in.) I believe the best security the Government could have for their advance would be either the voluntary guarantee deposit of the purchaser or of some of his relations or neighbours of the farming class within a circumscribed limit, or to amend the Act and to impose a compulsory local guarantee and enable the Commissioners or some Government department or special office, not the local authority, to levy a rate or impost. On this subject I should like to refer you to a cutting from a newspaper that I have kept, which I have here. It is Lord Dufferin's evidence six years ago. He anticipated then what the result of the Act of 1882 would be. He proposed some such conversion as is being made under the Act of 1885, and he makes this suggestion as to compulsory local guarantee. With reference to the probable result of Mr. Gladstone's Act he says: "In the estimation of the tenant Mr. Gladstone's Act (that is, the Act of 1870) put him into the same bed with his landlord. His immediate impulse has been to kick his landlord out of bed. The temptation of the Government will be to quiet the disturbance by giving the tenant a little more of the bed. This will prove a vain expedient. The tenant will only say to himself, 'Ours kick more and the villain is on the floor.' If, however, instead of giving the tenant more of the bed we cut the bed in two, he will then roll himself up in his blanket and be all in favour of every man having his own bed to himself. In other words, the problem is to render Ireland conservative, to make it the interest of the peasantry to support law and order, to recognise the sanctity of property and the reasonableness and necessity of rent. This can only be done by making him an owner, and as owner upon a very extensive scale; upon such a scale as to render it the interest of the greater part of the population to insist upon the remainder fulfilling their legal obligations. How is this to be done? Let a necessary sum, raised on Government securities, be devoted to the purchase, upon fair and proper terms, to be regulated by a trustworthy commission, of a considerable proportion of the lands of Ireland. At this moment about £3,000,000 a year is spent by Great Britain on Irish objects. But £3,000,000 a year represents a capital of £100,000,000, an amount greatly in excess of what would be needed for the purpose I have specified, inasmuch as over the major part of the area likely to be dealt with the tenants themselves will be able to provide a portion of the requisite purchase fund. The rent would, of course, represent the interest of the capital sum employed. It will be at once said, 'You surely do not propose to make the State the landlord of the Irish people?' Certainly not. Let us rather take a leaf out of the Russian book and convert this rent into a fixed charge or land rate, to be collected by local authorities, with jurisdiction over limited areas—townlands, for instance, or smaller areas—proposed—and with power to impose an additional rate in aid, if the rent charge for which the area is assessed be not forthcoming, or at least, to force the sale of the defaulters' farms. This is what is done by the heads of the Russian 'communes' or 'miras,' even when the land is not entrusted to a commune, but is held by individual peasants. By imposing such a system established, it would work in this way:—A tenant in a particular townland would fail to pay his portion of the rent charge. All his neighbours knowing that in his default they would have to make good the deficiency, would immediately require him either to pay or to sell his holding. Thus the public opinion of the whole country would be strongly in favour of the payment of rent." That is a cutting from the "Times" of the 4th of January 1881.

25,661. The President.—Would they be willing to be answerable for one another, the parties in country districts?—Not voluntarily, certainly. It was tried by a Bill Mr. Gladstone's Government introduced prior to the Act of 1885, and the thing did not seem to meet approval—you may remember, at the time.

25,662. Sir James Caird.—That was Sir George Trevelyan's?—The voluntary guarantee.

25,663. The President.—Would it not cause great discontent to compel them to go security for each other?—They may not like it, but I think it would be a very wholesome thing to do. The object now is to get as much money as they can without giving proper security for it.

25,665. You are the first person in favour of this incorporation of the local authority, although we have examined an immense number of witnesses on the subject?—I think such a rate should be levied by some Government department, because the experience of the police tax in Limerick would demonstrate the facility of coercing popular bodies to raise an unpopular tax. This rate should be raised from a circumscribed area, and if done effectively in a few instances it would have a wonderful influence in making the defensible unpopular, instead of being heroes as they now are.

The Act of 1881 has put the tenants in such a position that few of them care for the idea of becoming purchasers, except they are tempted to it by the prospect of a large present reduction. Everything tends to show the tenant now, he is master of the market, and they are advised to wait. I have had personal experience of tenants refusing to buy on any terms. They have said to me they fear future taxation. That in bad years they can squeeze the landlord, and landlords will give them abatements, where a State Department must enforce instalments, no matter what happens. The National party and United Ireland have been pointing out that it is better to combine for a 25 per cent. reduction and to hold themselves free, than to purchase for even a price which gives them a clear 25 per cent. reduction.

25,666. May I read to the Commission an extract?—Yes—This is from 'United Ireland,' a very extensively read paper throughout Ireland, 'United Ireland' of Nov. 15. The cause of offence was that Judge Hamilton, in the County Court, on some tenants applying for abatements of arrears of rent, made some recommendation to them to buy under the Act of 1885, and here is what 'United Ireland' says on the subject. It represents that some nobles in court, Mr. Fitzgerald, said the tenants "should take care lest they might be treated like the tenant on a Limerick estate, who was the other day 'sold out in consequence of his inability to pay the Government instalments, having paid too dear for his 'whistle.' It then says, 'The gloom into which this remark threw his worship may be inferred from his noble rejoinder that 'in every instance where a tenant purchased he effected a reduction of about 25 per cent.' Quite so, but in every instance where the tenants resolutely combine, they are effecting a reduction of considerably more than 25 per cent.; and this combination system has this marked advantage over the purchase system, that in the case of purchase the 25 per cent. reduction is the utmost the tenant has to hope for, and to that iron figure he is bound for the next half century, under penalty of being instantly sold up by an inviolable state creditor; while in the case of the tenant who effects a reduction of 25 per cent. this winter by a determined combination, there is nothing in the world to prevent him from whittling down another 25 per cent. next year, while 'it is perfectly certain that the landlords can never hope for the opposite process of larding up.' And then it gives instances of Lord Lisnare's tenants, Lord Lansdowne's tenants, and Lord Dufferin's tenants. And there are three or four more articles in the same paper all to the same purpose. Now that is repeated all over and over again in other National papers. The fact that landlords are taking glodly 15 years' purchase of net rents, of judicial rents recently fixed, is a

confession of the weakness of their position; even to an unnumbered owner with re-investment at 4 per cent. he loses more than one-fourth of his income. Yet sales of tenant right are bringing large sums, if returns published are to be believed. It is as if a railway whose ordinary stock bears interest in a premium, while on preference stock no interest in paid and it is unsaleable. The inference would probably be that, although the enterprise was fairly remunerative, the ordinary shareholders monopolised the direction and victimised the preference stockholders. It reminds one of Lord Dufferin's prophecy to the Bessborough Commission in 1880, as to the probable result of creating a dual interest by statute in land, which I have already read. The tenants have no doubt learned from past experience that those who have followed the advice of the National Party and have waited for legislation more beneficial than that then existing, have benefited. And, as a rule, they do not believe that the present Act of 1885 gives the utmost concession they will gain. They have no faith in the facility of either legislation or contracts. This is evidenced by two public movements, both largely and influentially supported. 1. The Plan of Campaign, which often insists on the reduction of rents judicially fixed. 2. The movement of the Glenties Purchasers' Association, which, although it seeks and has gained some objects which are unobjectionable, also seeks to open contracts finally closed under the Church Act, even so far as to ask a reduction or return of part of the original price. But although Irish tenants may not believe in the facility of contracts, the Treasury, where they are concerned, take a very different view. To show what I mean I have been a Treasury Minute of the time that the latter movement first began, laying down their views upon the subject. This is an extract:—"My lords are convinced that in no case should any abatement be allowed from the purchase money agreed to be paid. This decision should be announced as emphatically as possible on every convenient occasion, and any modification of the exact terms of the contract should only be admitted, if at all, without infringing upon this general principle. Upon this point it will probably be sufficient to observe that the only argument which has been brought forward in favour of a revision amounts to this, that had the contracts been made under different circumstances, or at a later date, the terms might have been more favourable to the purchasers. Such an argument needs only be stated for it to be seen that it cannot be entertained. My lords consider the maintenance of this principle to be vital, both in the interests of Ireland to which the Church fund belongs and with a view to not raising groundless expectations in the minds of the purchasers of Church property, but they consider that there are certain classes of cases in which, without derogating from the principle of the unsaleability of the purchase money of Church lands, modifications may properly be considered as to the terms of payment." Those modifications are what are in that third section of the Act of 1885.

On the subject of compulsory purchase. No English Government in my opinion could carry out a proposal to compel tenants to buy, apart from the commission of Home Rule, with any reasonable expectation that the instalments would be paid to them direct by the tenants. It has occurred to me, however, that if it was considered desirable to get an end to the present system, or, possibly, just that the landlords should be allowed to appropriate themselves, without putting any compulsion on their tenants to buy, the object might be carried out somewhat in the following manner.—It is undoubted a landlord may sell his estate to whoever he likes, and that the purchaser has the right so long as the principle of the Act of 1881 continues to reserve and enforce judicial rents. Suppose the case of a landlord, on whose estate judicial rents had been recently fixed on every tenancy, agreeing to sell to the State at 15 years' purchase of his net rental, which I will assume to be £1,000. That would represent £18,000, which at present price of the funds would cost the State £240. Supposing the tenants

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neglected or refused to purchase and the State collected the netproceeds from them of £1,000 a year, the difference between £540 and £1,000, after allowing for expense of collection, would leave over £400 a year to be applied as a sinking fund to redeem the payment to the landlord. At the end of the first judicial period of 15 years nearly one-third of £18,000 would be paid by the tenant, which represents 54 per cent. on the advance. If the rental at the end of the first 15 years' period remained unaltered, the whole advance would be repaid before a second period of 15 years had determined. The State could then make over the holdings to the tenants free of charge, if so desired. If at the end of the first 15 years the tenants' rents were reduced even 25 per cent. then, or little more than two-thirds of the debt would remain unpaid, there would be ample margin to provide over a greater sinking fund than that contemplated by the Act of 1885. The tenants at any time should have liberty to purchase, taking credit for the rent paid as instalments for a term not to exceed 49 years from the first taking over the estate. The principle is exactly the same as that which underlies Lord Ashbourne's Act, being that for the sake of peace the State under certain conditions advances money to create a peasant proprietary, and incurs a certain amount of risk in so doing. And if it is the case that the object of the Act is to a certain extent frustrated by the operations of the National League, it appears to me the object of the Legislature may possibly be gained in the way indicated without the consent of the tenants, with the expectation that before long they would appreciate the benefit conferred. Such a process should be a gradual one. The annual number and value of applications to be received from landlords willing to sell being limited, a landlord willing to sell should be in a position to satisfy the State as to the fairness of his rental or submit to a new valuation. He should also be prepared to allow a guarantee deposit to be retained. As to compelling tenants compulsorily to buy out their landlords, as some suggest should be done, I do not think it would be fair to allow individual tenants to do so; doing so might break up a property, greatly to the landlords' detriment, and I doubt that the tenants in globe or many estates are very anxious on the subject. If, however, the policy is encouraged, provided the rents are fair rents, the number of years purchase should be fixed by the Legislature and the tenants should make the requisite guarantee deposit. To allow tenants to buy out encumbered owners compulsorily, would simply ruin them. Suppose an estate of £1,000 sold compulsorily to tenants at 16 years—£18,000.

It was before sale subject to head rent . . .	£200
1st mortgage at 4½ for £5,000	270
2nd " 5 " 3,000	100
In all	£570

leaving a profit income of £430.

If the head rent was redeemed at 25 years' purchase and the mortgages at par, the owner would lose £205 or nearly half his income. If the charges were a little more he would lose it nearly all. Upon the subject of how rapidly payment of a sinking fund of 25 or 3 per cent. would pay off a charge, these cases are evidence. These are cases in which originally the interest was 4 per cent. with a sinking fund of 1 under the Act of 1868. I have picked out cases where there were 64 instalments, 50 instalments, 40 instalments, and 30 instalments. Now, taking the longest term, the original instalment was £12 from the 18th of October, 1876. By redeeming it under Lord Ashbourne's Act the annual instalment of £12 10s. falls to £4 2s. 2d. half yearly, or £8 4s. 4d. a

year. In the case of 60 instalments, that is a 25 years' term, and larger instalments, where the instalment was originally £15, by reduction under Lord Ashbourne's Act it falls to £9 16s. 6d. a year. I think that sufficiently shows the result I wanted to point out, that a large amount of sinking fund applied to pay off a debt in the first instance rapidly pays off the debt. These two cases quite sufficiently illustrate it. The only further point on which I have written is as to the suggested districts. I do not think that because a holding is a small one, that of itself forms any reason against its being made a subject of sale under the Act of 1885. A certain proportion of small holdings, not of sufficient size to give the owner and his family constant work, are almost a sine qua non—when in due proportion to large holdings, where occasional labour is required. The Labourers' Act 1885 & 1883 will, to a certain extent, meet this demand, but the terms are much concerned at the working of these Acts. They don't believe the labourers will pay for the houses, and that they will be a burden on rates. A house and site costs about £100, and few labourers will pay more than 1s. a week. Small farms, as indicated above, with strict control against subdivision, would be more favourably received. It is believed about six or seven acres of good land is the smallest quantity for a self-supporting farm in this country. But to find a whole district held in miserably small lots, as at Behanillas, Chibben, and Oughterard, presents quite a different problem. The rent question has little or nothing to do with their miserable state. They always have been and always will be centres of distress and consequent discontent. The remedy is to use patent, but I doubt whether any Imperial Government would undertake it in the present unsettled state of Ireland. I would certainly think it an imprudent course to stereotype such a state of things by making them permanent. The reduction between judicial rents and the instalments they would become liable to, would be a rare nothing towards the question of providing necessities of life. This is clear when it is considered that a rent of £20 is just £4 a day such to a family of seven. That it costs on an average £9 a year for each workhouse inmate, or £68 for seven persons, which the holdings must produce in money or kind before any rent can be paid. A remission of all rent won't give an extra meal a day. The case is somewhat akin to what the law sanctions, viz., clearing of rackrents; but the population, if compulsorily cleared out, must be provided for either by emigration or compensation. The present system of constant State relief for periodical famines constantly recurring is demoralising. It would be cheaper to spend a large sum in clearing, consolidation of holdings, migration and emigration. In making this statement as to these congested districts the plan before my view is to deal with the matter compulsorily by the intervention of the Imperial Government; but you would have the whole country in arms just at present, and the only thing that could be done is to thin out compulsorily and consolidate the holdings so thinned. Supposing there was Home Rule, a Home Rule Government might perhaps do it; that is, they might propose to thin them out, consolidate the holdings, and to tax them on those holdings, and perhaps to create a peasant proprietary, and to provide for the population so thinned out by migrating them to waste land, which would have to be acquired in suitable-sized farms, giving them the option of emigration. In England, in London and other towns you compulsorily thin out rackrenters pro bono publico, though the people are not provided with new homes.

(Before the Right Hon. the EARL OF MILLERS, Mr. NELIGAN, Q.C., and Mr. THOMAS KNIFE.)

MARION HAMILTON, CHAIRMAN.

Major Hamilton.

25,667. Lord Millers.—Major Hamilton, I believe you are a landed proprietor?—I am a landed proprietor in the co. Donegal.

25,668. How many acres does your property consist of?—About 35,000 acres.

25,669. Have you had much difficulty in collecting your rents this last year?—No; I cannot say there has been any regular organised opposition such as there has been in other parts of the country, but there is a great deficiency in the rents.

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25,676. Does that arise from inability on the part of the tenants to meet their engagements?—Partly it does; but there has been a great unwillingness to pay.

25,677. Should you say more than last year, or less?—You are speaking of the present year?

25,678. Perhaps I should first have asked you, have you up to this resolved your rents with regularity?—With admirable regularity. We did always up to 1879—up to that period.

25,679. Up to that you had no great difficulty?—No difficulty at all. The rents were well paid up to 1879. There has been a large arrear running up every year since.

25,680. And since then you have had difficulty?—More than we have had difficulty.

25,681. In these more difficult now than there has been in the last few years?—In the present year I do not think there is so much difficulty as there was last year. I think the tenants are more inclined to pay.

25,682. Have you had any organized agitation in your district against the payment of rent?—No, I should say not.

25,683. What class are your tenantry?—They are small tenants mostly.

25,684. What is the average?—They average diff. only in different districts. I have one estate which was £600 a year, which has about 170 tenants upon it.

25,685. How many acres each would that mean?—That is greatly mountain land, and you cannot count it by acres.

25,686. You go more by the rent?—Yes; the average is very little good in that district.

25,687. Parts of it are poor land?—Most of it is poor land. It is poor land. That is in the mountains of Donegal.

25,688. About what proportion does your rental bear to the poor low valuation?—Taking the whole estate, I should say the rent was very little over the poor low valuation.

25,689. Have judicial rents been fixed?—Yes, in a good many cases.

25,690. By agreement or by the court?—In that estate I fixed them mostly by agreement at 12½.

25,691. You mean at a reduction of 12½ per cent.?—Yes.

25,692. Have you found the rents paid with more regularity since the reduction than in the old times?—I do not think they were nearly as well paid. I was obliged this year to make the reduction up to 4s., and I do not know what will be the result of that. They did not pay on the 12½, and I was obliged to make it up to 4s. in the pound to those that were made by agreement. I gave no reduction upon the judicial rent.

25,693. But the others are judicial rents?—Yes, but they were fixed amicably between the tenant and the landlord.

25,694. Do you think that in many cases the tenants are really unable to pay?—Well, I do not think they are unable to pay.

25,695. Without making a very great sacrifice?—I hardly think it, because the men who were paying me well originally have paid nothing for the last four or five years, and I do not think that the fall in price would have made them totally unable to pay.

25,696. Have they offered to pay anything?—Nothing: one whole township has never come in to pay me a penny at all. These are small men, of course.

25,697. What is the chief produce of their farms?—I should say that they make most of their money out of young cattle.

25,698. They breed stock?—Yes, they make their money out of young cattle.

25,699. And you say they would be more hit than most farmers by the low prices of young stock?—They are hit certainly, but the prices of young stock are lower than the price of beef cattle.

25,700. They are rather better than they were last year?—There is no question about that. The prices of young stock are better.

25,701. Are they better than they were three years

ago?—I should say they are very much about the same.

25,702. Has the potato crop failed?—No, the potato crop was an excellent crop last year, but it is not quite so good this year.

25,703. Are the tenants desirous at all to buy their holdings?—I do not think that at the present time they are. I had several tenants talking to me when purchase—isolated tenants two or three years ago—they were rarely isolated cases—they did not come forward as a body to buy.

25,704. Have you any means of knowing whether they wish to do so or not—whether they wish to buy in a body?—Well, I think myself if we could get to terms—if we could come upon real terms and understand what we were about—I think a great many would be persuaded to come in a body and buy.

25,705. But do you think you could agree about the terms?—I do not know.

25,706. Are you desirous of selling?—Yes, I would be desirous of selling a good deal, but I could not sell in little bits.

25,707. Of course—I must sell the whole.

25,708. You would not pick out the places and sell them?—Of course not.

25,709. How many years' purchase do you think would be a fair price for that property?—That is exactly what I do not know. Twenty years' purchase was what was put down in the bill.

25,710. On the net rent?—Yes.

25,711. Do you think that would be a fair price for your property in Donegal?—I think myself that the rents before 79 have been paid in such a way that it would be a fair price. I think the Government would get the money if they put a firm foot down and let the tenants know that they should pay.

25,712. You think the land would form a sufficient security to the State for the advance?—Yes. The question has been raised about congested districts. To show you how the thing stood I brought up the rental on each estate. I just brought them up to show you the state of arrears on the estate of the late Mr. Connolly, over which I was receiver, and the arrears on the congested district.

25,713. By congested district I suppose you mean a large population living upon very poor land, without being able to derive a sufficient subsistence from the land?—Yes; I have the estates made out. One estate has a rental of £4,785; there are 540 tenants, making an average rent of £8 11s. On that estate there was £1,722 arrears.

25,714. For how long?—That was what I may call a standing arrears.

25,715. It never was paid up?—It lay behind. I mean that I collected the rents every year. In this year that was the arrears that was against the estate. The whole year's rent was collected. You got it paid up on an average. On an estate in Donegal you must have a normal arrears.

25,716. Mr. Nabham—How much was the year's rent?—£4,785.

25,717. Lord Ashmead—It was not quite a half-year's rent?—No.

25,718. What was the arrears?—£1,722?—Yes; but there was a year's rent paid that year.

25,719. There is always that amount of arrears due?—Yes.

25,720. That does not of course include the hanging gale?—No. That is the very reason I put it down in that way. The only rental I had was an old one. I was obliged to bring in the hanging gale when I went into Chancery.

25,721. What earthly chance is there of that arrears ever being paid?—I do not think that would be ever paid, but the tenants paid a year's rent that year on the estate. The next estate was a rental of £1,366 a year with 169 tenants, which would be an average of £8 each. There was an arrears of £889 on that estate.

25,722. There was that amount of arrears?—It was an arrears that generally was on the estate. I got a year's rent in; one man might pay two years, and

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another might go behind. There was always about that arrear on the estate.

25,717. Were any of the tenants clear?—Very few; of course some were. I do not know that I have the number of tenants who were clear.

25,718. At all events, there was always this considerable amount of arrear—even in a good year?—Yes, even in a good year. It varied a little bit. It might go down to £600, or go up to £700. In the estate that I call a composed estate—

25,719. That is the third estate?—Yes, there were 1,108 tenants; the rental was £3,008, and the total arrear was £646.

25,720. That was another permanent arrear?—Yes, I very seldom brought it below that.

25,721. Do not those arrears seem to indicate that the rents were too high?—I think not. They occur in this way. A man loses his cow or is ill, and he falls back, and he does not pay you any rent that year. The next year he pays two years' rent, and perhaps another man is then in the same position that he was in the year before, and so on.

25,722. Mr. Nelson.—Has not that arrear had a very depressing effect?—I want you to understand that it had not. I got the year's rent without any trouble from these people.

25,723. Quite so, but he man appears able to get his head above water?—It is this way. There are a certain number of—

25,724. How many men are able to walk out into the world and hold up their heads, being out of debt?—Here is one year; there were 61 tenants who paid nothing out of 480. Still I got £2,718, the year's rent.

25,725. That is a tribute to your power of collection?—I never brought the sheriff on the estate during the 12 years I was there.

25,727. Lord Millicore.—You found the people willing to pay as far as they were able?—Yes; but there were a certain number of people every year in these estates who could not pay. But I got the year's rent all the same in each year.

25,728. But I suppose if they were to become purchasers under Lord Ashburton's Act those conditions would still continue. There would still be a certain number unable to pay their instalments?—I think there would, but next year they would pay two years.

25,729. Unfortunately the State won't give time for that?—That is what they are so much afraid of.

25,730. Mr. Nelson.—I am afraid so long as the rental is of these figures you will find the estate difficult to deal with. You get rents in this way, that some men in one year pay two years' rent, and some pay nothing?—Here is one estate. There are 420 tenants; the rental is £928, which is a little over £2 a year each. The rental is £928, but I got in £947 two years, £957 another year, and £995 in another. Well, now, you see that is over the year's rent each year, but in one of these years there were 28 tenants who paid nothing, in another 29 who did not pay, and 26 in another year who did not pay anything. The State should be content the same as the landlord if it got in a whole year's payment within the year. I always had a fight with the master in Chancery, and I said to him, "If you will look into the receipts, you will find that I got in the amount within the year."

Lord Millicore.—Do you imagine that the State could deal with the tenants in that way?

25,730. Mr. Nelson.—Each purchase would be dealt with as a separate estate?—Of course it would.

25,731. Lord Millicore.—What is the price of tenant right in this composed district?—I had a tenant who the other day. His rent was £4 2s. He had £31 wiped out under the Arrears Act. He paid nothing since the Arrears Act, and he died last year. His land was sold, and to a Land Leasing, for £381.

25,732. Mr. Nelson.—To a tenant farmer?—Yes.

25,733. Mr. Nelson.—How many acres was it?—I could not tell you; there is some good land upon that.

25,734. Lord Millicore.—Were there any peculiar advantages?—None whatever; the man had nothing to do with the farm he bought.

25,735. Mr. Nelson.—Was it the widow sold?—She got it put up by auction.

25,736. At all events, it was sold by one of her own family?—It was.

25,737. Lord Millicore.—Was it bought up by some one who wanted to occupy it?—Yes, and it was a man who did not live beside it; he was a rifle army.

25,738. Mr. Nelson.—Did he pay up the arrear?—Oh, certainly.

25,739. Mr. Nelson.—The outgoing estate paid the arrears out of the purchase-money?—Yes.

25,740. Lord Millicore.—Do you think that the State, in case of a default on the part of the tenant, would have any difficulty in selling the holding?—I do not think they would. I do not think a man in the district would take 20 years' purchase for his holding.

25,741. For the tenant right?—Yes.

25,742. You think 20 years is the least you would buy the tenant right for?—In that district. In the better districts the tenant right does not run so high. It runs from 15 to 20 years' purchase.

25,743. Do you think, then, that it would be desirable that these persons should take advantage of the Ashburton Act, and that they should buy their holdings?—That is another question. How they would agree when they were independent proprietors I would not answer for.

25,744. Can you suggest any means are they is structured circumstances as a rule?—For the last few years they are, because they are not working in the same way that they were working in former years.

25,745. Do you mean on their own farms?—There is not the same industry; they do not work so hard to make up their rent that is—so far as one can judge, because it is often difficult to tell that exactly. But they do not seem to be working so hard.

25,746. Since when has that indisposition to work set in?—Since over those meetings have been held through the country. They are running from one meeting to another, and seem to think it is a very great favour to pay any rent at all.

25,747. Do you think it would be desirable to lease these districts opened up by a railway or tramway?—Yes, I think it would be a great advantage to run a tramway into some of these districts for the whole way, or within a measurable distance of it if it could not be run the whole way, to the sea. I think it would be a great advantage to run it over a part of the way.

25,748. At the present time have you no communication?—On the west coast of Donegal we have not. We have a light railway now near Donegal. We have got now at present power from the Grand Jury is run into the town of Donegal, and a guarantee at five per cent, and we cannot get the money upon that. It is only a small thing.

25,749. On a guarantee for five per cent. debentures?—Yes.

25,750. That looks as if the outside public did not look upon this as a good speculation?—Yes, exactly.

25,751. Lord Millicore.—Have you ever considered the question of migrating those persons in the composed district to better land?—They would not go, these mountain people would not go. They will send their families, the young people, who will go away. That is, the best of them go and leave the worst of them at home, and always keep hold of the farm. Even as old women will do that.

25,752. And they have no desire to emigrate?—None in the sense of giving up the holding. They will go to America; lots of the young people do go to America, but then sometimes come back again to buy a farm. But they will not give up their holdings.

25,753. Persons to the agitation were they a discontent class of men?—Not at all. I used to be the best of friends with these people, going into their houses when out shooting, and we were the best possible friends. Now they are not unfriendly with me, but still in many cases neither they nor I have the same feeling that we used to have.

25,754. They were peaceable and orderly?—Yes.

25,755. And extremely honest, I believe?—Extremely honest.

25,756. I do not know if you wish to say anything more about the congested district?—I wish to say, as I said before, that there are, as you may see by these tables which I have prepared, on the estates always a number of parties in each year who do not pay anything. I wish to say—show—that there must be always a certain amount.

25,757. Have you considered the desirability of reducing the judicial period of 15 years to a shorter term?—I would not be inclined to do that. I think every period of fixing the rent would be a disturbance.

25,758. Supposing the only question to be considered was the price of produce, apart from the value of the land itself, which would be taken to be settled by the fact inquiry—would that, do you think, have a disturbing effect on the people's minds?—I do not go in for the price of produce plan, because in the case of a lease that I have it works the greatest possible injustice.

25,759. You have a lease?—Yes.

25,760. Of that kind?—Yes.

25,761. One of the College leases?—Yes. It works the greatest possible injustice. When my tenants' rents have been lowered the College rent has been raised.

25,762. But that need not be always the case, you know?—There seems to be no chance of improvement now.

25,763. That is only where there is a very heavy head rent to pay?—It occurs in the case of the College head rents.

25,764. Supposing you had no tenants, should you be discontented with the way in which the College rents are fixed?—I hold one lease from them, which is part of my demesne. I think it works rather hard, but I would not exactly like to say when I hold in my own hands that it would work wrong. There is a great difficulty in the fixing of the rents. It costs a tremendous lot of money to put it in force.

25,765. You are not in favour of a produce rent?—I would not be in favour of a produce rent decidedly. It has raised our rents, and now the College says they can raise them again, and yet my rents have been lowered by the Judicial Commissioners from 18 to 20 per cent.

25,766. It has been suggested to us that it might be desirable that after a period of five years either the tenant or the landlord should have the power to apply at his point to have the rent previously fixed raised or lowered; that if the applicant did not succeed he should pay the costs; that having regard to the price of produce, and not again going into the value of the land, the rent should be settled. Do you think that would be desirable?—I should think not.

25,767. What is your objection?—I think it would make a disturbance, and things would be unsettled, and the people would never know what really the rent was. Fifteen years, I think, is a quite short enough period.

25,768. Do you think the rents fixed at the time of the Land Act too high now?—I do not.

25,769. There has been a considerable fall in the price of produce?—There has been some fall, but I think the rents were fixed too low—that the fall in price would be covered by that.

25,770. Supposing they had been fixed fairly then, do you think they would be too high now?—I think they were fixed—

25,771. Supposing, for argument's sake, that they had been fairly fixed, then would the alteration in the price of produce, which has since occurred, make them unfair rents now?—Well, I think hardly. My rents have been pulled down, yet they had not been changed. During fifty years I never raised them, and all the Commissioners pulled me down 20 per cent.

25,772. I was going to say that during those fifty years there have been several years when prices have been far lower than they are now?—The Commissioners pulled me down 18½ per cent. on an average.

25,773. Are you aware of that—that during the period of fifty years there were many years when prices were much lower than they are now?—If they were that would be an argument—

25,774. Yes, but do you know that to be so?—Yes, I know that.

25,775. And yet the people paid the rents?—Yes.

25,776. So that under those circumstances you do not see any reason now, when the rents are lower and the prices are not lower, why they should not pay their rent?—Exactly.

25,777. Is there any other point to which you wish to call attention?—I wish to call your attention to one thing in connection with the sales to tenants. There is a difficulty about the sale where there is a turtary. There is a great difficulty about that. The turtary is generally in the mountain end of an estate. The bottom of it is arable land, and the mountain is let to the tenant on a very small rent, subject to the landlord's right of turtary. He puts in tenants. I have one man, for example, who has about 150 acres, for which he pays £3. I have twenty men cutting, who pay £1 a year each for a rood of bog. If I sold the estate and he buys, then he will get £300 a year for ever for this turtary.

25,778. At present the right is reserved to you?—Yes.

25,779. Can you not imagine any way in which it would be reserved afterwards?—If the man could merely get sold to him the right of grazing it would be all right, but I do not see how you are to do that.

25,780. Have you any proposition to make about that?—I would suggest that where a tenant held land containing turtary to the extent of four acres of arable to one of turtary, he should have conveyed to him the land, subject to the right of turtary, but I do not think that that could be done.

25,781. Do you think that would give rise to considerable disputes?—Yes, of course he would complain that the landlord was destroying his grazing.

25,782. Would it not be better to give a larger sum for the turtary?—It would be a tremendous sum in some cases. It would be £400 or £500 a year, and that would be a great difficulty, and then some other man might open turtary bonds him and take away the tenants. That is a very difficult question. I do not know how it is to be managed.

25,783. We have had some evidence upon that point.

25,784. Mr. Mahon.—Have you known of sales under the Act of 1901?—No.

25,785. That contemplates this very case, and provides for it by a section.—I was not aware of that.

25,786. You are there is some risk in piling up legislation without understanding what exists at present. It is there in the second part of the Act of 1901—I was not aware of that.

25,787. There is a section providing for that.—I did not know.

25,788. I thought you might be suggesting an alteration in it?—No, I did not know of it. I think that in all cases the Government ought to hold the property. If there were any mines running across the strips of the tenant's holdings you would destroy the opening up of the resources of the country if you sell the land to the tenant and allow him to have the royalty upon this small holding.

25,789. Lord Millican.—How would it do for the Government to retain the right of turtary?—That would do.

25,790. Or invest it in some public body?—That could be made a bargain with the landlord when purchasing. It is a difficult question, because a mountain may be good turtary though it is not used at present. In the years of the distress I spent about £150 turning a road into the mountain to open up turtary. I have not let it yet, and I am getting no return for the money. Of course that mountain would only be sold as grazing.

25,791. You cannot keep that?—No.

25,792. If an individual sells his estate to-morrow he takes his chance?—Of course he does, if you sell a part where there is no turtary at the judicial rent, but where the landlord is expecting to make money out of the turtary, that would not do. There is another question with regard to the sales that I think

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ought to be looked at. The Government ought to buy the estate and sell to the tenants, because the landlord would have to make out his title for his tenants. Now the tenant's title is often a very bad title. We always hold that when a tenant died his eldest son or widow came into the holding, but the law as it stands at present makes that the value of the holding is divided amongst the whole family, and I have known a man to come back from America many years after the father's death and claim his share of the land.

25,796. There is a provision in the Act, as you know, enabling the State to buy the holding and sell to the tenants?—Yes, that would take the cases from the landlord and make the title to the tenant.

25,797. The State could confer absolute title?—Yes, a title in the tenant subject to some one else taking it from him—that it was the tenancy that was sold.

25,798. Mr. Nelson.—That would be rather a poor title.

25,799. Lord Melbourne.—It strikes me that may form a new difficulty in the way of selling at all?—Yes, there should be something in the Act of Parliament to meet that.

25,800. Mr. Nelson.—Whoever takes out administration from the deceased person will have the right?—Yes, but they do not understand much about administration.

25,801. It would be a simpler method to take out administration, which can be done for a few shillings on a small property?—Yes, but some more may come back from America. Now, with regard to the Trinity College land rents I do not know what should be done about them. The rent is being raised on us.

25,802. Lord Melbourne.—I do not see how that comes within the scope of our inquiry.—I do not know if you will allow me to say anything about that subject. I cannot sell my property. It comes under your inquiry in that way. A great number of those would have bought, but I could not sell. Trinity College cannot sell.

25,803. Supposing that Trinity College was compelled to sell—would that meet the difficulty?—Yes.

25,804. You are prepared to give an adequate price?—If it was to be sold we ought to get a statement of the price that they would sell at.

25,805. I suppose you do not want to have a fair rent fixed on the College estate?—We cannot go in.

25,806. Would you like to?—To give up our interest and all that?

25,807. To have a fair rent fixed by the Land Commissioners.—That is what I felt inclined to do in the first case, taking into account what we had paid to the College.

25,808. Mr. Nelson.—You could not do that.

25,809. Lord Melbourne.—If you had a fair rent fixed it would be on the same principles as those applied in the cases of the occupying tenants?—Certainly, but if they had fixed down the rent that men ought to be taken into consideration.

25,810. That is by fines to Trinity College?—Certainly; not by fines to any one else. I knew they are unable to sell, because I asked them to sell part.

25,811. Understood that principle. Supposing a tenant farmer paid a fine on the taking out of the lease he would have a right to come in and have that taken into consideration?—Most decidedly, if he paid a fine on the taking out of the lease. I think that should be taken into consideration. It is the same thing as a certain amount of rent.

25,812. Mr. Nelson.—He has been paying rent and interest on the fine?—Yes.

25,813. I am afraid that is a question with which we cannot deal.

25,814. Lord Melbourne.—At any rate, if the College was able to sell its estates, or, still more, if it was compelled to sell, that would meet your case?—It would meet the case.

25,815. I suppose they do not take very much interest in their property there?—No, they do not.

25,816. You of course submit it to the tenants at

considerably higher rents than you pay the College?—Certainly.

25,817. What you mean of course is that your margin of profit has been diminished?—Yes, diminished on the one side and raised on the other side. The rents we are paying have been raised, and the rents we are receiving have been diminished.

25,818. Raised with reference to the price of produce?—Yes.

25,819. Which was the original contract?—No, it is not the contract. I do not object to the contract. I would be sorry to break the contract, but we entered into a sort of partnership with the College as to the price. They say, "What we set to you is more profitable because prices have risen." The Sub-Commissioners come down and say, "The profits are less than they were because prices have fallen."

25,820. Mr. Nelson.—I cannot follow you anymore. Your rent is calculated on a different basis from that of the occupier. If the occupation rent be a fair rent you should pay the College that rent?—No; because we had a beneficial interest when the Act of '61 was passed.

25,821. The only way to reach your point would be by a readjustment of the College rents on the basis of the schedule of the Act?—We want the produce chain changed.

25,822. At all events, that is a matter we have nothing to do with. We are inquiring into the Acts of '61 and '65.—You have not power to do anything?

25,823. Further than to recommend that the College should sell?—Yes.

25,824. The periods of revision are 20 years?—10, we think they should be changed to 15 years.

25,825. That would make it worse for you?—It does not make the least difference.

25,826. There should be a new account taken as between you and the College.—We can only do that every 10 years.

25,827. The only way in which the change of law can reach you is to have a readjustment of the rent next year.—That would be rather breaking the contract, and we wish to avoid that, we want to keep it.

25,828. Keep it and pay them. They will take your money with the greatest pleasure.

25,829. Mr. Anson.—I think you said you gave your tenants a reduction this year?—Yes; I gave a reduction on the estate I mentioned.

25,830. The tenants who got judicial rents fixed received no reduction?—No.

25,831. Has it been a common occurrence in your locality for landlords to give reductions on the judicial rents?—I do not know any landlords who gave reductions on the judicial rents—that is, where they had been in Court. But they gave reductions in some cases where the rents had been settled amicably. Settling the rents amicably saved a good deal of trouble and expense to both landlord and tenant, and it was quite a different thing when they went into Court.

25,832. I think you said, looking at the low price of cattle, that the small farmers were placed in a more difficult position than they had been in before?—Of course it did. The price of cattle has gone down.

25,833. You are very well acquainted with the price of cattle?—Yes.

25,834. How much would you say they are lower now than five years ago?—Best is lower, and that affects the larger farmers. Young cattle are not so much lower. They are lower to a certain extent—a little, but not so much.

25,835. We have had evidence to show that they are?—I find young cattle are—

25,836. I am speaking of 1881 down to the present time. Has there not been a great reduction in the price of young stock?—There has been some reduction, but very little, I think—in young stock, yearlings, and that sort of thing, which is principally what the farmers sell.

25,837. Would a reduction in that class of cattle have a serious effect upon the small farmers?—It would decidedly.

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25,835. I think you said they depend very much upon young stock?—Yes.

25,836. And was it in consequence of the reduction in that class of cattle you felt justified in giving a reduction?—Yes, there is general depression.

25,837. Looking at the financial position of farmers in your part of the country, do you think they are in a better position or a worse position than at the time the Land Act was passed in 1881?—I think they are in a worse position.

25,838. It has been said that in some cases they have money and are not willing to pay?—I do not think about me that is much the case.

25,839. You said that as a rule they are very honest people in your locality?—They are.

25,840. And would pay their demands if they had the means to do so?—That is another thing. They would rather hold back. They do not make exertions to pay.

25,841. But from what you know do you think they would pay if they had the means to do so?—I would not exactly say that of them all.

25,842. With reference to the purchase clauses of Lord Ashbourne's Bill am I right in saying that you are willing to sell to the tenants?—Yes.

25,843. Have the tenants the same desire to buy now as they had some years ago?—I do not think so. They seem to think they will get the land for nothing.

25,844. Has any arrangement between landlord and tenant been made under this bill?—I do not know of any sale that has taken place, nor of any agreement that has taken place. It appears that, so far as the engaged farmers are concerned, the Commissioners will not give anything for them. They are far away the district which I would look to selling first. They lie away in the mountain districts.

25,845. Do you think that Act could be altered or improved in any way, by the State interfering between landlord and tenant in order to complete or effect sales?—I would be afraid to enter into any such matter.

25,846. Where 75 per cent. of the tenants are willing to buy on a property do you think it would be a desirable thing that if the landlord was not willing to sell there should be compulsory sale?—It would depend very considerably upon what the price was. In some cases if you had very low prices it would be very hard on the landlord.

25,847. It would in that case be taken out of the hands of the tenants and put into the hands of competent men, who would look at the whole surroundings as to what the tenant should give and what the landlord should take,—I do not know that I should be exactly to do that. I suppose it will come to that. I expect it will come to compulsory sale.

25,848. I want to have your opinion.—It would require a great deal further information about the sort of prices that would be given.

25,849. The landlords might want too much, and the tenants might want to give too little, and if a court of the kind was established it would take the matter out of their hands.—It might take away the landlord's means altogether. You hold one-fifth and only give three per cent. for the money, and it might leave nothing.

25,850. Mr. Kellogg.—The result would necessarily be ruin to the man with small margins?—That is what I am afraid of. We pay five per cent. on encumbrances, and that does not work at all.

25,851. Mr. Kellogg.—Had not the landlords the same cause of complaint in the Act of 1811? Can you see any such difference between reducing the rent and fixing the price?—It would be a blow in the same direction.

25,852. Speaking of tenant right in your locality, you mentioned the case of one farm. Was it sold this year?—Yes, some time about January.

25,853. Were there any other farms offered for sale?—I only know one farm sold, and it was sold to a Lord Leinster. I am not very positive about the exact figure, and so I would not like to state what it was sold at. It was sold to the President of the Land

League under a decree of the Court, and he brought it in under the decree and sold the man who was in possession. That was sold at a very low price indeed.

25,854. And perhaps there may have been some other farms sold?—I do not think there were; that was sold under a decree of the Court. That was not one of our sales, it was an execution sale, and it only proves that those men will go and make execution sales.

25,855. I think you said in reply to his lordship that you think the rents fixed in '81 and '82 were fair rents now, although prices have fallen since then, the price of young cattle and other produce?—I think they are still fair rents.

25,856. I would like you to reconcile those statements. I would like to know how you have come to that conclusion?—Times vary, I take it, were settled on a basis for fifteen years.

25,857. Mr. Kellogg.—You do not meet Mr. Kellogg's question.

25,858. Mr. Kellogg.—Are you giving reductions yourself?—Not on the judicial rents. I have given reductions on the other rents, which have brought them nearly about equal to the judicial rents.

25,859. A number of landlords have given reductions on the judicial rents?—That I cannot help. They have a different opinion from me about it.

25,860. Has the foreign produce that has come into this country had the effect of lowering the prices of what we produce here on our farms?—For myself personally, I do not think the foreign produce is doing us so much harm. I think the reason is the English artisan being at present unable to buy. If he was well off and able to earn money I should not have the least fear of foreign produce. That is what I think accounts for the fall in prices here.

25,861. And if we had not a very large quantity of foreign produce in this country you would have higher prices?—I will give you an instance. I send a quantity of rabbits to Liverpool, and I used to get 2s. and 2s. 4d., and now I only get 1s. 8d.

25,862. Has your attention been called to the reductions that the English landlords are giving to their tenants?—It has.

25,863. Looking to your statement that the rents fixed in '81 and '82 are fair, how can you reconcile that with the fact that the English tenants, who have more advantages than our farmers, yet their landlords have found it necessary to give them those reductions?—May I ask when the English landlords' rents were fixed? My rents were fixed in 1826, and the English landlords' rents have been very considerably raised since that. So much so that I should say the reductions have not brought them down to what they were.

25,864. And your tenants got a reduction of 18 per cent. in the courts?—Yes, any man who improved his land. Any man who did not, did not. If they did nothing their rents were kept the same, but where the tenants had improvements those were taken out of the price of the rent.

25,865. By giving him credit for the improvements?—Yes. The more could be put upon improvement, the more my rent was reduced. Where there were no improvements, it was put so that it only showed that the rent of 1826 was a fair rent.

25,866. Are not the Commissioners supposed to take these things into account?—Of course they are, but they take into consideration what the tenant has done, and take very little into consideration what the landlord has done.

25,867. Notwithstanding that they gave 18 per cent. reduction on your property?—Yes.

25,868. That would appear to show that those rents were high?—Where the tenant improved the holding; but where they did not improve, they did not usually get a reduction.

25,869. Both class of tenants went into Court?—Yes.

25,870. And the outcome is that they got 18 per cent.?—Yes, on some.

25,871. That would show that the rents were pretty high?—At all events, as you have mentioned about the

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- Dec. 10, 1844. English landlords, I may say that I think you will find their rents were raised very considerably since 1826.
 25,872. They have been making reductions lately?
 —Yes.
 25,873. Is it not a fact that the landlords in England made all the improvements?—There is no question about that.
 25,874. That is not the case on your property?—No.
 25,875. The tenants made the improvements?—Yes. The landlord makes a good deal; but it does not signify; whether he does or not, the rent is set down. There

was one case of £28 rent set down to £24. The rent was never raised since 1780, and yet they cut me down though I had made 2,000 perches of drains on it. The original lease was given to a man to entitle him to vote. It was raised, on appeal, to £26.

25,876. Mr. Nelson.—Did the Commissioners in your part of the country give great satisfaction to the tenants?—I do not know.

25,877. Mr. Keble.—The tenants have been complaining that the rents were fixed too high?—They complain, for they think they should get them for nothing.

Mr. D. G. Cass, examined.

- Mr. D. G. Cass. 25,878. Lord Milborne.—I believe you are a tenant farmer in the county Tipperary?—Yes, and under-agent too.
 25,879. How many acres do you farm?—I have 100 Irish acres in my own hands.
 25,880. Do you mean that it is your own?—I have it rented. I farm that.
 25,881. You pay rent for it?—Yes.
 25,882. What is your tenure?—From year to year.
 25,883. You have not gone into the Court, then?—No. I took it since '81.
 25,884. You have been placed on the land since '81?—Yes.
 25,885. Had you any previous connection with land?—Not except as under-agent.
 25,886. Then the rent was fixed by agreement, I suppose?—Yes.
 25,887. Is it a judicial rent?—No.
 25,888. Not an agreement in Court?—No.
 25,889. I presume, then, you are satisfied with the rent?—Perfectly.
 25,890. Oh, of course, you would have gone into Court?—Yes.
 25,891. Are the judicial rents fair in your neighbourhood?—I think so.
 25,892. Is there satisfaction with them amongst the people?—There are some of the tenants grumbling a little, but not many. There are some of them not satisfied.
 25,893. I suppose it is more difficult to make the rent these last two years than it was in the last three or four previous ones?—This year I think it was.
 25,894. This year?—Yes, and the reason that I think this year is so much harder is that we had very bad weather in the harvest.
 25,895. A difficulty in sowing the corn?—Yes.
 25,896. Do you depend upon the oat crop much?—Yes. Barley was not quite so good, but the oat was very good.
 25,897. Better than last year? (No answer.)
 25,898. Mr. Nelson.—What part of Tipperary do you come from?—Near Nenagh.
 25,899. Lord Milborne.—You had a good grass crop this year?—Yes.
 25,900. And did your stock do well?—Yes, my stock did very well, and generally, all round the country, the grass was much better this year than last year.
 25,901. Then why is it a worse year for the farmers than last year—because the grass is a very important item in the Tipperary farmers' account?—Yes; the bulk of them about us have a good deal of tillage. They are generally tillage farms.
 25,902. Why have the tillage farmers not found this so good a year as last year?—Owing to the bad weather—the month of bad weather that we had.
 25,903. Is the potato crop good?—It is not quite so good this year.
 25,904. Last year it was good?—Last year it was good. It was a fair crop this year, but not so good as last year.
 25,905. You think the tenants have some difficulty in meeting their engagements this year?—But I think there is a good deal of that owing to themselves. They are very extravagant in a good many cases.

25,906. Have they reduced their expenditure in these bad times?—No.

25,907. Have the gentry reduced theirs?—Yes, they were forced to do it.

25,908. But you do not think the tenants have?—I do not think so.

25,909. Do they live better or worse than a few years ago?—I think they drink more. I think there is more drink consumed. When they have thinking machines, very often they will all go home drunk. I saw an occurrence of that sort the other night, and it is quite a common thing.

25,910. And has there been an increase of that kind of thing?—I think so. I think it is on the increase.

25,911. Since the agitation act is?—Since the agitation act is the people have got in the habit of drinking more than formerly.

25,912. Although, as you say, it may be difficult this year to make up the rent in some cases, are you of opinion that on the whole the judicial rents have become unfair rents?—No, I am not.

25,913. I suppose having a fixed rent there must come years when it is more difficult to pay it than in others?—Of course, in the course of nature it must; but I think on the whole that which economy the tenants should be able to pay the judicial rent this year.

25,914. Is there a combination amongst allowing them to pay their rents?—There is.

25,915. Those who wish to pay are not allowed to pay?—I know men both able and willing to pay who are not allowed to pay.

25,916. Does the National League flourish in your neighbourhood?—Yes.

25,917. Is there any boycotting, or how do they enforce their demands?—There is boycotting to a certain extent. For instance, farmers that I have known to pay their rents will not be spoken to by their neighbours on the road. There is nothing in the way of preventing them from getting food, but as far as speaking is concerned they are boycotted. They will pass them and won't speak to them or take any notice of them.

25,918. You have been free from outrages?—Yes.

25,919. Tipperary has quite lost its old name?—Yes.

25,920. And become a most respectable part of the country?—Yes.

25,921. But there is, you think, a combination?—I am quite sure of it.

25,922. To prevent those willing to pay from paying their rent?—Yes.

25,923. Do you think that the tenants on the whole could pay this year?—I know there are a great many could pay.

25,924. I mean on the whole?

25,925. Mr. Nelson.—As a rule?—As a rule I think the tenants could pay this year.

25,926. Lord Milborne.—Have they paid?—Some of them have. On the Toler property the bulk of them have paid the May rent.

25,927. The May rent is collected in November?—It is collected in August, and the bulk of the tenants paid then.

25,928. Have things got better in the way of pay?

ment of rent within the last fortnight or three weeks?—No, worse.

25,929. Was it better two months ago?—It was much more so two months ago.

25,930. Was there a marked improvement then?—Yes, if the agitation kept quiet. The tenants were more inclined to pay than then now. But they are not inclined to pay now, and those who are inclined to pay are afraid.

25,931. What do you attribute that to?—The National League is very busy.

25,932. Is it a considerable influence?—It is.

25,933. Do the people willingly belong to it?—A great many of them do not.

25,934. Do you think it would be a popular thing in the country if they could be delivered from the rule of the National League?—I think it would be one of the greatest blessings that the country has seen for a long time.

25,935. Do the people think that?—A great many are growing under the oppression, and they cannot rid themselves of it.

25,936. Are those who are inclined to support it the most thrifty of the people?—I think they are the most thrifty that are supporting it the most.

25,937. Bankrupt tenants and such like?—Yes.

25,938. Is it your experience that the well-to-do tenants would not support it?—They would shake themselves free from it if they could.

25,939. Has there been hitherto a good feeling between the landlords and tenants in your locality?—Yes.

25,940. No personal animosity?—None whatever.

25,941. Are the people anxious to buy their holdings, do you think?—They are if they could get them cheap enough. Some of them are anxious to buy if they could get them cheap enough.

25,942. Is their desire to reduce the amount that they have to pay, or is it a desire to become the owners of the land?—I think it is more to become the owners of the land.

25,943. But they are not prepared to make sacrifices for that?—No.

25,944. But if they got it on the same rent as now—on such terms that the instalments and the taxation would not increase the amount they pay now, do you think they would wish to buy?—On the Hackitt property—quite close to Nenagh—they have been offered the land at 18 years' purchase, and they refused to buy at that.

25,945. Are they judicial rents?—Yes.

25,946. Fair rents?—Yes.

25,947. They declined to buy?—Yes.

25,948. Does that disinclination arise from the idea that they will get it cheaper if they wait a little longer?—Yes, I think so.

25,949. That is a perfectly natural idea on their part—I would not blame a man for trying to get it reasonable.

25,950. Do you think that if there was a restoration of law and order they would be anxious to buy?—I think they would at the terms offered.

25,951. The reluctance arises from the desire to get it cheaper?—Yes, and they are hoping, I believe, that if they hold on they will get it cheaper.

25,952. Is there any recommendation that you would like to make with regard to the working of the Purchase Act?—The only thing I am afraid of is that hereafter there may be a good deal of subdivision. I have always been afraid of that in connection with the Purchase Act.

25,953. Do you think they are as anxious as ever to subdivide? I think they would if they were poorer proprietors.

25,954. It would be forbidden by the law until they paid their instalments, but I suppose you anticipate a difficulty in carrying that prohibition out?—I believe there would be.

25,955. I suppose, even now, there is a certain amount of difficulty?—I know that, if the landlords had

not been very rigid, there would have been a good deal of subdivision. Enc. 18, 1896.

25,956. Do you think that their purchase of the holdings would tend to make the tenants more loyal and anxious to uphold the law of the land?—Well, it would in some cases, I think. Mr D. G. Cross

25,957. Not in all?—Not in all, I think.

25,958. It would have a tendency in that way?—It would; but I think there are some of them about us that nothing would make loyal.

25,959. Have you ever considered whether it would be desirable to shorten the judicial term of fifteen years?—I do not think it would.

25,960. You think it is short enough?—I think it is quite short enough.

25,961. You do not think it would be desirable to have a revision every five years on the application of either the landlord or tenant at his peril—that is to say, on the ground of the rise or fall in prices only, without taking into consideration the value of the holding?—I think that would be a very difficult thing to be done.

25,962. Very difficult?—Yes; to go over the whole county and arrange it that way every five years.

25,963. You think there would be a difficulty in ascertaining the prices?—I think there would.

25,964. You should give every week ten?—I do not think you would have to do that, but I think there would be a difficulty in going over the property every five years. Supposing it was a large property, it would be discouraging the whole thing. I think fifteen years is quite short enough.

25,965. Supposing that the prices were taken from the Government return every year?—I valued for the Land Act, and I took them into consideration for the fifteen years; and I allowed for the fall. In '81 or '82 I did not think we were at the bottom of the depression.

25,966. Then you have not been surprised at the fall?—No.

25,967. You took it into consideration?—Yes.

25,968. Was that the case with many valuations?—I could not say.

25,969. If they know their business, they should have done so?—Yes.

25,970. And the Sub-Commissioners also, I suppose?—Yes.

25,971. You do not think that there is anything extraordinary in the fall?—No. I anticipated that there would be a fall. I thought that we had not seen the worst.

25,972. Mr. Keizer.—Were you one of the Sub-Commissioners?—No.

25,973. You were a valuer for the Court?—No; a valuer for the proprietors.

25,974. You were not employed by the tenants?—No.

25,975. Lord Midleton.—In your judgment, having a very large experience, you were of opinion that we had not reached the worst?—Yes.

25,976. And the fall that has since occurred has not surprised you?—No.

25,977. Do you think that it should have been taken into consideration as a possibility when the rents were fixed?—I think it was, too, because in most cases the Commissioners fixed the rents a little below my valuations.

25,978. They did?—Yes.

25,979. Would you go as far as to say that they possibly accepted your valuation?—Yes. I have had a good deal of experience, and I thought I was going fairly about it, and sometimes I thought that the Commissioners were going too low.

25,980. Mr. Keizer.—Is your farm partly tillage and partly grazing?—It is generally grazing. In fact, it is all grazing except a little bit about my house, where I am living.

25,981. Is it in the county Tipperary?—Yes.

25,982. Do you buy stock?—Yes.

25,983. In the spring of the year?—Yes. I have a

Dec. 18, 1884. mixed grazing farm—cattle and sheep, and I breed lambs.

Mr D. G.
Coom.

25,984. What is your experience about the price of young stock?—They are lower than five or six years ago.

25,985. Are you able to say how much lower you bought them last year than in '81 and '82?—About '80, calves were about £3 each in November, and this year I bought calves about the same quality at £2 3s. 6d.

25,986. Do you buy two-year-olds?—No; I chiefly buy calves.

25,987. There are young calves reared this year?—Yes. I bought year-and-a-half olds the other day at £8 15s., which I thought was a fair price.

25,988. You do not think they are any lower now than five or six years ago?—They are—little.

25,989. Are you able to say how much?—I tell you I bought calves five or six years ago at £3, and this year at £2 3s. 6d.

25,990. Am I speaking of two-year-olds?—I do not buy two-year-olds.

25,991. Are they £3 each lower now?—I should think 30s. at all events. Lambs are better this year than last year or the year before. I sold for 50s., and I could only get 25s. last year, when I thought they were better lambs.

25,992. You say it is a better crop of oats?—Yes, I think it is a better crop this year. Barley is not so good. The rain in the winter seemed to me to destroy the barley.

25,993. You cannot see any reason why the tenants are not able to pay this year, with the abundant crop and the good price of cattle?—I think the tenants would have more difficulty in paying this year, because they have had a good deal to contend with, owing to the bad weather.

25,994. You do not see any other reason but the bad weather?—The harvest is out three more to enable them to move their crops than last year. It was a great expense and drawback.

25,995. How long are you in this farm?—About three years.

25,996. Were you farming in Ireland before then?—I have been in Ireland twenty-five years. I came here in 1860.

25,997. From where?—From Scotland.

25,998. Have you found farming in Ireland profitable?—I never went into it until I got this farm three years ago. I can find this a better year than last year was.

25,999. Have the last three years been profitable?—Generally not.

26,000. I suppose that your business as a valuator was perhaps more profitable than farming?—Sometimes it was not very profitable.

26,001. It was a great addition to the farming?—It was of course, but I could live on the farm without it.

26,002. Would you be able to save much money?—I do not think I would. But I think these times are times only when we should just be able to float along.

26,003. Have you any expectation that times will improve?—I think they will after a time, but not immediately. I do not anticipate any great improvement immediately.

26,004. As long as we continue to get a large quantity of foreign produce of all sorts will it affect our prices here, do you think?—It will, I think, to a certain extent; but if trade was much better in England than it is it would improve. I do not think we need fear foreign competition so much. I think we suffer more from the depression of trade in England than from foreign competition.

26,005. Were you requested to come here and give evidence by the landlord or the tenants, or were you asked to come here by any one?—No, until I got notice.

26,006. Who intimated that you were willing to give evidence?—I did not volunteer any evidence.

26,007. Speaking as a farmer, you do not see any reason why the tenants should not pay this year?—I do not see any reason why they should not attempt it; they are not trying to do it.

26,008. Have any reductions been given in your locality?—Yes.

26,009. Any reductions on judicial rents?—In some cases, but not generally.

26,010. Do you think that the rents fixed in 1881 and 1882 are fair rents now?—I do, because I think the rents fixed in 1881 and 1882 were quite as reasonable as the rents fixed in 1883. That is my experience.

26,011. If you were called on now to value the farms that you valued in 1881 and 1882 would you put as high a valuation upon them as you did then?—I think I would.

26,012. Would you think the Sub-Commissioners were justified in giving from 7 to 15 per cent. additional reduction from September 1885 down to the present?—I could not tell you that there were rents fixed in the summer of 1881, which I consider was as bad as now, and I consider that the Commissioners in 1881 and 1882 made as liberal reductions as last year.

26,013. We have it in evidence that they gave from 7 to 15 per cent. additional reductions from September 1885 down to the present?—There have been no cases told us since September 1885.

26,014. Has your attention been called to the reductions the landlords in England have been giving to their tenants?—Yes.

26,015. But you see no reason why the tenants here should not pay?—But I know that the rents in England and Scotland are much higher than in Ireland.

26,016. In consequence of the landlords making the improvements?—Not only that, but from the state of the markets. I know a friend paying £8 the English acre for land, which I would not give the same for here. Of course he is complaining, but he is only three miles from a market town.

26,017. When the lease expires he can make new terms with the landlord?—Yes.

26,018. And he has no capital invested?—He has only £8,000.

26,019. What do you mean?—Floating capital on the farm.

26,020. But he has not been called upon to make any building?—No; they were erected.

26,021. The landlords as a rule do that?—Yes.

26,022. It is different with the Irish tenants?—In some cases; in most cases.

26,023. Lord Milnes. Are you aware whether the rents in Scotland have been raised within the last forty years?—Very much.

26,024. Previous to '79 or '80?—Very much.

26,025. It has been said that they have been raised by over 40 per cent.?—I could not say exactly, because I have been here for twenty-five years, and only go there occasionally on a visit; but there were cases where in my own knowledge the rents were fearfully high. When I went over and saw the land I could not help thinking that.

26,026. A very large reduction there would not bring them lower than they were forty years ago?—I think not. On one farm that I saw 50 per cent. reduction would not bring it down to a free-and-easy rent.

26,027. Have the rents in Tipperary been raised in the corresponding period?—I know cases where the lands were taken in '47 and '50, and the rents were never raised from that to this.

26,028. So that a reduction on those lands would mean a very much larger concession to the tenants than the same reduction to the Scotch tenants?—I should think so.

CAPTAIN COOKE, examined.

Dec 18, 1886

Captain
Cooke.

26,029. Lord Milford. — You are a landed proprietor in the Queen's County? — I am.

26,030. Have you any objection to state how many acres you hold? — I hold about 11,000 acres.

26,031. How is it chiefly held? — It is chiefly held by yearly tenants.

26,032. Tenants who hold under judicial rents? — A good many tenants have taken me into Court. Fifty-seven have had judicial rents fixed.

26,033. How many, do you say? — Fifty-seven.

26,034. Fifty-seven out of how many? — That would be hard for me to say. There are somewhere about 500 names on my books—large and small tenants, cottiers, and all.

26,035. Have you had much difficulty in collecting your rents this year? — This year there was a strike against the payment of rent, and a demand of 30 per cent. of an abatement, but I would not make any abatement, and the result is that they are paying.

26,036. They are paying you without reduction? — Yes.

26,037. Have the tenants had much difficulty in making their rents this year? — I have been asked that question repeatedly—what my opinion was with regard to the produce of the year; and I argued that the produce of the year is good—particularly good in the neighbourhood around me. Where the land has been properly tilled it has produced from 16 to 18 barrels of oats and barley per acre; and although the price is low in consequence of the sample being bad, yet the quantity makes up for the low price.

26,038. Then you think they have not had any great difficulty in making the rents? — Not any great difficulty.

26,039. Was this a better year than last year? — The produce was better this year.

26,040. Do you think that the judicial rents fixed in 1882 and 1883—supposing them to have been then fair—have become unfair now by reason of the fall in price? — No, certainly not; I am sure they are not too high. From a landlord's point of view I would say that they are too low, but as to being too high—no.

26,041. You think that these rents have been fixed at too low a figure originally? — That is my opinion.

26,042. And is that the reason that they are not now too high? — Yes. I think that the produce of this year is better than it has been for many years past.

26,043. And, notwithstanding the low prices, you think that the farmers had no great difficulty in making their rent? — No. As regards oats, there are very few fields of herds now in Ireland, and consequently fewer keepers. I think that free trade has a great deal to say to the general depression in England, as well as in Scotland and in Ireland.

26,044. The low price of stock—has that anything to say to it? — Yes, but only while the fall in prices was taking place.

26,045. Whatever is the cause, the fact of low prices must be injurious to the farmer? — Very injurious; but he has a yield of from 16 to 18 barrels per acre this year on properly tilled land; and as regards turnips, I never at any time saw a better crop than this year.

26,046. How the price of the stock, which is much lower this year than previously—has that much affected the farmers in your neighbourhood? — The farmers are at present getting low prices for their cattle, but then you must bear in mind that the year before they replaced their cattle at low prices; they are, therefore, not at a loss as they were three or four years ago, when they bought at high prices and sold at low. This winter, cattle are very much higher in price than when Griffith made his valuation, and they are much higher than in 1856 to 1859.

26,047. Now, with regard to the working of the Land Act of 1881, has it been satisfactory in your judgment? — The working of the Land Act of 1881?

26,048. Yes—As regards the landlords do you mean?

26,049. Well, generally speaking, has it, for instance, rendered it easier than before to collect rents? — Well, since the passing of the Land Act, in consequence of the agitation, there has been great difficulty in collecting rents. I consider it was more from the agitation than from any inability on the tenants' part to pay.

26,050. But has that difficulty arisen since the passing of the Land Act of 1881? — I think to a great extent.

26,051. Are you aware that one of the instruments to the passing of the Land Act was to render the landlord's task in collecting his rents much easier than it had been hitherto? — Yes.

26,052. Is that your experience? — I don't think it did that.

26,053. Do you wish to give any evidence about the Land Act of 1881? — Well, I must say that the Land Act of 1881 has been particularly hard on me. I have always endeavoured to do good to my tenants, and I took every opportunity of aiding them. I took advantage of the Improvement Act, and went in for thorough drainage in 1863 and since under the Board of Works—on a very large scale, and I can show that what I did was well done; I can produce to the Commission the reports of the judges of the Royal Agricultural Society of Ireland, which will show that on four or five occasions I won the gold medal of the Society for the provision, for the largest amount of well-executed drainage; and I won for three years the Tulloh Challenge Cup, which was open to all Ireland to compete for, for the best drainage done by any landlord in Ireland for his tenants, and I now own it. I was also awarded cups for the best farmhouses and offices built in one year, and I won on several occasions prizes offered for cottages, single and in groups. I state that to show that what I did was well done. I was security for my tenants for the loans obtained from the Board of Works at the rate of 6½ per cent. for 22 years, or 5 per cent. for 35 years. In 1883 I sent for them, and of my own accord reduced the interest from 6½ to 3½ per cent. on the loans in the hope that it would be a final settlement, but although they accepted that settlement they declined to sign the agreement. They accepted the terms and paid the reduced rent, and then in 1884 and 1885 took me into Court. There was no credit given to me for reducing the interest from 6½ to 3½ per cent.

26,054. Were the rents before that much above Griffith's valuation? — I think about from 15 to 20 per cent.

26,055. Is Griffith's valuation supposed to be high or low in the Queen's County? — Low, as it was one of the first counties valued and prices were then low.

26,056. Which? — I never heard it was so high; of course it varies and is different on great farms.

26,057. Of course it varies very much in various counties? — Yes; I laid out under the Board of Works, and am paying the mortgage interest at £19,986 for drainage and building cottages and other improvements for the tenants. I pay this money out of my own income. For that money I have had to pay annually £1,168. This year it is reduced to £1,070. I have to pay that to the Board of Works, although the tenants' rents have been reduced, and I am therefore out of pocket that money.

26,058. You lose that amount? — Yes.

26,059. So far as you are concerned, the Land Act of 1881 has not, you would say, proved an encouraging one to improving landlords? — That is my opinion and experience. That is my case.

26,060. Those facts, I suppose, are all laid before the Sub-Commissioners? — Yes, but the Sub-Commissioners will not adequately take into account money put into the land by way of improvements. What they say is, "We value the land as we find it." As an instance of that, if you will allow me for one moment, I will mention

Dec. 19, 1886. a case. On one of my farms a man named Fitzpatrick held at a rent of £31—Griffith's valuation being £14 15s.—I laid out £156 14s. in drainage on the farm, and after deducting the interest to the Board of Works on £156 14s. from the judicial rent fixed at £13 10s. I am left £3 15s. for the next three years on thirty statute acres.

26,061. Now, this was that was borrowed by you from the Board of Works not with the full concurrence of the tenants?—Yes; in no case was any money borrowed or spent except at the request of the tenants. Just to show you, if you will allow me to go over one of the reports of the judges of the Royal Agricultural Society, it states—"From inquiry made, we ascertained that Captain Cooby, in doing the whole of his work, has availed himself of the facilities afforded by the Land Improvement Act, and has carried out the works with money taken up from the Board of Works, and has made arrangements whereby the tenant who derives the benefit and who pay the interest are fully satisfied. In projecting the drainage, the tenants wished to be consulted in the first instance as to whether it shall be done or not. If agreed to and the work commenced, the tenants are bound to sign all the certificates of measurement and for payment, as they are quite alive to their own interests, and will not bind themselves to pay for work badly done. A very good check on the efficiency of the work from day to day is thus created, and in after time there is no possibility of complaint as to the inefficiency of work, as the tenant himself is a co-inspector together with the agent of the owner and the Clerk of Works." This is a copy of the report of the judges of the Royal Agricultural Society, which is in print in the books of the Society. It proves, as I told you, that in no case were any improvements forced on the tenants, and that everything that was done was with their entire sanction.

26,062. Have you appealed from any of those judicial rents?—I have appealed in several cases; and to show the great disadvantage under which the landlords labour is appealing, I will mention an instance in the case of a man named Kenny, whose rent was fixed by arbitration in 1878; he chose one valuator and I selected another, there being no umpire to set with them. The rent was fixed at £30. He continued to pay that down to the year 1883, when he took me into Court before the Sub-Commissioners at Abbeylara. The chairman of the Commissioners stated that, as an agreement had been entered into in 1878, when the land was in great demand, he would entertain the case, but if it had been entered into in 1880, when the land was at a reduced value, he would not have allowed the case into Court; but he considered the whole circumstances, and awarded that the rent should be £71. From that decision I appealed, and the Chief or Head Commissioners sent down their Court valuer, who, on inspecting the land, valued it at £78. After the lapse of nearly three years the appeal came on before the Head Commissioners about two months ago, and although the award made by their own official valuer at £78 was brought before them, they, without any further evidence, reduced the award of the Sub-Commissioners from £71 to £66, thus making it £12 less than their own official valuer had named.

26,063. Do you say they did not hear the appeal till three years after it was lodged?—It was two years and ten months before it was heard. There is another case, of a man called Sherrell, who, about five or six years ago, came to me in person, and asked to be allowed to take over a public-house and a few acres of land belonging to it in the village of Timahoe, that belonged to a widow who was in difficulties. He was anxious to get the public-house, marry the daughter, and start the business; and he said that, if I would put the house to thorough repair, he would pay a rent of £80 a year, but I should get the old woman out of the place. I accordingly bid out £148 on the house, and purchased the old mother off at £r. a week, and he went into possession and paid £50, according to the agreement for the public-house and land. He subsequently took me before the Sub-Commissioners, who, not taking into

consideration the pension that I was paying to the old woman, amounting to £13 a year, reduced the rent to £30 10s.

26,064. How could a public-house come under the Land Act?—I agree with you. The public-house should not have been entertained at all.

26,065. I presume that the public-house was the most valuable part of the holding?—The most valuable part.

26,066. How much land was attached to it?—Some-where about 15 acres.

26,067. So that the great value of the holding was the public-house?—Yes, the object of the man was to get the public-house; that was the whole point.

26,068. Did you raise that objection?—Yes, it was one of our principal points, and the result of the award has not been made known to me yet. I hold in my hand a return of several cases which were taken before the Sub-Commissioners—20 cases which were before them, and which were all appealed against. The original rent in these 20 cases was £650 16s. 3d. When the appeals were lodged the official valuator was sent down to value the lands, and he valued them at £614, but the Sub-Commissioners had cut the rent down to £493 10s.

26,069. Then they seemed to have cut aside the evidence of the official valuator?—Yes, although we had to pay for his services 20s. or 30s. in each case in which we applied for him.

26,070. What was the rent fixed by the Sub-Commissioners in that case—was it more or less?—I beg your pardon, when I say appeal I should mention that these cases have not been heard on appeal yet. It was the Sub-Commissioners who fixed the rent at £492 10s. In one case the rent was cut down to £66 on appeal, although the Court valuer had valued the farm at £78. Another instance, if you will allow me to mention it, was the case of a man named Kavanagh, who held a shop as well as a farm outside Strathally. He applied to have a fair rent fixed, and the Sub-Commissioners held that, as he was a shopkeeper and not a full-fledged farmer, he could not get any benefits under the Act, that he should pay the usual rent of £39s. a year for the farm, and he should also get a labourer's cottage on it. He demurred and said he would not pay, and gave up the holding. I said to him, "Now, you took me into the court to have a fair rent fixed, and the decision of the court is binding on you as well as on me; and you must keep it on." "No," said he, "I won't—I give you my mortal notice," and at the end of that time he left. My solicitor intended to proceed against him, and before doing so he stated to me that as that was the first instance of the kind under the Land Act, it might be as well not to press it; "because," said he, "even if you win or lose it will cost you £20, and it is worth going on with the case under those circumstances?" I said it was not, and that I would take the farm into my own hands. So you see that in a case which shows you that if a tenant's rent is not reduced, he won't continue on, and will throw the land on his landlord's hands. I have retained possession of that land ever since because it is boycotted.

26,071. He not only gave it up, but he had it boycotted?—Boycotting it so far that I could only get a miserable price for it.

26,072. And consequently the land lies on your hands?—It does. If a tenant even voluntarily gives up land it is boycotted. I have a farm of which the tenant voluntarily gave me up possession, and although I treated the man generously, that land was boycotted when he went away, and it lies on my own hands.

26,073. Is the Land League pretty strong in your neighbourhood?—Very.

26,074. Is there a considerable amount of boycotting going on there?—An immense amount of boycotting; and when some one remarked to me that there was but little boycotting going on now, I said, "Yes, but the reason of that is that they put the screw on so tremendously that the people were obliged to join the League."

26,075. So that boycotting does not exist now to such an extent as it did formerly in your district, as all the people, you say, are bound to join the League?—It is

carried on more or less; as the people are not supported by the law of the land, they yield to the unwritten law.

26,076. The law of the land, you say, is placed in abeyance in favour of the law of the League?—Quite so.

26,077. Have you heard the people express surprise that the Government of the country did not support the law?—Many a time, and they say that if the Government would assist them they must go with the League.

26,078. Do you think the people would look with feelings of relief at the removal of the League?—Tremendously.

26,079. And if they had the law of the land re-established again?—Yes; they are heartily tired of the power of the League, and they would be only too glad if the Government were to step in to-morrow. I have shut from themselves.

26,080. What other point do you wish to bring before the Commission? Do you think the interest you have to pay to the Treasury should be reduced in consequence of the Government having reduced the security you gave for it?—I think that, as the Government reduced the security by reducing the rents on which the money was borrowed, they should reduce the interest, particularly as the landlord is only the security for the tenant, and has had no advantage on account of the improvements effected.

26,081. Do you consider that any other charges on your estate should be reduced on the same principle?—I think that the tithe, non-charges and perpetuity land charges should be reduced according to the reductions made by the Sub-Commissioners or in some such proportion.

26,082. And with regard to mortgages—do you think that anything ought to be done about them?—I think it would be only fair to the landlord that the mortgages should be reduced also in proportion to the abatements made by the Sub-Commissioners' Court.

26,083. Do you see any great hardship in compelling mortgages to accept four per cent. when they charge more?—I think that as the State has reduced the value of the landlord's property, and as the money advanced to the mortgages was advanced to the landlords when in better circumstances, I think that the mortgages should share the difficulties with the landlord.

26,084. And with regard to family charges—if any abatements were made in that respect, do you think they should be diminished *pro rata*?—I think that all charges should be diminished *pro rata*. Why should all the proprietors, as it were, fall on one individual? If there is to be a general reduction, everybody should be share and share alike in it.

26,085. With regard to income tax, do you suffer anything from that?—I would urge some change there; income tax is chargeable according to valuation; and as, previous to the Land Act of 1881, the rentals were above the valuation, that left a margin on which the landlord could recoup himself; for any losses he might sustain; but now, although that margin has been taken away, the landlord has still to pay the income tax, tithe, rent charge, the poor rates, county rates, and quit-rent, all of which go on his shoulders. He pays income tax on a sum over which he has no personal control, and no personal benefit out of; and we agree that when a man only receives, and only has at his disposal two-thirds the full amount of his valuation, therefore he should only pay income tax on the amount he has in his own personal power. There should be no compulsion on him, as there is now under the present Act, to pay on what he does not receive.

26,086. Do you think it would be desirable that the judicial term should be extended?—Of fifteen years?

26,087. What I am afraid of is that the rents now fixed as judicial rents will be the rents for ever and a day; because at the end of fifteen years the tenants have the power of again getting the rent reduced or not—reduced probably. From my own experience of the tenants on some of my mountain property and the way in which they are working the land, I am very much afraid that at the expiration of fifteen years the

land will be deteriorated considerably from bad farming; and if they then take me into the same Court that now awards low rents, it will award a lower rent still. When I speak of bad farming, I mean that the land that used to grow milch cows and a considerable amount of young stock yearly, used to be inclosed from the farmyard where the animals were housed; that of late years the habit is, instead of putting the manure on grass land, they put it on the low lands, miles away from their own land at one-acre, thus depriving the other of the manure that should go on it. Moreover, it has been the habit to mow a certain portion of the farms, and draw the hay down and sell it to farmers and gentlemen on the lowlands, thus robbing the land and putting nothing back in return; and, therefore, the land must deteriorate.

26,088. When did this habit set in?—About sixteen years ago.

26,089. Have you no power to restrain them?—None. In the old leases it was stated they were not to sell straw or hay, but now we have no power to enforce such a clause.

26,090. Then, in process of time the land will become valueless?—Yes.

26,091. Mr. Seligson.—You did not say, Captain Conby, whether you approved of the shorter period for revising the rents?—I should be afraid they would take their cases into Court again for a further reduction.

26,092. Lord Aliffness.—But suppose you had the power to have the rent fixed on the basis of the produce?—Your question then turns on this—would I wish it to be on a sliding scale?

26,093. No, I would not approve of a sliding scale, because the price of corn might be very high one year when the produce would be bad. Owing to the bad yield, the price of course would be high, and then under such circumstances it would be hard to expect the tenants, who had but little produce, to pay a higher rent because the prices were high.

26,094. It would be necessary, I suppose, not only to take the price into account, but also the amount produced by the farm?—I don't think that could be done. That was the reason why the tithe-rent was abolished originally, on account of the difficulty of ascertaining these things. When the tithe was abolished the landlords were allowed 25 per cent. to pay in bulk the rent-charge.

26,095. And the allowance of 25 per cent. they were getting has now been cut away by the reductions made by the Sub-Commissioners?—Certainly.

26,096. Are you in favour of an extension of the Purchase Act, on extension of the present period for repayment?—The 1885 Act?

26,097. Yes.—You mean the number of years?

26,098. Yes, are you anxious to add in establishing a peasant proprietor?—I think it would be a great advantage to Ireland, but I do not think the Act of 1885 will be made much use of. For this reason: the number of years' purchase at which the landlord could afford to sell his property does not reduce the amount to be paid annually by the tenant to the Government sufficiently to reduce him to run the risk of purchasing. I say run the risk, because the way the tenants look at it is, that if they come under the Government and dilate to pay the instalments, the Government would be harder on them than the landlord. The landlords also are not willing to sell, because they have to lodge one-fifth of the purchase-money with the Government—as it were, fall-back upon by the Government. The landlord does not like to run the risk of that, as if the tenant does not pay, the Government will come down on the deposit.

26,099. Do you think the land affords sufficient security without the deposit of one-fifth?—If the Government were to allow the tenant to pay the landlord at 20 years' purchase, you ask would the land be sufficient security?

26,100. I did not mention the number of years, but supposing the guarantee was away with, the object of it of course being to have a security for the final payment of the instalments, do you think the land would afford the Government sufficient security—the land and the

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tenant's interest concerned?—The landlord's interest would be one-fifth?

26,101. No, the tenant's interest in the land. The object of the one-fifth guarantee is to secure repayment of the money advanced by the State—do you think the State would have sufficient security without that deposit, or what would you propose to do?—I think, if the Government are inclined to allow the tenants to buy the land from their landlords, that the one-fifth would not be much of a saving clause to the Government, but would be a strong inducement to the landlord to sell if he could get it.

26,102. And do you think it can be dispensed with with safety?—I don't think the one-fifth would make much difference as to the security required by the Government. I am of opinion that if the time were extended for the repayment of the interest to be charged by the Government, it would be a boon. They can borrow money now from savings banks at 2½ per cent., and if the time were extended it would be a greater interest to the treasury to purchase their holdings.

26,103. Do you think 20 years' purchase would be a fair average price for the landlord to get?—I don't think a landlord could, in fairness to himself and his successors be asked to take less than 20 years' purchase.

You think he could accept that?—Yes, it would compensate him.

26,104. Then the tenant would get a reduction of 20 per cent. on his rental under Lord Ashbourne's Act—do you think that sufficient?—The tenant looks at it in this way—it does not matter whether the land is to be his or his son's in 40 years. All he looks at is that he is now paying, say £50 a year for a farm, and that if he agrees to buy he comes under a reduced rent, and that he will have to pay for the remainder of his life a much smaller rent than he had been in the habit of paying. He looks more to what he will himself have to pay than the future prospect of his son holding the farm after him.

26,105. But you don't think the prospect of getting his land at 20 per cent. less than he had been in the habit of paying for it is a sufficient inducement?—I would increase that advantage by extending the time.

26,106. Are the tenants anxious to buy now?—Not around me.

26,107. Are the landlords desirous of selling?—Not, I think, under 20 years' purchase. Individually, I would sell half my property at 20 years' purchase, but not less.

26,108. Would the landlords around you be glad to get 20 years' purchase?—I don't think they care for selling, in consequence of this clause for lodging the one-fifth.

26,109. Are you of opinion that the State ought to advance to the landlords money to pay off the mortgages on easy terms?—Yes, as the Government has lessened the security on which the money was invested, the Government should advance cheap money to the landlords as well as to the tenants, to enable them to pay off the charges on the land in 40 years, as in the case of the tenants, or at 2½ per cent. for 60 years.

26,110. Supposing the estates to be sold to the tenant, would not that complete the business?—I would only advance money to the landlord in cases where the estate were not sold to the tenant.

26,111. You think it would have a beneficial effect on the tenants if they purchased their holdings?—Yes, for two reasons. One is that they would then become the proprietors of the land; and the second is that the tenants, as soon as they become proprietors, would look carefully after the poor rates.

26,112. Which they don't do now, I suppose?—Which they don't do now. At present, in our own district, we have guardians who are shopkeepers, and as outdoor relief is given to 38 people in the village of Stradbally—I mention this by way of illustration—two-thirds, probably three quarters of the same given finds its way back into the shops of these guardians; and I think when the tenant farmers become proprietors they will take good care that the poor rate

will be properly administered, and will not be a quarter as high as they are now.

26,113. Do you think this is an exceptional year as far as agriculture is concerned?—I consider that the crops of this year have been very good. I farm myself, and my neighbours and friends around me who farm on a large scale, and whom I consulted—they are all tell me that the yield has been very good—from 16 to 18 barrels of oats per acre on well-cultivated farms—a very well-cultivated farm in the regular course of tillage, and that has been properly managed.

26,114. Has boycotting affected the home manufactures in any way?—Yes. No one would now invest capital in any fresh enterprise in this country, from fear of being boycotted. I know landlords who would not start business to benefit their tenants, for fear the business would be boycotted as a landlord's business.

26,115. Do you think the State does enough towards helping to open up the country by railway construction?—I was greatly in favour of the Act passed a short time ago to make light railways through the country in order to develop its resources; and I think where a country would be opened by means of cheap railways, many enterprises, such as collieries, brick-yards, flour-mills, saw-mills, factories, timber yards, woollen mills, and quarries, might be worked at a profit; while, owing to the difficulties of land-carriage at present, it is impossible to venture upon them. The flour-mills in my own town of Stradbally have been lately closed, as they could not compete in consequence of the disadvantages of land-carriage. There are large quarries of limestone in the neighbourhood of Stradbally which cannot be properly worked, and in the neighbourhood there are large woods which contain a vast amount of timber, and there are no means to convey that away if it were sold in consequence of the want of carriage. A short time ago an Irish enterprise, the manufacture of post-rail iron, was started at Monasterevan. Some of the post was analysed by Dr. Cameron, who declared it was equal to the German post imported hither, but owing to the difficulty of land-carriage the manufacturers has met with no support.

26,116. But there is a railway to Monasterevan?—Yes, and a canal running by the railway line, but such is the cost of carriage that it was impossible to work the undertaking profitably. Were the railway and the canal to afford sufficient facilities in the way of low rates, the resources of the country should be developed in place of being paralysed.

26,117. Then your experience is that the freights are prohibitive?—Yes.

26,118. And you think that Parliament ought to do something more than it has done to develop the resources of the country?—Yes; otherwise we cannot compete with any degree of success with foreign producers. The freights are far higher here than in other countries.

26,119. With regard to the flour-mills, they are closed up, you say, for the present?—Yes.

26,120. That entails a great loss on the farmer?—Not so much to the farmers, for the millers were not buying Irish wheat.

26,121. But they cannot get the beam and pollard with the same facility?—The millers were not buying the Irish wheat. They could get the foreign grain cheaper, and owing to the crosswise land-carriage, the chance of competition was out of the question. I think, for my own part, that a tax should be put on all manufactured goods coming to this country. Until the manufacturers in England are at as full work as ever they were, we cannot expect to be in a prosperous condition over here.

26,122. But you do not propose to tax the raw material?—Individually I am in favour of taxing everything imported, in order to benefit the labouring man and the artisan.

26,123. I am afraid you will meet with great opposition from the consumers?—I saw that the Chamber of Commerce at Nottingham desired that free trade was a free, and at Birmingham the resolution was only lost by a majority of one.

26,124. Mr. Knipe.—You have a pretty large farm

on your own hands, I believe?—I am sorry to say that at the present moment I have, what between farms and plantations, about 1,200 acres in my own hands—grove, tillage, and plantation.

26,125. Has the grass land been paying for the last few years?—It has paid better the last two years than it did previously when I had to buy cattle at high prices, but as I am able to buy cattle at a low rate now it pays better.

26,126. And it is in consequence of the low prices that you are able to buy cattle at you had a larger margin of profit for the last two years?—Yes, I was enabled this year to sell calves at £14 and £16, and that ought to pay any man. I can now able to buy well-bred calves at 12s. 6d. just born apiece, and I am buying them as there is a reduction of young stock in Ireland—stock under a year old, and there must be a demand for them next year.

26,127. Were you ever able to buy as cheaply before?—Never, I am buying calves now at 12s. 6d. that I used to have to pay £3 and £5 for four years ago.

26,128. That is a very considerable reduction indeed. Are you in the habit of buying any year-and-a-half or two-year-old?—I generally buy my own stock, but in consequence of the cheapness of these calves, I am going more into that line than ever, particularly as I can buy finding barley at 8s. a barrel.

26,129. And it is in consequence of the low prices you are able to buy at that you have been left a margin over for the last few years?—Yes.

26,130. Now does not that affect a very large number of the tenants in your own immediate neighbourhood?—Well, my own opinion of the tenants is that they have not given the same attention to their farming as they used to do; their minds are somewhat distracted, and they are led astray by agrarians, and are thinking of everything but their own business.

26,131. Were they not in the habit of selling cattle to pay the rents?—Yes, but I don't think my own tenants keep as much stock now as they used.

26,132. That might be on account of the low prices; it is not profitable at present. You would not say it would pay a farmer to raise calves and sell them at 12s. 6d. apiece?—It would not pay me to sell at that.

26,133. No, certainly not.—Previous to 1886 and the years of the agitation we used to have a very flourishing agricultural society in our own county, and we offered prizes for the best short-horned bulls to serve the tenants over at 5s.; that was a great privilege, that the tenants should get in good blood to their stock; but when the agitation commenced not a man would take part in the local shows, and we were obliged to give them up. And now the people are obliged to pay £1 for what they used to get for 5s., but prefer paying 1s. for the use of a very under-bred bull.

26,134. I think you referred to the prices of barley?—Yes.

26,135. What is the present price of barley?—They are paying in Strabally at this present moment 12s. for a barrel of 16 stone.

26,136. And they get that for the inferior as well as the superior barley?—The barley not fit for making is sold for 8s.

26,137. Have you ever remembered barley being as low?—Never, though I hear that from 1855 to 1859 it was as low.

26,138. Is that caused by unfavourable seasons?—The sample is bad because the weather during the harvest was not good. Of course in other seasons I have known them sell barley that was good for 17s. and 18s. This year the yield is good—at it from 16 to 18 barrels an acre. I have been astonished at the barley brought to me to be sold for 8s.

26,139. And the farmers are dependent more or less on that for their rent, not altogether?—Ours is a great barley country.

26,140. The very low prices given this year leaves him less money on hand?—Well, they have a large crop to compensate them for the low prices. A great many say that 18 barrels at 12s. and 8s. pays them better than 12 barrels at a higher price.

26,141. It is a great advantage to have a good crop, perhaps?—I never saw such a surplus crop as there is this year.

26,142. Before departing from this point I want you, from your general knowledge of the position of the tenant farmers, to say what in your opinion about their financial position—are they in a worse or better position than they were after the Land Act passed in 1881?—I don't think they are in as bad circumstances as they have been in before.

26,143. Well, just taking their present position into account, now, from your own personal experience, what do you believe is the financial position of the farmer to-day?—I believe they are not as bad as they have been before. I believe there is more money in the country than is generally credited.

26,144. That may be, but taking the low prices of cattle you refer to, and the low prices of barley—so low as you don't ever remember it before—taking this into account, do you not think that it is exceedingly difficult for tenants on small farms to pay the rent fixed in 1881 and 1882?—No, I would not say so from my experience.

26,145. Has there been any reduction in the rent given in your locality lately?—Yes, I gave reductions last year and the year before.

26,146. Would not that demonstrate that the rents were high, that the crops were inferior, and the prices low, and that is what induced the landlords to make the reductions?—I think in a great many instances landlords not resident in Ireland have been advised by their agents to reduce, and in a great many instances were to blame for giving reductions. It is very hard on one landlord, if another in his neighbourhood gives reductions, to find himself unable to give them, although the tenants expect them; many a man gives reductions without going into the merits of the case. I know an instance in which an agent, in some trouble, recommended a reduction, and the landlord, who is a rich man in England, gave it; but that is a hardship on other landlords who are in necessity for it, though they lived on the spot, and who were not in circumstances to do likewise. I speak from experience. Another is Lord Lansdowne, who is a rich man in England, now Governor of Canada; he has offered reductions, and good reductions, to his Queen's County tenants, but not as large as to his Kerry tenants.

26,147. I think you complained that the judicial rents were very low on your property?—Were fixed low, but not as low as they were fixed lately.

26,148. And you appealed yourself against the decision of the Sub-Commissioners?—Yes, and the appeals were not heard until two months since. I have been in the Sub-Commissioners' Court many times, and the first case before the Head Commissioners was only heard two months ago.

26,149. And the Chief Commissioners gave a further reduction?—A further reduction, although their own official value went down and suspected the land and gave them his opinion, of what the rent ought to be. He thought £78 a year ought to be the fair rent, and yet they reduced it to £66, although they never saw the land.

26,150. Do you of your own knowledge know or have you ever heard that the Sub-Commissioners find it necessary, taking the low prices of produce into account, to give 17 per cent. additional reduction from September?—I heard so, but my opinion is the Commissioners ought not to have done so. My opinion is this, and it is not without some foundation, were the Sub-Commissioners not to give reductions to the tenants they would have very little to do in the way of work, and as soon as the business under the Land Act ceased their services would be dispensed with, and they would lose their salary of £1,000 a year, but so long as there is occasion for their services so long will they be retained. In the county Mayo a short time ago a tenant of the *Viscountess* Dea took the landlord into Court and got a reduction of 60 per cent., and that becoming known the other tenants crowded into the court, and the business revived, and the court had sufficient to do then, the head Commissioners in Dublin enjoy £3,000 a year, and know

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that so long as the Sub-Commissioners' work goes on, so long will there be a field for their services. But the landlords, as a rule, are too true in appealing to the chief Commissioners from the decision of the Sub-Commissioners. They have in very few instances altered the decision of the Sub-Commissioners, and in some others they have reduced the amount awarded.

26,151. And is it not a fact that landlords, as a rule, find it necessary to withdraw the appeals?—I heard many landlords say it is perfectly useless to appeal.

26,152. And taking into account the fact that the chief Commissioners gave additional reductions on the rents fixed by the Sub-Commissioners, and that the landlords gave reductions on the judicial rents, would it not go to prove that the rents, after the passing of the Land Act down to 1880, are high and are unfair rents?—I don't think so. I think many landlords were forced into giving reduced rents, although it went against their conscience, as they could not afford to fight.

26,153. And the chief Commissioners made further reductions?—They did.

26,154. And the Sub-Commissioners, according to the testimony we had here, took from 15 to 37 per cent. off?—I would urge that the sub and head Commissioners are wrong, and are entirely in favour of the tenant and adverse to the landlord's interest.

26,155. No reflection has been made on them except as to the fixing of the judicial rents?—Unless their award is favourable to the tenant other tenants will not go into Court; as I stated, the Mayo case was one instance in many where reductions of 40 per cent. were given; and then the tenants rushed into Court and the houses were again.

26,156. There is one class of pentry that come under our notice during the inquiry, and that is the non-resident landlords. Do you think it would be unfair, if it could be shown to be an advantage to the majority of the people in this country, to compel these landlords to sell on fair and equitable terms?—Well, I do think there would be hardship in it, unless he were given a fair price, in forcing a sale on an absent landlord; I know instances of landlords who, although absent from this country, take a great interest in their property, and they spend a large amount of money on it annually, therefore it would be very hard to say that because he does not reside here he should sell his property. If you go further, and ask should a sale be obligatory, I say decidedly not.

26,157. I understand from yourself that you have laid out a large amount of money in the interests of your tenants, and comparing your conduct with other landlords, I think it was very creditable of you.—Well, I have been what I call a fair finish landlord. I try to do everything I can to help my tenants. I am one of those who may say the Acts of Parliament have injured me irretrievably—having laid out such a large amount for the benefit of my tenants. I had to go security for them, and because I did my duty as a landlord and went security for them I am made to suffer by having my rent reduced on the one hand, while on the other hand the Board of Works keeps me strictly to my contract demanding the same interest as was originally stipulated in the years 1862 and 63. When there were no rents coming in I was unable to pay the charges of the Board of Works and, in consequence, in two subsequent years I was obliged to pay double—£2,900. I had to make that up to pay these charges, and in two or three years my estate was indebted to me £2,900, so that instead of its being an advantage to me to impose the condition of my tenants I was a loser by the transaction.

26,158. Suppose the landlord and the tenant were unable to agree as to the sale of a farm, and that the landlord got a fair price for himself, is there good reason why we should expect that the landlords would leave this country after parting with his interest in his farm?—You mean that if the landlords sold their property, whether they would remain here or not?

26,159. Yes?—There would be no inducement for them to remain. I am a hunting man, and have been master of the hounds, and have always liked to

enjoy hunting and shooting. There is no hunting nor shooting in the country now, nothing of that sort is now enjoyed; there are no hounds, game is killed all around you, and if you employ gamekeepers they dare not and will not prosecute trespassers and poachers, there is nothing now to induce a landlord to remain but his duty, and if he parts his property there is no duty left for him to perform.

26,160. Would not the decrease lands left in the landlord's hands and the privileges pertaining thereto be sufficient to occupy their time?—The privilege of living in Ireland is not sufficient inducement to remain.

26,161. Another question. Has your attention been called to the reductions given in England by the landlords?—Yes.

26,162. Don't you believe that the tenants there have great advantages compared with the tenants in Ireland?—You mean a great advantage over the tenants in Ireland?

26,163. Yes.—I think they have many advantages, they live under law and order there which we don't here.

26,164. And if reports be true they are getting very substantial reductions there?—Yes; but then rents were pretty high.

26,165. Yes, but the tenant had no capital invested in the land; he was not called on to erect buildings?—Not buildings; but when a tenant leaves at the expiration of his lease, a valuation of improvements is made, and the incoming tenant pays it.

26,166. There can be no pressure put on him to pay more than the land is worth?—If he does not pay what the landlord considers the farm worth he does not get it.

26,167. Then it would be on the landlord's hands?—The farms in England are well worked, and there is no lawless interference in letting a farm there, and the incoming tenants give the price that is put on it by the valuator.

26,168. You have alluded to barley and other commodities; now, from your knowledge of the prices of produce, would you consider it difficult for the tenants to pay the old rents?—What do you call the old rents?

26,169. The rents they are paying?—In 1882 I reduced their interest on the Board of Works loan to 3½, although I had to pay 6½ myself.

26,170. Confine yourself now to the judicial rents.—Do I consider it difficult for them to pay this year? Is that your question?

26,171. Yes; more difficult to pay than when their rents were fixed?—Well, I have been in Court in 1833 and 1865, and you ask me are the rents lower then or what year?

26,172. What I asked you was—taking into account the low price of cattle you referred to yourself, and of barley and other commodities which grow upon a farm, do you think the rents fixed after the passing of the Land Act, down to 1880, are difficult rents to pay, this year and last year?—I don't want you to say unreasonable rents?—I don't understand when you mean.

26,173. Lord Aliffons.—When they were fixed?—But it is not more difficult to pay them now than when they were fixed, because now the tenant can buy cattle at a lower rate than he could in 1881.

26,174. Mr. Knapp.—But the tenants who raised these stock—don't they suffer?—Well, in my country the tenants rarely raise any stock—they used to do it.

26,175. And is that in consequence of the low price?—No; the men who used to rear any stock put the land into meadow, and don't keep it in the same condition that they used to do.

26,176. Would that be on account of the low price now?—That might be in consequence of the bad years of '84 and '85; during these years I got no rents at all, and there were many others in a like position, who never received a farthing; these tenants that used to rear cattle might not have had the money to buy cattle or stock the land as they used to do years ago, but they have got into a different system of treating the farm now; they draw any little money they have to the low

ground on another man's farm and con-acre it for potatoes, and mow their own land, consequently the land cannot support the stock.

26,177. But if the man had not money how is he to stock it?—They never had much capital on these mountain farms, and depended very much upon their own

labour. If the Government bought out these small tenants it would be a great thing for them. On my rental there are 500 names on 11,000 acres, and how is it possible for them to live? The small holdings are the curse of the country.

Dec. 15, 1886.

Captain
Cahy.

The Commissioners adjourned to the following morning

THIRTY-SIXTH DAY.

Saturday, December 11th, 1886.

The Commissioners met at 35 Merrion Square, Dublin.

PRESENT :

THE RIGHT HON. EARL OF MILLTOWN.

Sir JAMES CAIRD, K.C.B.

MR. NEILMAN, Q.C., Recorder of Londonderry.
MR. KNIEL.

Mr. MURPHY, excused.

Dec. 11, 1886.

Mr. Murphy.

26,178. The President.—Mr. Murphy, I believe you see a land agent?—Yes, my lord.

26,179. And could you tell me what the amount of the property which you manage?—I manage in the County Donegal £10,000 a year, in the County Down £10,000 a year, and in the County Antrim £1,000 a year.

26,180. All in Ulster—all in the North?—All in the North.

26,181. Sir James Caird.—How much altogether?—About £21,000.

26,182. About £21,000?—Yes, about £21,000. I am a receiver also; I am also an arbitrator under the Railways (Ireland) Act.

Mr. Neilman.—Explain that to Lord Cowper, for that is an Irish Act.

Witness.—Yes; an Irish Act. My duty is to assess compensation for any land taken compulsorily for any public purpose—railways, waterworks, or labourers' cottages, or anything of that description.

26,183. Sir James Caird.—I believe the invariable rule is to put down 10 per cent. for disturbance?—Yes, for compulsory purchase. I am engaged on that since 1877.

26,184. Mr. Neilman.—It is a government department?—Yes.

26,185. The President.—And it gives you great experience?—Yes. My district extends from the Midland Railway all North. Another gentleman is engaged from the Midland Railway South. There has passed through my hands in that time very close on half a million of money.

26,186. I will ask you, because we are all most anxious for information, do you consider that during the last year or two rents are more difficult to pay than they were two or three years ago, or do you think not?—I think that they are more difficult to pay.

26,187. And you think that the sub-commissioners who fix rents now, and who put them 10 or more per cent. lower than two years ago, are justified in doing so?—No, my lord, and for this reason: that I am most thoroughly and firmly convinced that the judicial rents were never fixed upon any basis whatever. If they had been fairly fixed on an average of prices of my five years before they came into operation, then unquestionably they would be justified in reducing the rents by 10 per cent., but, in no instance almost that

has come under my knowledge—and I have been constantly engaged valuing for fair rents under the Act since it came into operation—have the rents been fixed at all, in my opinion, on any rational principle, and if they are reduced now by 10 or 15 per cent., I look upon it simply as confiscation. I can adduce numberless instances in support of this assertion.

26,188. You think, therefore, that there is no necessity for abatements on the part of the landlords?—Not on the judicial rents; certainly not. I think that the minds of the people have been raised of their labour, that they have not attended to their work as they did, but that they are looking to legislation instead of to industry, as they did before; and I think that their circumstances, if not so good as before the Land Act was passed for them, the fault is not altogether due to the rents.

26,189. Sir James Caird.—Did you quite understand the President's question, which was that the rents—the reductions on the rents—now are lower than the last reduction?—I am aware of that.

26,190. The President.—Then you consider that the judicial rents may perfectly be let alone?—Unquestionably, my lord. I think that tampering with them now will only add another blow to the country, already staggering under the number of blows it has received in the shape of exceptional legislation.

26,191. Do you think that the period of fifteen years is too long to fix rents, or would you prefer shorter periods?—Of course, if the present depression continued or increased it would be too long; but I am aware of this fact, that the prices that prevailed in 1880 were, as nearly as possible, the average of the thirty preceding years, in which time there were enormous ups and downs in the price of produce and stock, and I dare say we may expect ups and downs in future. I don't think anyone could fairly say that judicial rents, fixed as they were, should now be subject to revision.

26,192. But, without taking the present state of things too much into account, but merely considering the question in the abstract, do you think that fifteen years is too long?—No, my lord, I do not.

26,193. Do you consider, if there was to be a revision more frequently, that it would be unjust to the landlord who had been led to expect that there would be no further change for fifteen years?—Unquestion-

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ably, if it was conducted in the same way in which the present revision is conducted. I am, myself, strongly disposed to think that it would be not only fair to the landlord, but also to the tenant, that there should be a proper and uniform valuation made by the Valuation department now in existence, and which has been in existence for half a century, and has got ample means of ascertaining fairly the proper value of the land of the country.

26,194. A new valuation of the country?—A new valuation of the country, to be used as a datum by which to measure judicial rents, as to whether they should be revised or not; and in future, rents might be varied above or below this datum as the average of prices of, say five years, might warrant.

26,195. That would be what is called a produce rent?—I am not much in favour of it. I see some difficulty in it, but I always thought it would be the fairest way if it could be fairly carried out, but there is no reciprocity in Ireland. If we could see our way to add to the landlord when improved times come, I certainly think that the landlord should be refunded when depressed times come. I have been considering how this might be worked.

26,196. Mr. Nelson.—What is your own idea?—Well, it was this. I put out of the question that the landlord could recover any increased rent. I should debit the tenant in a season when prices were specially high with the amount—whatever it might be—by which the landlord's rent ought to be increased; and keep that for a set-off whenever a depressed season came. Assuming now that the statistical authority—which I shall call it for want of a better name—would say that the rents in a certain union were to be 10 per cent. higher, I would debit the tenant in the next book with the present judicial rent, and add 10 per cent. to it.

26,197. The President.—Even though he did not pay it?—Yes, exactly. That is, so much goes into his pocket; and then, suppose some depression came—the rent might be reduced 10 per cent.; set the one against the other, and in this way justice might be done.

26,198. You would have it wiped out? Then might answer very well if you were dealing with people who had got a certain amount of capital; but then you are dealing with people, like too many of the Irish tenants, that literally live from hand to mouth?—That is the difficulty of the question, my lord; I don't see in the world how you are to meet it. You cannot make the landlord bear all the depression and not compensate him if circumstances improve.

26,199. To return to the produce rent. I would be glad to have in a few words the objections which you find to it, which you think it impossible to get over.—There is a great difficulty in the reciprocity part of the question. I do not see how they could be made fairly to treat the landlord.

26,200. It strikes you that it would be hopeless to expect reciprocity?—It strikes me as hopeless. I think that with so many constituted authorities in Ireland—poor law boards, Local Government Boards, head constables in almost every village—there should not be any difficulty in arriving at the average price of produce. I think there should be no difficulty in determining what the rent ought to be, assuming that you had a safe and proper datum like to start upon. But you have not got that at all now. There are numberless cases where the rent was reduced where it was cheap enough before, and numberless cases where the rents of farms were not sufficiently reduced. And you have no datum like whatever—nothing whatever—to guide you in coming to any conclusion.

26,201. You mean to fix the rent in the first instance?—Yes, I speak with great respect of the commissioners; but it was utterly impossible for any untrained men, as they were, as Professor Baldwin said, "let loose" on the country, without any professional training or any instructions to guide them to deal fairly with the question. I am myself a professional valuator for several years, and it is with the greatest civility I approach the question of fixing rents. I don't see how

gentlemen without any experience, or anything to guide them—I don't see how they possibly could have arrived, with all the best intentions in the world, at fair rents—if it had not been for the ability of the judicial commissioners who sat with them the case would have been very much worse than it is. Therefore I say that now you have no datum to go upon whatever.

26,202. You think that there should be some better rule for fixing the next rents by these people?—Yes.

26,203. The question is whether to leave them as they are now or convert them into produce rents; and even though the produce rents might not be quite fair owing to imperfect data, they might be better than those which now exist?—Quite so.

26,204. And yet one objection would be that they might slide up and might not slide down again?—They might slide down, but never slide up, I fear, so far as dealing with the landlord is concerned.

26,205. It has been stated that the quantity of the produce might be just as important almost as the price?—Oh, yes.

26,206. And if it depended entirely upon prices there might sometimes be unfairness, because they would have the power of raising the rents when all crops were excessively bad?—Yes, one should consider the other, all circumstances should be considered.

26,207. And it would be almost impossible to take produce into account, because there are no means of making out the amount of produce?—Yes, it would be very hard to do it.

26,208. Then I gather that your opinion of rents is that unless there was a re-valuation of Ireland it would be better to leave them alone, and not to have at present a more frequent revision?—I think I would leave them alone. I don't see any way at all, except you revise them in a very different way. Certainly the landlords of Ulster don't want more than what is a fair rent. I have been engaged for almost every one of them, and they never expected anything more than a moderate live and let live rent. But if I were satisfied, as I am not, that the valuation was fairly and properly made on a scale of prices based on an average of say five years before 1881, I would have no difficulty in advising them to give abatements on rents so fixed. I don't speak for any province but Ulster.

26,209. Turning to the question of purchase, are you in favour of the principle of establishing a peasant proprietary?—To a considerable extent—not altogether. I think it is a very good thing; it would encourage industry, and if you have farms of sufficient size. I think it would be a great matter if a great many of the estates that are unsaleable in the Encumbered Estates Court, and that are paying nothing to their owners, were sold to the tenants.

26,210. And even compulsorily?—I would be disposed to sell compulsorily these estates.

26,211. Estates encumbered beyond a certain amount?—Yes.

26,212. Are you in favour of Lord Ashbourne's Act?—Very much; and I think it should be left to work itself out, except in cases of the above description.

26,213. Very heavily encumbered estates, where there might be compulsion?—Yes, certainly. That is the extent to which I would extend compulsory powers. I would not allow compulsion to go further.

26,214. You mean estates so encumbered that the landlord is a bankrupt?—Estates so encumbered that the landlord is a bankrupt.

26,215. But where he has a very small margin to live on, you must leave him that, or he will starve?—Quite so. This class of estate is not for the good of the country at all, and is no benefit to anybody except in the hands of receivers, who are not in the position even of ordinary agents to do anything for the good of the estate.

26,216. When estates are actually in the hands of receivers?—That is the last you go upon; yes.

26,217. Mr. Nelson.—I thought you said where an estate was not paying anything to the inheritor?—Yes.

26,218. The President.—Then that would require

them to sell at such an amount that if the money was advanced, the interest would be exactly the same as the rent?—That is to extend the number of years over which the interest would be payable.

25,219. That would not satisfy the tenants?—I think if the Government would extend the period of repayment over sixty-two years they could buy them out so as to leave no much margin as exists at present. I don't know how they could be dealt with in any other way. I am certainly opposed to compulsion as applied to the whole country.

25,220. Do you care to give your reason?—In this way. Knowing as I do the effects of having resident proprietors, as we have a great many of them in Ulster. Knowing, in spite of all that has happened or is said, their beneficent rule over their estates, I think it would be disastrous for the country.

25,221. Mr. Nelson.—Did you make a mistake in saying sixty-two years' purchase?—I mean of course to extend the burden over sixty-two years.

25,222. Lord Milnes.—Sixty-nine to sixty has been the suggestion made by several witnesses; do you approve of that?—Oh, certainly; I think it would be right in those cases where the sale would be compulsory.

25,223. The President.—And by that means satisfy the tenants, and at the same time leave some little room for the landlords?—In reference to the compulsory getting rid of the landlords I may mention that the Transvaal Act, which is one of the most excellent Acts, in my belief, for Ireland that could be thought of, is utterly inoperative, simply because the gentlemen of the country are not in a position to take the lead they would have done under other circumstances. As for boards of guardians, or boards of that sort, they do not promote anything of the kind.

25,224. I suppose the gentlemen are getting very much driven out of boards of guardians now, are they not?—That is what I mean.

25,225. Do you think that many landlords would remain on their domains if they sold their outlying farms?—I don't think they would. Some of what are called the old stock of the country would remain. They would cling to the old place; but I don't think that the rising generation would.

25,226. Now, is there any particular point on which you came more prepared to give evidence than any other, besides what I have alluded to?—The admission of leaseholders was a question.

25,227. Leaseholders, you think, should be admitted?—Prudently, yes; but there should be safeguards, I think, before they are admitted. I think there should be some standard with reference to government valuation before admitting them at all, and some reference to the length of years for which the lease was granted, and the number of years that remain, and the range of prices during its continuance.

25,228. Supposing you agree to the general principle that leaseholders should be admitted—the holders of agricultural leases—could you suggest any definition as regards the leases which should be admitted and those which should be excluded?—I should say, first and foremost, in Ulster, unless the rent reserved was more than 5 per cent. over the government valuation they should be excluded. Except under exceptional circumstances, I should say, exclude anything over thirty-one years. Why I suggest an exemption in this: as to the period for which they were granted and the price that prevailed then, *prout facie*, I should say, exclude a thirty-one years' lease, and also those in which the rent was not more than 5 per cent. over the government valuation.

25,229. You would not trust to the commissioners—not to reduce a lease of that kind?—I believe that every lease and everything that came into court would be reduced if I am to judge by present experience. I don't think that they ought to be subjected to the same process as the fair rents, because the fair rent investigation was launched in a panic, administered, and is now culminating in disaster.

25,230. Have you much experience, now, of congested districts?—I have a great deal.

25,231. Do you think that Lord Ashbourne's Act should be allowed to run in these districts?—I think not. It ought not; indeed, I don't think it wise legislation to encourage a man to fasten on a farm which cannot support him. I live close to the Greenock estate, and I should like to give some evidence as to the working of the Act on that estate if you think it advances your enquiry.

Sir James Caird.—We would be very glad to hear it.

25,232. Witness.—I shall give some very startling facts in connection with that estate. In one instance a man bought a farm in 1863 on which there were no improvements—only a little house, worth about ten shillings.

25,233. When you say bought, do you mean that he bought the tenant-right?—He bought the tenant-right. He gave £30 for it. The rent was £1 2s. 6d. He went into the sub-commission court, and the sub-commissioners confirmed the rent. He appealed. The appellate judges held these court, the two legal commissioners, Mr. Vernon was absent, and sitting in solemn conclave, and hearing all the evidence and taking notes, and with the result that they reduced the rent by 2s. 6d. I was myself concerned in 81 cases. The rents of the tenants were paying before the sub-commissioners were "hot loose on the estate"—there were 475 cases—the rent they were paying was £1 12s.

25,234. Sir James Caird.—Each?—Each.

25,235. On the average?—Yes. They were reduced by the sub-court and the appeal court to £1 6s. They had for that an average of from 12 to 14 acres of second-in-hand land. They had a run over from 8,000 to 10,000 acres of mountain. They had as much turf on their holdings—close to their holdings—as they chose to cut and consume, and for all that their rent was fixed at £1 6s., that was 6d. a week; and I calculate that the produce of 4 hens, the eggs of 4 hens, would more than pay the rent of each farm. When these rents were ascertained by the sub-commissioners and the appeal commissioners, the result is that the landlord takes 2s. more rent out of the whole number of acres, and that the tenants are left sitting there at 6d. a week—

25,236. Mr. Nelson.—Was the gross result nine shillings a week more to the landlord?—Yes. The first tenant, whose case opened the proceedings, stated that he suffered a grievance because he had no turf, and estimated his loss per annum at £2 in this way. He had to pay 3s. for what they call a "deck," that is, what produces about twenty loads of turf. He bought two "decks" for the farm, and he had to pay someone a load for carting them away; and he counted that the extra labour brought it up to £2. Every other tenant who appeared before the commissioners had ample turf on his own holding; and I never shall be able to understand how they fixed these rents at 25s. a year, when they had the turf on their own holdings, one of the tenants swearing that not having the turf was a loss of £2 a year. I think it was a misapplication of the Land Act, or any Act, to fix rents on holdings like these.

25,237. The President.—This evidence goes to show how badly the land commissioners do their work, and the absurd statements they made.—I am simply giving facts.

25,238. With regard to purchase, your objection is that it would stereotype the state of things?—And the terms upon which the Government would buy would reduce the rents again by 40 per cent. and induce the people to hang on by those miserable holdings.

25,239. Do you think that if they had the rent they formerly had they would be less unwilling to sell than they are now?—Possibly. And I don't see how the anomalies are to be recovered.

25,240. You don't see how the Government would recover their instalments?—No, I don't see it at all.

25,241. And you think it would tend to increase subdivision?—Well, yes, unless it was very strongly guarded against, and I don't see how they are going to safeguard subdivision. It is the greatest difficulty land agents have to contend with.

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Dec 11, 1886. 26,243. You think that they ought to be scheduled and deliberately left out of the Act?—Yes, I think so. Let the commissioners purchase the estates, and according as they could consolidate them; then give proprietary rights to those when they became possessed of sufficiently large farms.

26,243. Lord Milnes. —But how could they consolidate them?—If a tenant was disposed to sell, instead of letting him sell to the highest bidder at a fair price, then add it on to the next tenant. Before the Land Act of 1870 I always did that with sales of tenant-right—always in every instance, provided that the adjoining tenant purchased the farm. I even lent him a little money, provided the price was moderate.

26,244. They can now sell to anybody?—Yes.

26,245. You now must have a new Act, restricting so far as they are concerned the Act of 1861?—They will have to do that if they schedule the districts. They should have to provide that sales could only be so that the estate should be under the jurisdiction of the landlord or the Land Court.

26,246. The President.—I suppose, as we are on the subject, that you, or other agents, have lately, for some years past at all events, caused a check in the way of subdivisions?—To the best of my ability.

26,247. And you did your best to promote consolidation?—Yes.

26,248. But without much success, as to promoting consolidation?—No success since 1870. I had great success before 1870.

26,249. That was when the law gave them the right of buying?—Not the right of buying.

26,250. But of selling to the best advantage?—Yes.

26,251. That tended to fix them here in their holdings?—It tended to get in competition prices for holdings, which has been very disastrous to the country. The prices paid for tenant-right are something fabulous. The last sale I have heard of was at Dungiven, in Derry. The rent was £48, which was reduced to £42, and the farm sold for £1,200.

26,252. Mr. Nelson.—In Dungiven?—Yes. Tenant-right is such an unreasonable thing there is hardly anything to guide one in estimating it. You will actually find the tenant-right less for judicial holdings than for ordinary farms; and the way I account for that is that an Irishman is essentially a gambler, and so long as he has a chance of getting his rent reduced in court he will bid for it.

26,253. Lord Milnes.—But I thought the Act of 1861 and also the Act of 1870 had aggravated it?—The Act of 1870; because, of course, it became a marketable commodity.

26,254. Oh, the Act of 1870 legalised tenant-right?—Yes, the Act of 1870.

26,255. Sir James Caird.—When was that that the last price was got for tenant-right?—The week before last.

26,256. Mr. Nelson.—That is not one of the best parts of the County Londonderry?—No, it's a cold, wet, outlying district.

26,257. The President.—To return to tenant-right, the variation of price is explained partly by saying that where the rent has not yet been fixed, it is being taken in a gambling spirit, in the hope that it may be reduced?—I think so.

26,258. It also proves that a small holding sells for more than a large one?—Quite so, as a greater number have the money to pay for them. The sub-commissioners take no notice of the amount paid for tenant-right in fixing a fair rent. I thought that an unfair thing, because no farmer would give a large price for the tenant-right of what he knows to be a rack-rented or highly rented farm. I think that to that extent it should be taken as an indication of the rents of particular estates.

26,259. Not an inflexible test, but a test to a certain extent?—Yes. Tenant-right consists of two elements, valuable consideration and good-will. Whatever a farm brings over and above the value of the improvements is simply an indication that the rent was fair and moderate. These are schedules of the most recent

sales of tenant-right in the County Derry—twenty years, seventeen, twenty-two, &c.

26,260. Sir James Caird.—Have you looked at all these higher prices to see if they were upon estates that were low rented?—Yes, one estate in particular; Mr. McClelland's, in the County Derry. He had a limited tenant-right rule. When the tenant gave up the holding he took up the farm himself and paid three years' purchase and the value of the unexhausted manure; the next tenant coming in paid three years' purchase and the value of the unexhausted manure. That was the rule when the Act of 1861 passed. And the tenants are actually selling those holdings for seventeen or eighteen years' purchase. I know a case in 1884. The rent of the farm was £48, and the incoming tenant paid £700. He went into the Land Court in 1886, and got the rent reduced to £32, though he had given £700 for it only two years before. I think that these circumstances show that it is for the tenants' interest that the amount paid for holdings should be taken into account in fixing fair rents, because if they could be taught by any gradual process their exorbitant all their capital by buying a nominal value and coming into farms as mere possessors, as many of them do, would tell against them when they came into court to get the rent fixed, it might restrain this very injurious practice.

26,261. The President.—Are they forbidden by the Act to take tenant-right into account?—Yes, anything paid "is not of itself to be taken as evidence." In Dungall the sales were very high—seventeen, nineteen, twenty, and fifty-four years.

26,262. Sir James Caird.—That must have been a very small holding?—No, sir. The rent was £22 18s.

26,263. Then that is very low rented?—Oh, yes; they are all on an average over the country. The sales on the Gweedore Estate vary from one hundred years' purchase.

26,264. The President.—I think we have a return of that sort, and we have it that they are enormously high?—Yes. They are attached to the spot, and they have not very much enterprise. Their labour is their capital, and they have not much outlet for it. If the country was opened up by railways it would be the means of getting them employment.

26,265. Do you know how the Gweedore Estate is going on now?—There is awful scarcity going on there. They are paying no rent, but are up in arms against landlord, agent, and everybody connected with the estate.

26,266. Sir James Caird.—The Gweedore Estate?—Yes, since the sub-commissioners put their foot on the estate; because their dealing with the property gave a handle to the agitators.

26,267. Lord Milnes.—There is nothing in the Act of 1861—in them, Mr. Murphy—which specially forbids the sub-commissioners from taking the price paid by the tenants into consideration?—Mr. Hooper is a better authority on that subject than I am; but I have always been under the impression that there is some general direction in the Act which prevents them. I know, as a fact, that the commissioners refuse general evidence as to the tenant-right.

26,268. But you constantly see the prices given for tenant-right on estates stated in the evidence?—I know; but the rents are reduced all the same.

26,269. I don't think it goes so far as that. The Act only says: "The amount of money or money's worth that may have been paid or given for the tenancy of any holding by a tenant or his predecessors in title, either as tenant to the landlord, or his predecessors in title, shall not of itself, apart from other considerations, be deemed to be a ground for reducing or increasing the rent of such holding."—Quite so. And I say myself that the commissioners ought to take it into account.

26,270. There is nothing there to forbid them?—No; but I believe that they don't do so.

26,271. It is an element in the case for consideration?—It ought to be, and there ought to be a very strong direction given to the commissioners in any future

legislation to take it into account, I think, even for the good of the tenants.

26,272. Then the only suggestion which you have to make for the improvement of the congested districts is that they should be opened up by railways or tramways?—I think so; for there are thousands of people in districts like Glenties who are forty miles from a railway, and the consequence is that they never hear of any employment; it is very serious for a man in that district to walk away forty miles, say to Derry, looking for employment. Whereas, if he had a tramway he could go for a shilling or two; and in that working on a tramway would make him a skilled labourer; I would also assist in emigration.

26,273. You think that such railway or tramway should be made?—I hope we shall see the day when the Government shall take up the railways in Ireland. Our railway management in Ireland is acting injudiciously on the agricultural interests.

26,274. It is the enormous rates you object to?—Yes; it would be better for a man in some instances to send his goods over to England and get them over again in order to enjoy the benefits of their through rates than to send them from one town to another in the country. Yes, every district in Ireland could be opened up without the loss of a single shilling to the country.

26,275. The first step that should be taken is purchase—for the State to take possession of the existing lines?—To purchase them up—yes. There are ever so many managers, directors, engineers, and secretaries in Ireland of rolling stock. There are not as many miles of railway in Ireland altogether as there are on one of the lines in England; for instance, the London and North Western, which is managed by a chairman, a few directors, and a secretary.

26,276. The London and North Western greatly exceeds all the railways of the railways in Ireland?—It does, and the farmers bitterly complain of the want of railway accommodation; and if the railway accommodation was improved the consumer and the producer would be brought more into contact.

26,277. What you want is to bring the consumer and the producer together without the intervention of a middleman?—Quite so.

26,278. But, railway or no railway, you would have to do that in order to effect your object?—Yes.

26,279. Besides, persons who live on a railway have to suffer as great a loss in selling as others?—Yes; but my idea is that we would get into a groove trade a good deal. I am trying to establish that sort of trade myself in Belfast. I am buying direct from the producer, and by that means I have already got my brother to reduce his prices.

26,280. There is nothing to prevent people doing that, if they only combine for a good purpose?—No.

26,281. Mr. Nelson.—That would be very important for mountain districts?—Oh, yes, for low and fish. All along my own district—Dunashoghy—in the County Donegal, we are forty miles from a seaport. The great fish season is summer, and they cannot possibly get the fish into market. There is an enormous loss of fish in the country now. That is entirely a new trade since the government valuation was introduced—the egg and poultry trade. This trade would then be enormously extended. There is no reason why Ireland should not produce all the eggs consumed in England. At present England is paying £25,000,000 a year for imported eggs.

26,282. Lord Alton.—As persons the butchers are charging double to the consumer what they give to the producer?—They are.

26,283. You say that your rule in the valuation of farms for compulsory sale to railways is to give an additional 10 per cent?—Yes.

26,284. That is only right and fair. Is it the ordinary custom in Ireland?—It is the ordinary custom under the railway system under which I sit.

26,285. Is it not under the Lands Clauses Consolidation Act?—It is not. I sit under the Lands Clauses Consolidation Act of 1874, but that Act has been amended by the 14 & 15 Vict. c. 70. There is no

direction in the Act that we are to give 10 per cent, or any per cent, but it is the rule. It has become a settled rule. In my capacity as arbitrator the evidence is brought before me by the valuers of the value of the land taken from them. It is just a extravagant on our side as it is when it comes before the land commissioners on the other; and if I were to make up my awards, sitting as the appeal commissioners do in court, and without having the advice of any trained valuer to guide me, I would be doing an enormous injustice. In every instance I walk over the lands myself, and make a correct a value as I can before I make my award.

26,286. If you were to act on the evidence of the occupiers themselves you would commit a fearful injustice?—Fearful injustice, and very fearful injustice has been committed by the Land Courts. At first the appeal commissioners had court valuers; these men went round and valued all the land which was under appeal. Lately these men have been discontinued, and I am afraid the appeal commissioners did not pay much attention to their reports. There is one case I should like to mention on the Duke of Abercorn's estate. The rent of the land was £10. The sub-commissioners reduced it to £4 17s. The landlord's value, after allowing for all improvements, valued it at £15 13s. The court valuer valued it at £16; and the court fixed the rent at £6.

26,287. Mr. Nelson.—Was it the valuer appointed by the appellate court did this?—The valuer appointed by the appellate court did this; and I would wish like the Commission to contrast the court valuer's value with the rent fixed. Not only in this, but in hundreds of cases.

26,288. Lord Alton.—Have the decisions of the appellate court been more satisfactory than those of the sub-commissioners?—Certainly not. They could not possibly be. They simply weigh the evidence. The landlord is terribly handicapped. He employs professional valuers of experience and character. The tenant farmer employs a tenant farmer himself. He is saturated with the idea that the landlord has no rights at all, and therefore he has no hesitation in agreeing to a value—utterly and ridiculously low—and then the commissioners have only to decide between these two conflicting evidences. They have no court valuer to guide them now.

26,289. And when they had court valuers to guide them they did not follow their guidance?—No, and lately they have dispensed with their services.

26,290. I suppose if this principle were to be acted upon, to add 10 per cent. for compulsory sales—and if compulsion was adopted in Ireland—the result would be to raise considerably the price for which land would be sold—raise the standard of price which the tenant would give for his holding?—Yes.

26,291. No one would sell voluntarily for eighteen years if he could be compelled to sell for twenty-two?—It would operate in that way.

26,292. With regard to fixing prices, what area do you suppose they ought to take?—I would say the unit ought to be possibly the poor law union.

26,293. Do you think that a re-valuation of the whole of Ireland would tend to assist still further the minds of the people?—Well, I don't know. It might not be brought into operation with reference to disturbing the judicial rent. It might simply be used as a basis for the future. I suppose we would accept the judicial rents now, and let them be there, but—

26,294. But with the view to anything like extending purchase, with the assistance of the State, you think it would be almost indispensable?—Indispensable. I think that the administration of the Act of 1881 was done in such a hurry, and the sub-commissioners were hunched on the country without any guide whatever—any rule. In my own evidence before the Bournemouth Commission I suggested that the first thing that should be determined was what was meant by the word "rent"—what proportion of the gross produce was to be called rent; and then you would have some basis.

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Dec. 11, 1883. upon which practical men, who would be the very best men to fix the rent, could go. Of course there are very many able men among the sub-tenants; but whenever you have an able man you have always another man alongside of him who—

26,295. And I suppose accompanying the re-valuation you think there ought to be a new ordnance survey on the largest scale?—On a twenty-five inch scale.

26,296. Have you any idea of how long it would take?—I believe it could be thoroughly done in three years.

26,297. Mr. Neligan.—As I understood you just now, Mr. Murphy, you fear that a periodical revision or any revision of the judicial rents pending the existing term of fifteen years would have the result of renewed discouragement?—Yes, I do, unless there was some phenomenal depression they should not be disturbed.

26,298. You don't think that there has been such a depression since the passing of the Act as would justify now a revision?—I do not. Of course there is considerable depression, but I think that I already see signs of it abating; and I think it would be a monstrous thing with such a depression as there has been to interfere so soon.

26,299. You think that anything that has occurred would not justify the inconvenience of a revision?—It would not, certainly, in my opinion.

26,300. On the supposition of such a valuation as you suggest, that of course would be concluded within the period of the current fifteen years?—Quite so.

26,301. Within three years?—That is a very rough guess; it may be two. Such a thing might be accomplished really within the first half of the fifteen years.

26,302. And then one could see his way better to deal with judicial rents?—Quite so. I quite agree with that.

26,303. Has it occurred to you at all, in consequence of the difference between the present judicial rents and the judicial rents fixed, say, in 1882, whether it would be a prudent thing to give the judge now trying ejectments grounded upon rent accrued, due before, say, last January, 1885—has it occurred to you whether it would be a prudent thing to give him a discretion as to giving an abatement within the specified limit of such rent?—I have this difficulty in answering that. I don't look upon the judicial rents as having in every instance been fully fixed at all; if they were, then I would say he ought to have that discretion. But I would misgrieve it in this way—certainly, I should not give him any power of revising rent that was not above the Government valuation. We would have every tenant in Ireland willing to be evicted and willing to be—

26,304. That is, if they owed rent within the period I have mentioned?—I beg pardon, I did not understand.

26,305. I put it in this way, where he found that portion of the rent in respect of which the ejectment was brought accrued due, say, before December 1, 1885—whether you would consider it a prudent thing to give him a discretion to apply the present state of things to that rent by giving an abatement?—I say it would be a very wide discretion to give to any man; and it would be a very uncomfortable position for him to occupy.

26,306. Lord Milnes.—Perhaps that would include years when it was believed that judicial rents were too high.

26,307. Mr. Neligan.—My question was grounded upon the fact that the judicial rents had now as some 15 per cent. less than the rents fixed in 1882-3-4; and suppose an ejectment was brought against a man for rent which had accrued due during that higher period.

26,308. Lord Milnes.—Quite so, but then the prices were high?—But this gentleman (Mr. Neligan) limits the two years that he believes would operate upon it, that is, the two last years. He has at present the discretion of staying an ejectment.

26,309. Mr. Neligan.—You think, then, that his

present discretion is enough?—I do. I don't think that very many landlords in Ulster are very anxious to come into collision with their tenants. I think there should be some period put to interference.

26,310. You said you approve of the Purchase Act, in the case of farms of sufficient size—do I understand you correctly?—Yes.

26,311. Whoever would recommend that must be prepared with a definition of the size?—Quite so. I had in my mind, when I answered the question, the Gweedore estate. It was more the value I had in my mind.

26,312. It was with the view of scheduling and excluding what we all know as the congested districts?—Quite so.

26,313. I understand you approve of compulsory purchase in certain cases—are those cases in which the estate is encumbered, where the proprietor is really receiving nothing, so the incumbrancers set up the whole thing?—Yes.

26,314. As a matter of fact, so far as the proprietor is concerned, it would be a matter of indifference to him how the estate was sold?—Quite so.

26,315. Lord Milnes.—Should you extend the principle of compulsory sale to corporate bodies?—I don't know exactly that either, they do so much good. I would regret selling out their property in the North of Ireland.

26,316. You are speaking of the great city companies?—Yes.

26,317. But there are other bodies in Ireland?—It would depend entirely upon how they are exercising their rights. There is a company in Derry, The Honourable The Irish Society, and I would be very sorry to see them bought out, as they are subsiding to education and all the good that is going on in the country.

26,318. Is that the feeling of the people there generally?—I should say so.

26,319. The evidence we had was rather the other way—I should say it would be. I mean of the occupiers.

26,320. The Irish Society have a very strong case, because they expend the whole of their income in the country?—They do. Well, I don't see what benefit it could be to the country to drive them out of the country, and put that money in the hands of the occupiers.

26,321. Do you think with regard to bodies that do not exercise a beneficial influence, that it would be better to get rid of them on equitable terms?—Yes.

26,322. Mr. Neligan.—You were speaking just now of three congested districts, and advocated opening them up by tramways and railways?—Yes.

26,323. From imperial resources?—Certainly.

26,324. You suggest that as an imperial transaction?—Quite so. If they extended a little of the charity in opening up districts in the South and West, it would very much—

26,325. And open them up very much with the view of the education of the people of the district?—Yes.

26,326. Do you think it might be supplemented by establishing some sort of technical education in the country, teaching the young people and giving them ideas above those which they can only derive from their early surroundings, and to enable them to make a start in life?—I think it would be an enormous advantage.

26,327. Mr. Keble.—Did I understand you, Mr. Murphy, to say that you would apply compulsory sale to the case of those estates which are heavily encumbered?—I think it would be desirable.

26,328. And that you would include some of the large companies?—If not doing their duty.

26,329. Would you include non-resident landlords along with them?—It depends altogether.

26,330. In some cases?—Perhaps I might. I don't know, if a landlord is not encumbered, I don't see why he should be compelled to sell his property.

26,331. Provided he did not take any interest

in the tenants, if he settled in New York or Spain or somewhere else, he would be no great loss to this country?—Perhaps not. I think the sooner we get rid of the idea that a landlord should come and put his tenants on the rack and spoon-feed him the better.

26,332. Have you thought what effect it would produce on the tenants if they were allowed to become the owners of their farms?—I think it would have a very good effect.

26,333. It would have the effect of making them cultivate their land better and of making the tenants better citizens?—Yes, I think it would make them much better citizens. They would have something to lose.

26,334. The extraordinary thing is that the tenants are more anxious to sell themselves of Lord Ashbourne's Act, as a rule, than the landlords are anxious to sell?—It is an extraordinary thing that the landlords are not anxious to sell and the tenants are not anxious to buy. It shows that there are landlords and tenants who think that they are just as well perhaps as they are.

26,335. Notwithstanding that, if they got the same terms as the landlords are giving to their tenants in the South, don't you think they would buy?—Yes. If you put the case in this way: supposing you were a strong farmer, and had a lot of cattle half fat, and your neighbour was very poor, you would think it a very hard thing if he, through necessity, was obliged to sell his cattle half fat in other words at a loss, that the butcher who bought his cattle should be able to come and say to you, "You must sell your cattle half fat also." And I think it is very hard because of agitation in the South to compel landlords in the North to take the same price.

26,336. I was not speaking of compulsion at all. I was only speaking of the position of tenants in the South and of that of the tenants in the North?

26,337. Is it your experience that the tenants in the North made the land what it is and the farms what they are?—Yes, and they have been largely assisted on the matter I am connected with. And on many others such as Major Maxwell's, Mr. B. Huston's, Lord Derrinore's in the county Down, Lord Erne, and others. There are enormous wastes in the North, which prevail in the South, which I attribute a good deal of the situation of the country to.

26,338. There are a good deal of improvements?—There are a good deal of improvements.

26,339. And rural buildings?—Yes, and extravagant buildings here too—evidence of course they were not much wanted.

26,340. Speaking of those particular farms, farmers have made mistakes like other people?—No doubt of it.

26,341. It is hard to foresee what may happen in the future?—Quite so.

26,342. Speaking of the farms which you referred to in Dungannon, is there anything peculiar in its situation?—No.

26,343. Is it now so the town of Dungannon?—It is.

26,344. That would increase its value?—Certainly, a little.

26,345. Of course there is no attempt about making town parks about that little village?—No.

26,346. But the fact of its being so near Dungannon enhances its value considerably?—Of course, but this price astonished me myself; I know the district so well.

26,347. And you object to the judicial rents as fixed by the sub-commissioners?—I do, as being uneven and unfair.

26,348. Sir James Caird—I thought you said that they were moderate?—I say they are low, and uneven too.

26,349. Mr. Kyrle—The opposition been given to the decisions of the chief commissioners?—It has, strongly.

26,350. And they have in many cases reduced the rent fixed by the sub-commissioners?—Yes, without any guiding principle and no expert connected with the

rent to assist them. And if I decided as they did, as arbitrator, I would make no great mistakes as they do.

26,351. They had court valuers up to a very recent date?—But they discharged them.

26,352. Could you tell at what date they discharged them?—They have one court valuer, but they don't use him much. Of course you understand that I am making no attack upon these gentlemen; but I simply say that if they were angels from heaven they could not arrive at fair rents by the process they pursue. I am intimately acquainted with cases with which they deal. I have several times been engaged to make valuations, and I have said to the landlord: "I think that your rent is just about fair, but if you produce me they will be cut down 20 per cent, and I strongly advise you not to produce me." And I know what the result has been, that the landlord came off infinitely better than if he had produced me.

26,353. Sir James Caird—Is he not bound to state the rent?—He stated the rent, but he did not produce his valuer. I always found that where the landlord's rent is not very much below the fair letting value it is much better not to produce the valuer. I say the court valuers should have remained, and the court valuer's report should have had much more attention paid to it than ever was paid.

26,354. Mr. Kyrle—Your opposition to the chief commissioners is influenced more or less by the reductions they are making in consequence of the price of produce?—I suspect that latterly they are being unduly influenced by evidence on this head, because I heard them asking questions about it more.

26,355. And that would be a reason for reducing the sub-commissioner's rent?—Yes. My belief is that the rents were not fairly and properly dealt with, and that therefore they were acting on a wrong principle.

26,356. And in many cases you say that the rents fixed after the passing of the Land Act were too high?—Relatively too high. Farmers are now more dissatisfied with the rents than they were before the Land Act.

26,357. We may tell you that where it is evidence here that after the summer of 1885 the sub-commissioners, looking at the low price of produce, have been making from seven to fifteen per cent. of additional reduction.—If they had either the experience or judgment to fix rents fairly at first I would not dispute so much with them; but I think that they are only adding to the injury they have already done.

26,358. Taking into account the reductions which the landlords have been giving up to the present time upon these judicial rents, would you still be of opinion that the rents were moderate?—I don't think that any landlords have given reductions because they thought them necessary, but for reasons which I think ought not to be held against them—to try and avoid litigation and to keep on good terms with their tenants.

26,359. I think you said there was a difficulty to pay rents this year?—More than other years.

26,360. What makes it more difficult?—The price of stock.

26,361. These things taken into account—the sub-commissioners giving additional reductions after 1885, the chief commissioners in many cases reducing the rents fixed by the sub-commissioners, and the landlords giving reductions themselves—wouldn't it lead one to believe that the rents were too high?—No.

26,362. Has your attention been called to the reductions which the English landlords have given to their tenants?—Yes, I have a report of the total abatement in England, and it will be seen that it was only 7 per cent. I have the report here. It is only up to two years ago however.

26,363. Up to two years ago?—Yes.

26,364. Isn't it a fact they are giving more substantial reductions these last two years than it was before?—It may be.

26,365. The President.—They don't take into account the temporary abatements?—It states that the total rental for 1876-7 was £48,000,000; for 1883-4 £45,000,000, the difference being £3,000,000.

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26,364. Sir James Caird.—That is from the government returns for income tax?—I believe so.

26,365. Mr. Neligan.—It is.

26,366. Sir James Caird.—It is very well known that the temporary reduction would not be applied in these returns, and most landlords, when they make a reduction, hope that it is temporary.—I don't found my argument upon it.

26,369. I merely caution you against taking absolutely for granted.—I do not. I only mention it having happened to see it in a paper this morning.

26,370. The President.—And I believe it is the interest of landlords to keep their rental the same on paper, so that they may get it back again when times improve?—Yes.

26,371. Sir James Caird.—Has the price of tenant right fallen of late years, or the last two years, compared with previous years?—In some districts it has, in others it has gone up. There is not such a demand now.

26,372. There is not such a demand now?—No.

26,373. That probably would tend to lessen the price?—It would tend to lessen the price, and I think and hope, after all this investigation about rent and tenant-right in court, it is opening the eyes of the tenant farmers to the absurdity of the prices they were paying for an idea, and that they would be more wise in future.

26,374. You said the rent during the last two years was more difficult to pay?—It was more difficult to get money. They had the staff, but it was difficult to turn it into money.

26,375. It was comparatively unobtainable?—They are holding over for higher prices.

26,376. And when they do sell they will be getting less?—Getting less for that particular kind of stock.

26,377. And in that way they will be less able to pay?—Quite so. Yes.

26,378. In that plan which you laid before us of debiting the tenant and crediting him as prices rose and fell, you contemplated a regular fluctuation of prices?—It would provide for a fluctuation of prices.

26,379. Of course if the condition did not arise it would not be varied?—No. I think myself that the prices would be more uniform than is generally anticipated.

26,380. I ask you, because you have great experience, what are the different kinds of produce which you would think would fairly represent the articles which ought to be considered in fixing the rent?—Before I answer the question I should like to draw the attention of the Commission to a lease that I found in the County of Galway. I think it was drawn up by the present Judge Morris, but it was in connection with—I don't know which of the estates. I was appointed by the Government to make a report on the Kesholee Schelds estate, and I found the lease there, and I thought it was the most sensible produce lease ever I read.

26,381. What is the date of it?—In 1850. It fixed the price of five articles—beef, oats, butter, and I think it was mutton. It fixed what proportion of the price of each of these commodities went to make up 21 of rent.

26,382. And you think that these five articles might fairly represent the average produce of Ireland?—Well, I think we should have to introduce pork, oats, butter, and possibly—

26,383. Mr. Neligan.—Barley?—I think we may have barley out. Potatoes is not a good standard, because they vary so much with the produce, and therefore I strike them out of my own calculations when I arrive at what I think is fair.

26,384. Sir James Caird.—Then you put them at five articles, I think?—I think about five.

26,385. Lord Milnes.—You don't accept the articles picked up in Griffith's time?—They are very much the same—oats, flax, butter, pork, wheat, beef, and mutton. I think we may leave out wheat, and flax is not a large product, except for Ulster, and it is not large at all now.

26,386. Sir James Caird.—It has fallen off much of late years?—I see it increased last year.

26,387. With regard to purchase, I think Mr. Neligan put a question to you, and you said you were an advocate of purchase in favour of farms of sufficient size?—Yes. I have been engaged a great deal in reporting on properties, and I have advised the purchase of small farms in particular cases.

26,388. Would that depend a good deal upon the quality of the land?—Yes.

26,389. That is to say, that small farms of good quality are quite a different thing from farms of inferior quality?—Yes.

26,390. And with regard to the congested districts, as I understand, your view of the propriety of the Government buying would be with the object of reducing the number and increasing the area of those that remain?—Yes.

26,391. That would be really the object?—Yes, and I think they might add by reclamation, so as to increase the area.

26,392. Government reclamation?—Yes.

26,393. Have you ever known any system of government reclamation paying?—No. Still I don't think that the English nation ought to look too closely to the debtor and creditor side of the account. They did us a good deal of mischief in killing our industries in former times. I think if it was brought before the English people who did this mischief, they would not strain at a couple of millions now to help to condone the past.

26,394. We shall not go into that question now. I think the English people have already had it fully brought before them.—Not by such a Commission as this.

26,395. Speaking of the price of tenant-right, is it within your knowledge that this excessive price is very much due to the fact tenants who have facilities to borrow money will borrow it to pay for them?—Very often they borrow money at large interest and heavy expense.

26,396. But as a rule they do borrow it?—Yes, they do borrow it.

26,397. And pay a very heavy price for it?—They do, yes.

26,398. What do they pay?—8 and 9 per cent., and very often the farmer starts with a rope round his neck. That is why I maintain that every discouragement ought to be offered to those extravagant prices for tenant-right. Of course the tenant who built the houses and made improvements and worked the farm properly should be allowed the full value of these; but anything beyond that ought to be discouraged.

26,399. Do you consider that these high prices paid out of capital which is borrowed at very high rates are injurious to the tenant as a future farmer and his ability for cultivation?—Yes. He relies upon artificial means of often bad quality, instead of being able to buy stock, and of course the land is deteriorated.

26,400. As I understand, you said that you would not interfere with judicial rents as fixed, as all events will half the term of fifteen years had gone?—That was not exactly what I said, but with the view of a government valuation it was assumed that that valuation would be completed before half the term of those judicial rents was expired, and that then we would have some reliable guide.

26,401. Mr. Neligan.—Some authoritative basis of a scientific sort.

26,402. Sir James Caird.—And you would wait until that valuation had been completed?—Certainly I would.

26,403. Contrasting prices, the state of the country, railway rates, the fact that seven millions some hundred thousand pounds was spent on arterial drainage since the valuation was made, you think it would be a very dangerous thing to begin to tamper with these judicial rents at present.

26,404. Mr. Neligan.—I believe the greater part of the railways was made since Griffith's valuation?—Yes.

26,405. *Mr. James Caird.*—But with regard to these judicial sales, since the valuation was made £7,950,000 has been spent on arterial drainage. I believe it is the general admission that in Griffith's valuation he put a high price in one case and a low price in another case, and that has been proved not to be correct?—Yes. He put a higher value on wheat lands, than on grazing lands. His valuation was made upon the basis that the tenant should pay the whole taxes. That is a thing not generally understood.

26,406. *Mr. Neilson.*—Is that true?—I will show it to you in the instructions issued to his valuers.

26,407. *Mr. James Caird.*—That the tenant should pay all the taxes?—All the taxes except the tithes. This is the instruction book.

26,408. These are the instructions to the valuer:—

"Every valuation hereafter to be made or to be carried on or completed under the provisions of this Act. The commissioners of valuation shall cause every assessment or rateable hereditament herein specified to be separately valued. . . . Such valuation shall be made on the estimated net annual value thereof, the peculiar local circumstances to each case being taken into consideration;" and "all taxes, rates, and public charges, if any, except tithes and other charges, being paid by the tenant." That is a thing never borne in mind. This including of the payment of the taxes in the South of Ireland, where rent was depreciated at the time, and the taxes were very high, is the reason the government valuation in the South was so much under the letting value of the land. The taxes were not so high in the North, and, therefore, there is not so much difference.

26,409. *Mr. Neilson.*—That is the Act of Parliament itself you read from—the 15 & 16 Vict. c. 63?—Yes.

26,410. *Mr. James Caird.*—Do I rightly understand you that in the present state of the law the district judge may stay an ejectment until he makes inquiry?—He may give a stay of execution—that is, he need not give out the decree out of his hands for a certain period.

26,411. Until he makes more inquiry. He founds that stay on the evidence that comes before him on the part of the tenant?—Perhaps you are not aware that in an ejectment for non-payment of rent in Ireland the tenant has power to redeem within six months, and the usual practice is to execute the decree and sign an attornment that he will remain in for six months as caretaker, and therefore every tenant has a stay of six months as a right; for no landlord would be such a fool as to turn him out and run the risk of being liable for some time.

26,412. *Mr. Neilson.*—Where there is a decree in ejectment for non-payment the tenant has six months to redeem—that is, six months running from the execution of the decree. The decree, of course, cannot be executed until the judge signs it and hands it for execution, and he can himself propound a stay the handing out of it?—It has occurred to me that if the process could be simplified as to cost of executing some small decrees, some simple clause that the tenant should go before the clerk of the peace say, and sign the

attornment. The present proceeding is that the sheriff goes, and goes through all the formality of putting this man out of the house and putting out the fire, and then the man signs an agreement to go in as caretaker; then we have to bring back the sheriff at the end of the six months if he has not redeemed, and that means an expense of about £5 for the simplest case. It is the bringing of the sheriff the first time I object to. The tenant might sign an attornment with the clerk of the peace. It has always appeared to me to be a tremendous hardship, especially on the poor people, if the man redeems, and it doubles the proceeding, which is at all times a painful one.

26,413. *Mr. James Caird.*—You have a long experience of the Gweedore proceedings, and you have mentioned that Lord George Hill established a woollen manufacture?—Yes.

26,414. So as to introduce a special industry within the district?—Yes.

26,415. How many years ago is that?—It is a long time ago now; it was about the time of the famine, or a little after it.

26,416. At that time was that district in a prosperous condition?—No; it was run down all over the place.

26,417. Did Lord George endeavour to bring them into better condition?—He did everything man could do.

26,418. Did he succeed?—Yes; and there was no more happy tenantry until recent affairs came up.

26,419. What is the change?—The change is now they won't pay any rent at all; they won't pay a fraction.

26,420. Are they in a better position because they don't pay rent?—No; that is the worst of it. If the money was going by for the day when they must pay it would be another thing, but they are becoming hopelessly embarrassed.

26,421. In what way did this change arise? Was it from any legislation or from circumstances and the manner in which they themselves were engaged in the cultivation of the small pieces of land?—No, I think it was legislation. I don't like to attribute the cause to man from it. It is a most painful history, for they were a really well disposed people and industrious.

26,422. Do you think they could have gone on in that manner if left to themselves?—Yes; there was nothing there to cause it; the times don't affect them much. They grow enough potatoes and they have sheep, and then this industry that was introduced enabled them to manufacture wool at their own firesides.

26,423. And the rents they paid were very moderate?—On an average they were only £1 0s. 10d. for each tenant.

26,424. Then you would seem to say that if they had been left to their own action entirely they might have been quite comfortable now?—Quite as comfortable as ever they were.

26,425. There was nothing in the seasons or prices that would have brought about such a result with them?—Nothing whatever.

Mr. Murphy then handed a summary of recent tenant-right sales, effected since the passing of the Land Act of 1881.

The COMMISSIONERS then formed a second Court.

(Before EARL COTTELL and MR. JAMES CAIRD.)

Mr. C. J. ROBERTS, examined.

26,426. *The President.*—I believe you were acting as agent for your brother on the Killeeney estate?—Yes.

26,427. You were doing so for some years?—Since 1873.

26,428. It was you who sold the Killeeney estate to Mr. Farrell's Migration Company?—Yes.

26,429. Have you been acquainted with what has been going on on that estate since?—Yes.

26,430. You have returns to show the rental on which it was sold?—Yes; the [product] is the rental.

26,431. What was the rental?—£2,175 6s. 3d. was the net rental.

26,432. How many years' purchase did they give for it?—They gave £65,000; it would be nearly 26 years' purchase.

26,433. That you considered a fair price?—Yes.

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Mr. Murphy.

Mr. C. J. Roberts.

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Mr. G. J.
Sullivan.

26,434. Was it a sale partly out of charitable consideration in order to make an experiment which you thought would be of advantage to the country?—No; the estate was incident.

26,435. Sir James Caird.—You got the best price you could?—Yes.

26,436. Was there any competition in the market for it?—Several of the tenants stated to my solicitor that they were prepared to give twenty years' purchase—several of the large grazing tenants.

26,437. How many large grazing farms were there?—There was 2,737 statute acres in all.

26,438. How much was in grazing land?—2,106 acres were in large farms; but they were not all grazing farms.

26,439. Were they chiefly grazing farms?—Yes; bearing 532 acres for small tenants, and the balance was in bog and plantation.

26,440. The President.—Can you tell us what took place after you sold it, or did you lose sight of it?—Since I sold the place 422 acres have become available for distribution amongst the small tenants.

26,441. Out of the 2,000 acres of grazing land?—Yes.

26,442. What happened to the remainder?—The 2,100 acres were not all grazing; there were some of the farms large agricultural farms.

26,443. Do they remain still unleased?—Yes.

26,444. Sir James Caird.—Was the 422 acres given to the small tenants all grazing land?—Yes, all grazing land.

26,445. The President.—Do they intend some time or other to break up the remainder?—They cannot; it is under lease.

26,446. Is it a long lease?—From 20 to 30 years to run.

26,447. So that practically for that time they cannot touch it?—Yes.

26,448. They knew they could not try their experiment on any large scale?—They knew they would only have between 400 and 500 acres to distribute.

26,449. Sir James Caird.—Was there any tenant on it who had to be displaced in order to get possession of these 422 acres?—There was a grazing tenant who became bankrupt, but his time would have been up next year.

26,450. The President.—What is the condition of the tenants who are there?—The small tenants on the estate up to the time it was brought into the Land Court used to pay their rent by labour. Since that time some of them are deeply in debt to shopkeepers—they are very much in debt to shopkeepers.

26,451. Were there any land additions to their holding?—They were in debt before they got the additions. Those who were not in debt are getting on very well with their holdings.

26,452. You consider that with those who started without being in debt this has been a success?—Yes; but I think they are paying rather high rent for the new land.

26,453. Could they go into court and have it fixed by Commission?—They have signed agreements to purchase.

26,454. At how many years' purchase?—Fifteen years on the judicial rent of their own holdings, and 20 years' purchase on the grazing rents paid before the property was bought by the company.

26,455. The grazing rent was lower?—No, it is much higher—all this new land; the other the holders had been living on for many years.

26,456. And they have signed agreements?—Yes. 298 of the 422 acres have been given in lots of from 10 to 4 Irish acres to 25 small tenants, and two herds that were on the farms.

26,457. And these have signed agreements to purchase?—Yes.

26,458. Sir James Caird.—How many?—Twenty-five.

26,459. How much is the average extent?—The 298 acres were divided amongst 25 small tenants, and two herds that were on the farms.

26,460. That was all out of the grass land?—Yes.

26,461. That must have been a very important addition to their land?—It was.

26,462. The President.—Even though they were in debt they have signed agreements to purchase?—Yes; I should mention that there are a great many people in the neighbourhood who would be anxious to repurchase from them, in case they are not able to pay the interest on purchase money. I should say three to one.

26,463. Sir James Caird.—What is the number of small tenants?—Fifty-five altogether, including nine cottiers, who are living on farms which are now used as grazing, but were let originally as agricultural holdings. Twenty-five of these have been provided for by the purchase of the 298 acres, and there are thirty tenants who have not got any new land.

26,464. They have got no addition to their land?—No; these tenants have not, but some of them will get the remainder of the 422 acres which have not yet been divided.

26,465. Will they be fully provided for when they get the remainder of the 422 acres—the thirty tenants?—Oh, no; but ten of these thirty have rather large holdings already—from ten to twelve acres, Irish, and twenty of them would require new holdings.

26,466. And would the twenty getting the remainder of the 422 acres not be of sufficient extent?—It would give them about five acres each.

26,467. Do they wish to have more?—Yes; they would like to have more.

26,468. But after all that is done there is a large extent of land yet which is still under lease, which may come under the same operation when the lease is out?—I don't think so, for in these grazing leases the tenants have power to sell one-acre meadow to a certain extent. For instance, Mr. McDonagh, one of the leaseholders, pays £690 a year rent, and he has a right to one-acre, and that gives him a right to have a fair rent fixed when his lease is out.

26,469. The President.—So you can never get at these lands without an allocation in the law?—No.

26,470. Did they know that when they bought?—There is a dispute about one farm of fifty acres, but otherwise they knew they could not get more than 422 acres.

26,471. Sir James Caird.—Are the other farms like these large households—have they the same right to one-acre and to go into court?—There are only three besides, and they may go into court—when their leases are out they can go into court.

26,472. The President.—And they bought this estate without any chance of trying the experiment on any except a very small quantity of land?—Yes.

26,473. Can you give any details which would be of interest as to the circumstances of the sale?—I think it only just to the company to mention that they would not have given this price, only I stated I was prepared to sign a proposal for £14,000 for the demesne, and I had since to withdraw that offer. I lost by the sudden fall, and I wrote to Mr. Parnell offering to give up the lands, but he would not take them.

26,474. You had offered to take the demesne?—Yes, and I believe they would not have given more than £12,000 for the estate, only I told them I was prepared to sign a proposal for £14,000 for the demesne lands.

26,475. Sir James Caird.—They had it in their power to make you take the demesne lands of two lands at that price?—I don't know that they had legal power, but I felt myself bound to do it or give up the land. I was understood to have got the money from Government, the £14,000.

26,476. Is Mr. Parnell & Co. in a worse position as account of the misunderstanding?—I cannot afford to give them £14,000, and nobody else would give that price for it; it is not worth so much in the present state of land.

26,477. You had to withdraw your offer on account of the bad times?—I used then to get fifty or sixty acres of one-acre, and I got from £4 to £7 an acre for it, and the next year I only got from £2 15s. to £4 1s. for meadow of better quality. I calculated I lost about £150 a year by then fall, and I then wrote to Mr.

Parrell offering to give up the land, and telling him I could not pay the interest on the money if I bought at the £14,000.

26,478. They walked over the estate themselves and valued it before they made their offer?—Yes, Professor Baldwin came down first and sent in a report, and then Mr. Parrell, Mr. O'Shea, Mr. Tighe, and Col. Nolan walked the estate.

26,479. Was there a difficulty in getting the money?—Yes; they did not lodge the money until January 1893, though they undertook to lodge it a fortnight after the purchase. I think Mr. Parrell had to get a Bill passed through the House to remove some technical objection.

26,480. The money was public money?—The £12,000 was advanced by the Government.

26,481. Out of £43,500?—Yes.

26,482. Were the costs heavy?—The actual costs of the sale were not very heavy, but the property was in the Courts for four years, and they were paying for constant motions by the receiver in Court, and penal interest accumulated, and all that. I calculated it cost my brother £5,000. If the property had been sold for this price the day it was put into Court, he would have been £5,000 better off than he is now.

26,483. How did these costs arise?—No money could be made before the Land Court judges without costs accumulating, and there was interest due to money-lenders—three per cent. and nine per cent.

26,484. You have given us the number of tenants on the estate?—I have given the number of small tenants—fifty-five, including nine cotters.

26,485. You have told us that 422 acres have been divided amongst the small tenants?—422 acres have become available for the purpose, and 298 have been divided amongst 25 small tenants, and two herds and the remainder will be divided very shortly.

26,486. Amongst the 30 who have not got any?—No, amongst 15 of the 30.

26,487. Then 15 will get nothing?—15 will get nothing. Mr. Dillon has made arrangements to divide this land already, and I think it is amongst 15.

26,488. Then 15 will be left out?—15 will get nothing.

26,489. The President.—What rule did he go upon in dividing the land?—He gave the land to those who were close to the grazing lands.

26,490. Was he able to give them their new lots as fast they joined on to the old ones?—They are not joined, but in the purchase it is all one holding.

26,491. Sir James Corry.—Are they using them still as grazing land, or are they breaking them up?—They are breaking them up.

26,492. The President.—One of the tenants who had these grazing lands become bankrupt?—Yes, and that land is in Mr. Dillon's hands now; he served notice on the assignees in bankruptcy.

26,493. You mean that the man could not pay rent?—He became bankrupt to all creditors.

26,494. And was sold out?—Yes.

26,495. Are the tenants contented with the division, or do the 15 who were left out think they were hardly treated?—Well, they did not expect to get any of the land which has become available, but they are disappointed that no more has become available for distribution.

26,496. Sir James Corry.—How do tenants here voted?—No.

26,497. The President.—There is a large bog connected with the estate?—There are two bogs.

26,498. And out of these fuel is supplied to the tenants?—Yes; they have a right to carry on it.

26,499. How is that arranged? Is the bog still reserved in the hands of the company?—Yes.

26,500. When they sell all the estate except what is under lime, what do they intend to do with the bog? do they intend to keep it?—I don't think they intend to sell it.

26,501. They intend to keep it?—Yes.

26,502. And to regulate the supply of fuel?—That

is a matter not arranged so far—they have made no arrangement to sell the bog to them at all.

26,503. The 15 who have got no land will have to stay as they are until they buy also?—They have signed agreements to purchase. There are 12 of them who are comparatively large holders of from 10 to 12 acres each.

26,504. Sir James Corry.—Then they have not got more land because, probably, they have enough already?—No. There was no grazing land near the holdings; and they did not expect it until other people had been supplied; they are buying at 15 years' purchase on the judicial sale.

26,505. The President.—You told me it was expected that the broken-down men would be bought out by men who are able to pay?—Yes. I am sure I know at least 50 people within a radius of five miles who have made money in England and elsewhere who would be most anxious to buy.

26,506. And the broken-down tenants will be obliged to sell if they don't pay the mortgages?—They will be obliged to sell.

26,507. Do you think this would take place in the congested districts—that the better tenants would buy up their poorer neighbours?—Yes.

26,508. And if left to themselves that would be the natural course?—Yes, the poorer tenants would be wiped out.

26,509. They would be more likely to be wiped out if they and their neighbours had purchased than under the old state of things?—Yes; I don't mean to say that the tenants who have land there already would buy from them, but the younger sons of tenants in the neighbourhood who have made money in England and America would be very glad to buy.

26,510. Not the existing tenants?—Not the existing tenants.

26,511. Some of the existing tenants would be glad to buy for the purpose of increasing their holdings?—Yes, but I fancy that the people who have no land would give a higher price.

26,512. Altogether you think the experiment, except for their having bought land which they will never be able to make use of, has been a success?—I think in this particular case growing land has come down since then, and I believe if grazing land was bought now at the price existing, it would be a success.

26,513. Sir James Corry.—Do you contemplate that this grazing land, which these small tenants got in addition to their farms, will be used for the purpose of growing crops?—Yes.

26,514. Not as it has been as grazing land?—No, I think they lay down their old holding for grazing land and break up the new land.

26,515. That will be some distance from their dwellings?—Not very far, at most not more than a quarter of a mile.

26,516. You say grass land has gone down in price something, or it might now be a safe investment?—I say it would be safer than it was then.

26,517. You don't say it would be safe to adopt the system of migration, such as Mr. Parrell has adopted in this case?—I didn't say it was unsafe then, but there would be better security at the present price.

26,518. Do you yourself from what you have seen of it consider it has very much improved the condition of the people there to get this additional land?—Any tenant who was not steeped in debt, it has improved his condition.

26,519. And those who were steeped in debt will be able to sell when they purchase, and will be able to go away with some advantage to themselves and to the estate?—Yes, I am sure there are people in the neighbourhood anxious to buy from them.

26,520. Then you think so far this experiment has proved that advantage might arise from such migration?—Yes.

26,521. Of course these small tenants in this case, the addition they have got is really an addition of better land than the land they already held?—Much better land.

Dec 11, 1896

Mr. G. J. Bodkin

Dec. 11, 1884. 26,529. Much better in quality?—Yes, because most of these small holdings are quite worn out, they have been tilled year after year.

Mr. C. J. Bodkin. 26,528. There might be a risk of the poor class tenants running out the new land when they get it?—No, I think the tenants who would do that will be bought out.

26,529. Therefore on the whole, taking everything into consideration, the experiment has really so far, although not so extensive as anticipated in consequence of the rights of the leaseholders on the grass lands—has been successful?—Yes.

26,530. The President.—I suppose the rental goes

to repay the Government instalments?—I think the £42,000 was advanced under the Timeways Act at 5 per cent.

26,531. Sir James Caird.—Is the 5 per cent. to pay the principal and interest?—Yes, in 35 years. The tenants who are purchasing are getting the money at 4 per cent. under the Act of 1885.

26,532. The President.—The rent will be paid over by the company to the Government and cannot be touched, and they won't be able to try any further experiment?—No.

Sir James Caird.—But they can sell to these tenants?—Yes.

Mr. WILLIAM KIMMELA, examined.

Mr. William Kimbrell. 26,533. The President.—I believe you are a tenant farmer in the King's County?—Yes.

26,534. What is the size of your farm?—About 30 and 70 acres.

26,535. You have two farms?—Yes, I live on the 50 acres, and I have a grass farm of 20 acres.

26,536. Have you a judicial lease?—I have of the 50 acres.

26,537. But of the other one?—The other is a grass farm, I have no judicial lease of it.

26,538. Is it a yearly tenancy?—Yes.

26,539. Did you get your rent much reduced?—I paid £63 10s. a year, and I got it for £60. I got £3 10s. a year off it. I did not require it. It was suggested to me by the agent, and I thought it a good thing to get it at that time, for I was not looking for it. That is three years ago. I dare say this year I would not consider it much of a boon.

26,540. You kept an account during the last year of when you made by it?—I cannot say that either but in a general way.

26,541. Have you made anything at all this year?—This year is a year of depression, and I don't feel aggrieved; I would take it still, I suppose.

26,542. You hope to have better times?—I hope so soon.

26,543. You have paid your rent?—I always paid it.

26,544. Have you had to draw upon your savings of other years?—I have this year. I had to draw upon my savings this year to clear myself. I won't say the rent, but in every other way.

26,545. You had to take money out of bank?—I had.

26,546. People are not very fond of taking money out of bank?—I believe they are generally too fond of taking it out, but I won't accuse myself, but I take money out of any place I have authority over to pay my debts.

26,547. Is it true that some farmers would rather raise money in any other way, have bills backed for them and borrow money than third parties at a high rate of interest rather than take money out of the savings bank or out of their deposits?—I cannot answer that, I don't know anything about it.

26,548. You don't know of any case?—No. I think he would be a fool who would do it. I would not do it.

26,549. You would take it out of bank in the hope of putting it back when you had made something of it?—In the hopes of putting it back again. I have cattle that I don't want; I have them on hand still, and I could have got on without taking money out of bank if I had sold the cattle at a loss.

26,550. Sir James Caird.—You have cattle on hand which represent the money you took out of bank?—Yes; I could not sell them at a sale unless I sacrificed them, and I went to the expense of feeding them round the winter in the hope that I was not doing wrong by it.

26,551. I suppose a good many cattle have had to go home again this year?—Yes; the times that passed were such high prices that the man who brings cattle to the fair now can't see his way to selling them at the price the buyer can give. The buyer or grazer can't give the price the seller thinks they are worth.

26,552. The President.—You could buy cheap?—

You could buy cheap for the last year and a half or two years, but that is what gave me the touch. It was the lowest year I've had, and I fed for twelve months and sold them for the same money I gave for them.

26,548. That was a year or two ago?—That was two years ago.

26,549. But now you are able to buy them so cheap, you are able to make something of them?—Yes, I bought cattle six months ago, and sold them since, and made a fair profit on them, and sheep especially.

26,550. You have made a fair profit on sheep?—Yes; you bought sheep a year and a half ago, and you will make a fair profit now. If not, it is in your hands.

26,551. How much of the 50 acres is tilled?—About 16.

26,552. When you drew money out of bank was it on account of the tillage being bad?—I don't count much on the tillage. I didn't sow barley since it got cheap, but I sow oats, and I can get them done up at the mill, and I think it pays better to feed with it. I don't sell the corn, for I think it pays better, though not in a direct way in the feeding of cattle or pigs.

26,553. Would you like to buy under Lord Ashburton's Act?—That depends on the way we get it.

26,554. On the number of years you got it at?—Not the number of years, but the rent. If the times hold as they are, and the price of produce and stock remains as it is, I don't know what rent could be paid, for even at judicial rents I can't see my way.

26,555. And if you did buy, it would be for the purpose of reducing the rent?—Yes; and it would be a boon to my family; let the time be short or long—30 or 40 years—I never expect to enjoy it; but it would be for my family.

26,556. You feel that you or your grandson would have it?—Yes. I think it would be the best meddling with the Act—the best to quiet down the country—there is such ill-will to the landlord class, and there is such agitation over it, that I think if it could be managed that the Government could be the landlord, I don't think there would be the same feeling. There is a feeling against the landlord in any part of the country, that the tenants seem to think they are not human beings at all—they are not a class that should be allowed to live. I think that would be a means of quieting the country. Now there is a system got up of paying rent to the parties not entitled to it at all. The rent also will be in one part of the town, and another rent office in another part, and I think it is unfortunately to the wrong side of the town it is paid. The man who is entitled to get it is not getting a halfpenny, and the man at the other end of the town is getting the whole of it.

26,557. Sir James Caird.—You said that if time held as at present you don't know what rent could be paid?—I am not able to tell you that.

26,558. Then you mean to say that at present you would not be inclined to buy?—I would buy if there was a reduction, because in the course of time it would come to my people.

26,559. You feel the advantage of buying if you believed the time was come to buy?—Yes.

26,560. But you think with the present appearance

of things it would be safe to buy?—You put it the very way; I think you are right. I did not mean that, but I say it now. Suppose the Government was the landlord, and we paying the same rent as now, and times held as they are, and perhaps even worse, I don't think the rent could be paid.

25,560. Then you prefer to wait a few years to see how things will turn out?—I would not say that is the general feeling; the general feeling is that they don't seem to appreciate the Act at all.

25,561. The Purchase Act?—Yes; they think it just the very thing you suggest—that it would be too dear, no matter what landlord, that it is only worth half the money.

25,562. They would like to get it for half the money?—They would like to get it for nothing.

25,563. What kind of stock do you keep?—Chiefly grazing—store stock.

25,564. Are they half-bred shorthorns?—I would like shorthorns, but I must buy in the market on trust.

25,565. What kind of cows do you keep?—I keep good cows.

25,566. Have you a good bull in the neighbourhood?—Yes.

25,567. A shorthorn bull?—Yes. I live near Castle Bernard, and Captain French has a very good bull.

25,568. You don't fatten?—No, except to put a few into stalls in the winter.

25,569. Do you keep a considerable proportion of sheep?—Yes, I keep a good many, over 100 sheep occasionally, and sometimes up to 200.

25,570. To what age do you keep your rams?—I sell about half the rams from March until August.

25,571. What price did you get this year?—I got a bad price this season, but it was my own fault. I got 25s, and I should have got 28s.

25,572. You sold just before the rise?—Yes, but that was my own look-out. Then I keep about 60 lambs, and about 30 round the winter.

25,573. Then your sheep stock is a considerable matter in your farming?—Yes, a considerable matter to pay my rent, the easiest and the best for myself.

25,574. From your own experience of the last few years have the receipts of the farm been decreasing or increasing?—They were increasing for the 30 years I spent 11½ years in Australia, and up to the last two years I was saving every year. Every year I could put a little and some years a good deal into the savings bank—up to one or two years ago.

25,575. Sir James Caird.—What happened then?—The depression of the times then, the buying of the great farms and the buying of the stock down.

25,576. You have nothing left in the last two years—a small profit to lay by?—I did not lay by anything these last two years.

25,577. The President.—You had to draw money out of bank this last year?—But I hope to make that good again.

25,578. Sir James Caird.—But you will have no profit even if you save yourself from loss?—No.

25,579. The last two years have been the worst?—Yes, the worst of the 30. Actually I saved every year. I was determined to put so many pounds by every year, or twice a year, and these last two years I can't say that.

25,580. Can you say, from your knowledge of your neighbours, that they are very much in the same position as yourself?—No. I think they are worse. I don't want to praise myself. I think my colonial experience helped me. I don't think like their way of farming.

25,581. In what way do you differ?—The majority will take as much out of the land as it will grow, that is in regard of corn crops.

25,582. Without putting manure into it?—Yes, and they use the wrong manure; they generally use too much artificial manure, and they are neglecting farm-

yard manure, which is better. Some of my neighbours are neglecting farmyard manure entirely, saying, "I will buy it as cheap in the market." They buy it in the spring, it is not paid for until the following October, and my experience is that it will take nearly as much as would pay the rent if farmyard manure was used as formerly. I think it is not good to have artificial manure, and my neighbours are using too much of it.

25,583. Have your neighbours as much grass land?—No.

25,584. Therefore you have more cattle in proportion, and they manure your land?—Yes, they help to do it. I sow green crops, and I still feed in the winter; it is a particular thing with me to try and have as much farmyard manure as I can, and I try to impress it upon my neighbours, but they don't see it, and I know it pays.

25,585. Notwithstanding your more judicious farming for the last two years, the feeding has not been very profitable?—No; if it was to be fed again for the next two years it might be farmed in another way. I did not expect this year to be so bad, or I would be better prepared for it. I would have farmed in another way.

25,586. What is the condition of your part of the country? has there been any strike against paying rent?—Very much so. So much so that it will not be a healthy country while there is such feeling; they will pay nothing.

25,587. A great number of your neighbours are paying nothing?—That is the feeling they are getting, and I believe they abide by it. The fact is, I believe I speak my mind too plainly, and I have been boycotted severely.

25,588. Are you being so at this moment?—No, some of them will recommend me for the horrid crime of paying my rent.

25,589. You have been boycotted?—Yes, I voted for a Peer Law guardian, who was a Conservative; he was in, and I thought him a good man, and I gave him my vote, and I was threatened, but I disregarded it. I was sent another order not to pay my rent, and I disregarded that too, and publicly paid my rent, and others went behind back and paid, and I think I am more thought of than those who went privately and paid it.

25,590. Sir James Caird.—You are not boycotted now?—It will not interfere with my farming; there was a feeling, but it is gone now; there would not a man work for me, and I had to get an emergency machine to thrash corn. I had a twirl of my own, and I said I would fight them, and I am glad I did, and they think more of me now, I think.

25,591. The President.—You got the better of them?—Yes.

25,592. Was it much loss to you?—Yes, of course it was a loss, and a money loss. I am a Roman Catholic myself, and that makes it worse on me.

25,593. Why does it make it worse?—Because they make out a Roman Catholic to be a renegade, and to be a lost soul when he goes away from the books from the teaching. A Protestant is not so much looked after; they look more to the Roman Catholic who will go against the country, as they call it.

25,594. They visited you more severely?—Yes.

25,595. You have not been under police protection?—They wanted to send them to the house. I have a patrol every night. The chief of the police sent me a couple of men, and I refused them, and I am glad I did. I have a thatched house; that was the only thing that annoyed me. If I had a slate house I would not care a fig for them. I have two or three cows.

25,596. Sir James Caird.—And the fear of the thatched roof is that it might be set on fire?—I often went to bed afraid, but if I had a slate house I would not care a fig; but I hope the feeling will die away; there was a time it was very bad.

Dec. 14, 1886.
Mr William
Knox.

COLONEL COOPER, examined.

JAN 11, 1884.

Colonel
Cooper.

26,597. The President.—Colonel Cooper, you are a landed proprietor in the county of Sligo?—In the county of Sligo.

26,598. You will give us the extent of your estate in that county?—Well, it is a very large estate. There is a great deal of very poor land in it. It is of about £11,000 a year.

26,599. A great deal of very poor land, and I suppose some very poor tenants upon it?—No; the tenants are fairly comfortable; small tenants, a great many of them, but fairly comfortable.

26,600. You think on the whole you have been getting your rent this year?—Yes, fairly well.

26,601. Is there any combination against paying it?—There is very little in Sligo, but just on the borders of the county, Lord de Freyne's property. I see there appears to be a rent bank established.

26,602. And those tenants who were unable to pay, did they show any signs of selling their tenant rights for the sake of doing so?—We have not pressed them much this year, not at all as yet, but I think in Sligo they might be able to sell their tenant right.

26,603. They can?—I think so. I mean there is no combination to prevent them; I think in most cases, at all events; upon most properties, perhaps.

26,604. Have you given any abatement this year?—Yes, I have given 10 per cent. on any tenants who had not gone into court, who had no rents settled.

26,605. No reduction on judicial rents?—No reduction on judicial rents.

26,606. I think your attention has been called to what has been called the produce rent, the sliding scale?—Oh, I think that would be a fatal mistake.

26,607. Mr. Nelson.—A mistake?—Yes; it would unsettle everything. That is our present difficulty. There is no fixity in anything. And the idea would be that if the price went down they would get a reduction, they would never think of getting an increase. I think it would be a fatal thing, a sliding scale.

26,608. The President.—Would you be against any revision in any form of rents that had been fixed by the court?—I think there should be no revision for the 15 years.

26,609. However bad times were to get—even supposing prices become even less than they are now?—Oh, if they fell very considerably it is possible some change might be made, but really I do not anticipate any very great further fall.

26,610. But you think there would be an objection to the sliding scale that would not apply to any other revision?—I suppose in the course of years—in it suggested that the sliding scale should be annual?

26,611. The idea would be that it would change itself according to the average of the last 5 or 6 or 7 years each year.—Yes, quite so—like this.

26,612. Like this?—I think that would be most objectionable.

26,613. Perhaps you would tell us in a few words, for the sake of putting it down, what your objection would be?—Uncertainty, I think that is the great objection, the uncertainty, the chances of altering the rents at short periods. Once in 15 years is quite short enough to revise.

26,614. With regard to the Purchase Act, Lord Ashbourne's Act, have you any suggestions to make which would facilitate its working?—I think some changes with regard to the guarantee deposit should be made; 18 years, which, I believe, is the time it is likely that the guarantee will last, is rather too long, unnecessarily long.

26,615. Mr. Nelson.—15?—I thought it would be 18.

26,616. The guarantee deposit is for 15 years.

26,617. Lord Ashbourne.—That is to say, it is for as long as till a certain amount is paid off by instalments, so that it is easy to calculate it.

Sir James Caird.—I thought it was 18 too.

26,618. The President.—And what would you do

with regard to the one-fifth? what suggestion would you make? Is it that it should be dispensed with altogether?—I think in many cases it might be; the tenant-right is so valuable that I think it might be in many cases dispensed with altogether.

26,619. Would you be inclined to leave it to the discretion of the Commissioners to dispense with it if they thought it a proper case?—Well, I should like to give power to them to dispense with it.

26,620. Where they did not think it necessary?—Where they did not think it necessary, and that it need not last as long as 15 years. That is one point. And then there is a point I am not sure about; but supposing there is nothing to compel the Commissioners—and there is not, that I see, in the Act—to require the instalments to be paid punctually, they may allow the purchasers to run in arrears, on the security of the guarantee deposit. I consider that a great hardship. I think the guarantee deposit should be only liable for the instalments for one year. Then I think the Commissioners should have the power of letting for non-payment of instalments, which I do not think they have.

26,621. Sir James Caird.—What remedy have they?—To sell the tenant's interest only.

26,622. Mr. Nelson.—Sale or receiver. They get a remedy by reference to another statute, the same remedy as mortgages, which is to sell or appoint a receiver.

Witness.—And what is appointing a receiver? Is not that a hopeless thing?

26,623. The President.—Have they less power than the landlord?—Oh, much. They should have the same in my opinion.

26,624. Lord Ashbourne.—Do you think they should have power to proceed for recovery of some instalment, at any rate in the same way as they do now for taxes?—Do you mean some estate or make a mortgage?

26,625. Or get a decree at the Petty Sessions Court in small cases?—Yes, I think they should have all the remedies that the landlord has.

26,626. Or that the State has in recovery of taxes?—Yes, certainly.

26,627. Would you suggest that it should be treated as a tax and collected in a similar manner?—Collected in a similar manner. I do not know whether there is any provision made in the event of the State becoming a very large landed proprietor for the management of those estates. There is no provision for mortgages that I can see, and if they are to manage themselves, God help the country.

26,628. Mr. Nelson.—There is no machinery for management?—There is no machinery, and that is one of the most essential things. I have looked after an estate for more than twenty years, on which there are many small tenants, and I know it requires great care and attention to manage such a property.

26,629. The President.—And what is to happen after the forty-nine years?—We shall be out of it then; no decent man will be able to live in it then. There with regard to the congested districts, I have not personally, however, but by reputation, something about the congested districts.

26,630. I am taking them in the order in which you have given them in your notes, and there is one point on which I see a note, as to compulsory powers to be given to deal with charges. Do you make any suggestion as to that, or would you rather leave it to later on?—No, I think I can mention it now. That should be powers given to deal with charges. They may be divided now, and allocated under the Act, but I am not quite sure that the head landlord cannot follow them. If one tenant makes default I believe, but I am not quite sure, that the head landlord has still the right to follow them anywhere, although Commissioners may have divided them. I think the landlord should be encouraged to sell his head rent at a fair price because it is a good security, say 25 years' purchase, and if it

reference that offer, then the Commissioners should appoint it among the tenants, and only let him follow such tenant for the amount fixed by the Commissioners.

26,631. And would you fix the price at 25 years' for all cases?—Yes, I think myself that the quit-rent and the rent charge should be lower.

26,632. Would you leave the price in the discretion of the Purchase Commissioners?—I think it should be at the same rate at which the land is sold. I think if land sold at 20 years', which I hope will be about the price, that the Government should agree to take 20 years' purchase for the quit-rent and for the tithes rent charge. Lay tithes, I think, should be rather higher. They are a good security; I do not believe that they are quite so good or so easily recovered as head rents; they should have a fixed term too.

26,633. Would you name the different terms in the Act?—Yes, if the security is to be secured by appointing the charge amongst small farmers.

26,634. Lord Althorpe.—But the head rents differ from each other in value enormously, according to the margin there is between the head rent and the far rent?—That must depend on the security.

26,635. And also on the reservations in the grant?—Yes.

26,636. A few years ago 30 years' purchase would have been considered low for them?—Well, so I think, but they would bring less now. I think that they are worth fully 25 or 26 years' purchase on the average.

26,637. The President.—You think you would be obliged to define it in the Act, you do not think you could leave to any authority to determine?—Well, I do not know that I should. Probably it would be better to define it in the Act, and leave to the landlord the option of selling under the Act or collecting himself from the smaller tenants.

26,638. With regard to mortgages have you turned your attention to what could be done with heavily mortgaged estates?—I have always maintained that in justice and equity the charges should be proportionately reduced. I suggested that once or twice to my friends in Parliament, but they never saw their way to do it.

26,639. Would you consider that family jointures and children's portions should stand on a different footing from that of mortgages who have lost money?—No, I think they ought all to bear in a sort of way a pro rata reduction.

26,640. They ought all to bear their proportion of the reduction of rent?—Yes, I think you have said Dr. Traill before you. Perhaps he expounded his scheme for crossing perpetuities.

26,641. Yes—I think I may say that I have carefully studied that scheme, and that it would be a great solution of any difficulty in this country.

26,642. You mean the creation of perpetuities?—Yes, by enabling the landlords to resolve, say, one-half the value of their estates. Estates are seldom charged to more than half of the value, and if they could receive a large lump sum it would relieve a great many landlords, and help them out of their difficulty, and clear their estates of charges.

26,643. He did not go, I think, into that part of the scheme. It was more as to the advantage of perpetuities?—No doubt, but to provide funds to clear estates is another feature of his scheme. He gave you his pamphlet, of course.

26,644. Yes.—The object of his scheme is that it is independent of the tenant, that the landlord is to go to the Land Commissioners independent of the tenant. A landlord and tenant can go in under the Act of 1881, and agree to sell and obtain a perpetuity, but it requires the consent of the tenant. Dr. Traill's scheme is independent of the tenant, and would eventually be of the greatest benefit to the tenant, and would solve all the difficulties about the management of estates. As the landlord would be still responsible for and have an interest in the management of the estate.

26,645. And the rent would be reduced to one-half?—The rent would at the end of 35 years be reduced to one-half. The landlord would receive in most cases

what would clear or nearly clear his estate of all charges.

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26,646. But the double ownership would still remain?—Yes, but in the least objectionable form, and it is, in my opinion, more desirable to encourage some race of position to remain in the country.

26,647. Then with regard to tithes have you any suggestion to make?—That is a very difficult question. Where there is tithes stretched to a township, it should be apportioned. It will lead to no end of litigation, and I fancy to a good many murders before we are done with it.

26,648. You would have to apportion the bag among the tenants?—Among the tenants.

26,649. Would that be done by cutting it up?—What we call dogging, which is marking it out, with a small sick taken out of the bag.

26,650. Then it would require some authority to be consistently superintending it?—You would want somebody to manage your property, I should say, as somebody has to do it at present.

26,651. Suppose a mile took place of all the small holdings, then the difficulty would be how to manage the bag of course?—Yes, and I anticipate this, that a tenant who bought his holding with a good deal of bag attached to it, if he is imprudent, as many of them are, will immediately cut and sell his bag, and in a few years will have no tithes. Then he will either trespass, or there will be some feud with his neighbours to get tithes.

26,652. And you think it will be absolutely necessary to keep the tithes in the hands of some independent authority to administer?—The supervision of it certainly.

26,653. And do you say if the landlord disappeared to whom that power should be given?—I would suggest—it is only a suggestion—the Board of Works have a great number of inspectors now over the country, I would suggest that they should perhaps be charged with some supervision of the common bought by the Government, or if it goes to a very large extent that it may be necessary to have a county or provincial agent to visit and inspect these holdings.

26,654. And to mark out the bag for cutting?—That should be done by a surveyor at the time of sale. At the time of sale it must be done, or a great deal of litigation will ensue afterwards and bad feeling.

26,655. And the same thing would apply to the arterial drainage?—The charge should be apportioned, and a summary remedy given for the recovery of it.

26,656. With regard to the interest, that might be apportioned off?—Oh yes; that charge expires; that is a terminable charge.

26,657. With regard to the preservation of improvements I suppose, made in the way of drainage, that could be done by giving power to anybody who suffered from neglect to bring an action?—That is one of the matters I particularly wished to speak about. There is no greater trouble now than to keep fences up and to keep the drains sound. A man at the lower end of the drain will neglect his portion, and then of course the upper occupiers cannot do anything to their drains. There should be some simple means of compelling every man to keep his part of all the main drains of the farm properly sound. There is also no way, or only a very roundabout way in the Act, of enforcing the statutory condition. The first statutory condition is to pay the rent, and that is enforced by eviction or ejectment; but the other statutory conditions, such as injury or bad farming, in those points it is a very roundabout way. We have no seven notices to quit, and there may be an application to the Commissioners to put a remainder, and there is no inquiry and more than a year may elapse before the case is decided. It is a very troublesome and unpleasant job. Some summary power, I think, is required for the management of estates to take the place of what was formerly done by the supervision of the landlord or agent.

26,658. Sir James Caird.—Are you speaking now of estates purchased under the Ashburton Act, or estates dealt with under the Act of 1881?—Speaking generally,

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that landlords and tenants should have a simple remedy for entering what are called statutory conditions, and they should be enlarged and increased, and should include as I say, securing of drains and maintaining of fences.

26,652. The President.—This is before the land is sold to the tenants, this relates chiefly to its present state, as long as it remains as it is now?—The power is required now, and will be more required hereafter, when the occupiers become owners. The tenant, I think, should have some remedy by which they could make their neighbours do their duty in these matters. The landlords perhaps in England, but certainly in Ireland, saw that these things were done, and if a man willfully neglected them he had the remedy of eviction which in the last resort—is was very seldom required—be could enforce. Now there is no remedy. There is another matter that would apply both to townlands purchased by the Commissioners and sold to tenants. We have a very bad tenure in Ireland called *randals*, in which the land is held in common.

26,653. Undivided?—Yes, the Land Purchase Act, 1855, gives the Commissioners power to stripe lands purchased under the Act, but for land not purchased there is no power. No landlord now can have his land striped or arranged. It is altogether impossible.

26,654. Would you give the Commissioners power?—I would give the Sub-Commissioners power to do that.

26,655. Shall we now go to the subject of estates in congested districts?—I should like to offer a few remarks about these.

26,656. You think they should be treated exceptionally?—I think so; and my suggestion would be this, that if the Land Commissioners were authorized to purchase them they should be purchased free or outside the Land Act of 1881, giving the tenants some equivalent such as a right to claim compensation or assistance to emigrate. I do not believe in removing the surplus population by compulsion or by local enterprises. I do not think anybody will undertake the duties now. There is no interest in the country, but I think if the Government bought some of these congested townlands where the population is very large free of the Land Act which roots them in the soil, that then, as a sort of equivalent, they give to any person who was moved, in fact a pauper, a right to claim assistance in money, that that would open a door to improve these districts.

26,657. Would it be more difficult to carry out emigration after purchase than before?—Not if they had no claim under the Land Act to fixity of tenure. It is the fixity of tenure under the Land Act that prevents any emigration.

26,658. I think it might help, because as long as they had anything to sell they might be inclined to sell and go, whereas if they had nothing but their holding they might be more inclined to cling on to it. Does not the right of sale help emigration?—No, I think not. I had something to do with emigration as chairman of a board of guardians, and we emigrated a great number, that was in 1879, but we did not emigrate a single person that had a rood of land, so that we did not do anything really to relieve the congested districts. We have a very remarkable case now that comes constantly under our notice. There is a wretched little village in the county Sligo consisting of 17 houses. They have nothing, no means, they have to bring everything out where they can; and they would not move under the emigration Act. When the head landlord came into possession and the lease fell out he offered them ground about half a mile off, they would not move to that, and so he let them, and they are freeholders now, and they have nobody to look to, and we see the relieving officer the other day to offer to emigrate any of them that were willing to go, and there was not a single one of them in those wretched houses that would go.

26,659. Sir James Caird.—Then they have no land?—They have no land; they are fishermen chiefly; they have boats, and they have no land of their own, but may live on-oars.

26,660. And they subsist chiefly on the fishing?—

Chiefly on fishing and by being partly labourers, but they would not leave these wretched houses.

26,661. The President.—I think you said that these districts ought not to come under the operation of Lord Ashbourne's Act?—Oh, I doubt the security certainly.

26,662. Do you think that by law it should be ensured that particular districts of the country should not come under it, or would you leave it to the discretion of the Commissioners?—I would leave it to the discretion of the Commissioners, because circumstances might change. I would leave everything to the discretion of the Land Commissioners. I would not accept them certainly.

26,663. And I suppose the Commissioners would refuse to advance money if they did not think it sufficient security?—Yes.

26,664. And you think that in this case there would not be sufficient security to the State for the advance of money?—This is my opinion.

26,665. Have you anything more about the congested districts which you could tell us or suggest?—I do not think there is very much more. With regard to the sale of land, the Land Commissioners now can only purchase land in occupation with a view to selling it to actual tenants, or a landlord can only sell to actual tenants. I think those powers should be rather enlarged. I know several cases where land has been thrown up by tenants, or where they have been evicted from it, and that the landlord could sell to others, but would hesitate to put a tenant into possession before the bargain was complete.

26,666. You think that the provisions of the Act might be relaxed?—I think they ought to be enlarged certainly. And that with regard to the purchase of estates, I think I may give the instance of my brother, whose property is in Tipperary, he has a large tract in his own hands, a large farm of 500 Irish acres thrown up by a tenant which he has tried to manage for the last three years, and which now will be handed over probably to the Land Company.

26,667. It is boycotted, is it?—It is partly boycotted; it is rather in that state now; and some others from which tenants have been evicted. He would be perfectly willing to sell to the Land Commissioners with a view to their breaking it up and selling to others again, but they have no power to purchase. I think much that tenants would probably purchase from the Land Commissioners when they would not purchase from my brother; and in fact my brother would not care to break up a large farm on speculation, as he perhaps might not secure purchasers for all.

26,668. You would allow the Commissioners to have the power to purchase if they saw a reasonable chance of selling again to tenants land that is unoccupied?

26,669. I believe you are against the intervention of local authorities in the way of guarantee?—Yes; I do not believe any local authority with which I am acquainted would give any guarantee now.

26,670. And you do not think that it is too forced upon them it would work well, would it?—I do not think it would; from my acquaintance with the working of the Labourers' Cottages Act, I do not think local authorities are suitable to manage land.

26,671. The Labourers' Cottages Act has not worked well?—I think the principle is wrong. It has not worked well; and anybody that knows Ireland, or the west of Ireland, knows how bad the cottages are that many of the wretched people live in, so that something was really required, but what was required, I think, was an extension of the principle of the urban rates to the country districts.

26,672. That is to enable them to repair?—That the person who is responsible for the houses should be required to do it. Now it is the body of tenants, chiefly landowners that have to pay for houses that they do not require. They should call on the owner or occupier to repair or build cottages for their labourers. The Land Act also in principle requires a man to repair

or provide himself, that is, if he goes into the Court, but if he does not go into the Court, I see no reason why the statutory authority should not apply to the Sub-Commissioners to say whether a house is required or not on a holding, or whether a house on the holding requires to be put into proper repair or into a sanitary state.

26,690. Is there any other point on which you wish to give evidence?—I think there is one, I did not mention, and that is with regard to the guarantee deposit. The Commissioners have power to sell a holding, but I do not know whether a limited owner has any power to bid at that sale.

26,681. In case of a sale for what purpose?—In case the tenant makes default in the payment of his instalments, the Land Commissioners sell him up, and if there is not sufficient to pay the instalments due, they come on the guarantee deposit. Has the landlord power if he purchases the holding to apply his guarantee deposit to pay?

26,682. I do not know.—I do not think he has. A limited owner may leave part of the money on guarantee deposit, but to save himself in many cases he would desire to buy in the holding.

26,683. Sir James Caird.—And if he paid back the full price to the Government he would require the guarantee?—But I assume that he would buy for less than the value. If the land is sold for its full value they would not come down on the guarantee, but supposing now that it is what we call a "knock-out," or that the sale was boycotted, the landlord would be obliged to come forward and bid and supposing he is obliged on to pay £200 or £300, and he has the amount on guarantee deposit, a limited owner should be allowed to apply the money to repurchasing the holding or boycotting the sale should be treated as a malicious injury, and the instalments recovered from the district.

26,684. I think the Rows would first take care that it was made safe in getting back all the money that it advanced—they would hold the guarantee deposit until they had all the money that they had advanced repaid to them?—Yes; but supposing a man made default, and the landlord found it necessary in order to protect himself to get back the land, to buy back the land, by bidding at the auction, of course if it went to its full value there would be no question; but if, as in many cases has happened, nobody will bid for the farm, the landlord then might have to buy it for something very small to protect his deposit, and I think then that he should be allowed to make use of the money, or that the Commissioners should advance him the money required, on the same terms as if he were a tenant, so as to purchase his own land back again.

26,685. So as to pay up as it were anything that remained in default to the Government?—Yes, anything in default to the Government.

26,686. I should imagine that that would be as a matter of course?—Yes, but this is in cases of settled property; it is a legal question, and it would require consideration. I do not know whether I make myself clear in this matter. If a limited owner sells a townland or farm, the four-fifths of course are put to the trusts of the settlements, and the fifth is the guarantee deposit.

Mr. Hodder, secretary.—The trustees must consent to the lodgment of the guarantee.

26,687. The Witness.—And supposing that is lodged as a guarantee deposit, and supposing that the tenant makes default, and that the only remedy now is to sell the farm, and the landlord to protect himself must bid for it, can he apply that deposit which is settled equally with the rest of the estate, can he apply that settled money of the deposit to purchase back his land subject to the trusts of the settlement?

26,688. Is it that he can take the deposit in Court?—Yes.

26,689. The trustees must in the first instance consent to the lodgment of the guarantee deposit, and if the Government come down on that guarantee deposit and seize it, which they can do, so much of it is lost. If the landlord goes in himself and purchases the hold-

ing from the Commissioners, he goes at like any other, outside purchaser and purchases out of his own money and so much of the guarantee deposit as is taken by the Court to make up the deficiency is lost out of the trusts of the settlement.—But I want to have power given to a limited owner, that the limited owner should have the power of using that deposit to buy back his own land of course at a reduction.

That cannot be done at present.

Sir James Caird.—It could not be done without loss to the State.

Mr. Hodder.—The landlord who purchases under these circumstances goes in and purchases like any other member of the public, the trustees are the owners of the deposit practically.

26,690. The Witness.—Do you mean to say that he buys that property released from all further instalments?—He goes into the tenant's shoes and pays the instalments to the Government instead of the tenant.

26,691. The Witness.—What I want to suggest is this—I assume of course he buys it for something less than it is worth; he goes into the tenant's shoes and is responsible for the unpaid instalments. I say that if the landlord buys it the landlord would be enabled to apply the guarantee deposit to the purchase.

26,692. Sir James Caird.—I suppose that the guarantee deposit, when the time came, when the fifteen years arrived, if the landlord bought back his own farm, then the deposit would be handed to him?—No; to the trustees of the settlement.

26,693. I mean to his interest?—He may not have the money to buy, and he may require it to protect himself or his deposit.

Mr. Hodder.—There is no power at present.

The Witness.—There is no power, but I am only suggesting to this Commission that there ought to be; that he should have a right to buy the farm for the amount of the guarantee deposit, and to step into the tenant's shoes. That is, in the case of a limited owner.

26,694. The President.—That is a valuable suggestion.—And I certainly think that the Commissioners ought not to be allowed to let the tenant purchasing to run into arrears with his instalments, and thereby risk the guarantee deposit.

26,695. That the Government should not allow?—That the Government should not allow it.

26,696. And that they should have stronger powers?—Stronger powers; and that they should be bound to proceed.

26,697. Sir James Caird.—You have a great objection to interference with the fixed rents under the judicial system?—Yes.

26,698. But yet I think you said that in case of any serious fall, some consideration would be necessary, or might be necessary to the tenants. You would, I suppose, in that case leave the tenant, as he used to be, entirely in the hands of his landlord?—I think so.

26,699. And that would be reasonable in your opinion, rather than allowing any interference of the judicial rent?—Yes. I may tell you that our misfortune in this country is that we are always to be made happy, and prosperous, and rich by Act of Parliament; so that, if the statutory term is in any way tampered with, it will only increase the present uncertainty. If they would only leave us alone for a few years you would not know the country again.

26,700. You stated that you had considerable experience of emigration, and that you knew of no instance of a man who had been becoming an emigrant?—No.

26,701. They would not part with their land?—No; our Board of Guardians never stigmatised a single soul that had a rood of land.

26,702. And do these people who have a very small extent, and, perhaps, very miserable quality of land, do they manage to make a reasonable livelihood out of it?—It is wonderful what they can do if they have sufficient extent of moderate land, or even poor land, they can live far better out of that land than a less portion of really good land. They make the most of it.

26,703. They do not know how to manage property?—Not the good land, but a sort of broken money with

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plenty of turtory that they can keep themselves warm in winter; it is extraordinary what they can do.

26,704. And do you think that emigration is much required in those districts?—Oh, certainly; it is the only remedy.

26,705. And you would be in favour of assisted emigration, or emigration by the Government?—Certainly.

26,706. But then, apparently, you cannot get anybody with land to go—it would only be the younger members of a family who had not land that would be ready to go in that case?—That is so, but they draw out their parents in many cases. Our difficulty as a Board of Guardians is that we are obliged to emigrate a whole family. The whole family are not very often prepared to go as a family, but they will send a son or daughter and get over another son and daughter; and, perhaps, eventually the whole family will go.

26,707. That is where they emigrate voluntarily?—Voluntarily; and our difficulty was that if they had a bit of land and a house, and were pretty comfortable, they would not accept of this condition, they would not all go together.

26,708. Then you do not think it possible to get people to emigrate as a village, as it were, or go together as they do in some other countries?—Unless you had

the alternative of evicting those who were actually bankrupt and could not pay.

26,709. They would not do it voluntarily?—No.

26,710. Now with my assistance?—Oh, they would Mr. Trevelyan has done wonders, I believe, in the better west. He has not been to Sligo.

26,711. Do you look to something of that kind, though, as necessary for the relief of congested districts?—Oh, I think it is the only chance.

26,712. And I suppose that the state that the congested districts are in is one that the country should endeavour to remedy?—As a matter of policy. I think it is.

26,713. The liability, for instance, to distress is very great from the uncertainty of the potato crop, which they chiefly rely upon?—Yes, and upon work in England. As you know, Sligo has given very much out in England, and our men that are migratory labourers cannot get the same employment that they did twenty years ago, machinery being more used, and agriculture having very much gone out—things having gone out.

26,714. That is an additional reason?—That is the chief reason that makes great distress now in the west, that they formerly went to England and earned their living, and now they do not earn half what they did twenty years ago.

MR. ST. JOHN BLACKER DOUGLAS, examined.

26,715. The President.—You are a land owner in the county of Kerry?—I reside in the county Armagh, but I am a land owner in the county of Kerry. I desire to state that as regards the Land Act of 1881 a very large portion of lands in Ireland extending over about 230,000 acres in various counties in Ireland are affected by its operation by the unexceptional fall in the price of produce in the manner which I shall point out, and that a modification of the law is necessary. I may state, although it is not part of my case, that the sheriffs are weary of the work in consequence of the operation of the College Act of '51, to which I shall revert hereafter. On my own property which I have in the south of Ireland the sheriff would be long be employed several days in evicting persons, and the College from whom I hold have already evicted a gentleman who is an extensive land owner under the College (as well as owner of other property) along with his numerous under-tenants. It is a very long and complicated case that I have to submit to you, and I think it would facilitate matters if you would be kind enough to allow me to read.

I am and have been since the year 1842 owner of lands in the county of Kerry extending over about 25,000 acres, forming only a portion of the much larger estates of Trinity College and the poor law estates extending over about 220,000 acres.

The College derived their title by royal charter of forfeited waste lands upwards of 300 years ago, and the governing body, being located in Dublin, and thus unable personally to utilise such estates, were of necessity entreated to grant my lands to those under whom I derive for a limited period of twenty-one years at fixed rents beneficial to both.

The governing body of the College quickly saw an advantage outside their charter in granting in each year to their tenants fully renewed leases for twenty-one years and obtaining from them from as an equivalent for such fully renewed annual leases for twenty-one years, and thereby acquired a very large income of annual income exclusively appropriated to themselves, while they conferred upon their tenants an improved interest in having at all times a lease for twenty-one years in advance with the security for obtaining further future renewals arising from the fact that the governing body of the College were themselves dependent for their annual income upon the receipt of such annual fines.

Under a title thus required, the marketable value of

which interest averaged about twenty years' purchase, those through whom I derive title, and I myself, as well as those deriving under me, relying upon a security of a like title, have expended vast sums of money in the improvement of those lands in various ways, when the governing body of the College again saw a further advantage to be gained from the circumstance that they had established by means of this long course of dealing with their tenants a fixed amount of annual income for themselves derived from the annual receipt of fines by having their annual incomes derived from the fines made payable out of the general funds of the College instead of being as they had been dependent upon the receipts of annual fines, and that governing body who held their income for their lives alone would have been thus left free to renew the leases of their tenants without any diminution of their personal income and at the same time by those means confiscate all the vast expenditure of their tenants upon the faith of such long continued tenure and absorb the improvements thus made for the benefit of the College. The governing body in order to carry out that design sought for letters patent for that purpose, but their efforts in that respect having been defeated after long-continued struggles, a private Act of Parliament was introduced by the College in the year 1851 with a view to attain the same object, and in the progress of the Bill for that purpose through the House protracted resistance was offered on behalf of the tenants, which culminated in the following letter of the baron of the College for the time being, which was dated April 3, 1851, which was in part as follows:—

"They have only to add that in the event of the introduction of any new clause adverse to the College during the passing of the Bill through the House they are determined to withdraw it altogether." That menace and threats contained in that letter following the determined attitude of the Barons to have their incomes made payable out of the general funds of the College left no other option to those tenants who were in communication with the Board, of whom I myself was one of them, to accept such a Bill as offered to them, or to expose themselves and the other tenants, whose interests were identified with theirs, to the risk of having their subsisting leases with all their very large expenditure upon the lands run out.

In the result the College succeeded in passing their private Act, which enabled them to confer upon their tenants a title in fee simple in their lands, and to rejoice in their tenants as the occupants: that

conferred not only the surrender of their then existing leases for twenty-one years, but also an increase on their former rent equivalent to the increase in their interests in their lands thus acquired, together with a further sum of five per cent. over and above the natural accretion of each increased interest, together with the payment of poor rates without regard to the Act of Parliament in that behalf. The College also succeeded in embodying in their Act a system for the fluctuation of such rents against the strong repugnance of their tenants according to a standard introduced into that Act, which forms the very essence of the grievances of their tenants. That standard, as set forth in their Act of Parliament, is in the form of a numerical standard then selected by themselves against the opposition of their tenants.

It was not adopted or regulated from any average taken from any fixed antecedent period of ten years although it was introduced as a standard for the regulation of fluctuations which were under that Act to have a duration of periods of ten years. It was also a standard based altogether upon prices which, according to all recent political economists, is, and for very obvious reasons must be, a fallacious standard for the regulation of any such fluctuation, and the uncertain nature of that standard may be illustrated by the fact that the College could alone base upon its calculation, which, upon a notice served upon myself, they termed *gross* *gross* calculations. The result of the operation of that standard has been that the College have been enabled to render the interests of their tenants liable to an increase of rents over the original rent, as fixed and determined by their private Act of no less than 47 per cent., and strongly asserted their title to that increase, and at the same time have accepted the reduced annual increase by way of fluctuation of 20 per cent., which establishes the strongest condemnation of such standard as regulating any increase by way of fluctuation in the face of the acknowledged depreciation of property during the same interval. The effect of such a fallacious standard and the mode of dealing with their tenants by the College by means of such standard for fluctuation has been to render the once valuable interests of their tenants, acquired by means of their long-continued expenditure of time, money, and labour, unsalable and unavailable for any advance whatever.

I appeal as instance within my own knowledge which will illustrate the oppressive nature of the operation brought about by the Act of 1851:—

In the case of one of the immediate tenants the rent and fine paid before the passing of the Act of 1851 was £821

This sum was increased on the consideration for the perpetuity to £951

In 1866 (at the first variation of which we complain) it became £1,128

In 1876 (at the second variation) it became £1,241

If the increase of 47 per cent. had been imposed, to which the College have stated that they were entitled under the Act, the amount would be about £1,570

My Lords Commissioners must see from the foregoing statement that I am an immediate tenant under the College, bound as I am under the unjust enactment effected by means of the fallacious standard above stated, relying upon my under tenants contributing in the spirit of the College Act to any increase of rent, however unjust, from time to time demanded by the College, and am now placed at a serious disadvantage by decreased rents being permanently forced upon me under the Land Act of 1881, without any remedy whatever to reduce to the low as it at present stands.

26,716. Is that all that you desire to place before us on the subject?—No. I have a very short further paper. Is it on the same subject?—It is on the same subject. In carrying out the hardships of this Act the general case which I have brought forward here as far as the proportionate figures differ in no way from any other cases, but this particular case is now under review and the sheriff is now actually out visiting 80

or 100 people under this; and I myself have been obliged in consequence of these enormous amounts of rent which have been placed upon me, and the tenants who derive a beneficial interest under me have been obliged to take active measures to enable me to pay up those increases of rent to the College. I cannot conclude my evidence without bringing prominently before your Lordship a statement by the Board and Senior Fellows, set forth in Appendix (C) in the report of the Irish Land Act Commission, 1880, No. 246, in corroboration of my evidence, as it points out in stronger colours than could well be done the rank injustice underlying the increases over the rents as fixed by the Perpetuity Grants, worked out by means of the misleading and fallacious standard for the fluctuation of rents as introduced upon by the College, and the oppressive use which the College have been enabled to make of such powers as were vested in them by prebidding the membership of the tenure of their tenants, and thus depriving their interests, while they would ask an unfeeling public to believe that actually they were making large and generous concessions to their tenants. At page 1519 of that report the College admits that in fixing the standard of prices which was to regulate the rents during successive periods of ten years, and in the case of the whole soil, so far from taking any fair average of prices for the preceding ten years as the fair standard of prices which should, if at all, regulate the variation of rents intended to have a duration of ten years, they elected in terms even to include the year 1848 in their average, as the prices of that year 1848 were affected by the distress of the year 1847, and insisted on restricting their standard of prices to the two single years of 1849 and 1850 alone as best suited their purpose. The College having thus exhibited their scheme, they conclude with a graphic description of the mischief which they had been enabled to relieve by means of such false and misleading standard as follows:—"The Board directs me to record their 'perpetuity tenants with reference to the rents of their holdings as regulated by provisions of the Trinity College Leasing and Perpetuity Act, 1851, that both the original increase of rent of 20 per cent. made in 1855, and the last increase of £10 per cent. made in 1876 were much less than the augmentation which the Board were entitled to demand—in fact, the College were entitled to ask 'for an increase of £22 per cent. on the existing rents' (which would make altogether 47 per cent.) Such was the description by the College of the operation of their standard of prices arbitrarily confined to two years. But the governing body of the College went further in their statements, and at page 1518 it puts forward as the pretext for adopting the first step in fixing such a standard as enabled the College to work such injustice upon their tenants, who were reluctant to have any alteration in their tenure, which, as it then existed upon the evidence of the then Barons before the Devon Commission of the year 1844, was 'some thing tantamount to a perpetuity,' a distinct allegation that, in consequence of the effect upon the public mind, caused by observations above referred to on the College estates, the Provost and Senior Fellows felt called upon to apply to the Government for a royal letter. When the College put forward the allegation as referred to, which is unfounded in fact, as can be easily shown: First, the distinct evidence of a qualified surveyor employed by themselves, and recorded before the Devon Commission in the year 1844, that he considered College leases 'tantamount to perpetuities,' and he and the Provost for the time being said that the College estates were better circumstanced, more thriving and prosperous, than the average of other surrounding estates in Ireland. But, further, and secondly, the College had the knowledge of the fact that the distress of the year 1848 disabled many of their tenants from paying the fines necessary for obtaining the further renewal of their leases, by reason of which the governing body were for the time being deprived of their income, depending as it did on the payments of the fines, which also showed them the necessity of having their incomes

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Mr. St. John
Hacker
Douglas

Dec. 11, 1856.
Mr. St. John
Escher
Doyle.

restored upon the general funds of the College, but sought them further that another advantage could be secured by concluding that same year of 1848 from the standard of prices which was to regulate the variation of their rents in future, and limiting that standard to two such years alone, of '49 and '50, although it was to form the standard for the regulation of successive periods of ten years—the limitation of time, which I must observe close presents me from dealing similarly with every allegation in that statement, and showing that it must be regarded as pretence for complicating all the expenditure of their tenants, extending over centuries.

26,717. Sir James Caird.—Is that system still followed of renewing every year for twenty-one years?—No. That was all changed under the Act of 1851, either into perpetuities or ninety-nine year leases, upon a careful material calculation made for that purpose on the three existing leases for twenty-one years, or were not renewed and were run out by the College. The perpetuities thus acquired, are in fact, without the advantages of a perpetuity in consequence of the fluctuations based upon a fallacious scale, as may be illustrated by the fact that I took out my increased incomes under the Act of 1851 upon that material calculation, and the College can establish by means of that fallacious scale that they are entitled to increases of 47 per cent. over the rents to which I was thus subjected.

26,718. At this time?—At this time.

26,719. Taking the prices from 1835 to this time?—It is done in decennial periods.

26,720. But they do not act upon it?—They acted upon it so far as putting 50 per cent. on, and I am still liable under the scale of fluctuations to an increase of 47 per cent. and to fluctuations for the future, which from the imperfect and fallacious nature of the scale must be involved in uncertainty, and thereby under my formerly large interests, unmarketable and unsaleable.

26,721. And you desire to lay this statement before the Commissioners?—Yes, if the Commissioners would be kind enough to take it.

26,722. The President.—Is most of your Kerry estate held under Trinity College?—Altogether.

26,723. Is it all under Trinity College, the Kerry estate?—Yes.

26,724. And what is the margin.—I suppose you have already told us in that written communication what you had to pay to Trinity College and what you received, and if so I will not repeat it?—I have not, my lord, stated that; but I may state one fact, that I have expended out of my own moneys and the moneys of the Board of Works upwards of £28,000 on that property, and there is not an acre of it that I have not stoned, and I have made several miles of roads, drained largely, built farm steadings and cottages, as well as public stores.

26,725. And therefore you cannot quite tell what your rental is, I suppose?—I could say what my rental is. In round numbers I paid before 1855 £5,000 a year rent, and I paid £700 a year fine, and now my rent to the College is upwards of £5,000.

26,726. Sir James Caird.—And so fine?—And no fine. The College are in a position to enforce much more than £5,000.

26,727. The President.—And what is your rental?—My own rental now?

26,728. Which you receive?—Pardon me, my lord, it is £8,500 a year, in Kerry, where the rent on paper is very different from the rent received.

26,729. And you are prevented from selling by what?—By reason of the uncertain liability acquired under the Act of 1851, arising from the clause of fluctuation of my rent being based upon an unjust and fallacious standard.

26,730. Have you any suggestion to make?—I do not think it is within our scope to go into these Trinity College leases, but I do not mind leaving any recommendation that you have to make. We did hear some from Lord Leitrim and we shall be glad to hear any from you?—My lord, when I state to you that the operation of this Act is that the sheriff is at work in such a way going to the increases of rent which the people are unable to pay, it seems that it requires some looking after, and since you have asked me this question I reply to it in the following words:—The relief which I would seek would be that we should be placed in the position of any owner of land of having no interests fixed from all such fluctuations either for increase or diminution, or if such fluctuations shall be permitted to continue that they should be regulated by some intelligible system, based upon our interests as they existed when the Act of 1851 was passed, to be determined by some competent tribunal, and not left to the caprice of the College.

26,731. And do you think it stops the working of Lord Ashbourne's Act?—It stops the working of Lord Ashbourne's Act. I am prevented selling under Lord Ashbourne's Act to my under-tenants, by reason of my inability to confer such title upon them as they are entitled to acquire under that Act, arising from the fact that the College have no power of disposing of their interests at all.

26,732. What you would like best would be to have a fixed rent free from any fluctuations?—We would have gained no doubt a great deal more if our rents had been regulated under a proper standard for the fluctuations of our rents by diminution as well as increase.

26,733. And that finishes what you have to offer on that part of the subject?—Yes, my lord.

26,734. You think your own tenants would be willing to buy?—I have had some such applications.

Mr. JOHN McDOWELL, examined.

26,735. Sir James Caird.—You own 400 acres in the county Tipperary?—About that.

26,736. Is it chiefly grass or tillage land?—I keep a good deal of tillage, about 70 acres; the rest is grazing.

26,737. You have had experience of the Act of 1851?—Yes, I did not go into the court, but I had a lot of neighbours that did, and they got their rents reduced, and they grumbled after, that they were not reduced enough, but I could not agree with that because I found that when they put up their farms for sale they got a good deal of money for them.

26,738. Although they thought that the rents had not been sufficiently reduced?—Yes, but I don't complain. It is the fall in prices that makes people discontented. Things had been too high, and when we come to a level I think land will be smaller and that people will have more to do.

26,739. Are you a leaseholder?—No.

26,740. Then you may go into the court if you like?—Yes; I have purchased one farm under the Act of last year, and sold altogether three. I considered that the rent was too high on two of the farms; they were reduced a little, and I was satisfied. The other farm I purchased it under the Act of 1855.

26,741. You have purchased it out and out?—Yes, under the Act of 1855.

26,742. You have purchased it out and out now and are the owner of it?—Yes.

26,743. And how many years' purchase did you give for it?—I gave twenty.

26,744. Is it good land?—It is. I am well pleased with it.

26,745. Had you any difficulty in arranging matters through the court?—Not the slightest. The gentleman that came to value it, he was a man of great experience, and I conclude that a fair valuation is the principle thing that will make a good working proprietor.

Mr. John
McDowell.

26,746. Was it twenty years of the rent you were paying?—Of the rent I was paying.

26,747. Not the judicial rent, but the rent you were actually paying?—Twenty years of the rent I was actually paying.

26,748. And you are quite satisfied?—Quite satisfied.

26,749. Is there any chance of the tenant farmers in your part of the country acting as you have done and purchasing their farms?—Oh, there are a good many who would, but we are always told that there would be changes and better changes, and I think that has kept a good number of them back, and if the thing was settled that there would be no further changes, and finally worked, I think things would go on much better, and that people would be delighted to do it.

26,750. Have you been all your life engaged in farming?—I have been a long time at it, but I have been farming on there for fifteen years.

26,751. Then you have gone through a considerable change of prices during these fifteen years?—Yes, the first time I commenced farming I got 80s. a cow for my best, but now I get 70s., and this year I believe 60s. will be over the top. I am only just commencing to sell now, I have a number of them sent to Manchester. I stall-feed my cattle, and I have a stock rotation system; I think it does better than any other. I do not depend on one thing alone—I keep both things going.

26,752. Have you any other stock than the cattle, do you manage sheep?—Oh yes, I keep sheep and horses and everything—I work a little at everything—and corn too; and now I get a fearful price for my corn, it was not much less than other years, I had 18s. a barrel free of all expenses.

26,753. You had it in good condition, I suppose?—In good condition.

26,754. A great many farmers in Ireland were not so successful?—Well, I think it is, a great deal of it, their own fault, and it was late growth, and in fact it was a very good year altogether in the way of crops, but the prices were not so good.

26,755. What have you to say with regard to the fall in the price of produce within your own experience of late years?—Oh I consider they will say at that as long as we have foreign competition. I think we have come to a pretty fair level this year.

26,756. Have you noticed that, taking the years from 1883, when the judicial rents began to be fixed, down to the present time, there has been any considerable change in prices?—Oh, there has been not a very considerable change, but there has been some downward change.

26,757. When did that chiefly take place?—Well, last year and this.

26,758. The two last years they have been low?—Oh, they have been gradually getting down, but last year and this they went down further than people thought in fact.

26,759. Have you any opinion with regard to a guarantee by local authorities, guaranteeing the state in selling lands to the tenants, guaranteeing the payment of the price of the land by the tenants?—I have not formed any opinion on that, I do not see how it would work well. Any local authorities in Ireland do not get on so well I find. But I think if all the small holders were to purchase and let the largest farmers alone, the largest farmers will level themselves, I think. Any large place that I held I always found that the landlords were willing to meet my views; but it is the small places you hear so much about.

26,760. Some of them sold their places?—Some of them did. I found when some of them would have a place put up in the county for sale with the judicial rent fixed, half of the fee simple would be given for it.

26,761. So many more people were ready to bid for it?—Yes.

26,762. But the large farmers are not so numerous?—Well, not so many, but the grazing farms I would let alone; they would manage themselves, I think, and they would get on very well.

26,763. Is there any other point you would like to

lay before us?—Oh nothing, except that if it was finally settled it would be much better than have people in expectation of continual change, but I think this last 1883 Act, if it is worked properly with all practical men sent to value land, men that understand their business, it is sure to work.

26,764. Do you find that your neighbours are very anxious to buy?—A good many of them would if they thought that there is no other changes to come.

26,765. I think you said that they seemed to be waiting for lower prices?—No, not altogether that, but there was always a talk of some changes being made in this Act and they are waiting to see.

26,766. To see there was an end to all that?—Yes, to see if the thing was finally settled and finally worked, and that there were no more changes expected; I believe that a good many would avail themselves.

26,767. Have you noticed in the newspapers, or perhaps heard of it otherwise, what has been called the Plan of Campaign that has been announced now?—Oh yes, I have seen it.

26,768. Have you any opinion upon that?—Yes, I have; I would not like to pay my rent that way.

26,769. You would not like to pay your rent to the new bankers?—No.

26,770. To the new landlord?—No, although there are a few of my neighbours, three of them that told me they are to pay it to-morrow in Parsonstown to whoever is to be there. I told them I thought it was better to leave it in the bank, and if they came to any terms then with their landlords they could very easily get it there. They did not seem to mind me, but, however, I would not like to pay it that way. Some of Lord Rose's tenants are going to pay it that way, I think, too.

26,771. Has there been a combination among them to demand terms from the landlord?—It is not a general combination, but it is only the small farmers.

26,772. Do the large farmers not join?—No, no army of them.

26,773. Do they pay their rents then?—Yes, the rents have been pretty fairly paid round my neighbourhood. In fact, the rents have not been so high; they have not been very much too high, and there was not so much reduction made even by the Commission.

26,774. Are not judicial rents when fixed a considerable reduction on the former rents?—Not very much in my neighbourhood. I think they were very fair.

26,775. It is good land in that part of the country?—It is Irish good land, and I think a good climate, and it is much milder. Now I had part of my time in the county Louth, and I am living in the south of Ireland for fifteen years, and I prefer it to the county Louth.

26,776. You prefer Tipperary?—Yes; I think it is a better climate there.

26,777. You prefer the climate?—I think there is a better chance. Land is not so high, and it is a milder climate I think.

26,778. Did you buy the previous tenant out to get in there?—Yes, I did.

26,779. You gave a sum of money to the previous tenant?—Oh yes, it was approved of; they called a meeting. I forget what year it was. It was some time after 1870. It was in 1870 or 1871. I got the land then.

26,780. Had you to pay a high price?—No, I did not pay so much for it.

26,781. Is the tenant right selling there now?—In Tipperary?

26,782. Yes?—At the time I got the farm in, such a thing was not known as giving a man so much for the land.

26,783. But you gave money?—I did, but it was quite a common thing from where I came to give it; but since the Land Act of 1881 there has been money ever since given for tenant right and a considerable amount of money too.

26,784. Are the farmers paying that readily now?—Oh they are. Anywhere there is a farm of say, forty Irish acres put up there is a good deal of money given for it.

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Mr. John McDowell.

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Mr John
McGowan

26,785. *Lately*?—Oh there was one, two months ago, of forty acres under judicial rent, and a neighbouring farmer gave a considerable price, which was more than he would have to pay before the judicial rent was fixed. So that makes me think that when the times settle land will be valuable enough still—that it will not be for nothing at any rate. I have great hopes that everything will be settled. There were a few bad years that rather frightened people, but last year was a very good year.

26,786. The worst year we had was 1879, I suppose?—Well, I do not much remember about that, but there were two very bad years since, two very wet years; it was hard to save anything. I have one farm that I hold along the Shannon. During one of those two years it was left unseeded in the fallows with grass for one hundred tons of hay or something like that. It was left unseeded that year, while other years it has since been valuable, and I have never lost it with wet seasons so far.

26,787. Do you grow produce to any extent?—Well, what I have for my own use, and turnips, and mangolds.

26,788. Are they sound this year or good?—They are not so thriving a crop, but they are sound, and the turnips and roots I have never had so good.

26,789. And a good crop they are?—A good crop they are. There never was so much winter feeding as now in it.

26,790. That is general all over your neighbourhood?—General over our neighbourhood, and all over part of Galway that I have been.

26,791. Farmers will be all right then, having the prospect of winter feeding, without providing their stock in market?—Oh, no; store cattle are dearer than they were a year ago, but fed cattle are not.

26,792. Not at this moment?—No, but the store cattle are.

26,793. Do you employ many labourers?—Well, I generally have eight constant. Then I do have others occasionally.

26,794. What wages do you pay to them?—Well, I give them firing and a house, and I give them some agricultural land, something better than half an acre for potatoes, a small corner, and so, a week and some milk. They get whatever milk they want—any of them that I don't give a cow to.

26,795. And do members of their families, who are able to work, get work occasionally too?—Oh yes, nearly always.

26,796. Then their condition is very comfortable, I suppose?—Oh, they are very good. Two or three of them that live with me have money saved since I came; but I had great difficulty when I went to that neighbourhood first, in getting them to work early enough for me. Some way they had a habit of not being very early in it.

26,797. And have they improved in that?—Well,

they have with me; I have not had any trouble with them.

26,798. Did you raise their wages at all?—Yes, the wages were very bad there when I went to that neighbourhood.

26,799. That would make them more ready to comply with your wish?—Well, at first, they were rather frightened, but now they do not wish to leave; very often they stay a long time. And wages have gone up in the neighbourhood, but at that time it was not anything like as high as where I came from.

26,800. And there is plenty of employment there now?—Yes.

26,801. And good wages?—Well, fairish wages. They can find none cheap.

26,802. And they are fairly well off?—Yes, they are; the labourers are very fairly off.

26,803. And they are comfortably housed?—Well, there are comfortable houses on the farm I hold; you would get comfortable houses at one place, and I know plenty of workmen get comfortable houses, but there are some parts out so.

26,804. But those labourers are comfortably clothed, and comfortably housed, and fed, are they?—Oh, yes, they are a good deal better off than the labourers used to be; and I am glad to have it to say. I like to see them comfortable. Generally speaking, they are fairish workmen, the Irish workmen, a good many of them, the Irish.

26,805. I do not think I need trouble you any further, unless you have anything to suggest?—Oh, nothing, except that I would be very glad that this Land Act should get a chance. It is a great, good thing, and ought to be a great boon to the tenants, if they only availed themselves of it. If there are good men sent out to value the land, that understand their business, it is a great matter.

26,806. You see where you have got a judicial rent fixed, then the question is only the number of years' purchase, is not it?—Well, I would be for still raising the land, and I would not take Griffith's valuation, as a rule. Now, this farm that I bought, I was nearly paying double Griffith's valuation for it, and it was the cheapest farm I had, and I hold a farm considerably under Griffith's valuation—in fact, the other two farms are both under it.

26,807. So that you do not rely on Griffith's valuation as being representative of the proper value now?—Certainly not. The man that had this farm before I got it, he was a good hand, and he worked it practically, and the other lands were not, and I did not go to any much trouble in improving them either; and I have both of those two farms under Griffith's valuation, and still the other farm was the cheapest.

26,808. I suppose a good deal of that difference was, that you had got it in good heart and condition?—I got it very good, and I did my best to improve it, and I still fed my cattle on it.

(Before Lord MILLTOUR, Mr. NELSON, Q.C., and Mr. KERR).

W. C. Hickey,
Esq., D.L.

W. C. Hickey, Esq., D.L., Kilkenny, Co. Kerry, examined.

26,809. Mr. Nelson.—You have prepared a statement of the facts you wish to bring before us. Kindly read them.

I hold over 2,000 acres, including a considerable proportion of bad land from Trinity College, Dublin, at a yearly rent of £500, my late father and myself having expended over £20,000 on these lands; and though the money was most judiciously expended the lands are not at present paying the interest of this large sum after deducting the land rent and some £200 a year payable to the Board of Works. Some of my tenants on this property were green leases of thirty-one years, or there abouts, in 1861. These leases contain a clause that the tenants were to take a share in any rise of rent the College might put on me. The College put a rise on me and others of 20 per cent. about 1865, much to the surprise and indignation of the tenants; but I have put no rise on my tenants,

not thinking that they could fairly bear it; on the contrary, I have had to make a reduction of from 25 to 35 per cent. This results in a loss to me of 40 to 45 per cent.

Surely it cannot be considered equitable or just that the College should raise the rents payable to them by their immediate tenants, and thereby not only deprive them of their just interest in the lands, but also of the interest they ought to receive out of their capital expended upon the College property, the College itself never having spent one shilling on the lands for improvements. I am fully aware that only for the large relief works executed in my neighbourhood by Mr. Blacker Douglas, the largest tenant under the College, and my late father on a smaller scale, in famine times, a large number of people would have starved. Surely it is neither just nor desirable that the land should be re-

ferred (by raising rents which in reality should be lowered) from owners whose rights and title are reinforced by such claims to consideration.

In addition to this it is furthermore to be remembered that it was always fully understood I acknowledged immediate tenants of the College should take an equal share with it out of the profits accruing from the land. This share of the College was not of course to extend to any profits resulting from improvements carried out by the tenant. The Act of 1881 has obviously rendered the carrying out of the College Act of 1851 absolutely

inconsistent with the commonest principles of equity and fairness, so far as concerns the College lands.

I am most fully of opinion that all corporate bodies should be compelled to sell.

When a landlord raised money under the Board of Works for the improvement of land held by tenants under him, and when the tenants have not paid, thereby preventing the landlord from paying the yearly rent charge, I would suggest that the amount of such rent charge so accrued should be either realised altogether or at least made a capital charge on the property.

Dec. 11, 1888.

W. C. Hykin,
Esq., B.L.

Mr. GEORGE BROWN, examined.

Dec. 11, 1888.

Mr. George
Brown.

26,810. Lord Milford.—Have you sent in an abstract of your evidence?—No.

26,811. I believe you are a land agent in the county Down?—I am.

26,812. For how many estates?—Two.

26,813. Are they extensive?—Yes, one of them is

26,814. About how many acres?—One is about 15,000 acres.

26,815. And the other?—The other is a peculiar estate. There are about 4,000 or 5,000 acres immediate property, and there is a large extent held under perpetuity leases at a head rent.

26,816. Your principal receives the head rent?—Yes. He is not the landlord; he merely receives the head rent, although he is the owner in fee.

26,817. He is the owner in fee, and the land is let in perpetuity on fee-farm grants?—Yes.

26,818. And the fee-farm is in the tenant, and the fee simple in the landlord?—Yes.

26,819. I suppose these rents are considerably below the letting value of the land?—Very much below it. They are very old grants.

26,820. And they are perfectly adequate security for the rents?—Oh, perfectly.

26,821. What is your experience as to the working of the Act of 1881?—Well, I must say I have had very little experience of it, because the landlord and tenants have been very good friends all along, and I had only one tenant who went into the Court.

26,822. Were the rents reduced on the other holdings, or left as they were?—Left as they were.

26,823. They were considered sufficiently low by the tenants themselves?—So I apprehend. They have been fixed many years ago.

26,824. And never have been raised?—Never. They have been reduced once, after 1847, and were never afterwards raised.

26,825. They have never been raised since 1847?—No, except on the fall of leases. The lands were let more than 100 years ago at low rents—10s. the Irish are no longer for lives, and when the lives fall in we had a revaluation and new rents.

26,826. These rents have not been appealed against?—No, except in the one case.

26,827. Has there been any difficulty amongst the tenants in paying you rent this year?—Not so far as I know of.

26,828. Are they paying them with regularity?—They are.

26,829. Is this a good year?—I think it is an average year. There is quite as much facility for paying rent this year as there has been for some years past. I have gone into that question closely, and made calculations, and from the prices, taking the cost of labour, I believe rents can be paid as well this year as they could for the last five or six years.

26,830. In this a better year than last year?—It is not better than last year, but it is as good.

26,831. Not better?—Not better; but it is better than it has been.

26,832. For gentlemen who buy and sell their stock it is a better year than last year has been?—It is.

26,833. As they buy often cheaper than last year?—Yes, I know that of my own knowledge.

26,834. Do you think anything has occurred which

calls for a revision of the judicial rents made in '81 and '87?—Quite the contrary.

26,835. There is nothing to show they have become too high?—On the contrary, I think the tendency of prices, cost of labour, and so forth, is the other way.

26,836. Has not the cost of labour increased?—It has to a certain extent. I have gone carefully into that question, and in my opinion the cost of labour since '52, taking the price of labour as it was then, although a little higher at present, is not equal to the increased value of produce since that period, and on the whole, that there is more profit now from an acre, if properly cultivated, than there was in '52 or '61.

26,837. And in 1852, prices were considerably lower than they are now?—They were.

26,838. So far as you can judge, there is no reason why a tenant who was able to pay 25 per cent. more in '52 should not be able to pay his reduced rent now?—I think he would be quite able to pay it if circumstances as he ought to be.

26,839. You have not experience of the fixing of judicial rents?—I have not.

26,840. Are you able to say whether the rents fixed by the Commissioners generally give satisfaction?—I can hardly answer that question. I have not had sufficient experience.

26,841. Are the tenants in your neighbourhood anxious to purchase their holdings?—Not at present, but still very little would make them.

26,842. What deters them?—They are not sufficiently acquainted with the advantages that would accrue to themselves under that Act. The basic mind is not quick in taking up such matters, and my experience is, there is a sort of expectation that agitation will depreciate the value of property, that is, as to the landlord, and that there is a sort of desire to wait to see what the result of that agitation will be. That is my firm conviction.

26,843. Are the landlords willing to sell at fair prices?—A good many of them are if they get the fair value. One of these for whom I set would sell tomorrow if he got the fair value, although he has no reason to sell from want of means, or inconvenience.

26,844. Do you think the landlords, if they sold their estates, would leave the country—such of them as are resident?—I do abstractly.

26,845. Do you suppose they would retain their parks?—I could not answer. I think many would probably maintain their parks to occasionally come to, but they would spend a great deal more time elsewhere than at present.

26,846. That would not be a good result for the country?—Quite the contrary.

26,847. Are the people on good terms with the gentry in your district?—They are.

26,848. No wish to get rid of them?—I don't know. It is human nature to take advantage of everything that results to one's own pecuniary benefit.

26,849. Apart from that, are they anxious to get rid of the gentry out of the country?—Not that I know of.

26,850. I was going to ask you whether you consider the present judicial term of 15 years too long or too short?—I don't think it is unreasonable if both parties are satisfied, and that there is a fair decision. My experience is, it is a bad thing to have changes too often.

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Dec. 31, 1884, and that it is better to have the rents fixed for a period.

Mr. George Bask. 26,851. Have you considered the desirability of having a produce rent, or a rise or fall according to the price of produce?—It would be desirable from one point of view, but the tenants would not like anything that is uncertain—that they don't know what they are doing.

26,852. Is there any point on which you would wish to give evidence?—There is one point very material, and that is the price that will be given for land. The taking of land in con-acre shows the feeling of the country as to the value of land.

26,853. Are the prices given large?—Very large.

26,854. And for grazing?—Grazing is not a habit in my country; it is more agriculture.

26,855. Have the prices of con-acre risen this year in your district?—They have.

26,856. We were told that in some parts of the North it had risen by £1 an acre?—I could not say how much. I know of one case in which the rise was very remarkable.

26,857. What was that?—There was a gentleman who got some property by the death of a relative, some land, into his own hands. It did not suit him to occupy it himself, and last year he let this land in con-acre to a neighbouring farmer, and he got a very good price for it indeed. This year he wished to do the same thing, although it was a second crop; they had taken a crop out of it last year. He put it into the hands of an auctioneer, who called an auction, and the same parties appeared, and they would not give an offer for it, and he went away, but very shortly afterwards the tenant last year came to the owner and said they were perfectly prepared to give him the same rent this year as last year. They said the reason they did not buy at the auction was they did not want the Royal Commissioners to know the price they gave, and for that reason they would not bid at the public auction, but they said, "We will take it now." He said, "I am quite satisfied, but I put it into the hands of an auctioneer and I must allow him to deal with you." They went to the auctioneer and stated they were willing to give the price they gave last year, but the auctioneer said, "This is a lot of two days to me, and in place of 5 per cent. auctioneer's fees you must pay 10 per cent." They said they were satisfied, and they gave from £4 10s. to £5 10s.

26,858. What would be the letting value of the land if let under an ordinary tenancy?—An ordinary tenancy under the present circumstances—I should think about £1 the statute acre would be all a landlord would expect for it on a permanent lease.

26,859. What is the reason they are prepared to give such enormous prices for land let in this way?—I cannot tell you, except it proves the land is more valuable, because these men must pay £3 10s. per cent. auctioneer's fees, and they must prepare the land for a crop, and must expect to have a profit after that expenditure.

26,860. Is there any reason if they held under an ordinary tenancy they could not treat the land in the same way as con-acre?—No reason, except in taking it for con-acre they would not receive it.

26,861. Is that done for them?—No, they have only one crop or two, and if the land is exhausted it is not their loss.

26,862. Mr. Nelson.—Who measures it?—No one in these cases measures it.

26,863. Lord Milnes.—In the South the man who takes the con-acre measures it?—Yes, but there is not much con-acre in my part of the country.

26,864. You call it cropping?—Yes.

26,865. This kind of letting deteriorates the land?—Oh, considerably.

26,866. Mr. Nelson.—That system of cultivation could not go on long?—No.

26,867. It is an exceptional thing for which an exceptional price is paid?—Yes.

26,868. Mr. Nelson.—What part of the country is this in?—In the county Down.

26,869. What town is it convenient to?—Between Newry and Rathfriland.

26,870. Is the weaving business carried on there to any considerable extent?—There is weaving.

26,871. Are these weavers desirous to get a piece of ground to grow vegetables?—No. The con-acre I speak of was taken by farmers, neighbouring farmers, and not by weavers.

26,872. Had they to measure it at all?—I think not.

26,873. How long had it been in grass previously?—I am not aware.

26,874. Was it old land held out for a considerable time?—I could not say positively. It had been under the ordinary course of cultivation. I dare say some of the fields were in grass.

26,875. Would it be for the purpose of sowing fax?—I think not.

26,876. As a rule, when land is broken up fax is then sown?—I could not say.

26,877. Is it not a common occurrence to set land in that way in your locality?—It is not common; it is done.

26,878. Is there much change in the price now as compared with six years ago?—No.

26,879. Are they getting more for it now than they did then?—Quite as much; I could not say more.

26,880. How much would it cost to measure this land after it is cultivated in this way, and put it in the same condition it was in before the owner commenced to set it in con-acre?—I was not aware what condition the land was in.

26,881. It must have been in fair condition?—I have no doubt it was. The owner of the land farmed himself, and he would have it in fair condition.

26,882. And of necessity he will have to put it in condition again?—Of course he will.

26,883. Taking that into consideration, for three or four years would it leave a large margin to the owner over and above his own rent?—He is not paying rent; that is his own property.

26,884. Suppose he has to measure it in order to get it into the same state of cultivation it was, would it cost a considerable amount?—It would.

26,885. And the profit would not be so large as first sight as they appear to be?—Of course not.

26,886. I think you said this was an average year?—It is an average year, in my opinion, and I have figures for it. I believe it is.

26,887. You see no reason why there should be a reduction given to the tenants this year?—Certainly not.

26,888. Should you say the landlords who gave a reduction had no need to do so?—As far as the cost of labour and produce is concerned they had no reason. Many of them did it out of kindness.

26,889. Would you say the rents fixed since the Land Act became law are fair?—Perfectly fair from the tenants' point of view.

26,890. And from the landlords' point of view?—I am not a judge of that, for each man knows what his own property is worth, and I have not had experience of the Land Court; but taking what I know of the value of land, and the produce, and the cost of labour, and the price of produce in the market, I consider this a better year than it was in '81 or '82; in fact I know it is.

26,891. I am speaking of the rents fixed from the passing of the Land Act in '81 to '85. Do you think they are fair rents, and that there is no reason why they should be reduced?—I believe there is no reason they should be reduced.

26,892. And if the Sub-Commissioners give an additional reduction from 7 to 15 per cent., would they be doing what was unfair?—I would not like to say unfair; for rent or the amount of it is a matter of opinion, but I should say they were giving a reduction where it was not required.

26,893. And if the Chief Commissioners reduced still further some of these rents there was no necessity for doing so?—I would say so.

26,894. And if the landlords gave a reduction on

these rents would you say they have no right to do as?—I would say they have no necessity, taken on the basis of the price of produce. I don't mean to say the farmers are in as good a condition as they have been in.

26,895. Lord Almon—What is the cause then?—There are various causes. In the first place, after the passing of the Land Act these holdings become a legal property, and they get credit at once from shopkeepers and others for goods, and more especially their wives and daughters get the credit, without, in some instances, the knowledge of the head of the family, and they run into debt, and owing to the ostentatious shopkeepers pressed for payment. That is one great cause. Another cause is the prevalent habit of taking too much strong drink.

26,896. Is that greater now?—It is greater and greater, in a worse form. It is greater amongst the female portion of the population.

26,897. Does drinking prevail to any extent amongst the women?—It does.

26,898. That is a new thing in Ireland?—It is. It is not unknown now.

26,899. What do they drink?—Whiskey and porter.

26,900. Mr. Nelson—Is there such a thing as the drinking of cider in your country?—I think not. It is bad whiskey.

26,901. Lord Almon—You attribute the position of the farmers at present mainly to the fact of their being given a considerable amount of credit after the Land Act legalised the property on their holdings; then to the fact of their creditors pressing them for payment, and to intemperance?—Yes, and to another reason. There is visibly a depreciation in the activity. The farmers ought to have more activity as a general rule, but of course there are exceptions. They do not get in their crops as early as they ought to do and used to do, nor do they get them out in the same time.

26,902. When did that alteration set in?—Gradually for the last 10 or 15 years.

26,903. Has there been any agitation in your neighbourhood?—No outspoken agitation.

26,904. What do you attribute the deterioration in the habits of the farmers to?—It is a sort of apathy. They have got into a lazy mode of farming, and they do not farm with the same spirit and activity they used to do. I know one or two men who do, and they have their crops in in proper time, and get them out in proper time.

26,905. Mr. Keble—Would it be caused by want of money to cultivate their land?—Not as a general rule; I don't think it is.

26,906. Would you say they are as well off as they were six years since?—I won't say that. I don't deny some of them are not as well off as they were.

26,907. Mr. Nelson—You consider it does not arise from a falling off in the price of produce?—No, or from the increased cost of labour.

26,908. Mr. Keble—Have the seasons had anything to do with it?—Not this season. This season was not a favourable one, but still the crops were anything but deficient; in fact, I have not known for several years a better oat crop than there was this season.

26,909. In many cases the tenants had difficulty in sowing the crop?—Yes.

26,910. In some cases the oats have sprouted?—In some, not many.

26,911. Has any reduction been given by the landlords in your locality this year?—Not that I am aware.

26,912. Has any application been made for reductions by the tenants in your district?—I could not say that.

26,913. You don't know of any landlords who have given any reductions to their tenants?—I cannot recollect any at this moment.

26,914. You don't see any reason why they should have a reduction?—I don't see any reason why the landlords should give a reduction unless of their own motives and good nature.

26,915. Grass seed is sown to a large extent in the county Down?—Very largely.

26,916. Has the price of it come under your immediate notice for the last six or ten years?—Yes. I admit the price of grass seed is considerably reduced. In the calculation I have made I deliberately left out the question of grass seed.

26,917. You are speaking of your own personal experience of the county Down?—Yes.

26,918. Is it a fact there is more grass seed sown in the county Down than in any other county?—I cannot say that, but a good deal is sown and a profitable crop it was at one time.

26,919. Do you know what reduction has taken place in that particular crop?—A very considerable reduction.

26,920. Would you say 50 per cent?—I should think not. I would not give evidence on that, as I could not.

26,921. Is wheat cultivated in your district?—To a very small extent.

26,922. Is it in consequence of the low prices?—No, the land is not well suited to it.

26,923. Was it ever largely grown there?—No, the land is not heavy clay land.

26,924. Is flax largely sown?—A good deal. It is largely grown in some of the districts.

26,925. What is your experience about the flax crop for the last six or eight years?—My experience is that the prices a few years ago were higher than now, but on an average the present price for good flax is as high as it usually is on an average. Of course it is not as high as it was. I have the prices that were given for flax in '50, '52, and I think in '81 and '86, and there are as high prices given for it now for the same quality as in '51 and '52.

26,926. You did not go back to '46 and '49?—No.

26,927. There is a very considerable amount of expense incurred in managing a crop of flax?—There is; I have an accurate idea of the expense.

26,928. Is it your experience it was profitable crop?—It is so profitable if well grown, with the exception that in some few years the prices were better than they are, the average price now of good flax is from 5s. 10d. to 6s. a stone.

26,929. Lord Almon—Is that below the usual average for the last 30 years?—It is not; I have the average for 35 years.

26,930. It is below the average of the last 10 years?—It is not.

26,931. In your opinion, is it an abnormal low price?—It is not. Flax in '51 and '52 was six shillings a stone; it sold at that; and I find in '56 that flax of good quality sells for six shillings a stone—precisely the same quality of flax; and I find the cost of producing that flax in '50 and '52 was about 26 1s the acre, the profit being 45 1s. In '86 the cost of production was 47 6s, leaving a profit of 41 14s, which is a decrease of course, because the cost of production has increased.

26,932. Does that arise from the higher price of labour?—From the higher price of labour.

26,933. Mr. Keble—What is your experience now as to the prices of cattle?—They are quite as good now as they were for an average of years, but there was one season in which they went up to a very high price indeed, and at that high price I made on grazing cattle with a very little addition of hay, but nothing else. I made 25 a head on cattle by grazing them from October to June.

26,934. What period are you speaking of?—Three years ago. The prices have not increased since then, but at the present prices they are as high as they have been in my experience, on an average, for a good many years, if not higher.

26,935. Store cattle?—Young stock, all reared on the grass, and sold in the ensuing season. I have the prices in '52 and '58.

26,936. Your experience about the price of cattle won't agree with the evidence of a great many people who were up here giving their opinions.—Well, I am not extensively connected with cattle.

26,937. It is generally admitted that for the last three years the price of young stock is going down gradually?—My experience is, it is not.

Dec. 11, 1886.
—
Mr. George
Brash

Dec. 11, 1866.

Mr. George
Bresh.

26,938. Are you speaking of fat cattle?—I am speaking of a year-and-a-half-olds, and they are higher this year than they were last year.

26,939. What particular time this year was your attention called to the prices?—In the beginning of November or the end of October, for I bought that time some young stock myself. There is a very large increase in the price of beef.

26,940. Is it much higher?—Much higher.

26,941. This year than last year?—Not last year, but they are much higher than the prices were for the last 35 years.

26,942. There is no necessity for going back so far as 35 years—All that I know is that I cannot buy any great less than 9s. a pound, and formerly that was considered a high price.

26,943. Have you been selling any finished cattle in the market lately?—No, I have not.

26,944. Lord Milnes—Are you speaking of butchers' prices?—I am speaking of what the average price is in the market for cattle.

26,945. There is an enormous difference in what the butcher charges you and what he pays the producer—very nearly double?—No doubt it is nearly double.

26,946. As a matter of fact the butcher charges the customer nearly double what he gives the producer or farmer?—It may be so.

26,947. Mr. Keppel—Do you think the farmers who rear these cattle are as well paid for the last three years as they were three years previously?—I won't say that. About three years ago there was a very considerable increase in the price of cattle. That increase extended not only over finished cattle, but over young stock, and within the last three years that has equaled itself. Now, the farmer laying in young stock at the present prices and selling them at the present prices as finished cattle, may make a considerable profit on it. I know as a matter of fact my own brother bought some cattle last October, and he kept them over the winter, and sold them in June last at £5 a head profit.

26,948. He gave them turnips in the winter?—He did.

26,949. There was nine months' keep?—No doubt. He made £5 a head on them.

26,950. Mr. Nelson—£5 a head? would that be a paying price?—I should be glad to have it.

26,951. Mr. Keppel—Do you wish us to believe £5 would pay a man for giving turnips to beasts for 6 months, and 3 months' grass?—I do.

26,952. Lord Milnes—I thought you said he sold them in June?—Yes.

26,953. The grass does not get in much before June? He would give them 3 months' grass—Have you good grass in April?—Not in April.

26,954. With reference to the Purchase Act, I think you said the landlords in your locality were willing to sell?—Some are if they get fair prices.

26,955. You did not say what you thought that fair price would be?—I have my own action of that.

26,956. What is your idea?—Having regard to the rate of purchase given for the bare right of occupation, what is called tenant-right, I consider the landlord would be fully entitled to 30 years' purchase on his rent, at the very lowest calculation. The price tenant-farmers give for the bare right of occupation is far beyond what any landlord would be prepared to take for his interest. Two farms were sold on an estate I manage at £50 the Irish acre for the bare right of possession.

26,957. Do you think the landlords would be satisfied to take 20 years' purchase?—I could not answer that. I am a small landlord myself; I bought some property in the Landed Estates Court, and I paid 25 years' purchase, and I should be sorry to sell it under 20 years' purchase. I would rather take my chance of holding it on.

26,958. And if the tenants were willing to buy you would take 20 years' purchase?—I probably would, but I am not bound to sell it.

26,959. As a rule do tenants desire to buy in your neighbourhood?—They do not; but I think under other circumstances they would be desirous to buy; if they had no expectations from agitation they would be, because there is a great desire to become possessed of land.

26,960. Would it have a good effect if they were assisted to become owners?—In some ways it would, and in other ways it would tend against the prosperity of the country.

26,961. In what way would it tend against the prosperity of the country?—There is a great tendency amongst men of that class to subdivide their farms, which is a ruinous system.

26,962. Is there not a provision in the Act which prohibits them from doing so?—I know that I have had enormous trouble about it myself. I have prevented it to a great extent, and I have increased the size of the farms, and consequently, to a large extent, increased the prosperity of the district with which I am connected, having persistently increased the size of the farms for the last 25 years.

26,963. You cannot do anything of that kind now?—No, all we can do now is to prevent subdivision.

26,964. Mr. Keppel—Apart from that, do you think if they were assisted to purchase their holdings that it would make them better subjects?—I think it would have a good effect in that way. I am not at all adverse to the question of purchase.

Mr. ALEXANDER THOM, examined.

Dec. 11, 1866.

Mr. Alexander
Thom.

26,965. Lord Milnes—You are a tenant farmer in the county Meath?—Yes, Cullen House, Slane, county Meath.

26,966. How many acres do you farm?—250 acres.

26,967. What is your tenure?—Leasehold, and the rent was raised on us in '74.

26,968. Mr. Nelson—What was the date of your lease?—It was a 31 years' lease, and expired in November '83.

26,969. Lord Milnes—It expired in '83?—Yes.

26,970. You could have gone into the court and have had a fair rent fixed?—Yes. Before '81 my father went to this farm of Cullen, and took it from the former tenant, and the agent would not let him in unless he took out a new lease for the last two years and a half of the old one, and he raised the rent £62 a year.

26,971. What is the rent now?—£249 a year.

26,972. Mr. Nelson—The present lease was granted when?—In '81, before the other one was out.

26,973. Lord Milnes—Was the present lease granted before the Land Act passed?—Three months before it passed.

26,974. And the rent was raised £62 a year?—Yes.

26,975. Mr. Nelson—It was a 31 years' lease?—Yes. There is the income tax. [Return was handed in.]

26,976. Lord Milnes—What is the valuation?—£387 is Griffith's valuation.

26,977. And the rent is £310?—Yes, the Poor Law valuation is £391.

That cannot be. It is the same as Griffith's valuation; one perhaps in the land, and the other the land and buildings together.

26,978. Judge Nelson—The valuation is £387, and with buildings that would be it. What was the date of the lease which expired in 1883?—It was taken out in 1852, not from Lord Conyngham, but from the former landlord, Mr. Allen, and Lord Conyngham bought the land.

26,979. Do you consider the rent is too high?—We lost £448 last year. We cannot make a lb. of it.

26,980. What is the mode of farming?—Grazing and tillage.

26,981. Much tillage?—25 acres of tillage we have.

26,982. Have you good grass land?—Some good

and some had. There was a swamp of 80 acres on it, which Mr. Bolton drained, and he laid out about £2,000 on the farm.

26,983. Did you give him anything for his tenant-right?—£3,348. Mr. Bolton settled with his creditors. A man who was buying it said we gave £1,000 more than he would.

26,984. What year did you buy this place?—In 1880 or 1881, just immediately before the Land Act. Mr. Bolton was my grandfather. My father was not dependent on the farm. He has £10,000 in the Court of Chancery. He has an income from it, without which he could not have got on.

26,985. Lord Alhousie.—It was a large sum to pay for so heavy a rent?—He just liked the place.

Are the farm buildings worth anything?—No.

26,986. You merely gave this large sum of money for the right to pay this rent. It would seem to be a rash proceeding?—It was a very heavy rent.

26,987. You would not give another £3,348 for a similar farm?—No.

26,988. Are you desirous of such legislation as would enable you to go in under the Land Act of 1881 and have a fair rent fixed?—Yes, either that or to allow us to purchase.

26,989. What are you prepared to give?—15 years would pay the landlord more than what he gave for the estate.

26,990. Judge Nelson.—Have you tried him with 15 years?—No.

26,991. Fifteen years at the present rent?—No, of Griffith's valuation.

26,992. Lord Alhousie.—Do you think it likely he would take 15 years of Griffith's valuation?—I don't know, but we would give him that.

26,993. I suppose you think he won't take it?—I cannot tell.

26,994. Would you take it if you were in his place?—I cannot say; the other tenants are all willing to purchase at 15 years; they say at about 15 years.

26,995. It seems a small sum, considering you gave £3,348 for the right of occupancy of a farm in 1881, that you would offer the owner of it only 15 years' purchase. It sounds rather strange.—We lost so much money by it. We lost £148 in one year.

26,996. How would you be able to bring about such a purchase? do you contemplate the Legislature should compel him to sell it at this price?—The tenants seem to think it would settle the whole land question if there was some compulsory power of purchase and sale, so that the tenants could buy at anything fair. They think it would settle the whole business and put an end to the row that is going on in the country.

26,997. But you think the price ought to be fair?—Yes, about 15 years.

26,998. Do you think the landlord would take a fair price?—I think he would.

26,999. Until he refused it would be too soon to take measures to compel him?—Yes.

27,000. If you compelled a man to part with his property ought he not get a larger sum than if he sells it voluntarily?—I don't know.

27,001. It would be better to purchase the property voluntarily at a smaller price?—No doubt.

27,002. Judge Nelson.—If he was bought out at the rate of purchase you suggest, and invested the money at 4 per cent., it would bring his income down to £808?—That would be a great loss to him.

27,003. Mr. Kipe.—Would you be satisfied to leave it to arbitration, or have a court established to deal with it?—I would be glad to have anything to settle it.

27,004. The tenants seem to be anxious to do what is fair. Why don't you make an offer?—The agent is depending on his income. He has not a shilling.

27,005. Why not try the landlord?—I may state this agent took an action against my grandfather before he got the agency, and he has been paying it since.

27,006. Lord Alhousie.—It is not the object of the agent unless he is a very philanthropic man to have a property sold and lose the agency for?—No.

27,007. Mr. Kipe.—You want to convey to us that

the agent has no desire the property should be sold, and rather stands in the way?—That is so.

27,008. Judge Nelson.—That is merely your idea?

—Yes. The tenants wanted to get in under the Land Act of 1881, and they wanted to break their leases, and they forwarded a petition to the landlord. The law agent wrote stating that his lordship's agent would go round and re-consider the rents and reduce them. They relied on this and did not go into the Land Court.

27,009. Lord Alhousie.—On what ground were they going in?—To break the leases, and this letter stopped them. The following is the letter:—

“ I, Simon Denham,
“ Tenant's Inn, W.C.,
“ 12th December, 1881.

“ GENTLEMEN—I am requested by the Marquis of Conyngham to state that, after full consideration of the petition of his tenants upon the Blane Castle Estate, and having regard to the favourable seasons of this and the last year, there appears to be no sufficient reason for accepting a surrender of the existing leases, or for the acceptance of Griffith's valuation, as proposed.

“ His lordship's agent will be prepared to consider the terms of any particular holding, and, where necessary, to adjust the rent according to the circumstances of the case; and his lordship trusts that the good feeling which has for so many years prevailed between the landlord and tenants upon his property may long continue to their mutual interest and comfort.

“ I am, Sir,
“ Your faithful Servant,
“ WM. HENRY SMALLWELL.

“ Mr. JOHN BOLTON & Mr. JAMES EVERTS.”

The agent never came near them, but he raised Mr. Thorpe's rent £52 a year. He brought Mr. R. E. Daly to ruin it.

27,010. You intended to go into the court to get your leases broken on the ground that they were forced on you and contained unfair provisions?—Yes.

27,011. But through promises made to you of reduction the time was allowed to pass by without having it done?—Yes. The agent did not reduce the rents. He said he would give £20 a year, and he did not give what was allowed by the Arbitrator.

27,012. Suppose the Legislature saw fit to allow the leaseholders to come into court to have the rents fixed, would that get rid of your grievances?—Yes. The other tenants said if they were allowed to purchase that it would settle a great deal of the row.

27,013. You mentioned that the tenant being desirous to purchase, the landlord should be compelled to sell?—Yes, and to arbitrate for a number of years.

27,014. You have not asked your landlord yet whether he would sell or not?—We did not ask him. We could not live on the land at all, only for a private income.

27,015. And yet five years ago you gave this enormous sum for the right to pay the rent?—It was my grandfather. I think we should get a larger time under the Purchase Act than 49 years to pay the instalments.

27,016. You think the time for the payment of the instalments ought to be prolonged?—Yes.

27,017. To what?—From 40 to 60. If it could be lengthened in any way it would come lighter on the tenants.

27,018. You would prefer it?—I would prefer it.

27,019. Judge Nelson.—Never since legislation commenced was there so favourable an Act as Lord Ashbourne's?—Some of the tenants might not desire to buy, and some of them think Lord Conyngham never had it in his own possession at any time.

27,020. If he was forced to sell, do you think he should be able to force tenants to buy?—Tenants on one township—three tenants on one township, for instance—could agree to buy a township if Lord Conyngham would be satisfied.

27,021. They would be in the same position as the

Dec. 13, 1888.

Mr. Alexander Thom.

Dec. 11, 1882. other tenants?—Yes; some few tenants might not want to purchase.

Mr. Alexander
Thom

27,022. But when all the co-owners of a township agree to purchase, then the landlord, you think, should be compelled to sell?—Yes.

27,023. Lord Milnes.—A certain number of good townlands might buy him out and leave the landlord with the bad townlands on his hands; is that your idea of what would be right?—Well, some tenants cannot buy. Three or four tenants told my father they would buy if they could get a loan. I believe the tenants on the whole estate would buy if it could be settled in any way at all.

27,024. Do you think the matter might be easily settled?—The tenants are so afraid of the agent. Here is a specimen of what he does for the estate—a note my father got from him.

27,025. Mr. Neligan.—If these matters were gone into it would be necessary to examine the gentlemen to whom he refers, otherwise it should not appear on the notes.

27,026. Mr. Knipe.—You have a lease of this place? Yes.

27,027. How many years of it to run?—Nearly the whole of it. It was forced on us.

27,028. If Government could see their way so that leaseholders should be admitted to the benefit of the Land Act of 1881, would that meet your idea?—I think it would.

27,029. With reference to this Purchase Act, I did not wish to interfere in your evidence to his lordship; but don't use any names in reference to any landholders that may have existed. Is it your idea that landlords should on certain conditions be compelled to sell for the benefit of the majority?—I think so; that is my idea.

27,030. And a number of tenants would be willing to buy?—I may safely say they would.

27,031. Is your idea this, that where all the tenants on a property are willing to purchase, then the landlord should be compelled to sell on fair and equitable terms?—Yes.

27,032. And you speaking for the rest would be satisfied to leave it to the court if such a court was established?—Yes.

27,033. What effect would it produce?—Peace and quiet, and there would be no cry for Home Rule or anything of the kind.

27,034. Do you think it would have the effect of making them cultivate their land better?—Yes, for they would have an interest in what they got.

27,035. Lord Milnes.—What are you afraid of now?—We cannot make money of the land, the rent is raised so high.

27,036. Mr. Knipe.—You lost money last year?—Hardly.

27,037. What led to that?—The bad price of cattle. Cattle could not be made to pay. We lost £448 in the working of the cattle.

27,038. Solely on cattle?—On working the farm.

27,039. In your expense greater?—Yes, the cost of labour is higher. It is not in the country, as any number of men have gone to America.

27,040. Mr. Neligan.—A great number of labourers could be brought from Glenwood and other conjoined districts?—The only chance we have of labour is from the harvestmen in the summer.

27,041. A few hundred could be sent from congested districts into the Co. Meath if lodgings could be found for them?—Yes.

27,042. A large number of these could be brought from Connemara?—Yes, and we would be glad to keep them altogether.

27,043. A whole village could be brought up from Connemara?—Yes, and we could keep them altogether. We should like to have a few of them on our farm.

27,044. Mr. Knipe.—I suppose you would have no objection to selling the farm if you got the money for it?—I don't believe we would get our own money for it.

27,045. Mr. Neligan.—Suppose you get your £2,000, or whatever it was you paid for it, would you

have any objection to selling it?—But it is our home. My grandfather sold it to my father. My father was his son-in-law. The money paid the creditors of my grandfather, or they would have had it; we, in fact, bought it from them.

27,046. Mr. Knipe.—Has the price of cattle been lower for the last two years?—Yes.

27,047. Lower than they were after the passing of the Land Act?—A great deal.

27,048. How much?—We sell cattle for £13 now that we often got £14 for four years ago.

27,049. Lord Milnes.—Do you breed cattle, or buy?—We breed some and buy others.

27,050. Have you lost this year by buying and selling?—We have.

27,051. That is not the experience of other grazing farmers?—We have lost on it.

27,052. Have you had an agricultural training?—I have. I have been with my father.

27,053. It is rather strange that you are an exception to a general rule.—I may also state that in my opinion there is a great deal of Southern capital in the country, and business is done mostly on bills.

27,054. Do you consider the price of store cattle was very low?—Yes.

27,055. That was the case last year when you bought?—Yes, we had 60 head of cattle fit to ship to Manchester, and we could not sell them unless at ruinous figures.

27,056. What did you give for them?—An average of £11 apiece.

27,057. For three-year-old heifers?—Yes.

27,058. What were you offered for them?—They are hardly worth £15 apiece.

27,059. You would make 44 s. head on them?—For twelve months. We bought them this time twelve months, and we have been keeping them, just hoping to get something more for them.

27,060. A great number of graziers who bought stock and sold them after a year's grass made extremely well this year?—I should be surprised to hear it.

27,061. Are you aware that if you could get your landlord to sell this farm to you at 15 years' purchase that the sum would exceed that which you could borrow under Lord Ashbourne's Act—there would be only power to lend £8,000?—I did not understand that.

27,062. The poor-law valuation of this farm is £387?—Yes.

27,063. If sold at 20 years' purchase it would be considerably over £5,000.—I was not aware.

Mr. Neligan.—£5,000 is the limit.

27,064. Lord Milnes.—The price for which you could sell is limited to £8,000, and even with leave they cannot give more than £5,000. Do you think that restriction ought to be removed?—I should think so. Many of the good agricultural holdings would be over £5,000.

27,065. But you could buy under the provisions of the Act of 1881 by paying down a fourth of the purchase money, but not under Lord Ashbourne's Act.—I was not aware of that.

27,066. Mr. Knipe.—Would the tenants in your locality be able to pay one-fifth part of the purchase money if required?—Some could not, but some could, I have no doubt. Even grass is sold less this year than last year.

27,067. Lord Milnes.—Is that in the county Meath?—Yes, beside ourselves.

27,068.—We had evidence that Alderman Daly's grass land was let for 10s. an acre more?—I can say so for that. A man would give him 5s. or 7s. 6d. an acre more than he would give to anyone else, because he could afford to give them credit. He has the whole county in his grasp.

27,069. Whatever advantage they get from Alderman Daly they had the same last year?—Any man that would pay cash down would get a reduction this year. Men told me they can take land from Alderman Daly they cannot take from another, and would give him 1s. more than they would give to anyone else, as he

would give them accommodation until next September. Bills are passed free of interest at 5s. an acre more, payable on the 9th September next.

27,070. These were his terms last year?—Yes.

27,071. This year he gets 10s. an acre more?—I have explained the reason.

27,072. Judge Neligan.—Is that an Alderman Daly's own land?—Over the whole country. He lets land for farmers who are in difficulties.

27,073. He let 1,000 acres of land, Fingall's land, at an increase of 10s. per acre?—I was not aware of that. In the county Meath I know a man who has 130 acres of good land which he got at a reduction of half-a-crown.

27,074. Is grass land improving in value, in your opinion?—It has got lower, and also the price of cattle since the Land Act.

JOHN JOSEPH MCGLOTH, examined.

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Mr. Alexander Thompson.

27,082. Lord Milnes.—Are you a tenant-farmer?—I occupy a good deal of land. I don't till it, as my business is rather that of a cattle salesman and corn factor. I am also a magistrate for the county Dublin.

27,083. Do you pay rent for your land?—I do. I sell for others who produce the grain, and I also sell for those who produce the cattle.

27,084. There is a considerable fall in the price of cattle?—Very large indeed. I have brought some figures with me. I have practical knowledge of the matter, but I thought also the commissioners might desire to have some figures. From April 1881 up to September 1885, since then we have had a considerable fall indeed.

27,085. Fall in what?—In the price of cattle, in the price of beef in the Dublin market. In April 1881, after the midling year of 1880 and the bad year of 1879, the price of beef ranged from 56s. to 72s. 6d. per cwt. In September 1882 the price of beef ranged from 56s. to 70s. In April 1883 it ranged from 56s. to 73s., that is the very best quality. In September 1882 it ranged from 56s. to 77s. 6d. In the year 1883 the highest price was 30s. and in September of the same year it was 72s. 6d. In April 1884 the highest price was 75s. per cwt. and in September of the same year 70s. In 1884 the fall began to make itself visibly felt. The highest price in April 1885 was 70s. and in September 62s. 6d. At present the highest price is 52s. I can vouch for the accuracy of these figures.

27,086. You are speaking of the last Smithfield market?—I wrote this table before the last Smithfield market. The market last Thursday was Christmas market. These who feed cattle during the year keep a large portion for this market and expect to get a high price for them, as the cost is considerable keeping them over bad weather and feeding them on artificial food is addition to the grass.

27,087. A month or two ago it was brought at 60s. a cwt. in the Dublin market?—It was very near 60s. When I came home the 1st September I think it was 60s., but it gradually declined and fixed down at 52s., and the extreme price last Thursday was 52s. We had 50 pounds head of cattle belonging to one man, and these 50 cattle did not average £19 apiece.

27,088. Does that show a considerable fall?—Yes. A few years since similar quality and weight averaged 43s. each. Now with regard to sheep. In April 1883 the highest price was 10s. 6d. per lb. for mutton; in September 8s.; in April 1883, 11s.; in September, 9s. 6d.; in April 1883, 12s., that was a year when sheep were very scarce; in September 9s. 6d.; in April 1884, 10s., and September 9s.; in April, 1885 9s. and September 7s. 6d.,—the fall began to be severely felt then. It had been current and was greater during July and August than September. The midling quality of sheep were very difficult to sell. The present price is 8s., which is an extreme quotation. It is scarcely fair to compare the present prices with September last year. The prices in July and August 1885 were lower. The rise is little more than would be apparent from 7s. 6d. to 8s. There is

27,075. Would it be lower these last two or three years?—It would. 1882 was a fair year for cattle, and we never had a year half as good as it since. 1882 was the last good year we had.

28,076. Had the season affected you in any way?—It was a wet harvest, and the corn was lodged.

27,077. Had you much in tillage?—25 acres.

27,078. Was it difficult to secure it?—Very difficult indeed; it was wet the whole time.

27,079. Lord Milnes.—You had a good crop of grass?—Yes, a fair crop of grass.

27,080. Mr. Neligan.—Allowing you to go in and get a rent fixed would be the whole thing you want?—I think so.

27,081. Mr. Kilspe.—It would place you in a position and enable you to avail yourself of the benefit of the Land Act?—Yes; other tenants might like to purchase.

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John Joseph Malloy.

a very smart advance in the price of store sheep in the country, but it is not in the same ratio as fat sheep in the market. They are buying them in the country at a relatively higher price than they are worth, and if I go in for buying them I will lose money. I would give round numbers that the fall in the price of beef all round would be about 30 per cent.

27,089. Since when?—Since the year 1883.

27,090. Mr. Neligan.—The fall in beef since 1883 would be how much?—It would be about 50 per cent., and the fall in mutton would be from 20 to 25 per cent. I don't think with regard to cattle I have anything further to say, except this: that the prices in England would correspond with these, for in November 1883 I was on a deputation to the Privy Council in London, and at that time the price of beef in the Newcastle market was 10s. 6d. per stone of 14 lbs.; the current rate in Newcastle is 7s. 6d. per stone.

27,091. That would corroborate the evidence as to the Dublin market?—Yes.

27,092. Lord Milnes.—The Dublin market is ruled by the English market?—Very largely. Wherever there is a large surplus for export, it is the price of that exported which necessarily regulates the price of the same material here. With regard to the price of grain, it is a matter of considerable importance, and I can give you the results.

27,093. Give us the results.—With regard to the way averages are calculated in this country, I have seen many statistics, and they are in many cases entirely inaccurate, and I believe they are inaccurate, not because wilfully made so, but because of the system by which averages are arrived at—the system is only guesswork, because there are no quantities given. In the sales made in Dublin market the quantities are never given, the range of prices is given which shows the highest and the lowest. The same is given in other towns in Ireland; but my impression is the way averages are calculated is that: they take the highest and lowest price during each market in the year, and form an average out of those numbers, so that in other words the so-called average is a true average of extremes, and not a quantity average. I know as a fact that taking it for this year it is entirely misleading, and principally for this reason—as the Commissioners probably know—the bulk of the harvest in this country goes various ways: one, the poverty of the tenants, and another being that the steam machines afford great facility for taking out the grain; but, as a result of these two causes, the bulk of the harvest is sold before the 1st of January, that is, from the 1st September to the 1st January. I should be safe in saying that three-fourths of the total produce of Ireland is sold before the 1st January. It follows, naturally, that if such a large proportion as that be sold between the commencement of the harvest and the 1st of January, the only way to arrive at a true average would be to take the quantities sold at each place, with the prices, to multiply them together, and when you have got the aggregate to

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divide by the quantity; that is the only way to arrive at an average of the net bulk sold.

27,094. Mr. Nelson.—Is it on that principle you have worked out your averages?—No. I have worked them out from my own personal experience of sales, but they are not necessarily accurate. They are approximately accurate. In Cork they give the quantity sold and the extreme prices, but they don't give the quantity sold at each price. Now I would maintain—having a very extensive business in grain for others, and knowing the grain trade of the large buyers in the country—that it is the buyers who really know the actual prices realized for the bulk of the crop. A few farmers know the price of their particular crops. I have written to three or four of my correspondents on the subject, more especially with regard to the barley crops, and I received a letter from a gentleman in the Queen's County who last year sent me 20,000 barrels of barley to sell for him, and nearly all the barley in his district is offered him. He says that he refused five samples out of six offered him, and that two-thirds of the barley offered him was unsuitable. He says: "I know a large proportion still remains on the farmers' hands, being quite unsuitable; some of it almost worthless. I cannot guess how the unfortunate farmers will turn it into money." Then he refers to hay, which he says is sold at a very low price. He says: "I bought a good meadow hay in Abbeyfeix market at 25s. a ton."

As to pork I know nothing of my own knowledge, but I believe it has risen recently. With regard to the barley crop, one of the staple crops in the central districts, the barley is not merely at low prices, but a large bulk of it is unsuitable for the ordinary purposes of barley. It is unsuitable for any purpose in the way of malting or distilling, and there is not sufficient consumption in the country for the farmers to use it as cattle-feeding. It is most disastrous.

I have another letter from Mr. Hackett to the same effect.

27,095. Lord Milltown.—We have all this proved before?—Very well. With regard to oats the price is very low, but it has not at all suffered so materially as the barley crop. There is a good crop in some districts. It has varied, I believe, so far as my information goes. I would state this with regard to prices in 1883 and 1884, the figures as to which are frequently brought under my notice, the average value of wheat in the harvest of 1883 did not exceed 6s. 5d. per cwt.; to the growers at the place of production the average value of oats did not exceed 5s. 5d. per cwt.; barley 6s. 4d. per cwt., and hay 25s. per ton. So far as the harvest of 1884 is concerned, as far as I can estimate, I would say the average price of wheat has not exceeded 6s. 5d. per cwt. The wheat is advancing and has become dearer, but for the reasons I have mentioned the rise is not of material consequence to the farmer unfortunately because the bulk of the wheat has been sold this year. Oats 4s. 2d. per cwt., barley 5s. 3d., and hay 25s. per ton. The produce was variable, generally inferior, and much of it damaged and injured.

27,096. What part of the country do you speak of?—I speak of the country as a whole, and of the crops.

27,097. Is it your evidence the crop is inferior?—The produce variable, and generally inferior, I judge by the grain which comes under my own observation.

27,098. Do you confirm your observations to grain?—Yes, much of it damaged and injured. As the Commissioners are aware, it costs more to save a bad harvest in a wet season than a good one when the weather is favourable.

27,099. Mr. Nelson.—The weather was not favourable this harvest?—Very unfavourable; the weather became unfavourable in September.

27,100. Lord Milltown.—Have you any evidence to give with regard to the working of the Purchase Act?—I was concerned in two sales for a prominent gentleman in Dublin, who asked me to take up the matter; the way it occurred was, the tenants were anxious to become owners of their holdings, and they wrote to the owner, and mentioned my name to him to

recommend them for honesty. The gentleman immediately wrote to me, and I thereupon put myself in communication with the tenants, and I made calculations, based on the time they held the land, on the condition of the farms, and on the prospects of the future. I made the calculations for them very carefully, and I told them to go to the owner and offer him the price I put down; they did so, and the seller gave them the farms rather less than they had offered him. In another case I made a similar calculation, and the seller fixed the price at the sum I named. I find the price for the tenants.

27,101. The sales were concluded?—Yes, there was considerable delay in getting the money, through the machinery of the Court. The figures were based in this way. I first fixed what I believed to be, so far as, however, freight could go, a fair rent for the time, and I then took the deductions which the tenants would have to pay in addition to the rent, and I gave 20 years' purchase from that, and after making certain provisions suitable for the time. I am of opinion that the number of years' purchase should be the same in all cases.

27,102. A good and bad land?—For all land, if you take the principle of just fixing what ought to be a fair rent.

27,103. Is not bad land dear at any price?—I believe the reason that different rates of years' purchase have been fixed and put into a clause is this, that it is believed no valuer will have the courage to face the depths he should go if he takes two or three really bad years into consideration. If the rent is a fair rent for all time the security should be the same, and the number of years' purchase the same.

27,104. But would you be disposed to give 20 years' purchase for bad land as readily as for good land?—Quite so, in carrying out the principle.

27,105. No matter how low you fix the rent of bad land, there are a good many persons you make nothing out of it?—Quite so; that is one of the points which should influence you in fixing the rent. It is more a matter of principle.

27,106. That was the objection taken to it?—I believe it is the objection because the valuers really have not the courage to measure the extremes whatever a bad year would be, and they say it is much better to put a short number of years' purchase because there are no certain returns which could be taken into consideration in fixing a fair rent. I look on fixing a fair rent as a necessary preliminary to the purchase.

27,107. Mr. Nelson.—You don't know what you are buying unless you know what the fair rent is?—Yes.

27,108. Were those sales to which you referred carried thus?—Yes, in the first place the tenant was a farmer, having a good interest under an old lease, his valuation was £280, and his rent £290. I took at once £290 off the rent he had to pay under the lease. The lease was an old lease and the tenant had considerable interest in his holding. I took £290 off the rent, reducing it from £290 to £70, and some other charges. I multiplied that by 20 years. I told him to offer that to the landlord, who was a person of distinguished position who would not bargain with him. The landlord gave it to him at a slightly lower sum, but included in that sum the arrears of rent. In another case it was left entirely to myself. I enclosed the tenant as to facts, took a reasonable reduction off the land, put it down as far as I could estimate it, and multiplied it by 20 years after taking the deductions off, and that was carried through.

27,109. What loss of income could that entail to the landlord?—I made a table for the vendor and the tenant to show their position after the purchase and I sent the landlord both.

27,110. What was the loss of income to him?—That would depend on how the rent would have been paid in future.

27,111. Assuming the landlord should invest his money at 4 per cent., how much would he have lost on income?—He was receiving £290 a year, less

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deductions, say £80 net. I took £20 off the rent first, and I told the tenant to offer £1,400, but the landlord sold to the tenant at £1,520. He would get at £1,520, at 4 per cent, £52 a year instead of £20.

27,112. Lord *Mulholland*.—It was not apparently a very advantageous bargain on his part?—That would depend on the way the rent would be paid. I did not suppose that would continue to be a fair rent or I should not have reduced it.

27,113. Mr. *Nelson*.—Was it a judicial rent?—No, an old lease.

27,114. How long had that been in existence?—25 years.

27,115. It was practically paid for 25 years past?—Yes.

27,116. In the County Dublin?—Yes.

27,117. A rent of £20 practically paid for 25 years, yet value at £70?—Yes.

27,118. Lord *Mulholland*.—And the purchase price was £1,520?—Yes.

27,119. Is there any other matter you would wish to refer to?—I want to make one or two suggestions with regard to the Act of 1881. It occurs to me all holdings should be included in the Act of 1881, including leaseholds and grass lands, but excluding those temporarily let for the convenience of either party.

What do you call temporarily?

27,120. Judge *Nelson*.—He follows the words of the statute?—Witness. And I would include town parks, for which holdings extra value is put on, and great injustice is done at present by excessive rents on some of these. As an illustration I give my own case. My father took a farm thirty years ago, and he improved the farm in many ways. After a few years the landlord increased the rent. He then let it for ten years, and he again increased the rent, which is 50 per cent. above what my father took it at, and I have no redress. I am losing a quantity of money by it.

27,121. Lord *Mulholland*.—You could give it up?—I am not sure that I could. I held it under an agreement, first for five, then for ten years.

27,122. You could surrender it on a six-months' notice?—Then I should lose the improvements which increased the value of it by 50 per cent. The land was thoroughly worn out. He took it at £4 an acre, and I pay 26 an acre, which I cannot make by it. I asked the landlord for a reduction, but he said he could not grant it. In another case somewhat similar I held under lease, and I have no redress whatever.

27,123. There was no compulsion on you to take it so high?—It was taken originally at 50 per cent. less?—There was no compulsion to take it at that time. It was increased away until now the rent is 50 per cent. over what it was when he took it. With regard to the Act of 1881, there is one point I would like to state, that is, that the tenant should not be deprived of the benefit of the Act of 1881 from the fact of a small portion being let to a cottier or labourer. A case was decided by the Court of Appeal in which the tenant was deprived of his rights under the Land Act of 1881 because he sub-let a bog and half an acre.

27,124. There is power under the Land Act of 1881 to sub-let portions of bog?—It was tried, and decided in favour of the tenant. It was the first instance, and last week the Court of Appeal—consisting of the Lord Chancellor, Lord Justice Fitzgibbon and Lord Justice Barry—decided that the tenant was excluded from the Act in consequence of the landlord's sanction not being obtained to the letting of half an acre of bog. Is your objection the principle of the Act to avoid middlemen you should not deprive the tenant of the benefit of the Act of 1881 unless a material portion of his land was sub-let and that he had put himself in the position of a middleman.

27,125. Mr. *Nelson*.—The Act of 1881 provides first, if a man wants to put a labourer or cottier on his holding he can serve notice of his intention, and if the landlord does not allow him he can get the permission

of the Court?—But there was no power of sub-letting under a lease.

27,126. The Act of 1881 would meet your point?—Perhaps you would read the case. It was a tenancy under an old lease.

27,127. There is nothing to prevent a person, holding under the Act of 1881, letting a portion to a labourer or cottier?—Quite so. What I say should be general. It should not be considered a sub-letting unless there was a material portion, and where it was material the holding was worked as by a middleman. To exclude middlemen was the object of that portion of the Act of 1881. There is another point, perhaps, the Commissioners would wish to hear. In the statutory term under the Act of 1881 there are certain powers given in the event of the rent not being paid, amongst them that of making the tenant a bankrupt. If there were an amendment of the Act it would be in the interest of the tenants and the country that clause should not exist, because it would deprive the tenant of all chance of getting money from the banks and respectable persons who would lend it on fair terms; and he would be thrown into the hands of money-lenders, who would charge him exorbitant rates of interest, and put him in a very bad position.

27,128. What is the section of the Act of 1881, to which you refer?—I don't recollect the section, but it enables the landlord to make the tenant a bankrupt, the effect of which as to deprive the tenant entirely of the power of raising money.

27,129. I am not aware of any such provision in the Act?—A case came under my own knowledge in which the tenant owed arrears.

27,130. Under the ordinary law any debtor may be made a bankrupt. The Act of 1881, confers no power or right to make a man a bankrupt which the general law of the land does not give?—According to the actual wording of the statutory term the landlord has power if the tenant does not pay to make him a bankrupt and deprive him of his interest.

27,131. No doubt if a man becomes bankrupt he forfeits his holding?—Yes. Take another instance. Take the case of a tenant receiving advances from a bank and he owes arrears of rent, and the landlord makes him a bankrupt, the bank is deprived of the security it had.

27,132. Any other creditor may make him bankrupt in the same way?—Quite so, but the landlord takes possession of the holding in which other innocent creditors had a large interest.

27,133. Lord *Mulholland*.—Is there anything else you wish to state?—With regard to sales by tenants of their interest in their holdings, it is unfair tenants should be allowed to sell all the interest in the land.

27,134. How do you mean?—When there is great anxiety to buy land, on the part of tenants, they give exorbitant prices for the interest in farms, which would leave them more rack-rented than before. I would allow them to sell the interest acquired by the improvements they make, I would allow them to sell the interest on the increased earning power they developed on the land, but the natural earning power of the land they should not sell.

27,135. You would restrict the sale of the tenant's right in that way?—I would restrict the tenant's right of sale of the ordinary earning powers of the land, which is the only thing the incoming tenant would have to live by. As to the natural excess of income over expenditure on the land purchased by the occupier, which should be sufficient in average years to enable him to live and thrive, this I would not allow to be sold by the outgoing tenant, as such sale would deprive the incoming tenant of his natural income and leave the land more rack-rented than before.

27,136. It would not be easy to separate that portion under the Land Act of 1881?—That should not be included in the tenant's right unless they paid an excessive sum.

The Commissioners adjourned to Monday.

THIRTY-SEVENTH DAY.

Monday, December 13th, 1886.

The Commissioners met at 36 Merrion Square, Dublin.

PRESENT:

THE RIGHT HON. EARL COWPER, President.

THE RIGHT HON. THE EARL OF MILDOWN.
MR. NEILGAN, Q.C., Recorder of Lonsdownery,SIR JAMES CALED, K.C.B.
and Mr. KNIFE.

The Right Hon. Judge FLANAGAN, empanelled.

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Judge
Flanagan.

27,137. The President.—Judge Flanagan, I shall ask you questions about the Land Purchase Act of '85. We have been recommended by a good many people to endeavour to get the term extended for the payment of instalments. Do you think that there would be necessity or advantage in that?—Well, I don't see any necessity for it. As to advantage, I am not prepared to express any very strong opinion about it. I think in reference to holdings, which I may call substantial holdings, I am not prepared to advise that any extension of the time should be given. I think it is the interest of the public, and it is the interest of the purchaser, that he should pay off his instalments as quickly as possible, and in reference to tenants of that class I would not advise any extension of time.

27,138. Sir James Caled.—I did not catch what you said. Did you say larger holdings, or smaller holdings?—Oh, larger holdings.

27,139. The President.—You think there might be a difference made between the different holdings, and that some might be extended longer than others?—Well, in reference to the smaller holdings?—If I may answer the question indirectly, I think it would be very desirable that the tenants should be induced to pay a part of their money in cash; and if that were done, I think that then you might give them the corrective advantage of extending the time for the repayment of their instalments.

27,140. To give an encouragement in that way for ready money?—Yes. Otherwise, I am not prepared to recommend it. The time, 99 years, appears to me to be a very long time; and any extension of that time would practically amount almost to a perpetuity.

27,141. What do you think about the one-fifth deposit? Do you think that it might in certain circumstances be dispensed with?—I can hardly answer that question without stating my views generally about sales and guarantees.

27,142. Well, you might as well state them now?—Well, I am clearly of opinion that in the case of what are called congested estates—and the definition of a congested estate I would leave to the Land Commission—I would give the Land Commission the power, or rather impose upon them the duty of absolutely selling the fee of the land out and out, discharged from all quit-rent, head-rent, and any other charge or encumbrance upon the estate; and I would charge upon the purchase-money the charges, as subsisting upon the lands. In reference to estates which are not congested estates, I would give them the power of doing so, or rather make it their primary duty to do it; but I would allow any party having a charge, such as head-rent, payable out of the lands to come in before the Commissioners; and if they satisfied them that selling the fee of the lands out and out would prejudicially affect their rights and their interests, of course in that case they should not exercise the power which I propose should be conferred upon them.

But in the case of a congested district you would give no option to any one?—They would sell absolutely, and for that reason—I did not mean in congested districts, but congested estates. I do not quite understand congested districts.

27,143. A congested estate, that means an encumbered estate?—Oh, no. I mean an estate which is so circumstanced in reference to the number of tenants and the way in which they hold their land.

27,144. Oh, a congested district?

27,145. Perhaps you would define a congested estate?—I would rather leave the definition of that to the Commissioners. I don't think I can in the abstract exactly define a congested estate. I think in my view that a congested estate would be an estate which is so circumstanced in reference to the number of tenants—small tenants, we will say the *Traffic estates*—an estate circumstanced like that—or I heard the Dillon estate mentioned, though I am not prepared to say that the Dillon estate is a congested estate; but an estate of the character that is supposed to be I hold to be a congested estate, where the tenants are very numerous in relation to the quantity of land and the holdings are very small; or, again, where the holdings are held in small patches here and there in a *Roadside*.

27,146. Sir James Caled.—There is a similar class of land, called commonable land, in England?—Possibly. I am not aware of that.

27,147. The President.—And that being the definition of a congested estate, we will go back to it?—I would recommend in the case of these congested estates the Commissioners—by which I mean the Court sitting—should be bound to sell the fee of the land out and out, without reference to rents, quit-rent, tithe-rent charge, or anything else—sell also land.

27,148. Sell to the tenants?—To the tenants, if they would buy.

27,149. Sir James Caled.—Then the Commissioners would first have to buy the land themselves?—No. I would allow the owners to deal with the tenants as they do now; and I would further extend the definition of owner in the Act of Parliament, so as to include any party who held the land for a term of years—say not less than sixty years, unexpired, and not holding at a rack-rent. And I would go further still, and hold that mortgages should be at liberty to contract with the tenants, as the landlords do now, and that those mortgages should be defined to be an owner within the Act. By mortgages I would exclude, of course, what we call judgment mortgages in Ireland; and I would limit it to such mortgages as the Land Commission—namely, the Court to sell—would think fitly owners, having regard to the circumstances of the estate.

27,150. And you would make it compulsory upon the landlord or mortgagee, or whoever was put in the position of the landlord, to sell?—Oh, not at all. I am entirely opposed to compulsory sale; and I take the

plenty of saying that this is no new principle. It is only incorporating or giving these commissioners the powers which are conferred upon any railway company under the Lands Clauses Consolidation Acts.

27,151. If the landlords wished to sell, you would oblige the Commissioners to buy?—I would oblige them to buy.

27,152. If they buy at all?—If they buy at all, I would not allow them to buy a limited estate, subject to head-rent, quit-rent, and all that sort of thing.

27,153. And oblige the owners of quit-rent and others to sell?—Yes, certainly.

27,154. We shall go into that more deeply by and by, if it is necessary to enable me to understand it; but does that bear upon the one-fifth deposit?—It does in this way, I have a clear opinion—an opinion which I have long entertained—in reference to the mode in which the valuations are made. I am strongly of opinion that valuations ought to be abolished in toto. My experience of valuations—and it is one extending over a great many years—is really this, that valuations are perfectly worthless.

27,155. Do you mean valuations by the Assistant-commissioners?—Well, I am not talking of the assistant-commissioners. I am talking of valuations, with reference to purchases. Valuations, as a rule, I look upon as perfectly worthless.

27,156. And would that apply also to doing it by a certain number of years' rent on existing rents; negotiating in that way—would that be equally objectionable?—Yes, I object to that altogether.

27,157. Sir James Caird.—How are you to get at the value?—By reference to Griffith's valuation.

Mr. Neillson.—I suppose because it is a simple process, and, with all its faults, that it is an impartial valuation.

27,158. Witness.—I think Griffith's valuation is the only reliable standard of value in Ireland. Griffith's valuation is the only valuation yet made with impartiality, without reference to politics, or other indirect object.

27,159. The President.—Has there not become a difference in value from what it was in Griffith's time—one county different from another?—Undoubtedly Griffith's valuation in the North of Ireland is relatively higher than it is in the West or South.

27,160. I don't know whether this is the time to ask you whether you are in favour of a new valuation?—Certainly not. I think it would be about the most judicious time for making a new valuation that I can imagine.

27,161. Perhaps you might tell me in a few words why it would be a bad time?—Well, I think there is a state of political feeling and of agitation in the country, and I think that the tendency of that is rather to affect the balance of people's judgments whether as to valuation or otherwise.

27,162. Then you would go by Griffith's valuation?—I would go by Griffith's valuation. I would deprive the commissioners of all discretion in reference to the ascertainment of the purchase-money.

27,163. Deprive them of all discretion?—I would.

27,164. They have no discretion.—Oh! they have by the Act a very wide discretion.

27,165. You mean in saying whether there is sufficient security for the money advanced?—Yes, I would not allow the Commissioners to go into that at all.

27,166. Sir James Caird.—You would take Griffith's valuation?—I would take Griffith's valuation as the basis, and make it imperative upon the Commissioners. Where landlord and his tenants agreed for sale of a property, I would leave them the most absolute discretion to arrange about the price, and make it imperative on the Commissioners to advance so many years of Griffith's valuation in payment of that purchase-money.

27,167. So that that would be a condition, as here, for the security of the State?—Certainly, I consider that the State would be perfectly secure.

27,168. The President.—The tenant would have to

advance a certain number of years' purchase?—Not necessarily. I consider that the State would be perfectly safe if you were to adopt Griffith's valuation as the basis of purchase. I do not say whether it should be fifteen, twenty, or thirty years' purchase. I would leave that to be decided by the Treasury and the Commissioners, or Act of Parliament, if necessary. My opinion is that twenty years' purchase of Griffith's valuation may be most safely advanced in the large majority of cases, not talking of what may be called congested estates. I would make a discriminating scale, having regard to the character of the estate, what number of years' purchase the Commissioners should advance.

27,169. Mr. Neillson.—You have read Mr. Shack's evidence before the Shaw Lefevre Committee?—Yes; I am quite familiar with his evidence—that the Commissioners of Public Works would advance two-thirds of thirty years' purchase on Griffith's valuation, and, so far as I know, they never lost one penny piece by the transaction.

27,170. Sir James Caird.—Griffith's valuation is a rental valuation on capital value?—Yes.

27,171. Then capital has to be reckoned by a number of years?

27,172. How would you fix that?—I would divide the country into certain districts, so many years' purchase—say twenty of Griffith's valuation—to be advanced by the State. I don't bind myself to a year or otherwise. All I want is that Griffith's valuation should be the basis of purchase.

27,173. The President.—They have always refused to advance over four years in congested districts?—I know nothing about that. That is a matter for the Commissioners themselves.

27,174. But you would compel them to advance twenty?—I don't say twenty.

27,175. Sir James Caird.—You were going on to what they should advance on congested estates, and what on other estates?—I think they could advance twenty years' purchase quite safely, where the annual rent payable is from fifteen up to thirty pounds. I would have no hesitation at all in advancing twenty years' purchase. On congested estates, of course, I would hesitate in advancing that amount of purchase-money; but in all cases I would allow all landlords and tenants to negotiate for any sum they thought fit; and if the Commissioners made an advance, say of fifteen years' purchase upon a congested estate, and if the amount of the purchase-money exceeded that, in that case I would retain the excess as a guarantee.

27,176. The President.—Then the tenants would have to pay the remainder out of their own?—Oh, not at all, because I go further. I say that the Commissioners should advance the full purchase-money.

27,177. Oh, the full purchase-money?—Yes. They should advance the whole purchase-money; but the excess over and above the amount upon so many years' purchase of Griffith's valuation should be retained as a guarantee.

27,178. Over this number of years which it is decided is this?—Yes, exactly. I am not prepared to say what number of years should be on Griffith's valuation—whether fifteen, eighteen, or twenty.

27,179. Mr. Neillson.—And it might also vary as to the valuation of a particular holding; for instance, a holding valued at over twenty might be dealt with in a different way from a small holding, say at 5*l.* valuation?—Yes.

27,180. The President.—Then it would vary—sometimes one-fifth, and sometimes less?—The guarantee!

27,181. Yes.—Yes, it might be greater or less than one-fifth.

27,182. Sir James Caird.—As I understood it, it would depend very much upon the quality of the land. If it was of good quality—very property of making a similar investment in that description of land, and it also depends very much upon the state of the country, if it were a quiet country, as Mr. Knipe's—Armagh

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Judge
Rusgna.

Jan 12, 1884. and that neighbourhood—that would give it a higher price!—No doubt.

Judge
Fitzgibbon.

27,183. So that you cannot fix on a definite number of years' purchase as applicable to all Ireland over all congested districts?—We have Griffith's valuation, which is based *inter alia* upon the quality of the land; therefore the quality of the land we may exclude, because if we take Griffith's valuation, we have the value upon the quality of the district. But Griffith's valuation in the North is higher than Griffith's valuation in the South; and why?—Because it is a poorer district, because of its great facilities for markets, and because it is, in fact, a more civilized country.

27,184. So that Griffith has recognized these qualities, you think?—I am sure of it. I think that Griffith's valuation is a monument of skill, it is a remarkable document, a document prepared altogether irrespective of political motives or passions or any interested motives.

Sir James Caird.—I knew Griffith myself personally.

27,185. Witness.—If you refer to the evidence of the Devon Commission, you will see the wonderful skill with which that valuation was conducted, the minute instructions that were given. It was not a valuation made by one man, but a valuation checked and rechecked by man after man, sent down by Mr. Griffith; and if you go to Mr. Griffith's office, you will find in reference to every acre of land a description of everything connected with the land—quality, soil, geological formation, and everything.

27,186. Well, there is one element not taken into account by Griffith. I fancy he could not have foreseen that positively the fact of increasing the population gives an increased value to the land?—Certainly not.

27,187. So that that element Griffith could not possibly have foreseen, and it prevents Griffith being absolutely safe in all cases? A great deal has been done since that?—Yes; but then what I say, is that the Commissioners may advance a great deal more than Griffith's valuation. It might be the minimum, but I never suggested that it should be the maximum at all.

27,188. The President.—You think that in these congested districts it would be advisable that the Purchase Act should be worked, that it would not tend to stereotype the present system, and to cause subdivision and—?—Unfortunately, the present system is stereotyped by the provisions of the Land Acts of 1870 and 1881. I wish it was not, but, the tenants being there, I don't see how you can refuse them the benefits of purchase given by the Act of 1881. They may not be desirable persons to have; but they are there, and I don't see what you are to do with them, unless some great scheme of emigration be devised, or what I have heard others suggest, not emigration, but migration. You cannot have forcible emigration, and as to voluntary emigration, there are very influential classes who are opposed to emigration; so much opposed to it that it cannot be practically worked out. And as to migration as proposed, I look upon it as simple confiscation.

27,189. Sir James Caird.—Assisted emigration, do you refer to?—Well, of course assisted emigration. I don't see any other mode of doing it.

27,190. The President.—Would assisted emigration or migration be less likely to work if the tenants became owners of their holdings than as they are at present? I mean that purchase would not necessarily put a stop to migration?—Migration does not really exist. That would have to be created by some classes, which I don't think would ever pass in some Act of Parliament. As to emigration, I don't think it would at all interfere with it. My opinion is that these purchase clauses will ultimately lead to emigration among the smaller tenants.

27,191. At any rate, it would not stop it?—Oh, no! For a time it will; but I don't think it will ultimately.

27,192. Lord Millican.—I should like to know how it will lead to emigration?—Well, I think that in course of time they will be gradually sold out, and there will be a consolidation of holdings. Then they will emigrate. I think that in course of time they will have a better knowledge of their own interests than they appear to possess at present, and see possibly that it is more their interest to emigrate and better their condition in a more favoured land than to remain squatting in miserable patches of land, where personally they live in a condition little above—I do not like to use a strong term—but in a very poor way. If the benefit of the purchase clause was refused to them now, the effect would be, I think, to excite a great amount of jealousy and odium. They would say that they were crushed because they were poor, and that, while the power was given to people of a better and more influential class, you refused to allow them to buy.

27,193. The President.—Have you seen the plan by which it has been proposed, instead of purchase or concurrently with purchase, to create perpetuity?—Yes. Dr. Twiss, I think, was the principal person who suggested that. It might have worked formerly. I don't think it would work now; I think we have got beyond all that. It might work in the North of Ireland, but I think that in the South and West it would be utterly useless. All these plans are very good in themselves; but I think we have got beyond that; we are too much in a state of confusion, not to say of revolution.

27,194. You think it advisable to abolish dual ownership altogether?—If I could abolish it.

27,195. And get rid of the landlords altogether?—Yes.

27,196. At present they are really only a sore and an irritation. Is that your view?—When I say that there should be no landlords left, I only mean in the sense of landlords willing to sell and tenants to buy. I would be very sorry to get rid of the landlords altogether, though I am afraid they are going very fast.

27,197. You did not mean compulsory, but voluntary?—Oh, certainly!

27,198. And you look upon the establishment of a peasant proprietary as the ultimate solution of the present difficulty?—I look upon it as the immediate solution of the present difficulty.

27,199. When you said ultimately, you think it would not take place for a great many years?—I think it will take a very long time. At the same time, I think it might go on much more rapidly than it is going on.

27,200. Lord Millican.—Do I understand you to state that the contemplated purchase in the case of the congested districts would lead to a more considerable sale of their holdings by the occupants?—I am inclined to think so. Yes.

27,201. But the tenant-right now in these districts is of enormous value?—In some places it is, no doubt, of more value than the fee.

27,202. Considerably. We had a case in Glyndale, where over one hundred years' purchase was given for one of these miserable holdings?—Well, I believe the position for land is extraordinary, and they would really give almost anything for possession. Practically they are now buying not only the interest of the tenant at present, but his expectations for the future.

27,203. But would there be more offered for the fee than is now offered for the tenant-right?—I think that possibly there would be. I think there would be. I don't think that in the west of Ireland, though the tenant's interest sells for a considerable sum—the right of occupation—I don't think it would sell for this enormous sum, perhaps. I think that we will, from time to time, have tenants who will make default, and that their holdings will be sold; and I think consolidation will gradually go on—at least I hope so.

27,204. Supposing they do make default in the payment of the instalments, do you think that there ought to be some process of recovering the instalments by the Government other than by eviction or selling

the holding?—Well, really the process of recovering the instalments appears to me to be one about which there is very considerable doubt. I have looked into it so far as I could, and I cannot clearly make out what their remedies are.

27,305. You have looked through the Act in *vide* to find any remedy?—Under the original Act of 1870 the instalments of annuity—that is, the annuity at thirty-five years—were made payable half-yearly, and were recoverable by the Attorney-General in the same manner as the title rent-charge was recoverable under Lord Stanley's Act; and the title rent-charge under Lord Stanley's Act was recoverable by suit in Equity, by distress, or by action for debt, I think. Very well, a power of sale did not at all exist under the Act of 1870, the original Act, in default of payment of the instalments, save so far as it could be worked out by a suit in Equity. In my opinion that would not give a power of sale; but there was a clause in that Act stating that in the event of the tenant subdividing or subletting, or assigning, that then there was to be a forfeiture to the Board of Works for the benefit of the public. Well, that was conceived by the Legislature to be going a little too far as to forfeiture; and in 1873, I think it was, there was an amended Act brought in, and the amended Act altered the original Act's words forfeiture, and declared that in cases where forfeiture would before have been incurred, that the Board should have the power of selling the holding, either the entire holding or in part, but they were to sell it discharged of the annuity altogether. Thus the annuity was gone, the Board retained out of the purchase-money any moneys due to them in respect of arrears of instalments, and the future instalments were redeemed upon a certain sale, provided by the Act of Parliament. That brought us down to 1873. Then in 1881 the next Act was brought in. With these were incorporated the provisions of the Act of 1870 and 1873 in reference to the sales of tenants' interests, and other sales the Land Commissioners were to carry out themselves, and then in reference to this particular subject there was a clause inserted in the Act that they might sell, as well as I recollect, subject to the annuity. I think it was the 30th section.

Mr. Nollan.—The 28th and 30th.

Mr. Nollan.—I am glad Lord Milltown has asked you this. You are now anticipating a good deal that I wanted to get your assistance on.

27,306. Witness.—I can give you very little assistance. By the 30th section it is declared, amongst other things: "(1) Where the proprietor subdivides or lets any holding or part of a holding in contravention of the foregoing provisions of that section, the Land Commission may cause the holding to be sold, (c) where the title to the holding is diverted from the proprietor by bankruptcy, the Land Commission may cause the holding to be sold, (d) where, on the decease of the proprietor, the holding would by reason of any devise, bequest, intestacy, or otherwise, become subdivided, the Land Commission may require the holding to be sold within twelve months after the death of the proprietor to some one person, and, if default is made in selling the same, the Land Commission may cause the same to be sold, &c." Now, these are the only powers of sale that I am aware of. Then we come to the Act of 1885.

Mr. Nollan.—Yes. The 4th section of the Act of 1885. It is really not easy to understand what it all means to.

27,307. Witness.—Yes. By it, it is declared: "(c) The repayment of every advance under this Act shall be secured to the Land Commission by deed. It shall be the duty of the Land Commission to exercise the power conferred upon mortgagees by the first subsection of the nineteenth section of the Conveyancing and Law of Property Act, 1881, or any power for the same purpose contained in such deed. (d) Sub-ject to the amendments contained in this Act, the provisions of Part V. of the said Act shall apply to all advances under this Act." But my difficulty is

this. I am not prepared to say that this power applies at all to the case of an annuity. The mortgage money is not due. It is not the capital sum at all. By the Act of Parliament, the money is secured by an annuity—that is to say, an annual payment extending over a period of forty-nine years. An instalment repayable in a compound sum, made up of interest and partially of capital. But how this power here in the nineteenth section is to work I think is very doubtful; and I am of opinion there ought to be an amendment putting it beyond you or say, and giving in the clearest possible language an absolute power of sale whenever any instalment becomes due. There is another clause in the Act of 1885 as to sales, but the Act and sales merely, in my opinion, refer back to sales under the Act of 1881 and be limited to the case where they are sales under the Act of 1881, which is not selling in case an instalment is due, but only to sales and to cases of bankruptcy, or only to sales in the case of subdivision by intestacy or otherwise.

Mr. Nollan.—Quite so, this has been my difficulty.

27,308. Witness.—If I may venture to say so, on the face of it, the Act bears all the evidence of having been drawn up in a very hasty manner. I believe, as a matter of fact, the Act was brought in and passed through very rapidly. It is very difficult to remem-ber some of the provisions. I may mention one matter about the guarantee clause, which appears to me to be perfectly anomalous. If the Land Commissioners, acting under the Act of 1885, buy a property themselves from a landlord, with the view of reselling it to the tenants, they retain a guarantee from the landlord, being one-fifth of the entire purchase-money. They resell it to the tenants. It is held that, upon the construction of the Act of Parliament, that that guarantee is a guarantee to them against the default of every single tenant of the entire estate. If, on the other hand, a landlord deals directly with his tenants and sells an estate to the tenants, the guarantee there is one-fifth of the purchase-money of each individual tenant only; and the Land Commissioners cannot resort to the guarantee given in respect of the other tenants, to recover them or indemnify them for a default made by any other individual tenant. I am not going to say which is right or wrong; but I only point out, in reference to the Act of 1885, some things in principle which are perfectly irreconcilable in my humble judgment.

27,309. Lord Milltown.—But if supposing a power of sale was given in the case of the non-payment of instalments, do you think it would not be desirable that some other means short of resale should be provided; for instance, some summary procedure, before a court of petty sessions under the Small Debts Act? As to other remedies—I speak, of course, hesitatingly—but in my opinion other and extensive powers do exist, because I don't think that a power of sale—assuming a power of sale to be given by the Act of 1885—deprived them of the power which existed under the Act of 1870—namely, power to proceed by action of debt or by bill in equity. Whether there can be a more summary remedy than by action for debt I am not prepared to say; but to this extent I entirely agree with what you have said. I think there should be given a more summary remedy to the Land Commissioners to recover any instalment due. I think it is a duty, having regard to the nature of the guarantee deposit, to make every effort to recover the amount from the tenant probator.

27,310. The last man who deposits a guarantee can expect in that they will do their utmost to collect the instalments?—Certainly, and the great difficulty about the guarantee is the tendency of human nature to use and keep it in any default. It will always be very hard to make them take active measures against the tenants when they can so easily resort to the guarantee fund.

With regard to recovery by distress, I suppose you have considered that form of recovering rent or any-

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thing else due as absolutely as an end?—For the recovery of rent I never hear of distress nowadays. Mr. Neilson is more experienced in this matter than I am; but distress is not resorted to. I never knew an instance of distress myself.

Mr. Neilson.—I have from time to time heard of its being resorted to.

27,211. Witness.—I never knew an instance of land being distrained for rent yet. I am talking now of small agricultural holdings.

Lord Milliken.—Therefore, they must look to some other means than that.

The President.—I suppose an action for debt and the sheriff?

Mr. Neilson.—That is what it ends in.

27,212. Witness.—It ends in that ultimately. They bring an action, get judgment, and then a sheriff's sale.

27,213. Lord Milliken.—Do you think, with regard to the recovery of very small instalments from small tenants, that the machinery of what is called the Small Debts Act, which enables the petty sessions to try a case not exceeding 40s., might be resorted to?—I go further than that. I would give a summary power to the Land Commissioners to issue a certificate whenever the instalment was due, and that thereupon the sheriff or proper officer should be empowered, without going before magistrates or elsewhere, to levy the amount of the instalment. I think the Land Commissioners will exercise the duty as easily as any magistrate would do, and it would be a less expensive proceeding.

27,214.—What I had in my mind was that it should be resorted to in the same way as the poor rate or county rate is recoverable now, and by the same means perhaps. That is the mode of collecting, I believe—for them to proceed before the petty sessions for the recovery?—I suppose they do. I was making it a little more summary.

27,215.—It is a very important consideration in this Purchase Act, which appears to have been wholly overlooked, is it not?—Yes.

27,216. The President.—And the Land Commissioners appear to be under the impression that it can be recovered very summarily, because that is one of the objections the tenants make, that the Government would be a much harder master than the landlord?—I am very certain about that. Of course it could be recovered under the Act ultimately, but the process is a tedious one—a roundabout one, unless they resort to distress, and distress is not an effective way of recovering it.

27,217. Lord Milliken.—Do you think that the holdings of which you were speaking just now in the congested districts would offer anything like adequate security to the State for the advance of the purchase-money?—I think they would if they advanced the money within certain limits upon Griffith's valuation.

27,218. Then I understand you to say that you think an extensive purchase of their holdings by the existing tenants is the only solution of the difficulty?—I don't see any other at present. I don't see—of by difficulty you mean the agitation which is now and has been for some years raging in this country.

27,219. I mean what is called the land question?—I don't see any other mode of putting an end to it; some whatever.

27,220. Are you sanguine that it will put an end to it?—I don't know how that will be. I hope so. I think it is the only mode of doing it.

27,221. The only possible mode?—The only mode I see.

27,222. Do you say that because it is the only mode that presents any finality?—I don't think any mode presents finality. I wish it did. We thought we had finality in 1870; it proved to be none. We thought we had finality in 1881; it proved to be none. I don't believe in finality. Politically, there is no such thing as finality.

27,223. But if the tenants think there is to be no finality, they will agitate in endless confusions?—I think

the huge body of the tenants have common sense. I think that the large body of them will become satisfied that their interest is to put an end to this. I don't think it will go on for ever.

27,224. Once a man has bought his holding out and out, surely that is finality? Yes, quoad that holding.

27,225. The President.—Except the instalments?—No doubt, except the instalments.

27,226. Sir James Caird.—A very important exception?—A very important exception.

27,227. Lord Milliken.—Do you think it desirable that the tenants should have a clear title?—I do.

27,228. How would you deal with charges?—I would incorporate—in fact take the provisions of the Lands Clauses Consolidation Acts of 1845.

27,229. But you would apply that principle to purchases under this Act?—Not to all purchases. I would make it imperative in the case of congested estates.

27,230. Congested estates or encumbered estates?—No, on congested estates, and I would make it imperative there, because in my opinion no person can suffer by selling that kind of estate, neither the man entitled to the head-rent or chief rent or any other person can suffer. On other estates I would draw a distinction. On other estates I am of opinion that power ought to be conferred upon the Land Commissioners of selling up to the fee, but that they should not be at liberty to exercise that power whenever any party entitled to the head-rent, annuity, or any charge of that character, came in before them and satisfied them that a sale would be injurious to their interest.

Sir James Caird.—I think that we have that already on our evidence.

Lord Milliken.—I did not ask the question, but the judge was kind enough to tell me.

27,231. Witness.—I beg pardon. Probably I misunderstood it.

27,232. Lord Milliken.—Would you confer the power of compulsory purchase with regard to head-rent?—I would, but not make it obligatory to exercise it in all cases.

27,233. Except in congested districts?—I would not.

27,234. But in cases where the property, on which the head-rent was subject, was subdivided into a number of small holdings, then you would give power to the head landlord to call upon the Commissioners to redeem the head-rent on equitable terms?—Not to redeem the whole head-rent, but where it could justly be done to apportion it and redeem the apportioned part.

27,235. That is what I mean; on an estate which was previously oppressed by subdivision? Yes; I would sell the fee—if I may just explain myself, I would sell the fee out and out. Say, roughly, it represents £5,000. Very well; there is a head-rent, payable twenty, thirty, forty pounds a year, or more. The value of the head-rent is a matter of calculation. It would vary according to the amount of the head-rent. I would allow the value of the head-rent to be ascertained—the value of each interest of that character, to be ascertained by the Land Commissioners, subject always to this, that I would give the power of appeal from the decision of the Land Commissioners to a superior Court. This would equally apply to quit-rents and similar charges.

27,236. The President.—In the congested districts? In the congested districts, and in ordinary cases of sale by a landlord to a tenant.

27,237. Mr. Neilson.—In all cases of sale?—Yes, in all cases of sale. I would add that the price paid for the quit-rent, in my opinion, is high. Twenty-five years' purchase on the rent and receiving fee, I think, is what is required. No doubt this fee is imposed by Act of Parliament, but the fee imposed by Act of Parliament is a fee for collecting as an agent. Well, purchase-money in the quit-rent office is charged not upon the quit-rent simply, but upon the quit-rent

plus the fee. Again, I would give an unlimited power to have the quit rent apportioned; and when I say quit-rent, I include Crown rent, because there is a slight distinction between the two.

27,333. Lord *Albion*.—What is the distinction?—The distinction is this; after the Rebellion in 1641, by the Acts of Settlement and Explanation in the reign of King Charles, a certain rent, called a quit-rent, was imposed upon every acre of land which was forfeited under the previous rebellion, and which were given back to "innocent persons," or given to other persons, whether under the grants of Cromwell to his soldiers under the terms of that Act of Parliament; and the quit-rent varied from 3d. to 1½d. per acre in each different province in Ireland—a different scale in every province.

27,339. Do I understand that that was payable by those loyal people as a thank-offering to the Crown for getting back their own property?—Quite so.

27,340. But that has occurred exactly?—I believe it to be historically correct. In the reign of Charles, when he came back to the throne, those lands which had been forfeited were redistributed partly among the "innocent persons," as they were called in the Act. Practically the whole of Ireland is under quit-rent.

27,341. Who receives the quit-rents?—The Crown.

27,342. The President.—Are they different from Crown-rents?—Yes. Crown-rents are a different thing.

27,343. Lord *Albion*.—As a practice are the quit-rents paid to the Crown?—Oh, yes! The quit-rents are comparatively small. At the end of the last century they were about £50,000 a year. They are now much less; but a Crown-rent is a different thing. There is also a composition-rent.

27,344. Rent paid in commutation of feudal services, is that a Crown-rent?—In the reign of Elizabeth, she entered into a treaty with the Irish chieftains in the South and West of Ireland, that in lieu of certain rights which the Crown claimed for certain services it was agreed that they would pay a certain rent which is called a composition-rent, and in lieu of this rent they were freed from those services, and got re-grants of their lands at a composition-rent, under a patent. That is the origin of composition-rents. I could not define exactly all that are composition-rents—some are payable for tolls and attributes; but practically they are all of the same character as quit-rents.

27,345. The President.—And they are fixed by Government at twenty-five years' purchase?—Yes.

Which you think is too high?—I think so.

27,346. Mr. *Nelson*.—Do you think the title rent-charge is fixed at too high a rate of purchase?—I do. In the old times, in the Exchequer Estates Court, the owner of a title rent-charge was glad to get eighteen years' purchase. Then the rent-charge is variable, I mean by tithes. It is not a fixed sum at all. It is variable at periods of from seven years to seven years, according to the price of corn in the district, under the provisions of the Act of George IV. If you were to go in now to have the amount of the tithe rent-charge reduced, it would be reduced enormously, taking the average price of corn for the last seven years. That was the principle of the Act, but, unfortunately, the Act was so hampered by all kinds of provisions about serving notice on this and that person that it was absolutely a dead letter, and I don't think there are two instances since the passing of the Tithe Commutation Act in 1831 and 1834, or Lord Stanley's Act under which tithes were reduced.

Mr. *Nelson*.—I remember one case in which Mr. Jollett went down special to the South.—Witness.—I never knew one. Therefore I think tithes as to the rate of purchase don't stand on the same footing as other perpetual yearly rents, for tithes, from the nature of the rent, was a fluctuating rent, according to the price of corn from seven years to seven years. Fortunately or unfortunately, corn is diminishing in value.

27,347. Lord *Albion*.—Considering also the fact the landlords were given 56 per cent. for collecting

the rent-charge, and that that is cut off the owner's income by the action of the Land Commission, would it not argue in favour of their getting reasonable terms for redeeming the title rent-charge?—Yes, and in the original Act forming the Church body, passed in 1860, concerning the title rent-charge was left untouched; but in two years afterwards an Act was passed making the title rent-charge redeemable by the Church Commissioners under the provisions of the old statute, passed those tithes, but leaving lay tithes untouched. Lay tithes ought not to be considered on the same footing as chief rents, quit-rents, or any perpetual rent.

27,348. Mr. *Nelson*.—And from their nature ought to be redeemable at a small figure?—I think so.

27,349. Lord *Albion*.—Notwithstanding the legislation which we have had within the last few years, and many other matters, you are of opinion, as long as anything in the shape of property is sold in Ireland, a well-secured head rent ought to be tolerably safe?—I don't draw any distinction between head-rent or any other.

27,350. You did just now?—If we come, by reason of a revolution, to distinguish one species of rent, you will distinguish all. If we talk commercially the head-rent is naturally much more valuable; but if other rents are abolished by revolution head-rents will go like everything else, in my opinion; but I don't anticipate that at all.

27,351. Mr. *Nelson*.—We have to express an opinion about some matters in respect of which we would wish to have the assistance of your vast experience. You were judge at the Landed Estates Court for many years?—Yes.

27,352. And previously Master of the Landed Estates Court?—Yes.

The working of that court devolved on you for how many years?—Until I was tired of it.

27,353. You have a larger experience than any other man?—I have had my share of it.

27,354. No doubt you anticipate most of the points with reference to which we would desire to have your views. As to the impulsive duty thrown on the commissioners of dealing with congested estates, when you come to deal with these would you recognize, not only the proprietor receiving the rent, but the incumbrancer as owner?—I would the mortgagee, who very often is the owner of the estate.

27,355. If you throw the impulsive duty on the Commissioners of selling such estates, it would be on the appreciation of the owner?—Certainly.

27,356. He would have a right to go to the Commissioners and ask to have it purchased, totally regardless of the feelings of the occupier?—Oh, no! I would make a treaty, there should be a contract between landlord and tenant. I would not force the tenant.

27,357. Does your evidence go to that extent?—No. I would be glad if it could be done, but I don't give evidence whether that is possible.

27,358. If the owner of a congested estate proved he could deal with a large proportion of the tenants, and not with the others, you would give him the same powers with reference to these?—Quite.

27,359. And when you come to deal with a limited number of holders on a congested estate, where you had quit-rent and head-rent to deal with, you would then take power of apportionment or redemption?—I would give a power of apportionment as a matter of course, but in a congested estate it would be hard to deal with a few tenants unless you can deal with all.

27,360. Suppose you are dealt with a large majority?—That is a different thing.

27,361. Suppose two or three men holding out, thinking they can embarrass the estate by stopping the whole transaction. In such a case would you give the right to apportion the head-rent and tithe charge against such men?—It would be a very difficult thing to do.

27,362. What would you suggest?—I would be

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indeed in a case of that kind, where a few tenants would not buy, to take that provision of Mr. Gladstone's Bill, and make it imperative on the tenant to buy.

27,363. Where there was 75 in number and value disposed to buy?—Yes; where I found a substantial majority.

27,364. That would relieve the Commissioners of the impossible duty of apportioning small head-rents or title rent-charges?—Yes.

27,365. The President.—This is only in congested districts?—Yes.

27,366. Judge Neligan.—I am confining myself to congested estates.—I would not say 75 per cent. or what majority. I would leave that rather to the discretion of the judges.

27,367. Lord Millican.—The same as the scheme in the old Bankruptcy Act, if there was a majority in number and three-fourths in value?—I have not considered that point. Of course it ought to be left to the discretion of the commissioners.

27,368. Mr. Neligan.—Except that discretion is a very dangerous thing?—I quite agree with you.

27,369. When you said 75 per cent. it was to get rid of discretion; discretion varies so much with the individual—that is human nature. But in order to make the idea of the sale of congested estates workable, should there not be some provision to deal with the narrow minority?—It is inevitable.

27,370. So as to prevent one or more hoping to make a better bargain stopping the dealing with the estate?—Yes.

27,371. You have anticipated my questions with reference to the rent charges and quit-rents. We have had a great body of evidence to show how much the dealings under the Act of 1883 are embarrassed by the difficulties of making title. We have had complaints that if the owner of an estate wanted to sell a few townlands, he has to make title to his whole estate at present. For the purpose of a sale by the Commission, if the owner of a particular estate comes to sell one or two townlands, ought it not to be sufficient for him to show he has been the person entitled to sue for the rent, say for 12 years, to enable him to sell, and let the money be brought in and lodged in court?—I am not prepared to answer it in that form; but my proposition would have the same effect—namely, that if an application is made by the owner—defining the owner—I would extend it to the case of a mortgagee (having a mortgagee also defined), or being a person entitled to a term of not less than sixty years, and not holding at a rack-rent, if that person went in, I would give him the power of the landlord under the Act of dealing with the tenant, and I, as I said before, I would sell the fee out and out on his application, and I would transfer to the purchaser-money to charges on the estate of every description, and convey the freeholds absolutely to the tenant. But in order to ascertain who is the landlord or who is the owner within the meaning of the Act, I am not prepared to say the production of any one deed or any particular deed would be sufficient.

27,372. The great majority of cases are where a proprietor is selling a townland here and there?—I don't think it makes any difference to the proprietor. As a rule the title of one townland is the title of the whole estate, and, whatever deed or settlement you produce, it is *prima facie* quite enough. There is a great mistake about that. Under the Encumbered Estates Court Act you are obliged to go into title; where you have a Parliamentary title you must go into it very particularly, because you have not merely to ascertain that A. B. is the landlord as defined, but you have to ascertain *prima facie* whether there are any charges on the estate; you have to ascertain the incumbrances of every character as far as you can, and the annuities payable out of the estate. You have to see it is not an estate held for a term of years simply or under a lease, and therefore you are obliged to go minutely in and ascertain these matters, with a view to settle the rental, because you are obliged to sell under the

Act subject to these different things. Unless the incumbrances be paramount to the head-rent or annuity, you cannot sell discharged from the head-rent or annuity, but you could do it as suggested if the incumbrances are transferred to the fund, and you cannot damage any one, in my opinion.

27,373. It would expedite the dealings between landlord and tenant?—It would be the most expeditious way. I would require *prima facie* evidence that A. B. is the landlord, but what particular evidence I would ask upon I am not prepared to define. The receipt of rent would be one thing.

27,374. The moment that was done there might be a sale to the tenant?—I think so.

27,375. But that money should be lodged?—Yes.

27,376. At present the Land Commissioners have no power to take custody of money lodged in that way?—I don't know whether they can retain it or transfer it to the Court of Chancery. If they have not that power they ought to have it.

27,377. Assuming they had power to lodge it in the Court of Chancery, do you consider it a good working system having this dual court?—Certainly not.

27,378. The Land Commission dealing with one portion of the operation and the Court of Chancery with another?—Three years ago I recommended the abolition of the Land Estates Court or the Land Commission; I don't care which.

27,379. It strikes me one strong court with plenary jurisdiction would be infinitely the better arrangement?—Yes.

27,380. A jurisdiction to rent the land in the tenant, and then a jurisdiction to take charge of the money?—I have long been of opinion that ought to be done, and, having regard to the existence of the present Land Commission, I take the liberty of recommending the old Land Estates Court should be abolished. I would leave Mr. Justice Moore what he is, a judge of the Chancery Division. I would transfer all the other powers under the Act in reference to encumbered estates to the Land Commissioners, and I should give that eminent judge, Mr. Justice O'Hagan, something to do more suitable to his ability and his knowledge than the work he is engaged on at present.

27,381. It is like taking out an Armstrong gun to shoot a sparrow?—It is quite ridiculous. There were questions of law under the Act of 1881 to be determined, but they have been long since settled, and it is most ridiculous having the powers of a most able and properly and equity lawyer frittered away hearing questions as to the valuations of holdings. At first, no doubt, questions of law had to be determined, and there was a necessity for having a man of his position and ability to decide over that tribunal; but that necessity does not now exist, and I would give him work suitable to his great legal ability and acquirements.

27,382. Mr. Neligan.—With reference to the Act of 1885 I intended to ask you a few questions which you have very much anticipated. I have not been able to see my way to the power which the Land Commissioners are said to have of selling a holding. Do you think it necessary that this power should be defined?—I think it should be defined at once, and in the clearest possible language.

27,383. From evidence we have had there would seem to be great embarrassment on the question of encumbrances. It has occurred to me it is a mistake for a court exercising a power of sale to attempt to define these encumbrances, and it is better to leave them untouched?—I think so. Under the original Encumbered Estates Act, an Act which was exceedingly well drawn, the right to encumbrances was left untouched, absolutely untouched—that is to say, if a sale was made by the Encumbered Estates Commissioners to A. B., A. B. took the estate subject to all existing encumbrances. The same provision is incorporated exactly in Lord Cairns's Act—I mean the Act of 1875—and the encumbrances are left untouched. In the Land Estates Court Act, which is not at all a model of drafting, there was a

provision introduced, the court should ascertain these elements, and there never was a more imprudent provision, in my opinion. The expense it entailed was simply enormous. As to every little right-of-way over the property, every little track on it, they were obliged to serve the neighbouring proprietors with notice, resulting in all kinds of litigation about rights of turbary, &c. In my opinion it was a most imprudent clause, which caused enormous expense and ought to be abolished. Under the present Act there is, I believe, a power to sell, subject to all such rights.

27,284. Would you make any suggestion as to the rights of turbary?—I think it is a very serious matter, which often leads to much litigation.

27,285. Would it not be much safer and much easier to leave such rights as they are found?—I would convey to A. B. the lands now in his possession under his existing tenancy, together with such easements as he may be entitled to.

27,286. There is also a good deal of complaint with reference to the investment of the guarantee deposit of coal-tith. It occurs to me some power of investing that money ought to be arranged?—I would give the same power of investment which is conferred on trustees in case of sales under the Settled Estates Act.

27,287. Do you refer to the 21st section of the Act of 1881?—That is it.

27,288. Sir James Caird.—It would be in a position to yield 3 per cent.?—Yes.

27,289. The proposal to invest it in Canada would be the same?—No doubt you would get more than 3 per cent. Whether you would get more or not, I would give the power.

27,290. The same power?—Yes, as under the Settled Estates Act.

27,291. Lord Milnes.—You would not refuse to give the power?—No.

27,292. You don't get 3 per cent. now?—Well, you do not.

27,293. Mr. Nelson.—Is point of fact the working out of sales under the Bright clauses is a cheaper mode of dealing than under the present Act?—You mean ground the landlord or tenant?

27,294. Both?—I do not think so. As to the Bright clauses, there were two classes of cases. There was the second part of the Act of 1870—a landlord and tenant having agreed to a sale, they came into court to work this sale out—that was practically a dead letter for various reasons. The next powers given were under part third of the Act of 1870. First, there was an absolute order for sale. Secondly, in the Landlord and Tenant Court, if there was any particular estate where the tenant thought it desirable to buy, they came in and made their offer to the court to purchase, and that was either accepted or not as the owner or incumbrancers on the estate thought right to sell or otherwise; but it was always a very expensive thing.

27,295. There was also a good deal of complaint as to the working of the Act of 1885—that after the landlord and tenant agreed on a price, the agreement is sent up to the Commissioners, and sometimes the Commissioners say, "We cannot agree." Is it not rather a hardship to create a power for doing a value without giving a man an opportunity of being heard?—I would meet that by taking Griffith's valuation. The Commissioners would be bound to advance so much as Griffith. Any excess over that, I would retain as a guarantee.

27,296. That idea of yours anticipates a question I was going to ask. We have had a good deal of evidence with reference to facilitating proceedings in settlement. Have you any objection to give your opinion on that?—That is not quite within my province.

27,297. The period for redemption, six months at present, runs from the execution of the decree?—Yes.

27,298. Would it be an improvement to make it run from the time of the judgment of the court?—I think so, subject to any question of appeal.

27,299. It would facilitate procedure and the dealings between the parties to make the period of redemption run from the judgment?—Yes. I see no principle in fixing it from the execution of the decree.

27,300. Where the writ which now takes the place of the old writ of *habere* is executed, if possession is immediately after retained by the defendant, I am informed that some Devisors hold that the writ is spent and cannot be re-executed?—If that be the case, I say the law ought to be altered. There is no common sense in that. It is an encouragement to lawlessness.

27,301. If the plaintiff went back to the court and insisted then of such a fact, and that there had been no change of rights between the parties, they might release the writ?—Yes; but how are you to check a tenant who might act lawlessly then again and go into possession. I don't see how it would work. I would try other remedies.

27,302. The plaintiff would watch his rights better the second time. Have you ever turned over in your mind the procedure as to sheriff's sales under writs of *fi. fa.*?—Yes.

27,303. Whether there might not be some simpler mode of putting him into possession?—First of all, a plaintiff executes his judgment. There is a conveyance from the sheriff, and he gets the assignment, and on that he must take legal proceedings in ejectment, in which he may be baffled.

27,304. Would you consider that when the sheriff executes an assignment to a purchaser at a sale that the sheriff should put the purchaser into possession if the defendant or any third party did not show cause against it?—I do not see any objection to that. I consider that many of the evictions in the country are caused by this multiplication of legal processes. In the superior courts it was necessary at one time, when you brought an ejectment, to serve the parties either in person or to serve them by going to their houses. It was found that the bailiffs, when they went to serve those processes, were assaulted and attacked, in some cases murdered, and the judges of the superior courts made a rule dispensing with the necessity of serving writs in that way, and substituting service by transmitting the notice through the post-office and by posting the notice on the nearest police mark. The result was simply magical.

27,305. Lord Milnes.—Is that applied to all Ireland?—No. It is limited to districts called the disturbed districts.

27,306. Mr. Nelson.—Proclaimed districts?—Yes.

27,307. Lord Milnes.—How does that stand now?—It remains the same rule as regards the proclaimed districts.

27,308. You must first proclaim the district?—Yes. The proclamation of a district is done by superior authority.

27,309. Do you see any reason why that rule should not apply to the whole country?—That is another question.

27,310. Mr. Nelson.—Referring to the subject of easements, as I read the Act of 1870, a sale under the second part of that Act differs from a sale under the third part?—Completely, not only as to that, but even as to the title conferred. A sale under the second part left the easements as they were, and in a sale under the third part you were obliged to ascertain the easements. A sale under the second part gave absolute interest as against all the world, whereas in a sale under the third part of a leasehold interest, the lease could be impeached by title paramount.

27,311. Sir James Caird.—You said in speaking as to the rule at which sales are carried through. You believed that could be expedited?—Certainly.

27,312. Let us know in what manner?—Well, because according to the mode which I suggest it would not be necessary to go into minute investigations of title now required. It would be unnecessary to go into a minute investigation of the title till distribution of the fund. In reference to the distribution of the fund permit me to say in reference to

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Dec. 13, 1885.
 Judge
 Fitzgerald.

the costs; when you come in under the Act of 1845 the Land Clauses Consolidation Act the costs are borne by the railway company. If you sell now as I suppose, somebody should pay the costs of showing the landlord's title and the title of the incumbrancers. I don't propose the estate should bear all these costs. The owner should pay the costs of making out his own title, but in reference to costs generally, should the landlord and all those outstanding interests brought in not by the owner, but brought in by operation of law, the costs of doing that ought to be borne either by the Government and in certain proportions by the Government and either the electoral division or the union at large. That would be a fair thing, for it would be a benefit to the country that these sales should be carried out and diminish pauperism. It would be a hard thing on the owner of the property if bound to pay all the costs in addition to making out the title. Therefore, the costs must be borne by somebody else. I think the Government ought fairly bear a proportion of the costs, for it is the interest of the Government these sales should be carried out. They should, therefore, either bear the whole or a proportion of that cost. That is not a novel idea of mine, because in the Act of 1870 you will find a similar provision or an analogous provision, making the Treasury liable for the payment of the costs in certain cases.

27,313. It is the 39th section of the Act of 1870, and it says—"Where any purchase-moneys have been so lodged in court or in the prescribed bank, provision shall be made in the prescribed manner, with the sanction of the Treasury, for the payment without cost to the persons entitled to any estate or interest in or having charges upon the holding or sold of any principal or interest moneys to which such persons may be entitled in respect of such estate and interest: Provided that any provision so made shall not extend to any expense caused by disputed titles or any expense incurred by the failure of any person to comply with the rules for the time being in force relating to the distribution of such purchase-moneys."—I merely refer to that to show my idea about the costs is nothing new in principle.

27,314. Is there any other point in which you think it advisable the Act of 1885 might be modified with regard to proceedings?—There are many minute points in the Act of 1885. For example—I think a power should be conferred on the Commissioners to liberate the guarantees freed from time to time either in whole or in part. Why it should be retained absolutely for a period of eighteen years I do not understand—the instalments being regularly paid by the purchaser. Further I would confer on the Commissioners a power to enforce the specific performance of the agreements for sale. And I would also compel mortgagees to receive past payment of their mortgage.

27,315. You said you were in favour of a large extension of peasant proprietors in Ireland?—I am in favour, under the present circumstances of the country, of encouraging as much as possible tenants in buying and facilitating sales to them.

27,316. I don't know if any question was put to you with regard to leaseholders coming into the benefit of the Act of 1881. Can you offer any opinion on that point, and to what extent it should be?—It is an important question. I can see no distinction between leaseholders and tenants from year to year, none whatever. I see no distinction in principle.

27,317. And what is applicable to one would be applicable to the other?—Quite so. The exclusion of one class and inclusion of another is only calculated to excite ill-feeling and keep up litigation.

27,318. There are certain descriptions of land excluded from the Act; pasture lands, especially dairy farms, are excluded from the Act. What is your opinion as to that exclusion?—My opinion is, pasture lands ought to be left as they are.

27,319. Would you exclude dairy farms where you have an occupying tenant carrying on actual farming?—I am not prepared to express any opinion, as I have no experience about dairy-farming.

27,320. Going back to the question of leases, what would be your idea as to leases, whether made before or after the Act of 1870; my object is to know what description of leases might be safely admitted to the benefit of the Act?—Before the Act of 1870 tenants were most anxious to get leases. I remember, in my experience in the Landlord Estates Court, when a considerable portion of my time was taken up in dealing on the right of tenants to leases, and the great anxiety of the tenants then was to get leases. Since the Act of 1870 it has been exactly the other way, and the great anxiety is to remain as tenants from year to year.

27,321. To what extent would you think it proper to limit the admission of agricultural leases to the benefit of the Act?—I don't quite understand that.

27,322. Mr. Nelson.—Some gentleman said he would admit all leaseholders to the advantage of the Act of 1881 whose leases were purely agricultural, the term of which did not exceed 60 years at the creation of them?—If you allow the leases in there must be reciprocity, and I would allow landlords to bring in old leases.

27,323. Sir James Caird.—For instance, one witness said he would not go back beyond 1861—I would limit it to such agricultural leases as are usually executed in Ireland under powers contained in settlements—that is to say, leases not exceeding as a rule the term of 21 years, or under the power given by Baron Dwyer's Act—the Act of 1860—4 s. to a term of 21 years.

27,324. That is a 21 years' lease?—Yes.

27,325. Lord Milnes.—Are those the only ones you think ought to be admitted?—I would not be prepared to go further. In a general way, all I can say is this, that I can see no distinction in principle between a tenant holding under a lease and a tenant from year to year.

27,326. It may be a written demise?—Quite so.

27,327. Sir James Caird.—Therefore the principle of admission to the advantage of the Act would apply equally to both?—In my opinion it does. Leases limited, as I have stated, such as may be granted under the ordinary powers of a marriage settlement, or such leases as a tenant for life is empowered to execute under the provisions of Baron Dwyer's Act, which is for a term of 21 years, they might be included. The leases in Ireland really fixed not the amount of rent, but the maximum amount of rent a landlord could get. They bound the one party and never bound the other. From my experience, I can say I have known great crises, rents have always been regulated by economical causes and irrespective of and without the intervention of the Legislature. After the war in 1815 or 1816 the rents fell 75 per cent. I have seen leases reserving two pence for land for which you don't now get seven shillings. After the famine years of '46, '47, and '48 the rents tumbled down 50 per cent. all over the country, and the rents are now nothing to what they were prior to 1845.

27,328. At the time of the famine the farmers were really running away?—In some places they were; in others they were not. I belong to a county where there are huge districts of grazing land; I know the grazing rents which were received and the abatements the tenants got after 1848. Many of them made considerable fortunes up to 1879. Since there was a fall in prices and rents have been reduced. Contrast the amount of deposits in the savings banks. Take 1849 and 1879 and the present year—there were 2 or 3 millions then, and now there are over 30 millions.

27,329. Mr. Nelson.—Something over 30 millions?—Yes, but still I have no doubt we are going through very hard times.

27,330. The President.—When rents are judicially fixed are not landlords more unwilling to give reductions?—Naturally enough the theory of the thing was to have the rent judicially fixed. Fixing means that the thing is to continue for a certain number of years; but the rents have come down. There can be

so fixing. It is all lost time. If the fixing is over a fair rent, it must come down, whether a judicial rent or not. The fixed rent is a maximum payable to the landlord, but not a minimum by the tenant.

27,331. As regards jointures and family charges, it seems to be the case that many landlords are very much crippled by having to pay those charges made prior to the Act of 1861 amounts which are very much cut down. Is it not unfair to landlords that other members of their family should not assist in bearing the burden?—I would draw a distinction between jointures and family charges. A jointure is a contract entered into on a very solemn occasion. A lady or her friends contract that she should have a certain sum in certain events. She may bring in a fortune, and it would be a very serious interference with contract if the jointure was to be reduced by reason of the diminution of the value of an estate. A family charge is a different thing. A charge for younger children is supposed to be a proportion of the estate having regard to the value of the estate as it then stands, and it is to be deducted from the capital value of the estate for the benefit of the younger members of the family. The difficulty of dealing with family charges is this. The family charge is often mortgaged or sold to some third party, and though I could understand, if it remained in the hands of the younger children, it could be reduced in the same ratio, having regard to the fall in the value of property, yet practically I don't see how it is to be worked out if you have a charge for £1,000 sold for £1,000. It would be hard the purchaser should lose his money.

27,332. He would be making a bad investment?—When a marriage is agreed on and settled out it is only fair that younger children should get only a certain proportion of the estate, calculating the estate as representing such a capital value, but as to how it is to be worked out I see great difficulty.

27,333. You think a jointure ought not to be touched?—I think a jointure is on a different footing. It is a contract of the highest nature between husband and wife, and it is as a contract which I think ought not to be interfered with.

27,334. Lord Milnes—Do you think any difficulty would arise in a case of this character for the purpose of a sale absolutely to a tenant. Suppose one of the tenants had on his holding a bog on which the landlord had previously reserved to himself the right to let that part to each tenant and the tenants got it on pre-paying a sum, the tenant purchasing under your proposition would become absolute owner of the bog?—Yes.

27,335. He might then refuse the other tenants the right of turbary?—No; I would make it subject to the existing rights of the other tenants then existing on that bog.

27,336. But the tenants had no right without the landlord giving permission to go there?—There are bogs of which the landlords reserve absolutely to themselves the ownership. Then there are bogs where the landlord merely reserves to himself the right of giving turbary to his other tenants, they paying a certain sum for that right of turbary, or otherwise, as the case may be. It is either a right conferred on the tenant, or it is merely a permission given to the tenants to cut turf. Well, if it is a right which the landlord has given other tenants, that it could not be interfered with. I would make the conveyance to the purchasing tenant subject to the right of turbary as it subsists. If it was a mere permission given there is an end to it, once the conveyance is executed. The new purchaser may either give the turbary or not.

27,337. Mr. Nelson—All that could be arranged before the sale?—Quite so.

27,338. Mr. Knipe—With reference to Griffith's valuation, you said the valuation was much higher in Ulster than in the South and West?—I think so.

27,339. He commenced to make his valuation in 1853?—Yes.

27,340. Carlow, Cork, Dublin, Limerick, Queen's County, Tipperary, Waterford, were all valued in that year 1853?—I assume that to be quite correct.

27,341. In 1854 Dublin, Kildare, Wicklow, and Wicklow; and in 1855 King's County, Longford, Louth, Drogheda, Meath, Westmeath; in the year 1856 Clare and Galway; while in 1857, Cavan, Galway, Leitrim, and Mayo; in 1858 Donegal, Roscommon, and Sligo; in 1859 Londonderry; in 1860 Tyrone; in 1861 Monaghan; in 1862 Antrim and Carrickfergus; in 1863 Fermanagh; in 1864 Down, and, last of all, Armagh in 1865. It has been said that produce had risen considerably during those years. Do you think that was an element in putting a higher valuation on Ulster?—I am not prepared to say that. There was originally Griffith's valuation all over Ireland. Then there was a second valuation, which is based on Griffith's valuation. It is practically a subdivision of Griffith's valuation, which was a townland valuation. Practically between the townland valuation, which is the last revised valuation, and the original valuation, there is little difference; but I have no doubt that in Ulster—it is a mere matter of opinion—Griffith's valuation is higher in relation to the letting value of the land, because in Ulster there are some industries. They are a more thriving population, taking them all round, than they are in other parts of Ireland, they are in immediate connection with Scotland, and can dispose of their produce to more advantage.

27,342. Mr. Nelson—Griffith's valuation was made with reference to a standard of price, fixed in 1852?—Quite so.

27,343. Mr. Knipe—And even if it were true the price of produce had gone up from the time Griffith commenced to make his valuation, it would not have affected it?—Not at all. Griffith's valuation is a wonderful document, and the only reliable valuation I know of.

27,344. It is not a guide for the Commissioners fixing fair rents?—I know nothing about the Commissioners' mode of fixing fair rents.

27,345. With reference to town-parks, I would like your opinion on that, having said so much as to town-parks?—Well, about town-parks?

27,346. It has been stated the holders of town-parks should be admitted to the benefit of the Land Act on condition that the landlord had the right to take up possession for building purposes if he thinks fit?—I express no opinion about it; I know nothing about it.

27,347. They are excluded from the benefit of the Land Act at present?—I am aware they are.

27,348. It has been stated that it is a hardship they should be?—They are excluded; and so are people living in houses in town excluded. I cannot give an opinion on the policy of that exclusion.

27,349. In many cases the rents of these town-parks are far beyond what the letting value of the land is worth?—In town-parks—if the rents are beyond the letting value, why not surrender them?

27,350. In many cases they have made improvements?—They either made them on lease or they made them very expensively.

27,351. As a rule, improvements have been made by the tenants?—If so, and they are suitable to the holding, they should get the benefit of them.

27,352. Give us your opinion with reference to the effect which you think it would produce on the tenants of Ireland if assisted to become owners of their holdings?—It would pacify the country very much if they are allowed to purchase. My belief is that, if they are allowed to purchase, it will have a very beneficial influence on the peace and prosperity of the country. It will have a most conservative influence on the country. I don't see the harm in its political sense, but in a general way. It will tend to pacify the country and make the people happy and prosperous if they are allowed to purchase. I put the case hypothetically—if they are allowed to purchase.

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Dec. 13, 1886.
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Judge
Flanagan.

The Commissioners then formed a Second Court.

(Before Lord Curzon, Sir James Caird, Bart., and Mr. Knipe.)

MR. THOMAS A. DICKSON, examined.

Dec. 13, 1884. 27,353. The President.—Mr. Dickson, are you a member of Parliament for the county Tyrone?—I was a member of Parliament for twelve years for the county Tyrone.

27,354. And you lived at Dungannon?—Yes, but now in Dublin.

27,355. I should like to ask your opinion, first of all, about the working of the Land Act of the year 1881, and the judicial rents which were then fixed. What is your opinion about the working of that Act—do you think that the judicial rents have been well paid on the whole since they were fixed?—My experience is entirely of the North of Ireland, and I believe the judicial rents have been very well paid.

27,356. And I believe in the North of Ireland I may say there is no combination or infatuation, and there is nothing of that kind in order to prevent that?—No, there is no infatuation. But there is, I may state, very great dissatisfaction with the judicial rents fixed in 1881 up to 1883. Those judicial rents are now regarded as impossible rents.

27,357. Were they considered high when they were fixed?—They were considered high; yes, well they were considered pretty fair when they were fixed; but of course the change in prices since 1881, 1882, and 1883 has affected the judicial rents very much.

27,358. And made it difficult to pay them?—Yes.

27,359. Have the landlords been giving statements of judicial rents?—No, none whatever in the North of Ireland that I am aware of. I have not heard yet of a case of any importance.

27,360. And you know a good many cases, in which they distinctly have not done so?—I do not know an instance where they have done so.

27,361. But you do know cases where they have refused?—No.

27,362. I mean do you know cases where they have refused to do it?—Well, I am not aware of a single case where a reduction has been made in a judicial rent in the North of Ireland. There is very great dissatisfaction with the judicial rents fixed during the first four years.

27,363. And no statements made to your knowledge?—No statements made to my knowledge.

27,364. And are the farmers able to pay—they have paid up to now?—My experience of the North is that the farmers are doing all they possibly can to pay their rents; but, from personal knowledge of several districts, the farmers are in a state of poverty. Their savings are all gone. I know several respectable tenant-farmers, honest men that some ten or fifteen years ago had money in the bank to my knowledge and were well off, and are now in a state of poverty.

27,365. And have they been borrowing money?—Yes; they have been borrowing money, and their savings and credit are exhausted.

27,366. Have you considered the question of the produce rents or sliding-scale rents—rents that would vary each year according to the price of produce during the last five or seven years?—Well, in theory, my lord, I am very much in favour of a sliding-scale for rents; but I cannot see how it would ever work out in practice. I cannot see how an agricultural baron in Dublin could possibly by any scale of prices fix what a fair rent would be along the western seaboard of Ireland, or from Innishowen in Donegal in the North down to Cork in the South.

27,367. There might be different standards in different provinces?—And not merely different provinces, but different counties; and not merely different counties, but different districts of the counties. Just take Donegal, one of the poorest counties of the North of Ireland. On the seaboard of Donegal it is impossible

to make a commercial rent, for the land has no commercial value; whereas in other parts of Donegal, like Raphoe and Letterkenny, the land there is good.

27,368. Do you think that the period of 15 years during which rents are now fixed is too long?—Yes, I cannot possibly see that the judicial rents can be maintained or last 15 years unless a very great change takes place in the prices of produce and cattle, and about that I have very gloomy ideas as to the future from the development ahead.

27,369. And what period would you name for revision—five years or seven years?—Do you mean revision by sliding scale?

27,370. I understood you distinctly say that you do not approve of the sliding-scale, and I do not possess you?—I am in favour of the sliding-scale if it would work; but I cannot see, and I have given the matter a great deal of attention, how a sliding-scale could be got to work. I would not object to a sliding-scale in order to tide over a little time until the farmers should be made owners of their own holdings, and I look forward to that as the only solution and every other scheme as merely provisional. I regard the purchase by the tenants as the only final solution of the land question.

27,371. Of course it would take a long time before the whole land of Ireland could be sold, and therefore there must be something in the meantime?—Yes.

27,372. And I gather from you that you have examined the sliding-scale, but think that there are so many difficulties in the way of it that you are not inclined to approve of it?—No, I could not possibly recommend any scheme of sliding-scale that would work.

27,373. Then abandoning that as unworkable, I go back to the question of the revision of the rents. What other scheme for the revision of the rents do you think would be practicable—have you thought of any?—Well, of course, there is no other scheme except in connection with the Land Commission, and it is a very serious question sending a Land Commission all over Ireland again to fix judicial rents, although something of that kind must be done. I distinctly say that the judicial rents of 1881 to 1885 cannot be maintained.

27,374. Mr. James Caird.—But supposing that these rents were fixed on a basis of certain prices, so that they might be easily altered by the change in those prices and according to that change?—Yes.

27,375. Without any sending of Commissioners down again?—Yes, that of course brings us to the sliding-scale again, and the sliding-scale, I am sure, would work in a great many of the counties and districts of Ireland, but what is mainly in my mind when I say that the sliding-scale would not work, is the great mass of poor tenants, from Innishowen down to Kerry.

27,376. But excluding all this, of course, there is a large number of the most prosperous part of the tenantry outside of that?—Yes; no doubt the prosperous part are outside of that; but the difficulty is with the two or three hundred thousand tenants that are down along the western seaboard, and that are paying only £3 or £4 or £5 of rent. But do not understand me as condemning the sliding-scale. I only do so because I cannot fix in my own mind any plan that would work.

27,377. The President.—And revision every 5 years by the commissioners would involve an immense amount of trouble and unsettlement, would it not?—Oh, yes, an immense amount of trouble and litigation and legal expenses to the tenants. Take the case of an unfortunate tenant in Donegal travelling 40 or 50

miles from Grovedore to get his rent fixed in Lettenden and Lendonerry. The costs would absorb all the reduction that he would get in 10 or 15 years.

27,378. And it would tend to unsettle the country that an Act passed five years ago to fix judicial rents for 15 years in a very short time afterwards should be broken through?—Yes; broken through owing to the turn affairs have taken in connection with prices, and that, I am afraid, will not improve.

27,379. Would it be possible to confine revision to certain cases; for instance, to cases where proceedings are taken to evict a man for non-payment of rent, to give power to the court to order a revision before the decree is carried out?—I think that would be very desirable, that there should be good grounds before a decree for eviction is granted. I think it would be very desirable that the question of the rent should be inquired into, and no evictions carried out until full inquiry as to a fair rent. There are many tenants evicted in cases who may be industrious and not indolent, and unable to pay the rent; whereas there are many indolent men present at present who are doing their very best to keep the house over their heads.

27,380. But if there was a revision by the county court judge before carrying the eviction out, the improvident tenants would not escape?—Yes.

27,381. They would just have to pay?—Yes; but undoubtedly improvident tenants would be relieved.

27,382. No; but the provident tenants would be relieved?—They would not if they have to undergo the preliminaries of eviction.

27,383. But before the eviction is carried out—for the eviction could be stayed till the inquiry was made?—Yes, I see what is in your lordship's mind. When the tenant applied for a rehearing of his case or to have his rent revised, steps would have to be taken by the landlord in connection with the serving of an ejectment, in order that his case might go before the court. Of course that would be a very serious step for the tenant in many cases to have his rent revised.

27,384. And then, on the other hand, you say that to have every rent revised would cause an enormous amount of trouble and litigation?—And expense.

27,385. And therefore we are met with difficulty in every case?—And we know that the costs of attacking an application for reduction amounts nearly to the reduction given to the tenant.

27,386. Can you recommend any remedy besides those that I have alluded to?—My remedy is compulsory purchase by the tenants; but of course that cannot be carried out, as your lordship says, promptly, and the thing is to devise some means of filling over the difficulty for a few years, and that difficulty could only be filled over by an immediate and a very substantial reduction of the judicial rents fixed in 1881 to 1885. The rents fixed last year I would consider in many cases fair.

27,387. Have you any suggestion to make as to how those reductions could be fixed?—The only machinery in existence for fixing the rents is the Land Commission; and I do not know whether it might not be that, with all their experience now, it could be done at the end of every five years or more expeditiously than it was done in the past. I do not suppose now that the revising of our rents would occupy half the time or cost one-third of the money.

27,388. Sir James Caird.—Not if the same men went down?—Not if the same men went down.

27,389. The President.—And you advocate the revising of the old rents?—Oh, yes, I do undoubtedly, owing to the crisis through which we are passing from depression of prices.

27,390. But you look to purchase as the remedy?—I look to purchase as the only solution.

27,391. Of course you are acquainted with Lord Ashbourne's Act?—Yes.

27,392. What would be your suggestion for making it work more expeditiously?—Well, as to the machinery in connection with Lord Ashbourne's Act, that Act

did not remove the legal difficulties. It passed the House, I may say, in a few hours. I do not think it was a fortnight before the House altogether. I was in the House at the time, and took a very great interest in it. But Lord Ashbourne's Act does not grapple with the legal difficulties: and what we suggested two or three years ago was to vest the estates in the Land Commission at once, the purchase money to be paid over to the Landed Estates Court, the Landed Estates Court dealing with all the charges, vesting the property in the Land Commission, and the Land Commission to sell to the tenants, giving them a Parliamentary title.

27,393. And all the claims that were upon the land before would be upon the sum of money that had been paid for it?—Precisely, and let the Landed Estates Court deal with the mortgages and all the head-rents, and by Act of Parliament to sweep away all the legal difficulties and vest the properties at once and directly in the Land Commission.

27,394. To vest the property in the hands of the tenants do you mean?—Oh, in the Land Commission, to sell again to the tenants.

27,395. And that the Land Commission should purchase from the landlords?—Precisely so.

27,396. And then sell again?—And then sell again.

27,397. Instead of the present plan of selling direct to the tenants?—Well, the difficulty is in connection with the purchase of head-rents.

27,398. But might not you vest the land at once in the tenant, and imposed the money instead of paying it over to the landlord, and pay the money into the Landed Estates Court for the sake of satisfying the creditors?—When I see the Land Commission machinery existing there for conveying to the tenants, I should think they would have to do with it. No matter whether the landlord and tenant make their bargain outside the court. I am in favour of the landlord and tenant settling the price outside the court if they can; but then the difficulty is in connection with the charges.

27,399. Yes; and the charges should be met by intercepting the money and, instead of paying it over to the landlords, distributing it to the creditors?—Yes, leaving it to the Landed Estates Court to do that, and letting the Land Commission have solely to do with the creation of peasant proprietors.

27,400. Then you would leave the landlord and tenant to make terms if they could?—If they could.

27,401. Supposing they could not?—I would allow the tenants of any estate to go before the Land Commission and demand purchase, the terms then to be fixed.

27,402. The whole of the tenants?—If three-fourths of the tenants should agree on any estate to purchase, then the landlord should be compelled to sell.

27,403. And the Land Commission to fix the price?—Yes. If it could not be done by landlord or tenant, it must be done by an independent authority, and if the tenants say they wish to buy, the question is then a matter of bargain and arrangement between the tenants and the Land Commission.

27,404. And would you give the landlord compulsory power to force the tenants to buy?—I would certainly give the landlords compulsory powers that they could demand the Land Commission should purchase at a safe price. Why I am so emphatic upon this point is, that every sale that takes place now is rendering the position of the remaining landlords more unenviable and difficult. One landlord now sells to a number of tenants here and there, and then a number of tenants who have not the option of purchase, are paying 50 or 60 per cent more rent than their neighbours. That position of affairs cannot last, and the landlord's position every year would become more difficult.

27,405. You do not think that there would be a sort of indirect compulsion in that way that would gradually work of itself, and that the landlords would

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find that they were obliged to sell without there being an Act of Parliament?—Yes, there would be an indirect influence; but I would look upon that as a very dangerous, for all the time acute agitation would be going on to drive those landlords to sell, and that is the very thing I want to avoid.

27,406. It would apparently be very unfair towards the landlord to make him sell for a less sum than by investing the amount would give him a net income equal to the net income that he lost?—That would be a matter for the Land Commission and for the tenants. It would be difficult to carry purchases on such terms. In many districts it might be desirable to buy at the net income of the landlord when all the charges are taken off. The Salters' Company add at the net income.

27,406. They lost very considerably?—They lost, but they got the fair market value.

27,407. They sold at a loss. We have had evidence on that point. My opinion is that in the case of a very encumbered landlord, who has only a little margin to live upon, that it would be absolute ruin, to him if he sold at a loss?—Oh, of course, for the landlord that is heavily encumbered there is no hope.

27,408. But, as he is still able to live under existing conditions, he would prefer to continue to do so?—But the question is, Can he, in the present state of affairs in Ireland, continue to occupy that position with a small margin of rent, surrounded with a dissatisfied tenantry, and having to face a steady fall in prices.

27,409. And would the tenants be willing to buy at a price that would prevent the landlord losing?—I think they are willing to buy at a fair price.

27,410. At such a price that the landlord would not be a loser by the transaction?—That is a difficulty. The landlord might have bought the property at a very high price.

27,411. He may be a loser in the way of income?—Oh, I think a landlord must be a loser in the way of income, because the value of what he has to sell has fallen very considerably in price.

27,412. He will have less income than he has now?—Well, take the case that I noticed in the papers—Oakland Tottenham's estate, where the rents were reduced 69 per cent. If the tenants buy, certainly in this case the landlord would have lost. There are rents fixed last week that I noticed in the *Irish Times*—46 per cent. reduction, £47 10s. rent reduced to £20.

27,413. Then, if after that reduction, by selling at a number of years' purchase his loss will move, he would be in a very bad way?—I think he might get a higher number of years' purchase upon that reduced rent. I am sure the tenants there would give more, and be anxious to buy.

27,414. But we have got your view that you would have it compulsory on both sides, and the price to be fixed by the court?—Yes, by the court if the tenants demand.

27,415. If three-fourths of the tenants demand?—Yes, and if they demand to purchase it should be carried out compulsorily. There is one other point with regard to the purchase clauses that I would like very much to mention. I think that whatever scheme is going to be carried out on a more enlarged basis, that there should be uniformity as to the interest and time for repayment, beginning with the Act of 1870—the tenants who purchased under the Bright clauses of the Act of 1870—and also those who bought under the Act of 1881, at 25 years and 5 per cent. Take Lord Waterford's tenants in the county of Londonderry, who bought at 24 and 25 and 26 years' purchase at 5 per cent, and repayable in 25 years. I am strongly of opinion that all the tenants who bought should have the advantage of reduced interest and extension of time to 40 years. It is a pity to keep a register of well-to-do tenants, men who invested their all—paying what now amounts really to a rack-rent, and not to have them inform all round.

27,416. I think that is a little beyond our scope. The Government got a letter from the Church tenants,

asking that their case might be referred to us, and the answer was saying that it could not be; and judging from that, we feel that those tenants are outside our scope, but we are happy to take your suggestion and so have it on our notes. You think they ought to be put on the same footing?—Yes, all uniform. Lord Ashbourne's Act did, of course, recognise the Church tenants and did give them a very considerable reduction. It reduced their interest from 5 per cent. to 4 per cent, and extended their time from 35 to 40 years, and thus gave many of them an enormous reduction.

27,417. And is there any other recommendation?—No.

27,418. Mr. Knipe:—With reference to leaseholders, do you think that they ought to be admitted to the benefit of the Land Act of 1881?—Oh, I have advocated that for years, and it was most unjust and unfair keeping leaseholders outside the benefits of the Act of 1881. I think that is now admitted all round.

27,419. But would you include all leaseholders or would you define them?—There is a very great difficulty in defining leaseholders. I felt that difficulty when I was, in conjunction with others, drafting Bills, to know how to define leaseholders. I would not, of course, admit perpetuities except perpetuities granted in connection with the Church Temporalities—where the Church Temporalities sold to the tenants in perpetuity—but I would not admit perpetuities into the definition of leaseholders. I think I would bring in leaseholders under 100 years and lease for lives or 31 years. In fact, the plan I proposed some years ago was a simple one. Don't mind breaking leases; let the leases stand, and let the tenant go into court, and have a fair rent fixed to be endorsed on his lease, and let the lease stand with all its other clauses and conditions.

27,420. The President:—But merely as far as the rent goes to have it adjusted?—Yes.

27,421. Mr. Knipe:—It has been stated that if you break all these leases that the tenants reasonably complain about that you have a right to allow the landlord to bring into court a tenant who has a very low rent reserved in his lease?—Well, those are what I refer to—old perpetuities. I do not see that they would go into court at all. That would tell all round against the landlord as much as against the perpetuities. But practically they would meet all the difficulty if leases I suggest were brought into court.

Old leases I would coincide, but leases with less than 100 years to run would meet all the difficulty about leaseholders.

27,422. It has been stated that it might be taken for granted that quite a number of those low rents which are reserved in the old leases, that the tenants gave a consideration to the landlords for those low leases?—Oh, of course, in many cases they did, they fixed down the rent. It would be very simple to let the lease alone and let the tenant go into court, and the court decide whether he has a claim or not to a re-adjustment of his rent.

27,423. And those who had no grievance, would you just let them remain as they are?—Probably so. Men having no grievance would not go into court.

27,424. With reference to town-parks there has been a great deal said. Would you be kind enough to give us your view about their position, whether you think they ought to be admitted to the benefit of the Land Act?—Yes, undoubtedly; I have always advocated that they should. It is a very great hardship in the North of Ireland, in connection with small towns and villages, that town-parks should be recognised. In small villages and towns the people have shops in a small way of business, and they are dependent upon agriculture as much as upon their shops; and are carrying on business merely for the purpose of doing better for their families; and that is no reason why they should be excluded from the benefit of the Land Act. It is quite a different matter in connection with the large towns, where a man has merely ground for a cow and where it is purely for accommodation.

27,435. *The President*.—Would you leave the landlord power to resume for building purposes?—Oh, certainly.

27,436. *Mr. Knipe*.—You think that in the event of the landlord having a desire to obtain possession of the holding for building purposes only you would allow him to resume possession?—Yes; I would allow him power to resume possession for building in connection with the town or village when it was shown that the application was bona fide and that the tenant was compensated by a proper tribunal for any improvements that he had made.

27,437. With reference to Lord Ashbourne's Act of 1885, the Purchase Act as it is called, we have had a great deal of evidence here as to the effect that it is likely to produce by assisting the tenants to become owners of their holdings. I would like to have your opinion as to what effect it would produce upon a tenant who found that he was the owner of his own farm at the termination of a certain number of years.—I believe there is nothing will settle the land question in Ireland except the sense of ownership diffused among the people, and I am strongly of opinion that rent in Ireland should and must cease and be converted into a land-tax, but, at the same time, I am bound to say that in the present state of matters I am utterly opposed to the English Treasury becoming the Irish landlord. Whatever great scheme of purchase is carried out must be upon the responsibility of Ireland, and this land-tax collected by a responsible Irish authority, and not by the English Treasury. I think it would be disastrous to bring in the Treasury and make it the Irish landlord, a responsible authority should be created in Ireland to collect the land-tax I propose.

27,438. *The President*.—And you think there ought to be?—Yes, undoubtedly, my lord, I think there ought to be. I think it would be disastrous if the Irish tenantry had to pay the land-tax or rents to the English Treasury, instead of to an Irish authority; the tax rises and the revenue and the resources of Ireland should alone be responsible for the purchase of the land.

27,439. How do you propose that such a court should be established?—I do not mean a court. I mean whatever scheme we are going to have of local government. Of course I am strongly in favour of a very full extension of local government in Ireland, call it Home Rule, or what you may, I am strongly in favour of the people of this country having absolute control over all their domestic affairs and legislation, and that whatever authority may be created in Ireland, that that authority alone must be responsible for the collection of this land-tax from the people.

27,440. *Mr. Knipe*.—Do you think, as a rule, the landlords would be willing to sell to the tenants in the North of Ireland?—I do not think there is the slightest inclination among the landlords of the North of Ireland to sell.

27,441. Do you believe that even if they do offer to sell they will sell upon the same terms as the landlords in the South and West of Ireland?—Of course not; but the question is how long the tenants in the North of Ireland will pay what I regard as an impossible judicial rents, that is, judicial rents that were fixed in 1881 to 1885.

27,442. Is it your experience that the tenants have a great desire to buy in the North of Ireland?—They have a very great desire to buy at a fair price.

27,443. Provided that the landlords would continue to let and refuse to sell, have you thought of the effect that would produce, or whether it would produce any effect at all upon the tenants in the North of Ireland?—Well, I believe that if land purchase goes on very extensively over the South and West of Ireland at low prices now prevailing, and that reductions are made on judicial rents in the South and West of Ireland, and that no purchase is permitted in the North of Ireland, and no abatements on judicial rents, I believe we will have the agrarian question in

the North of Ireland, with all its intensity, opened before many years go by.

27,444. You have represented the county Tyrone, I think, in Parliament for twelve years?—Twelve years.

27,445. And you have a general knowledge of the feelings of the tenant-farmers?—I have been mixing with the tenant-farmers all my life. I know their wants, their wishes, and their difficulties, and I know their poverty at present as well as any one.

27,446. And up to the present they have generally met their engagements and paid their rents?—To the very best of their ability. I never knew of any tenants in the North of Ireland that wished to do anything else than pay a fair rent.

27,447. And speaking of their financial position, would it be true to say that in many cases the tenants have the money and are not willing to pay their rents, and will not do so—what is your opinion?—My opinion of them is, speaking generally; that they are in a state of poverty, and I am speaking of farmers in many districts that I know to be well off some years ago, and that are hopelessly embarrassed and their savings gone. I see it by their appearance, by their horses, by their dress, and by all outward indications.

27,448. How that has been brought about principally by the low prices?—Yes; not only have prices been disastrous, but the seasons since 1879 have been very disastrous. Wheat-growing, of course, is over in the North of Ireland. There is no such thing.

27,449. Have you had any experience of the prices of cattle and the fall that has taken place for the last few years?—Well, I can only give you my own experience. I happen to have some 34 acres of grass, and I bought cattle for it, and I thought I bought them low, at low prices. Those cattle were sold in September, and the difference between the rent and the profit on the cattle was £11 13s.; so that there has been a loss on the grass. And I know plenty of cases where they did not get their own money for cattle bought in May and sold in September.

27,450. Do you remember when the tenants made a great deal of money by weaving in their own houses with handlooms?—I remember twenty-five and thirty years ago in the North of Ireland when the rent of a farm did not signify, when the only question was accommodation for looms, when the looms in the farmer's family paid the rent three times over. That is all gone.

27,451. And do you think that the quantity of foreign produce that we are getting annually sent in here affects our prices?—Oh yes, it has undoubtedly caused the fall in prices that makes me regard the outlook and condition of affairs as hopeless. There are now 80,000,000 of sheep in South America, and their flesh is never consumed; and there is Australia, with 80,000,000 of sheep; we are only beginning to get that over now in frozen condition; and there was evidence before a Select Committee of the House of Commons during the last few years that the Indian crop can grow his wheat for 15s. and 20s. a quarter. Then, £150,000,000 of English money has gone to South America during the last five or ten years for the development of agriculture, apart altogether from investments in Canada and America; and, with our climate and resources here, I do not see that the farmers can possibly outstep under present conditions.

27,452. Future prospects you do not think as very bright?—Yes. I was reading Mr. Chas. Read's remark last week delivered in England, and I quite agree with him that, unless a very great change takes place within ten years, it is all over with agriculture in this country.

27,453. With reference to tenant-right in the North of Ireland, we have had a great deal of evidence here. Have you any idea as to whether it has gone up or down in value?—Well, I should say it has gone down 50 per cent. In fact, I know many places where farms are not saleable. Of course there are sales that take place in the neighbourhood of a town, within a

Mr. Thomas A. Doherty.

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Mr Thomas
A. Dalton.

mile or two of a town or village, where a fabulous price may still be got for a few acres of land and a good house upon it, but that does not apply to an agricultural holding at all.

27,444. You have known a number of farms that have been offered for sale?—Oh, yes! and no buyers, or buyers at a very small price.

27,445. Has your attention been called to the reductions given by the English landlords to their tenants?—Well, as far as I can see and from talking to friends in England and reading the *Mark Lane Express* and English papers, the value of land has decreased more in England than it has in Ireland.

27,446. There have been many complaints here about the substantial reductions that the tenants got and their asking for additional reductions this year, and I just want you to say if your attention has been called to the large reductions given by English landlords to tenants without a Land Act at all?—It far exceeded anything given in Ireland. I was staying with a friend in England, and I was over a farm with him that was let for a pound an acre, fully equipped with everything; buildings, fencing, drainage, and all by the landlord, and for that the tenant was to pay a pound an acre; and I said to my friend, "That land would, with tenant-rights and other charges, cost an Ulster tenant double the rent in Ireland."

27,447. Referring to the Purchase Act between landlord and tenant, in reply to his lordship am I right in saying that you stated that where 75 per cent. of the tenants were willing to buy you would compel the landlord to sell?—Yes.

27,448. And what would you propose should be

done with the other 25?—Oh, the other 25 would, of course, come in.

27,449. Sir James Caird.—Judge Flanagan seemed to say that the 25 should be compelled to come in?—Yes, I would compel them to come in; but there is no difficulty, Sir James, in compelling them to come in. All you have to do is to open an account with each of the tenants who won't come in, and in thirty-five years, by paying their present rents, you compel them to become owners.

27,450. Mr. Keble.—Can you see any difference in the State interfering between landlord and tenant with respect to the price of the land, and interfering as to the rent?—I feel for the landlord, but for the sake of the country and for the sake of the landlords themselves, the sooner we have a compulsory settlement the better; because I say the position of the landlord in Ireland at the present time, North and South, is becoming rapidly untenable and impossible.

27,451. It was stated at the time of the passing of the Land Act of 1881, that it was an undue interference of the State with the sacred rights of property. Do you think that there is any greater difference in interfering between the landlord and tenant as regards the price of land and interfering between the landlord and tenant as regards the rent?—None whatever; but of course the property in land is different from other property. If a man has gold or silver in his pocket he can do what he likes with it—throw it into the fire or into the river; but it is different with land that human beings have to live upon, and I deny that any man has the right to do as he likes with the broad acres of the earth.

Mr. CHARLES FURBER COOKE, examined.

Mr Charles
Furber Cooke.

27,452. The President.—You are a landowner, I believe, in the county Cork?—The county Cork.

27,453. Have rents been paid in your part of the world lately?—Very badly.

27,454. Is this owing to combination?—In many cases owing to combination; in some cases owing to low prices.

27,455. Have you given abatements?—Yes.

27,456. On judicial rents?—Not on judicial rents.

27,457. Are most of your rents judicial rents, or the majority?—The majority are not judicial rents.

27,458. What are they?—Leases?—Some leases and some tenants that I agreed with on the basis of judicial rents; but I had not very many cases tried before the Land Court.

27,459. And those to whom you gave agreements based on judicial rents, have you given them an abatement?—No abatement.

27,460. All except those who actually went into court?—Yes, a large number of my tenants never went into the Land Court, the rents never having been raised for years.

27,461. But you have given abatements to all who had not judicial rents?—Not all; nearly all. Some of my rents were reduced a few years ago. A valuation was made. Those rents I have not given a reduction now on. They are let very little over Griffith's valuation.

27,462. Do you think as to some of those that did not pay, it is really because they are unable to do so?—Not on my estate; I am speaking generally. I think, with very few exceptions all my tenants are well able to pay the rent.

27,463. I suppose if they could pay now, they could have paid much more easily two or three years ago?—Prices are lower now, but they are not nearly so low as when my rents were fixed. I am not speaking of judicial rents, but when rents were fixed at the time of Griffith's valuation the prices were a great deal lower than they are now.

27,464. Sir James Caird.—Was that the time when your rents were fixed?—Some of them were

fixed about then. I cannot tell you the exact year. It was before I came into the property.

27,465. It is a considerable time ago?—A considerable time ago.

27,466. The President.—Did many give an abatement?—Yes, and it varies.

27,467. Are those abatements on judicial rents too?—It seems generally thought that judicial rents need not be reduced?—It seems generally considered that judicial rents are fair rents, certainly not too high, and, as a rule, I should think abatements are not given in many of those cases, but in some cases they are.

27,468. Then can you give some information about combinations?—Yes. In many estates about me the tenants have combined against paying rent, and in some cases they have adopted this Plan of Campaign that is put forward by *United Ireland*, and are lodging the rents in the hands of trustees.

27,469. That has not happened to you?—That has not happened to me.

27,470. Do you anticipate anything of the sort?—Not if the Government are firm now; I think it will come to an end. It all depends on what action is now taken. Many of the tenants were obliged to adopt this plan through fear.

27,471. I see you have got some written notices. Is there any other point you wish to mention?—Well, shrewd boyridding.

27,472. We shall be glad to hear you on that?—I wanted specially to bring before your notice the case of a bog-bailiff of mine. The bog-bailiff or bog-ranger is the man who looks after the bog. My agent and I had discovered that the tenants on part of my estate to the north of Keniluck were selling my turf to the public without my permission, and we decided to appoint a bog-bailiff; the bailiff that I had previously died a few years ago, and we had not appointed a man in his place. Before appointing the bailiff we asked the tenants if one of them would take the place, and several of them were anxious to do so. Two or three volunteered to do so, and suddenly the National

League stopped in—we have reason to believe it was the National League—and prevented these men from doing so. These men came and said they were very sorry that they could not act as bailiffs. We advertised then in the Cork papers, and two men applied for the post, one of whom I appointed—a man who lived close to my property. Shortly after, he was boycotted. I must tell you that we had reason to believe that the tenants were selling to the public at a much higher price the turf than the proper value.

27,473. Had your tenants any right to cut except for their own burning?—This was all mine. Every tenant had so much bog. We gave each tenant so much turf, for which he paid us a nominal sum; but then we found that they were selling to the public at a great deal higher price than the turf in other places, and they were selling what belonged to me. I went to tell you the exact amount that we are selling at. The price the tenants paid me for the turf was £1 for 120 kilobas. That is a measure of turf, about 8 cubic feet of turf. When I found this we appointed this bailiff, and we undertook to supply the public at the same price as I was giving it to the tenants, or slightly over. This unfortunate man then received notice that he was to leave my employment, as he had made himself obnoxious to the National League. He received a summons, a copy of which I have in my hand, summoning him to attend the League court (document headed in). His answer was that he would attend the court, provided the tenants on the estate were not to sit as a jury in his case—to try him, in fact. This was not granted, and he did not attend the National League court at that time (but he did subsequently), and the men a few nights after was what we call in our country "moonlighted." A large party of men came with blackened faces and guns, and broke into the house, and asked him if he would leave my employment, and insisted that he should leave my employment. He refused to do so, and he was then most severely beaten—killed, struck with a gun over the head, severely beaten, and left lying for dead.

27,474. How long ago was this?—In late May. The men are now on their trial at the Cork Winter Assizes.

27,475. Are they being tried now?—I shall tell you about that afterwards. His wife was then pulled out of bed. I can give you the exact date if you like.

27,476. We do not care for very particular dates. It is the month of May?—Yes. His wife was then pulled out of bed and assaulted most brutally too, and struck over the head with a gun; and those men were disgraced with rape over their faces; but before my men—his name is Walsh, was impossible he was able to tear the rape off some of their faces, and he identified eight. Before the moonlighters left the house they shot a dog in the house, and the child received several grains of shot in the feet and was very much injured, but has recovered. Walsh, the bailiff, identified eight of those men, and swore an information against them, and they were arrested, and returned for trial to the Cork Winter Assizes, and they are now to be tried this coming week. That is one case of boycotting on my own estate. I can give you another now, a case of a tenant of mine some years ago, a large tenant. Do you wish to have names?

27,477. Just use your own discretion?—This evidence will appear in public.

27,478. Sir James Colville?—We do not care about names?—This man bought the interest of a farm on my estate of which the previous tenant, through drink and extravagance of different kinds, had not made good use; and he took peaceable possession of his farm seven or eight years ago, and held it peaceably until about two years ago.

27,479. The President?—And he did actually pay money to the outgoing tenant?—Yes, he paid money to the outgoing tenant, besides a large arrears of rent, and he also went security for this man to the bank and took up a bill; and he held peaceable possession till two years ago, when this system of boycotting

began, and several similar cases were brought before the local branches of our National League in the county Limerick, and in our county, and in one or two cases the tenants had to refund money to the men who had previously held the farms, since the League decided that they had not received sufficient when they left, and that the present tenant was what was called a land grabber. This case was brought before the local branch of the National League at Ballydooleigh, county Cork, near Mallow, and both parties were summoned to attend; and it was decided that the tenant, a most respectable man, was to pay a large sum of money to the man who had peaceably given up possession of the farm five or six years before. He refused to do it, and he was severely boycotted. Ultimately, the parish priest referred the case to the local branch of the National League, who found my tenant had been very hardly treated, and the local branch of the National League in Dublin decided that, as this case was of such longstanding, and as my tenant had bought the interest in the farm before the Land Act was in existence it was too far back for the League to go, and they sent down to the local branch of the National League at Ballydooleigh that they must let the case drop. They refused to do that at first, and the local branch of the National League in Dublin then dissolved the local League, and for some time the local branch of the National League was not in existence. It has since been reconstituted.

27,480. What was the date of the dissolving of the local branch?—I can give it to you. Up to October 1885 the tenant held peaceable possession, and it was immediately after that.

27,481. It began again in 1885?—It has begun again now; the local branch has been started again this year.

27,482. It was in 1885 it was dissolved?—Quite so.

27,483. And this year it has been started again?—Yes.

27,484. And has the man again been boycotted?—He has been threatened. He has not actually been boycotted, but he has been threatened with boycotting, and he is afraid to pay his rent.

27,485. It looks as if there was not great control by the local branch in Duhlin over the local branch of the League?—I think it shows very considerable control when they dissolved the local branch altogether.

27,486. And then it started up again?—Well, it has only just started again. There was a meeting held the other day for the purpose of preventing any tenants paying their rents, and it was got up by the local branch. There was one other case of boycotting that I wished to bring before you, and that was the case of a gamekeeper who was looking after a property of which I had taken the shooting, and because he prosecuted poachers he was assaulted, moonlighted, brutally assaulted, and very severely boycotted—in fact, could not get the ordinary necessities of life.

27,487. Was this done by command of the local branch of the National League?—This was done by the National League. It is not the same place.

27,488. They interfered with the poaching, too?—Oh, yes; if a man makes himself obnoxious in any way now. He could not even sell his cows in the fair or get provisions for his family; and this summer the unfortunate man was almost starving. He came to me, and he asked me if I could help him to sell his cows; that he was afraid to bring his cows into the fair.

27,489. He was paid partly by having a holding?—He had a small holding.

27,490. That was part of his pay as gamekeeper?—Yes; he was only what we call a mountain keeper. I told him if he brought the cow over to me after dark the night before the fair, I would take it in as one of my own cows to the fair and sell it for him, which I did, or rather my man did. I should have added in the first case I gave you—perhaps it will be necessary—that this beg-bailiff was very severely boycotted ever since and cannot get provisions in the neighbourhood, and he is under police protection, and the

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27,486. Government put up a police but, otherwise his life would not be worth a day's purchase. I have a pamphlet here of boycotting cases. I might hand it in as evidence if you have not already got it. It is prepared by the Cork Defence Union, of which I am a member.

27,491. We have got one handed in already!—Then I can give evidence about purchase.

27,492. Have you been negotiating in any way about purchase?—Yes, I have.

27,493. Successfully?—The tenants were very anxious to buy part of my property. I did not want to sell the whole of it. I wanted to sell a portion of my property in the county Cork in the neighbourhood of Kanturk. The tenants were anxious to buy.

27,494. How many years did they offer?—They offered me 17 years' purchase.

27,495. And did you agree to that?—I would not take that price, but I have very strong reason for believing that they are anxious at the present time to buy, and would give me more; but it is against the orders of the National League that the tenants should buy, except at a very low figure, which the landlords would not accept.

27,496. Sir James Caird.—Is that 17 years' purchase on the judicial rents?—On the present rents. But it is a small estate; there are only twelve tenants on it. Some of these, two or three, are judicial rents. The others, three or four, are where rents were fixed very much on the basis of judicial rents, where the tenants did not go into court. Some of them are rents that have not been altered.

27,497. The President.—And you have reason to know, or means of knowing, that the League have been interfering, or that they must have done so?—Well, I think they have done it because some of my tenants were very much connected with the League there, and suddenly they seemed not to wish to buy. I could not swear that the League had interfered, but we have reason to believe it did so in my case, as in many others all over the south of Ireland, that the League will not allow them to buy. The representatives of the League in their speeches are always telling the tenants not to buy, except at such prices that the landlords won't accept. The general impression is certainly that the League are against purchase except on these very low terms.

27,498. Any other information about the Purchase Act, or any recommendation?—Yes; I think I could give you some recommendation. One great difficulty in selling under Lord Ashbourne's Act in the South of Ireland is owing to the head-rents, and on almost every estate in the South of Ireland there are head-rents, and the owner of those head-rents is not willing to accept what an ordinary estate would be sold for free from head-rents. Suppose that there are a large number of small tenants on an estate, and that there is a considerable amount of head-rent to be paid, the tenants are liable to the payment of that head-rent, and in the case of a sale being effected, it would put the owner of the head-rent in an awkward position to have to go to several hundred tenants paying three or four pounds each, and get from each his portion of the head-rent.

27,499. At present there is no power to apportion it?—Each tenant is liable.

27,500. For the whole lot?—The tenants on the estate are liable, and it would be a very difficult thing—in fact, it almost makes it impossible.

27,501. And you think that he ought to be obliged to sell?—I think so. At the same time the head-rent is supposed to be of more value than ordinary rent.

27,502. Then would it meet your views if he were obliged to sell at a price named by the Commission?—I think this should be done; but, as before stated, in case of head-rents a considerably higher price should be given. I may add, also, that I think that if the law was to be enforced Lord Ashbourne's Act would work with slight modifications. I believe that the tenants themselves are anxious to buy. They see the great advantage now in getting their rents reduced, say, from 15 to 20 per cent., and it is only natural that they should wish to buy. One reason, I may say, against their availing themselves of the Act is the question of taxation. The tenants may say, "If we were to buy from you we have no certainty that the rates would not go very high." Now my own strong opinion is, that as long as there is a question of Home Rule in the future they are perfectly certain that, if such a thing ever did take place as Home Rule, taxation would immediately go up.

27,503. And they would admit it fell upon the landlord then upon them?—Yes.

27,504. Any other point?—About the question of judicial rents. I do not think judicial rents too high. As I said before, no doubt prices this year are low, but, if you compare them with the time of Griffith's valuation in 1852, the prices are considerably higher than they were then.

27,505. But labour is higher than it was then?—Yes, it is; but I am sorry to say they do not employ very much labour. One great reason that the land has deteriorated so very much is bad farming. The farmers do not put lime and manure on. They let the land run out. They think that in time they will get the land for nothing, and they do not think it is necessary to work. Griffith's valuation, of course, in the North of Ireland is a totally different thing. Griffith's valuation was begun in the county of Kerry, I believe, and was made on a very much lower basis than in the North of Ireland, where it was made several years later. Sir Richard Griffith's own statements go to show that in the South of Ireland Griffith's valuation was supposed to be 25 per cent. under the letting value of the land, and in the North of Ireland it was very much nearer the letting value of the land.

27,506. Have you any other point?—Well, I want to impress strongly my idea on the Commission that, if the law was to be enforced, the tenants would be anxious to buy; but so long as they think that by agitation further legislation is likely, and that they will get a larger slice of the landlord's property, they are not anxious to buy. But if the law was to be enforced and the National League ceased to exist, without which you never can have any peace in this country, they would be anxious to buy. There are two Governments in the country now, the government of the National League and the Queen's Government, and in the South of Ireland I am afraid the government of the National League is considerably the stronger, and numbers of the people through fear and terror are obliged to join that and obey its laws who hate it, and would like to see it put a stop to to-morrow. I can give you evidence as to prices if you like, but you probably have got that.

Sir James Caird.—We have got that.

Mr. COCHRANE, examined.

27,507. The President.—You are a land-agent and valuer and tenant-farmer. Have you had difficulty in collecting your rents this year as a land-agent?—This year, I think, there is a greater disposition to pay rent than I have seen for many years—a more decided inclination among the tenants to pay as far as they are able.

27,508. And as a tenant-farmer do you think that

there ought to be no difficulty in paying rent from your experience—the rent that was fixed two or three years ago?—Well, with regard to rents fixed two or three years ago, they very very much from the rents that are being fixed at present; that question of course would embrace the whole country, and therefore it would embrace different styles of farming and differently circumstanced tenants. No definite answer

would be applicable to the whole country. There is more difficulty this year with some classes of farming than with others. Up to a certain period graziers did very well; but of late they have very seriously suffered by the fall in the price of beef. I think the young-stock farmer—the farmer who has been producing and feeding young stock—has this year been able to produce them profitably.

27,509. Do you think there is any chance of prices going up again?—I do not think the price of beef will ever become very high again, but I do not think it affects farming in Ireland very seriously.

27,510. You do not think it affects it very seriously?—Not very seriously. The quantity of beef produced in Ireland which is actually finished and fit for market is not large in proportion to the quantity of butter and the number of young stock, so that to judge of the prospects of Irish farming it would be necessary to think more of the prospects of butter and of young stock.

27,511. Do you think it would be difficult to judge, and that we must wait to see if those prices will get up or not?—Well, with regard to the price of butter I am very much interested myself and engaged in dairy matters—I mean in dairy farming—and I am afraid that the prospect for Ireland generally at present is anything but good as regards butter. That arises, to my mind, from the public taste in England having very recently changed in the last few years. The importation of Danish and Normandy butter has produced in London a taste for fresh butter so distinguished from salted butter, and therefore from Irish butter.

27,512. Sir James Caird.—But why cannot you get fresh butter in Ireland as well as in Normandy and Denmark?—We produce fresh butter very much more largely in Ireland than we did, but we have been accustomed to produce salt butter, and until we learn to produce fresh butter for the market all the year round I fear prices will be against us.

27,513. Why should not you learn as they have done in Normandy and Denmark?—That is just the difficulty, sir, and I am afraid there must be assistance from the Government.

27,514. What has the Government to do with it?—In the way of establishing dairy schools.

27,515. You can make butter, can't you, and of course when you make it it is fresh?—Yes.

27,516. Well, why can you not send it away when it is fresh, you do not want a dairy school for that?—That can only be possible in Ireland through factories.

27,517. Then why have not you factories?—Well, I myself have put up machinery for a factory, and I hope to be able to turn out a large quantity next year. I sent butter myself to the last show in London and got highly commended for it, but it is very difficult to get the people of the country to believe in fresh butter.

27,518. If they get a higher price for it they will very quickly believe in it, won't they?—In time; but these factories now established, there are so few of them—there are only eight or nine of them altogether, and in several instances they are in parts of the country near to each other—it will take some special effort to have them established through the country.

27,519. Everything requires a special effort if it is to be made an improvement?—Well, my opinion is that, sir, is, that in England these improvements in farming came very much from the landlords class taking up any new idea in farming and carrying it out, and seeing whether it was a profitable one.

27,520. Do you speak from any knowledge of English farming yourself when you say that?—Well, I was for a year in Scotland with a Scotch farmer on the borders of England learning farming.

27,521. Is it not notorious that almost all the improvements in farming in England and Scotland have been originated by the tenants themselves, that all the best breeds of cattle and sheep, and everything else, have been originated by tenant-farmers almost altogether?—They have had these tenant-farmers of a very different class from the tenant-farmers in

Ireland. We have not very many of that kind in this country.

27,522. Still you have a good many successful farmers in Ireland?—No doubt we have a good many through the country, but what we want is to establish new methods.

27,523. But if you make butter of a better quality, you will find if you send it to the English market that they won't want to exclude Irish butter at all—I have no doubt of that myself. I have gone in very heavily for butter, but at the same time I see very little prospect for the small farmers through the country.

27,524. Not by these creameries or butter factories? But a small farmer may send his girl in there and get the advantage of the training that is to be found there?—Exactly, sir, but it will take a long time before they are educated up to that.

27,525. It will take time.—I am speaking from my experience of my own county, Longford. I am the only person in the county who has taken up the new methods of making butter, and in the adjoining counties to me I know of none. As regards improvement in cattle, in years gone by a great many landlords did undoubtedly do a great deal for the improvement of the breed of stock by keeping bulls of a good class; but I do not think that will be done in future by landlords, and friends in England and Scotland tell me that they see a marked deterioration in Irish cattle for the last couple of years. If prosperity comes to Ireland, it must come through improvement in farming; and there being now, in consequence of recent legislation, no manorial class interested in promoting it, such improvement, if it is to take place, must be provided for, or at least stimulated by, Parliament.

27,526. The President.—Has your attention been called to the Land Act of 1886—the Purchase Act—have you negotiated any sales under it?—I have been endeavouring to negotiate two or three.

27,527. At present without success?—At present without success.

27,528. Do you find that the obstacle lies on the part of the landlord or of the tenant?—Well, in the cases in which I have been interested it came to a difference in price between the two, the tenant would have been willing to have bought at a certain price if the landlord had been willing to sell at that price.

27,529. What was the price, can you tell us?—I have negotiated one sale at 20 years of one farm of 675 a year. That was in Meath. In Leitrim I failed to sell at 18 years.

27,530. The landlord would not sell or the tenant would not buy?—The tenant would not buy at 18 years. And in Longford the tenants refused at 18 years.

27,531. Do you suppose that they expected to get better terms by hanging on?—Yes; their opinion seems to be that land will be of less value, whether artificially less by legislation or agitation or by variation in prices.

27,532. And the landlords were willing to sell in those cases at 18 years?—The landlords were willing to sell at 18.

27,533. Can you recommend any alteration that would make the Act work more easily?—Well, it seems to me at present that we must look—that, in fact, we cannot exclude from our minds what has happened and is happening in Ireland, the landlords ran a serious risk of losing the deposit which they would make with the Land Commission, and I think that the Treasury run a very serious risk of losing a large portion of the money advanced—that is, from the artificial absence of free sale. It seems to me that the tenants would immediately after purchasing at one estimate that they had purchased at too high a rate, just as they now assume that they got more fixed at too high a rate. They would then think that it was morally right to reduce payment, and the Land Commission would draw upon the landlord's deposit till it was gone. The landlord

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would of course have his legal remedy against the tenant, but he would be unable to realise anything by selling that tenant's interest; and I think that the tenant, having then defied the landlord for about five years, would be well educated in the method of holding the farm without paying anything for it.

27,534. Mr. Knipe.—Are you speaking of compulsory sale?—No. I am speaking of the actual Act as it at present stands.

27,535. Why do you say that the tenant would payment of the instalments?—I think if we had a variation of prices such as at present the tenant would probably be told that he had purchased at a figure not justified by the then existing prices, and that morally the bargain was not a binding one, and that if the tenants refused to pay, on the whole, neither the landlord nor the State would be able to recover the money. The remedy for that in my mind lies in making a local authority responsible for the money.

27,536. The President.—And do you think that a local authority would be willing to undertake the responsibility?—At present I think they would not—that is, if the local authority means the board of guardians.

27,537. It would be so at present? At present it is the only local authority.—Well, I think the present boards of guardians would not wish to do anything that would facilitate the sale of tenants' farms, which it would really amount to.

27,538. Do you think any future local authority that might be established instead of the board of guardians would be more willing to undertake the responsibility?—I think if the Act was made so as to confer greater present benefit on the tenant, then possibly the local authorities might be willing, the local authorities would then derive their authority from the tenants who then be willing to join.

27,539. Would they like being responsible for one another's debts, would they like to make the ratepayers responsible for the debts of any one of their number?—I think if they were gaining a distinct advantage that they would agree to it, that is, if they were getting the land, paying for it a reduced annual payment, that they would be willing to incur that liability in the first instance, because in most cases the tenant's interest would be ample security if free sale was not interfered with.

27,540. Of course they would get an advantage now if they were willing to buy at 16 years' purchase, they would be getting an advantage now under Lord Ashbourne's Act?—Yes, but it would seem to me that the Act would be facilitated by extending the period for redemption, or by merely changing interest on the advances, giving favourable terms for paying off the capital in lump sums.

27,541. Have you any other recommendation to make?—With regard to town-parks, which do not at present come under the Act, I have had a good deal to do with them, and I think it would be a very serious disadvantage to the community at large if town-parks were brought within the Act.

27,542. You think they ought not to be brought?—I think they ought not to be brought.

27,543. And would you bring leaseholders under the Act?—Where leaseholders really occupy the same position to the non-legal mind as tenants from year to year, I should be inclined to bring them under the Act. With regard to the question of town-parks, one principal reason for thinking that they ought not to be brought under the Act is, that it would practically stop all improvements about small towns.

27,544. Even if you allowed the landlord to remove for building purposes?—Well, close to Longford, where I live, a very thriving brick industry has been established on what was a town-park, at a distance of about three-quarters of a mile from the centre of the town. If it had not been for the fact that that land was town-park land that could never have been established, and I do not think that if town-parks were brought within the Act it would in any way cheapen

the produce of town-parks to the occupants of the town. It would merely confer a property on the present holders.

27,545. Mr. Knipe.—Have you a large experience as regards the price of cattle?—Well, I have been farming on my own account for the last twelve years—nearly twelve years.

27,546. What is the extent of the farming that you have in your own hands?—Three hundred and twenty statute acres, and I look after, for Lord Longford, about 900 Irish acres, about 1,400 statute acres.

27,547. Is this in tillage or in grass land?—My own farm I get in very bad condition. It required to be drained and tilled, and I have it now almost all laid down.

27,548. Had you to buy cattle to stock it three last two or three years, and is it your experience that store cattle are much higher now than what they were a few years ago?—I think that cattle under £10 are very much the same price as they were this time last year.

27,549. Were they lower last year than they were the year before?—Yes; store cattle were undoubtedly lower in 1885 than in 1884.

27,550. And, according to your opinion, have they been getting lower for the last five or six years, going down gradually?—I do not think that cattle under £10 have varied seriously in price for the last seven years. I think that the variation in price has been mainly in cattle above that price.

27,551. Did your farm pay better this year than last year?—Well, this year I began dairying; so I cannot form any estimate. It was only last May that I put up my buildings for a dairy factory; but the experience of my neighbours has been that it has. It depends, of course, on the state of farming they are in. The men who bought cattle last autumn and sold this, they find it a better year than last year.

27,552. That would be in consequence of the low prices they were able to buy those cattle at?—Last year, yes. I consider that the loss in cattle this year in this country arises from cattle having been a tolerably high price in May and the great fall in the price of beef that has taken place lately; in other words, the price did not permit of much profit being made out of the summer's grass.

27,553.—It is your experience that the beef is lower within the last two months than it was previous to that?—Much lower.

27,554. Have there been many applications in your part of the country for reductions of rent?—Yes.

27,555. Have there been reductions given to tenants either on judicial or other rents?—In my own experience the reduction has been the same as last year, and I have no experience of that not having been accepted. With regard to judicial rents, I think the great difficulty is want of uniformity; so unequal are they compared with each other, I do not think they can be used as a basis for any legislation. On this point it just occurred to me to put in my pocket a report of a local National League meeting. I do not know whether I would be right in reading it (reads extract). That is strong evidence of the want of uniformity in judicial rents which will, I fear, prevent them from being used as a basis for either purchase or rents in Ireland. The President says four or five years ago, when they went into court, they would only get 25 to 30 per cent. of an abatement, and now if they went in he supposed that they would get 50 per cent. And the vice-president of the League branch says even tenants are not asking any such reductions as are given by the commissioners. These opinions—and they represent the opinions of tenants—on the absence of uniformity in judicial rents are drawn from the knowledge of rents actually fixed in the same district.

27,556. Is it your experience that the tenants have more difficulty in paying their rents now than they had after the passing of the Land Act of 1881?—If I confine my answer to agriculture, I do not think there is more difficulty from an agricultural point of

view in paying rent now than there was immediately after the passing of the Land Act. A very much better time supervened in 1883; but you speak of the year 1881, and immediately succeeding the very bad year of 1879 and the bad year of 1880.

27,557. Was not the price of cattle better then

than now, and the price of produce higher then than now?—Yes, but I do not think that the actual produce was as great; for instance, I have never in my experience of farming had a year when the same quantity of land would feed as much cattle as this year.

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Mr. Gaskins.

Mr. WILLIAM THOMAS TRENCH, examined.

27,558. The President.—I believe you are a landlord and agent?—Yes.

27,559. Do you farm any land of your own?—Yes, I farm some land of my own, and I pay rent for a good deal more. It is gross farming entirely. I have no tillage farming.

27,560. As an agent have you been receiving your rents this year?—Yes, in most cases. If you are good enough to question me about North Tipperary and King's County first, because it will be necessary to treat them in a different way to West Limerick, which I happen to know something about also.

27,561. In fact King's County, Tipperary, and Limerick are the places. We will refer first of all to North Tipperary and King's County. Have you been receiving rents there?—Yes.

27,562. And expect to receive them?—And expect to receive them.

27,563. Is there any combination in that part of the world against paying you?—Might I be allowed to read what I have put down? No general combination against paying rents (I refer to North Tipperary and King's County.) (*Witness reads document.*) Combination is attempted here and there. I believe that there is a general ability to pay judicial rents in most cases, except where there is disease or misfortune, such as loss of stock or ill-health has occurred. I am not able to see any evidence of general poverty in the country. The farmers are giving large fortunes to their daughters; large prices are paid for the interest in farms where the Land League allows. I can give instances of that, if you care for them. One occurred only ten days ago in North Tipperary. The rent was £40 for 60 acres of light tillage land. The Ordinance valuation was £15. The tenant-right that was paid was £295, and auctioneer's fees. The purchaser was a farmer and sufferer from a distance several miles off. In another case a small holding of three-quarters of an acre of land was rented at £2 5s. The Ordinance valuation was the same. The tenant stated that he had refused £160 for his interest. He was certainly offered £20 by a tenant-farmer.

27,564. Sir James Caird.—He did not take it!—He did not take it. I was given cases for 1883 and 1884, if you care to have them.

27,565. The President.—What we care for is this year?—That is all for this year. The farmers seem to have plenty of money, so far as one can judge from general expenditure. They live well, they dress well, especially the women, the public-houses are full, they give large treats at weddings and funerals, and I have it from a country solicitor in large practice that they take no grumble about giving him three guineas for attending petty sessions—for his day's work in attending petty sessions at a distance. They lend it out to him at once without difficulty, and I believe that statistics show that deposits have not lessened in the savings' banks. I believe that at the present time there are about £30,000,000 of deposits in the savings' banks, and the deposits do not appear to be lessening, but rather increasing. In fact I think the statistics show that in 1885 they were higher than they ever were before, except in 1875 and 1873. Then the Church tenants bought their holdings at 33 years' purchase, roughly speaking, at a very high valuation, and I believe that there are comparatively very few of them that are not able to hold their farms, if any.

27,566. They are paying well, are they?—Well, there are complaints put forward on their behalf of hardship in having to pay higher than the judicial

rented tenants, but I understand that they are able to continue in their holdings.

27,567. Did becoming owners have any beneficial effect upon them?—Is that apparent?—Well, I should say that it did.

27,568. But you could not see it?—Well, I have not had sufficient experience of that. I believe that the return from the land is very good. The crops this year were very large, and the statistics show that the fertility of the land is fully maintained. I have seen the contrary stated by Sir John Lubbock, who is a very high authority, and I took the opportunity of making out a return from the statistics published in "Thorn's Almanack," and I wrote a letter to the Times, showing that there is no evidence of a decrease in fertility, but rather the reverse, taking the average for periods of five years. But here I repeat again, that this has only regard to North Tipperary and King's County, not to West Limerick. I am aware that a farmer paid £30 rent, where between £20 and £30 was realised for barley last year, and I believe £45 was realised this year, in spite of the low prices. I am aware of another farmer who spent £30 on a wedding treat for his daughter, when his daughter was married, although his rent was only £16. The land is good tillage land. It is light but grateful, and requires little or no drainage. Where it requires drainage the subsoil is so porous that one drain will drain nearly an acre all round. And, in fact, although there are some tenants who are nearly bankrupt, and they are not able to pay, I believe all the others are able to pay, although not so easily as when prices were higher. I think that the set-offs have not been unduly considered which the farmer has to make up for the low prices which he complains of, and which, I think, are exaggerated in some ways. He has machinery now, which he had not some years ago; the railways do more for him, though not nearly so much as they might do; the quality of the stock is improved immensely, and is capable of very much greater improvement, and feeding-stuffs have fallen in value very much indeed. There has been, indeed, a fall in prices of stock, but it has been this year only. The statistics in "Thorn's Almanack" show that the prices from 1880 to 1884 were extremely high, far higher than they were from 1875 to 1879. I am talking of the prices of stock now on farms of the low class. Now the price of low class huffers from 1875 to 1879 was £8 12s.; and from 1880 to 1884 it was £14 5s. In the year 1885 it was £11 10s., and taking the fall at 50s. from that would leave the present price £8, which is greatly higher than the prices in 1875 to 1879, and higher than the prices from 1879 to 1874. Sheep are higher now than they were between 1870 and 1874, and between 1875 and 1879. I am quoting from the statistics in "Thorn's Almanack" of cattle sold in Ballinacree Fair.

27,569. Sir James Caird.—I do not think you need go into that further; we have had all those figures before us.—If you tell me anything superfluous I will omit it.

27,570. All the Ballinacree figures we have had before us?—About West Limerick shall I mention?

27,571. The President.—Yes, just tell us something about West Limerick.—In West Limerick I think there are many cases of inability, of actual poverty.

27,572. Have you been giving abatement?—Well, we have not been giving abatement on the judicial rents, but we have not been pressing for payment of

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them. The tenants are many of them in arrears, and if they were forgiven all arrears and paid no rent I am afraid they would not be very much better off.

27,573. *Sir James Caird*.—West Limerick is in a worse condition than Tipperary or King's County. It is as different as England is nearly from Tipperary and King's County, there is nearly as much difference between West Limerick and Tipperary as between Tipperary and England.

27,574. *The President*.—Has there been sale of tenant-right in West Limerick?—I have not heard of any sale lately. I have heard of one, and the amount given was very small.

27,575. Then you have very little security for your arrears—do you expect to get them back?—Well, it is very hard to know. I do not think that the land is bad, but the farmers are very unenlightened and backward. The dairy industry is the chief thing there, and the butter is very badly made, although I think it might be extremely good if made in a proper manner. Crammies, if they would use them, would be of great advantage, I am sure. I have heard of the milk being set under the beds.

27,576. *Sir James Caird*.—When you speak of West Limerick, do you mean from Adare and that quarter?—Further than that, on the borders of Kerry. It is the same as Kerry practically.

27,577. It is not land of the same quality as all as Adare?—Oh! not at all, it is mountain land. Is there anything that you would wish to ask me further about West Limerick?

27,578. *The President*.—About the Land Act of 1885 in West Limerick?—The tenants are anxious to buy.

27,579. Is this West Limerick or is this all together?—Well, I think this applies to both cases. They are anxious to buy everywhere—most anxious I may say. I do not think anything prevents their doing so except a belief that by agitation and holding out they might get it cheaper.

27,580. Are they dissuaded by the Land League?—I believe so. If they are not actually dissuaded by it, they are perturbed that the Land League will get it for them cheaper. In spite of that, there are a great many agreements being made.

27,581. What number of years are the agreements for?—Well, I think about 18 years. I have not heard of any below 17 or of any over 19, and I should think that 18 years is about the average. That would be on the judicial rents.

27,582. Is there anything you can recommend to facilitate the Act?—The intervention of local author-

ties. There is no doubt they would give security to the Government; but in the present state of public feeling the local authorities would not be favourable to it, and the people would be against it also, so it might possibly lead to extra taxation. The intervention of local authorities would mean making the rates liable for the rent of the farms.

27,583. Yes. If the time was extended you think it would make it much easier for the tenants in poor localities to buy?—I do not see how you could legislate for the poor, unenlightened, backward localities on the same basis as you could for the comfortable farmers of the centre and east of Ireland. They are two different countries.

27,584. *Sir James Caird*.—Do you think that such localities could be found as you speak of that would be safe security for the State to advance money upon?—I think the land is quite safe security. I think the land is quite able to pay the instalments.

27,585. Could it pay the instalments without the intervention of the head-renters upon it?—I believe that, if every one was free, there would be no difficulty then. The land would be taken up by somebody, and I am sure they would be able to pay the instalments. The head-rents seem to be a great bar to dealings.

27,586. *The President*.—What would you recommend—compulsory sale of the head-rents or what?—I think that there ought to be some arrangement of that kind made; that the head-renter should have the choice of a certain number of years' purchase, according to the proportionate interest that he had in the land, and failing that, to allow him to recover the rate from the tenants instead of, as now, from the landlord, the middle-man. There seem hundreds and thousands of estates in Ireland practically held by middle-men, and in those cases the head-renter values his interest very high, and the middle-man is not able to get more than a very much lower number of years' purchase from the tenants; and then in many cases, owing to the estate being settled, he is unable to invest it at a paying rate of interest. In fact, a landlord selling at 20 years' purchase and investing the money makes a very large loss of it. It takes a very large slice out of his income.

27,587. You think that the court ought to have power to apportion the head-rent among the tenants, and that if the head landlord should not approve of the apportionment, that he should sell at a fair price?—I do not see any injustice in that, giving him an option.

27,588. And that the price should be fixed by the commissioners?—Giving him an option.

The Commissioners then adjourned.

(Before the Right Hon. Earl of MIDDLETON, Mr. NELSON, Q.C., and Mr. KNUTE.)

Mr. Wm. ROCHFORD, examined.

Mr. William
 Rochford.

27,589. *Lord Middleton*.—You, I believe, are a landlord, Mr. Rochford?—Yes.

27,590. In what county?—In Dublin, Tipperary, and Queen's Co.

27,591. Over some extensive estates?—Yes; Lord Howth, Lady Margaret Charteris, Lady Emily Hankey, Lord Stanhope, and some others.

27,592. You have some evidence to lay before us?—Yes. You ask me to what extent, if any, is the operation of the Land Act of 1881 affected by combinations to resist the enforcement of legal obligations. In answer to that I have to say that the National League offers the most strenuous opposition to free sale, such opposition being an important part of the policy of "bringing the landlords to their knees." The knowledge that an insolvent evicted tenant is not permitted by the League to sell his interest doubtless tends to make the poorer landlords shrink from evicting. The fact of large sums being given for tenant right is inconsistent with the allegations that land is worth little or nothing, and that evicting tenants are "impossible." On an estate in county Tipperary, for

which I am agent (Lady Emily Hankey's), a tenant has been most anxious to sell a farm held under judicial rent (this judicial rent is slightly in excess of the old rent), but no one has yet been allowed to buy. It was advertised for sale about a year ago, but there were no bidders, though I have reason to know that several adjoining tenants would gladly buy if they died. The fact of the rent being raised by the Land Court, in this case has no doubt added much to the difficulty of finding a purchaser, the rent is but slightly over the Government valuation and is punctually paid. On the same estate the tenant's interest in a farm of about fifty statute acres was sold in May last for seven years' purchase, the rent and the Government valuation being identical. In this case the late tenant had been evicted for non-payment of rent, and the landlord was about to take up the lands (which adjoint a decree) on the expiration of the six months allowed for redemption, and to this last fact I attribute the sale not being prohibited by the Land League. On the estate of Lady M. Charteris, county Tipperary, a tenant was evicted near the town of

Caher, owing over three years' rent, and no one has yet been found to take the land, though the tenant might easily have sold his interest, and I offered to forgo two years of the arrears of rent in order to facilitate the sale. In this case I cannot say whether the tenant or the National League are responsible for the boycotting of these lands, but I know of tenants on the estate who were anxious to get the farm. On Lord Stanhope's estate, Queen's County, there are two small farms which have been evicted for the non-payment of three to four years' rent, and which have been deserted for about two years, owing to National League influence, though the land is admittedly good and close to the towns of Ballinacilly.

27,593. In that instance do you think any buyer could be found if it were not for the power of the League?—Yes, because there is a great anxiety to hold land.

27,594. Is there not a terrorism?—There is a sort of public feeling, and no one likes to incur the odium. On Lord Lansdowne's Queen's County property a tenant has in vain tried to sell his interest in a nice grass farm of forty Irish acres, and I attribute his inability to do so to National League influence. On the estate of Hon. Bowen Daly, in county Tipperary, a tenant was evicted in 1885 for non-payment of two years' rent, and no one has been found to take the farm, though admittedly good land and moderately so. The landlord now works it himself as it appears his domestic.

27,595. Has he met with any obstacle in doing that?—No.

27,596. They do not object to the landlord doing that?—The landlord or the Land Corporation incur less odium in farming evicted land, than if such land were taken by an adjoining tenant farmer. The tenant referred to is not a man they have any sympathy with, but it is part of the programme, and they support it. In this case the land could be at once re-let but for Land League terrorism. On the estate of Mrs. Spring Rice, in county Tipperary, there are two small houses evicted for non-payment of rent, which cannot be re-let and which now cost the owner, £205 per annum to protect from trespass. The next question which you ask is to what extent, if any, is the operation of the Land Act of 1881 affected by an exceptional fall in the price of produce. Well, there can be no doubt that the beneficial operation of the Land Act of 1881 has been seriously impeded by the exceptional fall in the price of produce since the fixing of the judicial rents. Had there been a recovery in prices after the fixing of "fair rents" I feel sure that the National League would not possess the power it now exercises in obstructing the "free sale" portion of the Land Act. If a substantial rise in the profits of farming were to take place, I am of opinion that many boycotted farms now vacant could be again tenanted in spite of National League opposition.

27,597. Do you consider that the judicial rents have become too high now, owing to the fall in prices?—In certain cases I think that is so.

27,598. I do not mean too high for this particular year, but too high as rents?—My reply to that would be, that except on one large estate I have not much experience of the judicial rent holdings. On the estate of Lady Margaret Charteris one third of the tenants have had judicial rents fixed in court, and about five-eighths have paid their rent this autumn and winter. I qualify that by saying that these payments have been made with difficulty, owing to the low price of grain and the damaged condition through wet weather during the harvest. I am inclined to think that the Land Court was more largely availed of by needy tenants of worn-out land and highly-rented tenants, and many of these find it difficult, if not impossible, to pay the judicial rents at present. I think many of the tenants going into court were men on the verge of bankruptcy before they went in. The judicial rent would be a perfectly fair rent, so far as I am aware, to solvent tenants who furnished with ordinary intelligence; but in many cases they are insolvent before going into

court, so that any rent would be difficult to pay. So that a reasonable reduction could not be of much use to them. As a settlement of the rent difficulty as between landlord and tenant, I fear that the Land Act has to some extent failed: (1) Because general statements to judicial tenants have been sufficiently prevalent to discredit judicial rents. (2) Because the free sale of tenant right has been largely impeded—(a) by agricultural depression and (b) artificial interference. Free sale is apt to become inoperative during periods of agricultural depression, when it is most wanted as a safety-valve. (3) Fixity of tenure, conditional on payment of rent, is illusory when such rent becomes an "impossible" rent. I think the Land Act of 1879 and 1881 fail to this extent as a settlement of the land question. I think some remedy should be found to restore the country to a more peaceful condition, and to arrange the rent difficulty, either by some sliding-scale (to which there are objections) or by more frequent appeals to the Land Court. There might, as a remedy, be a quinquennial revision on the basis of fluctuation in prices, the half-yearly wrangle to be avoided as demoralising.

27,599. Would not that be very much the same as the sliding-scale?—The result would be the same, but more workable.

27,600. On the ground of the prices of produce being altered?—Quite so.

27,601. But not on the ground of the value of the land?—No, I think the court should be allowed to revise simply on the basis of prices.

27,602. Do you think the amount of produce should be considered?—I think that depends so much upon the tenant himself, and the intelligence of his farming, that it would not be equitable that a man could ensure the reduction of his rent simply by running his land out and farming badly.

27,603. The price of produce might be high in a year where a tenant had poor crops, and would it not be rather hard upon him in that case to have to pay an increased rent?—Of course, there are objections to everything of that kind.

27,604. Mr. Nelson. 1879 was a high year?—I think such a revision should be upon the basis of the three or five previous years. I think three would be rather often.

27,605. Lord Milnes. On the whole, do you recommend that?—I do.

27,606. Mr. Nelson. How should the price be ascertained?—I think there should be some Government department whose business it would be to ascertain those prices and publish them.

27,607. Lord Milnes. I suppose within a limited area, because the increase to the market would affect the price?—It should be a question for careful consideration as to whether you should take the barometer or the counties.

27,608. Mr. Nelson. It has been said it should be done by the poor-law unions. Would you accept the work of the present staff?—I think it should be done by people above the suspicion of local influence.

27,609. Lord Milnes. It is one of those questions which would fall within the powers of these proposed local boards?—Yes. I think there should be some independent authority to fix prices of that kind, because it might be made a machinery for confiscation.

27,610. Mr. Nelson. It would be most dangerous if not done by people above the influence of local influence?—Yes.

27,611. Lord Milnes. Is there any other point you wish to mention. Is your evidence so far that where there are fairly solvent and industrious tenants they have been able to pay the judicial rents?—Yes.

27,612. Supposing the judicial rents to have been fair when they were fixed in 1881, 1882, and 1883, do you think that anything has happened since to make them unfair?—I think the last year has been certainly below the average.

27,613. I am not speaking of whether the fall in prices has produced a difficulty in paying, but whether anything has occurred to render them so rents unfair.

27, 11, 1886.

Mr. Wilson
Rebbs.

Dec. 12 1885. Look at the period to which they have to run—considering that they are not fixed every year!—My view is that it would be, perhaps, rather too soon to look upon the judicial rent as an unequitable rent, but if there is no improvement soon I think there should be a revision. There has been a very serious loss in rate.

27,614. If the depression continues, you think the judicial rents would become unfair?—I think so—these fixed in the years of 1881, 1882, and 1883.

27,615. There were none in 1881?—Well, in 1882 and 1883. On the other hand, I think the recent judicial decisions have been quite decisions, and that the reductions have been excessive within the last year.

27,616. They have been giving considerably greater reductions within the last six months?—On one property 53 per cent. reduction was given on a rent that had not been raised for 50 years, and it was at the Government value.

27,617. Thirty-three per cent. below the Government value?—Yes.

Mr. Nelson.—Where was that?—In the Queen's County.

27,618. Lord Millican. Did they appear to be making those reductions with regard to the produce of the land, or upon some other principle?—I could not say that.

27,619. Have those reductions during the past few months had any effect in producing dissatisfaction amongst the tenants who have had their rents previously fixed?—Yes.

27,620. Are you aware whether tenants who were previously satisfied have become dissatisfied in consequence?—Yes; tenants have said, "What a pity it was I didn't wait and go in a little later."

27,621. Now, with regard to the Purchase Act, are the tenants anxious to become the owners of their holdings?—You ask me to what extent does their exist any general desire among tenants to avail themselves of the provisions of the Land Purchase Act of 1885. I find that there exists a pretty general desire, on the part of the tenants with whom I am brought in contact, to purchase under this Act at from 16 to 18 years' purchase of judicial or shrovet rents. Lord Stanhope has agreed with his tenants in Queen's County to sell at 18 years' purchase of existing rents, whether judicial or otherwise. An exception was made in favour of non-judicial under £20 per annum rent, in allowing a deduction of 10 per cent. off present rent before calculating the purchase-money at 18 years' purchase.

27,622. You said 16 or 18 years?—Yes.

27,623. You say they have agreed?—Yes, they have agreed to buy upon those terms, and the sale is now in progress.

27,624. Are many of them judicial rents?—A small portion.

27,625. The greater part are not?—Yes. They are about 10 to 20 per cent. over the Government value.

27,626. If there had been judicial rents fixed it would have been a considerably larger number of years than 18?—Yes. You ask me, could the operations of the Land Purchase Act of 1885 be extended and expedited, especially in the congested districts, by providing security, through the intervention of local authorities, for loans advanced from public funds for the purchase of land. I have no experience of the working of this Act in congested districts, but I believe that the teaching of the National League, denouncing the iniquity of eviction under any circumstances, has so permeated the minds of the people of this country that I do not believe that for many years to come any local authority dependent on popular suffrage can be trusted to collect Government rent-charges from the occupiers of land, for the ultimate remedy against a non-paying occupier must always be eviction. There are two or three remarks about the recovery of rent. I think the six months allowed for redemption should count from the date of obtaining the decree, instead of from

the day of the eviction. This would tend to prevent the wanton withholding of rent with a view to putting the landlord and the country to trouble and expense. As to the sale of the tenant's interest, the procedure should be shortened and cheapened. It now costs £40 or £50 before the landlord gets possession of the land by that method.

27,627. It would do away with the cost?—Yes.

27,628. It would be distinctly advantageous to the tenant in that way?—It would be advantageous to the peace of the country, and save bickering about large bodies of police and soldiers and bumping the sheriff. I think if any concessions were allowed to the tenant it would be equitable that the facilities to the landlord for recovering his rents should be improved. The sheriff should be empowered to sell the tenant's interest to realise debts of quarter sessions court as well as that of superior court.

27,629. You think the process for the sale of the tenant's interest should be simplified?—Yes, I do not see why the interest should not be handed over to the purchaser, the same as a cow.

27,630. Mr. Nelson.—You see there has been no investigation of what the interest is. We had a suggestion of Judge Flanagan which would meet that?—The sheriff has no power to sell the tenant's interest under decree of the quarter sessions court. You are forced to the expense of a superior court action.

27,631. Where the decree of the quarter sessions court comes to £20 or more you can change that into a judgment in the superior court?—Which means expense.

27,632. A couple of guineas?—Yes.

27,633. Lord Millican.—The decree of the county court does not empower the sheriff to sell?—It does not. Where there is a life in the lease the sheriff could not sell, and that is a matter for which there is no particularly good reason. I do not see why he should not sell where there is a life in the lease as well as where there are years only.

27,634. Mr. Nelson.—He can only sell chattel interest?—Yes. With regard to by-mooring, I think that certain phases of it might be dealt with by legislation.

27,635. Lord Millican.—We do not go into the way of dealing with it; but does it exist in your locality?—Yes. I think the evidence I have given you about the inability to relet holdings points to a very wide feeling of that kind, and to the existence of intimidation.

27,636. I ask you this question. Is the reluctance to purchase caused by dread of the action of the National League?—I think so, very largely.

27,637.—Or simply from a general feeling that he would be a bad fellow who would go in?—I think both. There is a feeling that it is against the wish of the people.

27,638. Is there physical dread—that is the point?—Well, I do not know that there is very much physical dread. It is more a feeling such as I have described.

27,639. Of being damned?—Yes. The Irish people are a very social people, and they feel being under a ban greatly.

27,640. When I said physical dread, I meant dread of the want of the necessities of life, and all that—more than being sent to Coventry?—I think being sent to Coventry is the principal thing. Where I am, I do not think there is much fear of physical violence, but much depends on locality.

27,641. Have the rents been fairly paid there?—Yes.

27,642. To the present time?—Yes.

27,643. You think the tenants are paying fairly according to their ability?—Yes, I think that is a general desire to pay. I think the tenants feel that it is a very great object to remain in the occupation of the land. I think the tenants will not allow their land to go if they can possibly avoid it.

27,644. Do you think there is any means by which the Purchase Act could be rendered more efficient or

made work better?—The only point that occurs to me is that I think head-rents should be dealt with. They sometimes ask too much. There is much land in the hands of middle-men, who would be glad to sell to the occupiers if the head-rent owner did not ask too much.

27,645. What would you do to?—I would give power to the Land Commission to settle that. Some head-rents are worth more than others.

27,646. Compel them to sell the same as the others?—I think if the tenants and the middle-men wish to deal one man should not obstruct.

27,647. Although he was really the original owner of the land?—Yes.

27,648. I suppose, if you compelled him to sell, you would give him the highest price?—I believe it is admitted that where there is compulsion some extra price should be given.

27,649. Do you think that the security of head-rents is diminished where only a small rent is reserved?—No—not in that case.

27,650. And therefore it is natural that the owner is not anxious to sell at a time when it is difficult to get a good investment for money?—Yes.

27,651. Still you would make him?—Yes; I think, if it is for the good of the country, that individuals should give way.

27,652. Mr. Nelson.—The pecuniary sacrifice seems to be all on the one side?—If the price given was fair, the sacrifice would not be great.

27,653. Lord Milnes.—Some people might gain, but the owner of the head-rent would not. Still you think he should sell?—Yes, but with the view of quieting the country and facilitating the operation of the Act. I think that the leaseholders should be admitted to the benefits of the Land Act.

27,654. Should you admit all leaseholders?—I think so; all agricultural holdings. It is very difficult to draw a line.

27,655. Should you admit the landlords as well as the tenants?—Yes, except where a fine was given.

27,656. That would be evidence on the case?—Yes. The loss of the rent might be accounted for in that way.

27,657. The tenant could prove that?—Yes. If the Land Acts of 1870 and 1881 are to be justified, it must be on the ground of the tenant not being able to contract with the landlord. I think it is inconsistent to keep them out.

27,658. You think the leaseholders were as little able to contract as the yearly tenants?—Yes, and perhaps in some cases less. Most reasonable landlords have given statements to the leaseholders where they considered the circumstances warranted it. Lord Rowh has given 30 per cent. in the county Dublin on tillage farms.

27,659. Mr. Nelson.—Were these old leases?—No.

27,660. Lord Milnes.—A good many leases were forced on the tenants after the passing of the Act of 1870. We have had it from a good many witnesses?—It is not within my knowledge.

27,661. And you would not be aware of that?—No. But I have no doubt such has occurred. In fact, there is no doubt about it. But until the Act of 1870 the tenants were glad to get leases. They were looked upon as a reward.

27,662. And I suppose they very often had to pay for them as being desirable?—Yes, men are inclined to look at recent experience, and as prices were rising they were disposed to believe that prices would continue to rise, which of course has not been realized.

27,663. Mr. Nelson.—Have you considered what is the cause of the fall of prices?—I have not studied the question sufficiently to give any opinion. There has been depression of trade and a large foreign importation.

27,664. There has been depression in trade, and foreign importation, and the value of prices of gold—that

might mean the same thing as the depression in trade. The sovereign is not the same as it used to be five years ago?—In facilitating the operation of Lord Ashbourne's Act it must be remembered that many landlords spent money in weekly labour and matters of that kind, and I think it would be a great pity if it induced the landlords now resident here to leave the country.

27,665. Do you think it would have that effect generally, or would the proprietors remain in their demesnes and parks and houses?—I am inclined to think that the large majority would remain. From what I can see, what the landlords now wish would be to sell outlying strips where it is difficult to deal with the tenants. I think it would be a great encouragement to the landlords to remain. Some landlords spend a good deal—Lord Lismore, for instance, spends over £40 a week on labourers' wages, Lady de Charteris £30, and Lord Howth £15—and it would mean a great loss to the labouring class.

27,666. If those disappeared then would, I suppose, be every prospect of the farmers supplying the deficiency?—The farmers are very bad employers of labour. I know districts in which they never cut a thistle from one year to another, although men are idle at their door; but if you go to the demesne you will find a different state of affairs.

27,667. Lord Milnes.—Have you noticed any improvement in the manner in which the farmers look after their holdings since the Act of 1881 gave them complete security for their improvements?—To some extent I have noticed it.

27,668.—In what part?—Near Kenmare I noticed a certain amount of reclamation and drainage, and also the building of houses.

27,669. Done by the tenants?—Yes.

27,670. Mr. Nelson.—On what property?—On a property of Mr. Goff's, near Kenmare.

27,671. Lord Milnes.—Were they labourers' cottages?—No; farmers.

27,672. Mr. Nelson.—Do you think that purchase would induce the tenants to further improve their holdings?—I should think it would.

27,673. What is the condition of the peasantry now as compared with three or four years ago?—Do you mean the small farmers?

27,674. Generally?—I do not think there is much evidence of poverty except in the small class of tillage farms. They show evidence of poverty. I do not think the labouring class do.

27,675. I am speaking principally in reference to the labouring class?—I do not think the condition of the labourers has fallen off, judging by the appearance of the children at school.

27,676. Their clothing and general appearance and tidiness?—Yes. From all I can learn I do not think they live worse than three or four years ago, and there is no evidence that they take lower wages.

27,677. Wages have not fallen?—No.

27,678. Coming, then, to the farming class, do you say that their social comforts are the same?—I think that with the exception of the small tillage farmers the scale of comfort is perhaps more now. I do not think they deny themselves as they did.

27,679. No falling off in dress through the country?—No; there is no evidence of any widespread distress amongst the tenants that I can see.

Lord Milnes.—Take a step higher, and come to the landed gentry?

27,680. Mr. Nelson.—I was just coming to them?—I think their financial position is an extremely critical one.

27,681. Do you think there is any curtailing of expenses?—Yes, in the way of discharging servants, and so on.

27,682. And reducing their establishments?—Yes.

27,683. Lord Milnes.—I suppose their means of employing labour is being reduced to a minimum?—Yes.

Dec. 12, 1886

Mr. William
Rockford.

Mr. BENJAMIN HORAN, examined.

- Dec 13, 1888. 27,684.—Lord Millicers.—You are a tenant farmer in the county Wicklow?—Yes.
- Mr Benjamin 27,685. Whereabouts in Wicklow? What is the name of the townland?—Rudestown, within four miles of Ballyglass, and at Moneytown, where I live.
- 27,686. Is that on the other side of the county?—Yes, it is down here near Wicklow.
- 27,687. How many acres have you there?—Fifty-six Irish acres.
- 27,688. How do you hold these lands?—I am a yearly tenant.
- 27,689. Have you got a rent fixed in court?—No.
- 27,690. Have you the rent fixed under agreement?—Yes, under agreement. I pay the same as usual.
- 27,691. You have not applied to have a fair rent fixed?—No.
- 27,692. I suppose, then, you are satisfied with the rent?—Yes; but I am not satisfied with the way I have of paying the rent.
- 27,693. How is that?—I cannot sell the goods to pay the rent. I am satisfied with the rent, but not with the way that the times are going.
- 27,694. You are boycotted, are you?—Yes.
- 27,695.—Why are they boycotting you?—Why are they? I do not know, except, perhaps, that I would not go with the rule of Ireland.
- 27,696. You ventured to do something for yourself without their approval?—I am going contrary to what they call the League.
- 27,697. And they boycotted you in consequence?—Yes. I owed this Mr. Douls one and a half year's rent the other day, and I had no means of paying him, and I could sell nothing in that far for the last two years, and I went to him and I said, "I cannot pay you." I said, "I wish to pay, and there is no one will buy anything from me, and what am I to do?" He said, "I do not know," I said, "Will you buy these three fields of oats," and he said, "I would like to help you. How much," and I said, "£6 an acre." I said, "Won't you give me the same price as my neighbour got by auction, £6 an acre?" and he said, "Advantage an auction, and I will buy it." But there was no use in that. He did not propose to me again before we put it up, but the auctioneer made no appearance, and no man came to buy except one man who was a friend of my own.
- 27,698. Where is that?—Within four miles of Ballyglass.
- 27,699. No one came to the auction?—Only one man, a friend of my own, a cousin of mine. The auctioneer did not come, after putting up the papers.
- 27,700. What is the name of the auctioneer?—Cogan. I went to the landlord and told him it was no use. I told him about it. "Well," he said, "you can take an action against the auctioneer." I said, "You can have the oats." He said he would have them, and that he was willing to go to the poorhouse to see a man there—one of the guardians, that he wanted to get the crop taken up. It was ripe at the time. He took it at last.
- 27,701. How much did he give you?—Only £6, the first price.
- 27,702. Was it a good crop?—Yes; it was too cheap.
- 27,703. How many barrels to the acre do you suppose?—I think there were 30 barrels.
- 27,704. It must have been an uncommon good crop?—It was a good crop.
- 27,705. White oats?—No, black oats.
- 27,706. Had he fine weather to save it afterwards?—Yes.
- 27,707. He made very well out of it?—He is at no loss at all. That was the only way I had to pay him.
- 27,708. You were boycotted, I suppose, for something you did on the other side of the county?—I will tell you.
- 27,709. You live near Wicklow, I understand?—

Yes; I just wrote it down. The first thing of all, my troubles was that the landlord of the property that I lived on was at law with the tenants, and the witnesses he had about the land beat the tenants. It was a dispute about the property. The tenants went to the witness and offered her £50, and to leave it in the trustees' hands, if she would swear what beat the landlord; so I would not join them. Afterwards there were 24 feet of a house burned on me, with nearly all the farm implements I had in it. Then no one would make care for me or repair anything that was burned.

27,710. What time was this?—It was in 1881.

27,711. So long ago as that?—Yes. I had to go eight miles away to get work done, and they would come and try to prevent people I had employed from working for me. So I saw I could not stop with the people, they were so much changed, for not going with them in every way. I took a farm on the other side of the county, at Moneytown. When I was about taking the farm the priest came to me and tried to hinder me. When I would not be stopped by the priest, I was "answered" altogether.

27,712. That is the priest at Ballyglass?—No, where I am now.

27,713. Mr. Millicers.—Was it the parish priest or the curate?—The curate near Rudestown.

27,714. Lord Millicers.—Did he interfere with you?—He came to prevent me from taking the farm that I am living on now.

27,715. I thought you meant the one near Ballyglass?—No; that is where I was reared. Since I took the farm the people would not sell or buy from me. Any one that would buy or sell would suffer, or would give it to me the same as if they were stealing, and I paying them over the price in a good many cases. At the present time I have to go a great distance with corn to get it ground. No one of my class would show my horses. There is a smith that works all his time for two gentlemen, Mr. Booth and Mr. Barton. . . . My family was almost in want of food only for a lady that sold us provisions when we could not get them for any money. The time is worse, according to my opinion, now with me, because I cannot pay my lawful debts with the state of the country. My pigs were put out of a fair fifteen miles away, where I had a man selling them. If I want to buy pigs or cattle I have to go where I will not be known. I sold nothing in fair or market these two years. Any stock I sold it was to gentlemen. Some of their stewards would not give me more than half price, so I am tired of selling to some of the stewards. I went twenty miles for a stallion horse with my man, but when the owner knew who I was he would give me the horse no more. The auctioneer advertised an auction of oats and hay for me at Rudestown in September, and he never came to the auction, or a word from him, and no buyer but a friend of mine. No man would work for me, and the crop would be lost only I went to the landlord and he bought it. Only he did it, it was gone and I could not pay my rent. If I meet with a stranger looking for labour, and hire him, he would be only working until the first Sunday after hiring him. He would leave for home, and not return any more. When I and my family would be going to church, the Mass, people would follow us along the road in mobs, singing and shouting and name calling. I was often afraid I would have to fire on them, or they would murder me. They would stop at my passing them. It is very hard to stand them. I was a few months ago driving my two horses and cars sixteen miles from home when a mob gathered with horns blowing made the ditches, and drove their best to make my horses run away. I drove them seventeen miles with the noise of the mob. I could not stop them with the horns blowing, and I had to drive them twenty-one miles without feeling them. I could talk for a

month. Anything that is there I can prove it. There could be a book wrote on my life.

27,716. They are as bad as ever?—The mob is not following me the same as they used to do.

27,717. The labourers won't work for you?—No. I have seen them starving with the blower, and they would only work until Saturday night, and then they would go to mass at the chapel and I would never see them any more. There are cases often happening, and they left their clothes on the left where they slept, and did not even come back for them.

27,718. You think they would be afraid to go back?—They would be hindered. They would be intimidated. I am sure they were satisfied to work with me.

27,719. And they were starving poor men?—Yes.

27,720. And were not allowed to earn an honest sweat?—No. The last man I hired, he came to me. He lived within two and a half miles of the place. He came to me and said, "Do you want a man?" I said, "There is no use hiring a man." He said, "If you give me work I'll work for you." I said, "What do you want a week?" "Five shillings." "I'll give it to you; come on Monday morning." He did come, and he worked until Saturday night. He got his bed, and he liked the place. He left all his clothes in the left, and I never saw him afterwards.

27,721. Mr. Nathan.—How long ago?—About eight weeks.

27,722. Was he a stranger?—No, he was not. One of the policemen knew him. He was from Rattree. His wife came during the week, and she said she heard he would be murdered if he worked for me. And the man was hungry, or something like that, and he worked for me that week.

27,723. Lord Alington.—Do you think they are afraid of being beaten or injured in some way?—I will give you my oath of it.

27,724. Has anybody ever been injured on your side of the county in that way?—If I hadn't six police minding me.

27,725. You are under police protection?—Yes. I had only four until lately, and then they put two more. I come here with two policemen. I have them minding me.

27,726. Do you really think you are in danger of your life?—Yes.

27,727. Have you received threatening letters?—I am sure I have. If I went into Wicklow and bought £2 worth in every shop, that would be in the newspaper, and the shopkeepers do not like that.

27,728. It is put in the newspapers?—Yes. There is a man named Shaw in Wicklow, and I have a big family, and paid him a good deal, and I happened to be there myself about a month ago, and he said, "Do you see anything about you in the newspapers?" I said, "I did, and I see all about you too." He said, "Could you not get it from Dublin what you want?" I said, "Are you afraid to sell to me?" He said they would starve him out of the place, and I said, "I will not come to you any more."

27,729. Still the poor man was not so much to blame. You think you should have your life and property protected—that it should be some one's duty to prevent such a state of things; but you cannot blame the poor man who refuses to sell because he is afraid?—Yes, he is afraid. I will tell you about the increase of the protection. When I went to prayers on Sunday there were two Roman Catholic men escorted me to the church. The argument was one; and he said to me, "Derrydowny is the church, there is a chapel in Haroldwood." The sergeant said to me, "The church will be a few minutes earlier than second Mass;" and he said, "Don't stir until I come back; I have something to tell you." There was some time in July. I had not many minutes to wait. He told me nothing going home, but the next day he said—there were then four policemen—"the police," he says,

"were to be murdered at the Read, and your house is to be burned. Would you have any objection to allow us on the stable left?" I said I would allow them inside before they were murdered. I heard no more then. He said "We cannot do anything until we get word from the officer." So two men came from Tipperary. They were not even allowed to wait for their horses. They had to go back again, and they got two fresh men from the depot. There were six men there from that to this.

27,730. I suppose the National League is pretty strong in your neighbourhood?—I hear it is. According to the newspaper it is. I never had anything to do with it, and never will, please God.

27,731. Who cannot you be boycotted?—Only the National League and the priests and the people.

27,732. That is what I was asking you?—Yes.

27,733. The National League must be pretty strong?—There is National League everywhere. Is not that what kills me? I cannot pay my lawful debts, and I have plenty of means. I did not sell a beast these two years. There must be something done. It must be either stopped or let go ahead. Something must be done. Times cannot go on this way. I am willing to pay my debts, and I have property there, and I dare not drive it to the farm. I had to go twenty miles the other day to buy pigs, on my solemn oath.

27,734. Are there many other people besides yourself boycotted in the county, do you know?—Well, I do not think there is any one near me. They are all nearly one class—the Protestant men and the Roman men.

27,735. Do you mean that they are nearly all National Leaguers?—Yes. If they are not National Leaguers they pay money to the National League. I read it in the newspapers, that is all I know about them. I owe a year's rent, and I have no means of making a shilling of it. There is the matter of seven cows, and only I have two persons who buy it. I could not sell it. I have more cattle than I want, and I would pay the rent.

27,736. You would pay if you could?—Yes.

27,737. But this conspiracy does not allow you to sell your goods?—That is it. There must be an end put to this in some way. I would not at this minute, if I gave £10 for it, get a shoe put upon my nose. They would not do it for £10.

27,738. Is that because the smith would be afraid to shoe her?—Yes.

27,739. He is afraid?—Yes. Upon this 56 acres of land I can get all the smith work done with Mr. Booth and Mr. Burton, who have a smith who works three days a week for each of them. But I did not want to be troublesome, and I went to a couple of Protestant men—I sent my son to one, and I went myself to another—and neither of these would work for me. They said they were afraid to work for me. I will tell you what happened to me. I have ten children. There is a man named Neal in the town of Rathdrum. He sells me everything I want. He is a rich man. I pay ready cash. God Almighty afflicted him with brain fever. He was laid for seven or eight weeks. His shop went a little to the bad; it was not minded right. I wanted flour in the house. They had everything in Saul's but flour. I went to Rathdrum, and I got none. I went to a mill there, and I could not get it. I went to the baker for a couple of shillings' worth of bread, and I could not get it. That is hard, with the ready cash to put down for it.

27,740. Mr. Nathan.—Who is your landlord?—A gentleman named Denton—an English gentleman.

27,741. Who is the agent?—Mr. Maurice Bailey. It is a very hard case, and I could stay here for a week telling you about it.

27,742. Lord Alington.—This system of tyranny, begun in 1881, is going on still?—It is worse than ever since I took this seat a year and a half ago.

Dec. 12, 1882.
Mr. Benjamin
Hans.

Mr. HENRY A. ROBINSON, examined.

- Dec. 14, 1886. 27,743. Lord Milnes.—I believe you are the land-agent on the Berridge estate?—Yes, with my father.
- Mr. Henry A. Robinson. 27,744. Where is that?—West of Galway. There is some of it quite close to Galway.
- 27,745. In Connemara?—Yes, from Oughterdown all along the line.
- 27,746. Is that the estate called the Martin estate?—Yes.
- 27,747. We have heard of it?—I think it is one of the largest estates.
- 27,748. Who does it belong to now?—It belongs to Mr. Berridge, Reform Club, London.
- 27,749. Did he buy it from the Law Life Insurance Company?—Yes.
- 27,750. How long ago?—About twelve years, I think.
- 27,751. Are the rents being fairly paid?—They were being very fairly paid. They are inclined to stop paying just now.
- 27,752. Since when?—They were paid very fairly up to two months ago.
- 27,753. And has there been a marked difference since then?—They are rather inclined to hang back now.
- 27,754. Is that attributable to anything that has taken place in that neighbourhood?—I cannot say there has been any agitation the same as there has been elsewhere in the neighbourhood; but, of course, reeling and heaving about tenants getting reductions makes them expect to get reductions also.
- 27,755. They are asking for an abatement?—Yes.
- 27,756. Have you offered them any?—No.
- 27,757. Are they judicial rents?—Yes. The commissioners fixed a great many on the estate, and also we fixed a great many out of court at a reduction of 4s. in the pound.
- 27,758. You gave none on the judicial rents?—We gave none on the judicial rents.
- 27,759. Any not fixed, you are bringing down to the level of the judicial rents?—Yes.
- 27,760. When were the judicial rents fixed?—They commenced at the very first commission.
- 27,761. Have there been any fixed recently?—No, none very recently. I think we have not had a commission for a long time now.
- 27,762. Are the tenants unable to pay the rents, do you think?—I think they are able to pay whenever there was a demand for their small estate. That regulates the rent more than any crop. There is no crop that interferes much with the rent. The potatoes are for their own use; but so long as there is a demand for their estate they can pay.
- 27,763. Has there been a demand lately?—Yes, this year, up to November, there has been a demand at low prices. I attended some fairs myself, and there was a very fair demand.
- 27,764. At low prices?—Yes.
- 27,765. At prices sufficient to pay them?—Yes, I think they could sell this year at prices that paid.
- 27,766. They buy and sell?—Sometimes they breed a little too.
- 27,767. The breeders must have lost from the low prices?—Yes, I would say so.
- 27,768. You think that this is a better year than last year?—I think there was a better demand this year for store cattle. Except a little oats and potatoes there was no tillage.
- 27,769. It is generally granted?—Yes. I do not know whether you know that country. They are very small peaks.
- 27,770. The holdings are very small?—The land is very inferior. The greater part of it is bog land; so that they may have a great number of acres before there is much value for the rent.
- 27,771. Very few acres of good land, as a rule?—Yes.
- 27,772. What is the average amount of arable land which each tenant has?—It varies greatly.
- 27,773. Have they ten acres?—No, hardly; about six, I should say.
- 27,774. Can they live upon such holdings as that?—Yes, I think they can live. Very often there are outcrops by the way of mountain, and very often valuable manure attached in the way of seaweed.
- 27,775. Is there any combination against their paying their rents?—On one estate there was a very bad combination. That was at Carracroe—Mrs. Kerwan's. There have been a great many evictions, and they seem not to care about being evicted. They come back again, and, when they are summoned for re-entry, the magistrate only gives them a week.
- 27,776. They are evicted, and return?—Yes.
- 27,777. I suppose that process soon comes to an end, for it is a very expensive one to the landlord?—Yes.
- 27,778. And he gets nothing by it?—On Mrs. Kerwan's estate there were a number of evictions this summer, and they all went back.
- 27,779. Is that in consequence of their not paying the rent?—It is. Some owed four, five, and six years' rent.
- 27,780. Were they unable to pay?—A great many of them were able to pay, but they seemed to have combined not to pay. They gave as a reason that a great number were co-partners, and they said they would pay if each were made separate tenants.
- 27,781. They were tenants in common?—If there was, say, a £20 holding, it was let in company to five tenants, who were jointly liable for the rent. They always got them up to a certain period, and then they wanted it split, and that each man should have his own share; and the reason it was done equally was that the landlord would not have to pay all the poor-rate, and the reason against it now is that if they each got their share they would be brought below the £4 valuation.
- 27,782. Could it be done otherwise?—I am afraid not.
- 27,783. Apart from that consideration, I mean, could it be done?—Yes, the tenants are anxious for it if the landlord consented. I am quite sure the landlord would be willing, only for the poor-rate. There is very often a periodical famine, either real or imaginary, and the landlord thinks it had enough never to get any rent without paying £300 or £400 a year taxes.
- 27,784. Is the poor-rate high?—Yes. There is just now an inquiry about it, and I know that in some places it was struck as high as 10s. in the pound.
- 27,785. Ten shillings?—Yes. But I do not think that is final. The union rating may come in to level it down so as to make the good ones keep the others. In Clifton it was 8s. in some divisions, and there it was made a universal rate all round, and those divisions which were struck at 2s. 6d. had to pay 4s.
- 27,786. That was very hard upon them?—Yes.
- 27,787. How is it that there is power to do that?—The Local Government Board, I think, gave the power to do it.
- 27,788. Then there must be a special Act of Parliament. Is that Oughterdown Board of Guardians a Nationalist board?—Yes.
- 27,789. Do the ex-officio guardians attend?—Sometimes, but not so regularly as they used. They are in a minority now. Mr. Jackson, Lord Ardakan's agent, was the chairman, and he was put out.
- 27,790. That immense poor-rate would have a great influence with the tenants as far as purchasing their holdings is concerned?—You mean is preventing them?
- 27,791. Yes; the fact that if owners they would be required to pay this themselves?—Yes.

27,792. Are they anxious to purchase?—I do not see any desire there to purchase.

27,793. Do they understand the Purchase Bill?—I think they do. I cannot say that the individual tenants do, but I think the priests understand it. I think the idea is that they will get it cheaper.

27,794. Have the landlords entered into any negotiations?—Mrs. Kirwan would be most anxious to sell.

27,795. Has she named any figure?—No.

27,796. Are the priests opposed to the sale?—Yes, as far as I have seen.

27,797. Do you mean opposed to the sale altogether or until they get it at a low price?—Until they get it at a lower price. One priest told me he did not see the use of making present proprietors of people who might have a minute the following year.

27,798. He objected to it on social grounds?—Yes.

27,799. Do you think their position would be improved, from your knowledge of them, by their becoming the owners of their holdings?—I think if they were settled, and convinced that they had to pay that, it would. I think that would settle them.

27,800. Would the holdings afford any reasonable guarantee to the State for the advancing of the money?—The Government originally sent down valuations—

27,801. Yes?—I am greatly afraid that the commissioners would object to advance money upon them.

27,802. I am not asking you what they would do, but do you think that the rent is security for the purchase money?—I think so.

27,803. And do you think that the tenants would try to pay their instalments?—Yes.

27,804. And that would tend to the general quietness and prosperity of the country?—I think it would.

27,805. Is there much bad feeling now between the country and the gentry?—I cannot say there is. You will find along the Conamara district—I go a long way in Mayo—

27,806. Yes?—I have often very unpleasant duties to perform, and I think there is no ill feeling.

27,807. I suppose in former days the feeling was good?—Yes; particularly in Conamara. We are isolated down there, and there is no one stirring up the people very much. My father is under protection. The Government more or less forced it upon him.

27,808. Were you acquainted with the county Galway before this agitation?—Yes.

27,809. It was a remarkably quiet and peaceable county?—I believe it was, but I do not know much about East Galway.

27,810. As far as agrarian disturbances was concerned?—Yes.

27,811. Are you acquainted with what are called the congested districts?—All these districts are congested.

27,812. Have you any suggestion for their improvement?—I do not know that migration can be carried out.

27,813. The difficulty would be where to migrate them to?—Yes. I do not know if you know Carragee and Spiddal, they are congested. Carragee is congested on account of subdivision.

27,814. Is that congested?—No, before the agitation we had a very strict clause against it. I suppose in former days the landlords were.

27,815. Not so strict about it?—On some estates they were not, but on this estate my father was very strict. The rent became higher if the tenant subdivided, and in that way the property became very dear, until latterly it is not so easy to deal with the tenants.

27,816. What is your suggestion for the amelioration of these people?—I think these people should be induced to emigrate. The land could not possibly support all that are upon it decently.

27,817. So the land would not afford much security to the State for the advancing of the money to purchase their holding?—It would do for the land

tenant, but if he has a son or daughter in one part and a son-in-law or daughter-in-law in another it will not. It is not enough for them all.

27,818. You should enlarge the holdings and get rid of the small ones?—Yes, if possible.

27,819. Are they inclined to emigrate?—No. I think they are averse not to emigrate.

27,820. They would rather remain as they are?—Yes.

27,821. Subject to periodical famine?—Yes.

27,822. And in a state of chronic misery?—Yes.

27,823. And, I suppose, chronic discontent?—Yes.

27,824. Is there any other point which you wish to give evidence upon?—No. About the combination to resist the payment of rents. There is an estate in Mayo that I am agent for. The rents were fixed at Griffith's valuation.

27,825. What has happened there?—They always paid regularly until this year, when they struck and demanded a further reduction. They asked for Griffith's valuation, and they got it. They were judicial agreements at that rate.

27,826. When was that?—I should say five years ago.

27,827. Just?—Yes.

27,828. Immediately after the passing of the Act?—Yes; four or five years ago.

27,829. They now, for the first time, a fortnight ago, did this?—Yes.

27,830. You had nothing of the sort before a fortnight ago?—No; it was after the meeting at Belmore, and they say they are going to pay rent on the Plan of Campaign. It is a small estate of £700 a year.

27,831. Have you cases upon any instances where the tenants actually paid their rents to these people?—I got the rent very successfully up to a month ago. The estate I thought best able to pay were left to the last, and they have now struck; but I am perfectly certain it was on account of the meeting.

27,832. Have you known of any cases where they paid their rents to these people?—No. I only heard of it on Lord Dillon's estate.

27,833. From your knowledge of the Irish peasantry, each proceeding on their part would somewhat astonish you?—Very much. I do not think it could be carried out to any great extent. If the Irish tenant will not pay it to the landlord he will not pay it to anyone else if he can possibly help it. I have just been appointed agent of the Islands of Arran.

27,834. Is there anything peculiar there?—The potato crop is pretty good this year. The estate is very much in arrears. Three different commissioners have sat on the island, and there is a good deal of discontent.

27,835. You mean Land Commissioners?—Yes; one gave 3s., another 5s., and another 8s.

27,836. Those who only got the 3s. are discontented, of course?—Yes; those who got the 3s. want to be put on the same terms as those who got the 8s.

27,837. Was there reason for making these distinctions?—I think not.

27,838. I suppose the people are very poor there?—I think they are poor. Those on the South Island are very poor. On the other two I do not think they are. I am quite sure if they were not in arrears they could pay their half-year's rent and keep themselves clear.

27,839. What rent do they pay to you?—An average of 6s a year. They are 2s and 2s and £10.

27,840. What sort of land do they get for the rent?—It is very rocky, with little sweet patches between. It is very good—what there is of it.

27,841. Is it all grass?—Limestone rock, with the grass growing between.

27,842. Is it not tillage land?—No, the crops they grow are in small patches.

27,843. Potatoes for their own consumption?—Yes; but a great many are able to sell potatoes.

Dec. 15, 1885.

Mr Henry A. Robinson.

Dec. 18, 1888.
—
Mr. Henry A.
Belkiss.

27,844. What do they do with the grass?—They feed calves and cattle. They are noted as the Arden calves.
27,845. They will have been getting very small prices for them lately?—Yes.
27,846. That would hit these poor people greatly?—Yes.

MR. JAMES WILSON, D.L., continued.

Mr. James
Wilson, D.L.

27,849. Lord Althorpe—How do you describe yourself?—A landlord.

27,850. And you farm some of your own land?—Yes.

27,851. In what county?—Longford.

27,852. Do you wish to give evidence about the Act of 1881?—Yes.

27,853. Upon what point?—On the point of having an optional alternative with reference to purchase. The 24th section—I want that amended.

27,854. By letting the whole of the purchase-money be advanced?—The whole fine for half the rent, under a lease for ever. The 24th section facilitates the transfer of the fee, and also leases for ever.

27,855. At present the Government only advances half the fine?—Yes.

27,856. And you think that should be altered by extending Section 24 of the Act of 1881?—Yes.

27,857. Do you think a perpetuity lease of that character would satisfy the tenants?—I am certain that two years ago, when I took this up, my tenants would have been delighted.

27,858. But now?—Now, I think that in some cases it would. But altogether it would depend upon the action of the Government. If the law is enforced in this country, it will. If not, no scheme will work. The following is the scheme which I would like to lay before you—"In any case where the "landlord is willing to give priority of charge, "let the State offer to lend to the tenant a sum "sufficient to purchase half the fine or valued "rent of his farm; the landlord, on receiving such "purchase-money, to give such tenant an approved "perpetuity lease at the remaining half of the rent. "If the tenant does not apply for such loan within "(say) six or twelve months, the State to offer to "the landlord the purchase-money to such amount as "may be agreed upon on the same terms, on condition that the interest and instalments are collected "through him, and that, when called upon by the "State to give the tenant such lease, he shall do so, at "any time before the end of the first statutory term."

27,859. Instead of one hundred your plan would have two?—I do not think there is any objection to their paying the instalments to the Government for a time. It could be paid to one if necessary.

27,860. Some tenants have told us, with regard to that point, that instead of one landlord they would have two?—I do not know what they mean.

27,861. They mean two people to pay the rent to.—I dare say they would. The instalments would be collected by the Government.

27,862. Would you give priority to the Government over the landlord's title to rent?—Yes.

27,863. Of course a much smaller sum would accomplish this object than if the purchase was made of the fee?—The Government run enormous risks in the one case, but comparatively none in this. It appears to me that it is now directly the interest of the tenants to keep up the agitation—that is, as far as the present position of affairs is concerned. The policy of the Government should be by every means to make it the interest of the tenants to give up agitation and be on the side of the law. Of course the transfer of the fee will do that, but there are a great many difficulties. I do not think it is possible that the transfer of the fee could be made at the rate of more than a million or a million and a half in the year. The value of the fee is about £200,000,000.

27,847. Do you think they are anxious to pay as far as they can?—I am afraid not. An island is very difficult to deal with.

27,848. It is very hard to get at them sometimes?—Yes; and they know that. I have had experience of Clare Island and others, and they rather take advantage of their being surrounded by the sea.

27,864. You are speaking now of the value of the whole land of Ireland?—Yes; agricultural farms.

27,865. Taking from that the amount that is now in the hands of owners and the amount now in the occupation of persons whose valuation would exceed the limits fixed in the Purchase Act of 1881—which is limited to £25,000, and to £25,000 in ordinary circumstances—have you ever considered how much would remain to which that would be applied?—No, not closely.

27,866. But it would be a great deal less?—It would diminish it, no doubt.

27,867. Mr. Nelson.—Who knows the rental of Ireland?—I take the valuation. Griffith's valuation is the index of the rental I take. It gives you a general idea of it. But, if you take the value of the fee at even one hundred millions it would take one hundred years to do what I have said is necessary. Make it their interest to give up agitation. And this plan, as an optional alternative, seems to me a very easy way of doing that more rapidly.

27,868. And at half the expense?—Yes.

27,869. It has been said that now the people are educated beyond that point, and that the popular aspirations run up to ownership?—If the Government think it right I would not object to ownership, but the maintenance of the law is at the bottom of the whole thing. There is no use of any scheme unless the people are convinced that the Government are determined that law shall be enforced. It is all mere talk if the law be not enforced.

27,870. Lord Althorpe.—I suppose to a certain extent the passing of Lord Ashbourne's Act confirmed their hopes of lower terms?—Very likely, and also the success of agitation. It appears to me to be almost irresistible to them. I think the advantages that would result from this scheme would be that the State would advance only half as much, and that is a great advantage. They would also advance it on a great deal better security. Next, it would suit a great many cases better than the sale. Many of the landlords who have their demesnes do not like to sell, and they would be very willing to stay, and I think some of the tenants would be willing to keep them. It would get rid of the residue of the estate. Men do not like to sell the best and keep the worst. It won't be necessary to ask the consent of the mortgagees where the mortgages are not up to half or three-quarters of the entire value, because they would not be injured. The moment the fine is given to the landlords they would be paid off in full as simply secured. A great deal of delay is caused by getting the consent of the mortgagees, and I think, therefore, this would be a great advantage and facilitate the transfer to the tenant. The more difficulty that is involved in the transfer of the fee does not arise here. It would help in getting rid of the householders' difficulty. I think in these cases where there are leaseholders it would be a very simple thing for the landlord to say, "The Government "will advance half the fine, I will give you a lease "for ever, and you will get an immediate reduction, "and I will do that for you at once." That will get rid of the difficulty in cases of that kind. There is favour of selling would find this the first step. A man who has sold half his land will easily sell the rest. I think it would be an advantage to the tenants, to the landlords, and to the State.

27,871. What great advantage would the tenant get?—He would get a lease for ever.

27,872. He has got that already?—He has, under the court, which is uncertain.

27,873. Mr. Jelfen.—How is the tenant uncertain?—The constitution of a court such as the Land Court must depend upon the Government for the time being. Things have taken a popular turn, but hereafter it might not be so, and it is hard to say what Government would be in six or seven years.

27,874. At all events it is an even chance?—He has the chance of getting his rent either lowered or raised.

27,875. Lord Millars.—Does it depend upon the way the court is constituted whether the rents are raised or lowered?—I have not the slightest doubt about that. I approved of the principle of the Land Act of 1881, but I never dream of a court fixing rent without certain principles. I thought they would state the principles clearly, and then send the sub-commissioners round to carry them out. Instead of that they have lowered the rents, and very seldom raised them, without declaring any of their reasons, so that the landlords and tenants were left to face with the unknown opinions or feelings of whoever came upon the estate to settle the rents.

27,876. Did you say that there should be any reservation in those perpetuity leases?—The royalties should be reserved.

27,877. And settling?—That should be prohibited.

27,878. Except these there should be no reservation?—None that the Land Court would disapprove. There was a lease made by Judge Longfield. It is a very short one, and it is one that would suit.

27,879. Your scheme would not give a tenant much reduction of his rent?—I think the Government might offer the advance for a little less. They might take a quarter per cent. less. On the other hand, the landlord, I think, would be willing to take less for that half than for the whole, particularly in some cases. The part that he would sell would be the worst half of the rent, and the half left to him would be more secure.

27,880. I do not understand that?—A tenant asks for a reduction. Of course that reduction must come off the upper part of the rent, as I may call it. If the rent was one-half of that, there would be no necessity for a reduction at all. The most uncertain part of the rent would be gone. Practically, for that reason, the landlords would be willing to take less, and therefore the tenant would get a more considerable reduction.

27,881. Do you think the time of purchase should be extended from 49 to 60 years?—I think so. But in the bargain he made at the present rate. After ten years, when the man has paid certain instalments, give him another reduction by extending the time.

27,882. Mr. Jelfen.—That is Dr. Traill's idea?—Yes. I think it is a very good one. I have often told men, "Why don't you buy your own farm?" "Your instalments will be getting less, and you will have it free for your children." They have told me that they do not care about that; that they wanted a reduction for themselves. His plan would be very easily carried out.

27,883. It strikes me that the passing of Lord Ashbourne's Act has thrown a great difficulty in its way?—No doubt. I tried to get this put in, but it was not done.

27,884. If they would only avail themselves of your idea, it certainly might have advantages?—If it was in the Act and was optional—if it be not availed of—no harm is done. If it be availed of, I think it would be a good thing. I never thought of

putting it in except as an optional alternative for both landlord and tenant. The tenant, you see, gets a greater interest than he has now, and a more permanent one. He gets rid of what I would call the uncertainty of the Land Court. He gets an immediate reduction, and might get a considerable reduction at the end of ten years, which I think would be a very great inducement to him. The landlord gets an advance of one-half of the value of his estate at once—a thing of great value to him, especially when the property is encumbered; the half rent remaining becomes more secure every year, and, what is of great advantage, agitation becomes less powerful. He also has an inducement to live in the country, which I think is an advantage to everybody. I think men of education see an advantage in the country. What I would like to insist most upon is that my design in advocating this is to throw the interest of the tenant against agitation. So long as it is the interest of men to do a thing they will do it. It appears to me distinctly their interest to keep up the agitation now. The transfer of the fee must, I think, be very slow. I do not think it is possible in an old country, where there must be investigation of title, that it could be otherwise. The perpetuity lease could be more easily and rapidly carried out than the fee, and would be better for the tenant, the landlord, and the State. These are my reasons. They should extend the whole of Section 24, and not a part of it. I think the Government might, in these cases where their security is better, offer the advance at a smaller percentage. Business men do this. May I speak with regard to labourers.

27,885. We have heard something about it?—I would just say this with regard to the labourers, that the Acts already passed have left them in the hands of their employers, the farmers, and I do not believe those Acts will ever put them in their proper position. I think we should not stop short until the labourer is put in as sure a position by law as the farmer has been. I brought this very strongly before Lord Menck's committee in 1880.

27,886. Mr. Jelfen.—The men put in under the Labourers' Cottages Act are as independent as men could be?—I differ from that.

27,887. Except that they pay 1s a week?—They are entirely in the hands of the poor-law guardians. They can be turned out on short notice without compensation.

27,888. You do not think that they should be left independent of any one?—Certainly not. I was put on a sub-committee about the Labourers' Act in 1886, and the report is here.

27,889. What do you suggest to do for them?—To use the powers under the Sanitary Act. The municipal bodies have extremely great powers.

27,890. The Sanitary Acts are extended now under the Labourers' Cottages Act?—The sanitary bodies in the country have not the same powers as the municipal. Before you get a man out of a house like a pigsty you must get a scheme through the Poor-Law Board. I think the labourers should be better treated.

27,891. What would you do?—I would make it a necessity for the men that get rent from a cottage that is below the standard of health and decency to put that cottage in order.

27,892. You are it is too late for that?—I think it is a monstrous thing that a man is allowed to keep cottages grossly below the standard of decency and health and get a profitable rent out of them. Here are suggestions passed by Lord Menck's Committee at the time.

27,893. I am afraid they are not of much use now. The Labourers' Cottages Act is there.

The inquiry terminated.

Dec. 13, 1896.

Mr James Wilson, D.L.

APPENDIX B.

STATEMENTS IN REPLY TO OR IN EXPLANATION OF EVIDENCE.

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APPENDIX B.

STATEMENTS IN REPLY TO OR IN EXPLANATION OF EVIDENCE.

No 1.—STATEMENT OF JAMES G. BARRY, Esq., in reply to the evidence of JOHN RICE, Esq., Assistant Land Commissioner, page 21, qq. 571 to 573.

I deny the accuracy of Mr. Rice's statement that, when parting with him last Christmas at Galway, I said:—"There is nothing I regret more than that I will not have it in my power to undo what I have done, inasmuch as I am satisfied I fixed some of the rents too high."

1. I was well aware that under the Land Act there was no power to revise rents before the end of fifteen years. Consequently my intention on the Land Com-

mission would not have given me the power alleged "to undo what I had done."

2. The fixing of rents was the work of the Sub-Commission collectively, and not of any individual member of it. Consequently the assumption, as alleged on my part, that I had fixed rents too high would have been absurd. The responsibility did not rest with me alone. I could not, under any circumstances, undo what the Sub-Commission had done.

No 2.—STATEMENT OF SIR F. BOYD, Bart., in reply to the evidence of the Rev. W. G. BOYD, page 244, qq. 8332, 8333.

The Mandon, Ballynascilly,
39th December, 1885.

DEAR SIR—I am obliged for yours of the 27th inst., giving me an extract from the evidence of Rev. W. G. Boyd, given at Belfast, before the Royal Commissioners on the land laws.

I am rather at a loss to know how vague and reckless statements, such as those made by the witness, should be repeated, unless the reporter themselves betray such ignorance on the part of the witness as to render his whole evidence as valueless. That he does not know the Christian name of my agent, to whom on my estate he has been paying rent, regardless of the fact that he has known him intimately for thirty years, and from whom he, twice at least annually, receives a printed circular asking for rent, and also receipts therefor, stating that his rent has been paid to Sir Frederick Boyd, Bart., (born of rectory, enclosed), is simply ridiculous, and beyond belief. Witnesses must well know who I am, and that there is no "Mr. Boyd," a landlord, in this district.

I deny that my interest in the welfare of my tenants has diminished in the least since 1881.

Since I succeeded to the Ballynascilly estate, over ten years ago, I have entirely resided here, with the exception of a short time during the last two years, when I went to Torquay, by direction of my medical adviser. If this, taken with the fact that I work my own coal mines, and employ a large staff of servants and labourers, as well as having invested over £5,000 in a local railway, undertaking to connect Ballynascilly with Ballymore, does not show that I take an interest in my estate, I am at a loss to know what would do so.

I am sure, during the course of the sitting of your Commission, you have had many opinions expressed at variance with each other, but I hope, on the whole, the bulk have been given with more regard to facts than those given by Rev. W. G. Boyd appear to me to have been.

I remain, Sir, yours faithfully,

FREDERICK BOYD, Bart.

F. G. Hodder, Esq.

No 3.—STATEMENT OF F. LE POER TRENCH, Q.C., one of the Trustees of the Stewart Estate, in reply to the evidence of the Rev. W. G. BOYD, page 244, qq. 8330, 8331, 8332.

Sligo, 21st December, 1885.

SIR—I am much surprised at the extent of evidence with reference to the trustees of "The Stewart Estate," of whom I am one. It does appear strange to me that the Commissioners should not have asked a few very obvious questions, viz.—How long had the trusteeship lasted? And in what way the trustees had shown a want of interest in the tenants?

Now, Sir, Mr. Stewart died but a short time ago. Not one of the tenants has made any request to the

trustees which would call upon them to exercise their "interest." The trustees have, however, been actively engaged in an endeavour which, I trust, will prove successful, to sell to the tenants their holdings under the Land Purchase Act.

Trusting that this will, as you say, be "printed with the evidence,"

I have the honour to be, faithfully yours,

F. N. LE POER TRENCH.

No 4.—STATEMENT OF JOSEPH E. BIGGAR, M.P., in reply to the evidence of JOHN DAVIDSON, page 304, qq. 10806 to 10835.

Belfast,
28th December, 1885.

E. D. HODDER, Esq.

DEAR SIR—Your favour of 27th inst., with note of the evidence of Mr. John Davidson, reached me safely.

In question 10809 the witness describes Mr. Biggar the lawyer of Fethill from the late Mr. D. S. Kerr, as the "Member for Cavan."

I beg to say the witness is mistaken.

I have never been buyer, owner, agent, nor trustee of the property, nor have I had the control of its management. I have a good idea of the general outline of the whole property; but do not know the boundaries or particulars of the different holdings, and had no control over the settlement of the rents.

I am, dear Sir,

Yours faithfully,

J. E. BIGGAR, M.P., WEST CAVAN.

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No. 5.—STATEMENT OF JOSEPH MURPHY, Esq., in reply to the evidence of JOHN DAVIDSON, page 504, qq. 10294 to 10335.

Lurgan, 6th January, 1887.

I, Joseph Murphy, of Lurgan, the owner of the Townland of Blackhill, in the Barony of Lower Belfast, County Antrim, having read the evidence of James Davidson, given before the Royal Land Commission on October 30th, 1886, make the following statement in reply to his evidence, which I take the liberty of suggesting is calculated to mislead.

I bought the Townland of Blackhill from the Landed Estates Court in the year 1863. The rental under which it was then sold showed an income of £435 7s. 6d., in addition to 21s. 3s. 18s. in the hands of the then owner. The Ordinance valuation of the entire lot being according to the said rental £402.

The land being extremely good, well situated, and the houses upon it being in good order and condition, large sums of money having been spent upon the houses by the late owner of the property, Mr. David Stewart Kerr, I took the advice of a tenant farmer in the neighbourhood and had a valuation made by him of the entire property, with the object of asking the tenants for an increase of rent. Having had that valuation made, I visited the tenants early in the year 1877 and made a proposition to them to give them leases for ever of their farms at an increased rent, and gave to each one a note of what that increased rent would be. On the 8th May, 1877, I received from the tenants the following communication:—

"Blackhill, May 8th, 1877.

"Sir,—We the tenants of Blackhill have not to consider your proposal, and have come to the conclusion that it is too high in all cases, but we have agreed to give you the half of the rise rent for a lease for ever.

"Signed on behalf of the tenants.

"To Joseph Murphy, Esq."

Further negotiations were attempted, but the tenants not having agreed to the offer made by me, I, on the 27th April, 1878, had them served with notices to quit, and at the same time accompanied that notice to quit with the following communication in writing:—

"Lurgan, 23rd April, 1878

"Dear Sir,—As you have refused to agree to pay me the increased rent at which your farm has been lately valued, I now send you a notice to quit, but, at the same time, I have to inform you that you are at liberty to continue in possession or to dispose of the interest in your holding pursuant to the usage of the estate at such increased rent, or at such rent not being less than the present, as the County Court Judge, on the hearing of a land claim to be filed by you, may decide to be fair and reasonable having regard to the Ulster custom; but you are to understand distinctly that this letter is not to be a waiver of the notice to quit in case you refuse the offer hereby made.

"I remain yours truly,

"JOSEPH MURPHY."

The next communication I had from the tenants was on the 3rd June, 1878, when I received the following letter which was addressed to my solicitor, Mr. Daniel O'Brien:—

"Sir,—Mr. Murphy's tenancy met last Friday evening and resolved to offer their landlord 7s. 6d. an acre of a rise rent. Mr. Murphy having asked 3s., they offered 3s., and now they say they will split the difference. They

wish to observe that the price of labour is more than double that it was a few years since."

This offer not having been accepted by Mr. Murphy, he on the 8th June received the following communication, which was addressed to his solicitor, Mr. Daniel O'Brien:—

"To DANIEL O'BRIEN, Esq.

"Blackhill, 6th June, 1878.

"We, the undersigned tenants in the Townland of Blackhill, have agreed to pay to our landlord, Joseph Murphy, Esq., the rent accented by him with a lease for ever as promised, and respectfully request that you forward this to him at your earliest convenience.

"Signed, Robert Askin, Robert Orr,
James Nelson, James Crooks,
Hugh Cuthbert, John McKee,
James Davidson, James Armstrong,
John McKee, John Beggs"

This being so, and the rent of the tenants having also agreed to give the rent asked by me, leases for ever were prepared and were on the 23rd December, 1878, signed by each tenant, and on that day all rent and arrears were cleared up to the 1st November previously.

I may say that the grants are plain leases without containing any covenants against alienation, sub-letting or other embarrassing restrictions. The grantees are at perfect liberty to deal with the property, and have since dealt with it, as they think fit.

Later on I also made a lease for ever of the plantation, which was in my own hands, to Mr. William Orr, at the yearly rent of £20, and I beg leave to refer to the following facts:—

First. That the valuation of the entire townland as stated by Mr. Davidson is incorrect. It should be £402 instead of £364 5s. The measurement of the entire townland is 517s. 1s. 20s. statute measure.

That the rent per statute acre on the old rental, valuing the plantation at £20, which I got for it, was 15s. 2½d. per statute acre, and on the new rental £1 0s. 8½d. per statute acre, making a difference on the old rental and the present rental 3s. 4½d. per statute acre, and I say that I believe that the rent is a fair assessable rent.

It is not true as stated by Mr. Davidson that no farms have been sold lately. Mr. William Orr, in the year 1884, sold the farm of land which he held at the annual rent of £30 to one William McGowan for £300. The farm of land held by the representatives of John Boyd at £14 18s., was in September, 1885, sold to one John Craig for £300.

I make no further comments on the evidence given by Mr. Davidson, but in order that there may be no mistake as to the rental I now give you a correct rental of the acres, roads, and perches, and rental as taken from the Landed Estates Court Rental, under which the property was sold, also giving the new rent as paid by each tenant, including the plantation which was in my hands at the date of the purchase, also Poor Law valuation of each tenant's holding, the entire of which amounts to £406 9s.

Dated this 6th day of January, 1887.

JOSEPH MURPHY.

RENTAL REFERRED TO.

	Measurement	Old Rent.	Present Rent.	Valuation.
	A. R. P.	£ s. d.	£ s. d.	£ s. d.
John McKee, widow,	79 0 16	31 0 0	70 15 0	50 17 0
John M. Kelly, junr.,	66 0 1	45 0 0	60 0 0	50 17 0
James Davidson,	68 0 25	54 1 0	70 1 0	55 10 0
William Orr,	20 0 22	23 0 0	30 0 0	24 0 0
Robert Aiken,	34 1 22	31 1 0	69 18 0	38 10 0
Robert Orr,	34 1 22	45 15 0	65 4 6	45 0 0
John Duggie,	23 0 8	15 10 0	20 10 0	17 0 0
Robert Duggie,	11 2 54	9 0 0	12 0 0	10 0 0
Widow Day,	25 0 14	12 5 0	16 15 0	15 5 0
Hugh Cartwright,	33 0 34	17 17 0	24 17 0	24 10 0
Robert Duggie,	11 0 35	6 14 0	9 5 0	9 0 0
James Davidson,	14 3 5	14 8 6	14 8 6	9 5 0
Robert Duggie,	0 2 10	0 9 0	1 5 0	1 15 0
Alexander Nelson,	27 2 16	25 17 0	34 19 0	30 0 0
Philetia in husband's stead, Joseph Magpy,	31 3 25	30 0 0	30 0 0	12 0 0
Total,	517 1 20	268 7 6	438 6 0	406 9 0

No. 8.—STATEMENT OF EDWARD D. ATKINSON and SONS, Solicitors, on behalf of the DUKE of MANCHESTER, in reply to the evidence of JOHN BLACKER, pages 314, 315, 316; questions 10,600 to 10,672.

10606. So far from its being true that the agent settled with a few tenants (meaning only a few), he settled with 384, whilst the number of tenants who had their rents fixed in court was 207, and many of these were invited on behalf of the landlord to go into court.

10415. This is quite untrue. The following are the facts:—Of the 307 cases in which rents were fixed by the court, appeals were lodged in 105, about five-sixths of which were brought on account of the reductions having been ordered to commence from the passing of the Land Act, instead of the pale day following the decision, and in those cases, eighty-nine in number, notices were served on the tenants that on the hearing of the appeal the landlord would not seek to vary any other part of the order, and in July 1883, immediately after the decision of the Court of Appeal in *Claine v. Nelson*, settling the law on the question, and justifying the orders previously made, notices were served on all these tenants, withdrawing the appeals, and the remaining fifteen cases, with five tenants appeals, were all that were either listed or heard on the entire property, and in fourteen of these cases his Grace was successful. Prints of the notices above referred to are herewith sent.

10618. No appeal from his Grace's estate was heard at Belfast, or except at Arragh.

10434. So far from his Grace having given the witness no quarter, he was treated with great consideration, as the following dates of his payments will show:—Rent due 1st November, 1880, not paid until 14th April, 1881; rent due 1st November, 1881, not paid until 17th April, 1882; rent due 1st November, 1882, not paid until 30th January, 1884; rent due 1st November, 1883, not paid until 1st May, 1884; rent due 1st November, 1884, not paid until 15th December, 1884, of one farm; rent due 1st November, 1884, not paid until 6th July, 1885, of second farm; rent due 1st November, 1885, not paid until March 14th, 1886, of one farm; and 11th May, 1886, of second farm.

10639. This answer is untrue. The rents are paid yearly, and are well paid, and the arrears to November, 1885, at 31st October, 1886, was considerably under 10 per cent. of a single year's rent, and in the fourteen months between the 1st of November, 1885, and the present time, there were only seven payment decrees taken out on the entire property, not one of which has been executed.

10640. The financial position of the tenants, so far as known to the office, is equally good, if not better, than that of tenants on most other estates. More than one-half of the rent due, and payable at November, 1885, has been already paid, and that without the

slightest pressure. The notices given under the Land Act of the sales of farms on the estate, show that so far from farms being unsaleable, the prices paid were higher in 1886 than in either of the previous years. In 1884 there were five farms containing 58a. 2a. 30r. sold at £375, being a little under £10 an acre. In 1885, fourteen farms, containing 301a. 3a. were sold for £1,494 4s., being about £5 5s. per acre, and in 1886, nine farms, containing 54a. 1a. 16r. were sold for £1,094, being about £11 10s. per acre. One of the above farms was sold by the witness and his co-executor.

The statement respecting the farm of forty acres is too vague and untrue to be connected with any farm on his Grace's estate. The circumstances connected with a farm, to which, from its extent it is supposed to refer, are entirely different except as to the division into three parts, two of which being situated in different townlands were sold to adjoining tenants, and the third was left with the previous tenant.

The short period allowed for these observations, and the agent suffering from illness, has prevented a fuller explanation and reply from him of and to the evidence, but from my own knowledge as Law Agent and the information received from the office, I certify to the general correctness of the foregoing.

EDWARD D. ATKINSON,

Townage,

8th January, 1887.

LAND LAW (IRELAND) ACT, 1881.

COURT OF THE IRISH LAND COMMISSION.

Landlord—DUKE OF MANCHESTER.

Tenant

County of Arragh

Record No.

Sir,

Take Notice, that the Appeal in this case has been taken by the Landlord for the purpose of having struck out from the Order fixing the Judicial Rent the declaration that, having regard to the fact that the application was made on the first occasion on which the Court sat after the passing of the Act, and was adjourned until the hearing before the Sub-Commissioners, the Order should be of the same effect as if it had been made on the first day on which the said Act came into force, and that the tenant should be in the same position and have the same rights in respect of his tenancy as he would have been in and would have had if the application had been made on the day on which the said Act came into force; upon the grounds that as a matter of fact the Appeal was not made on the first day on which the Court sat after the passing of the Act. And take further notice, that on the hearing of the said appeal the landlord shall not seek to vary any other portion of

said Order save that heretofore quoted. And take further notice, that in the event of your consenting and undertaking to pay the rent of your holding as formerly, up to and including the next day next after the said decision of the Court, we will withdraw said appeal; and inasmuch as the question involved is one of law and not of fact, we give you further notice that in the event of your refusing or declining to undertake as aforesaid, that the said Landlord is ready and hereby offers to join with you in making an application to the Court of the Land Commission to hear the case by way of motion or otherwise, as may be deemed advisable, so as to decide whether the said Order should not be annulled by striking out the aforesaid declaration.

Dated this day of February, 1883.
E. D. ARKINSON & SONS,
Solicitors for the Landlord,
Tandragee.

To Robert A. Mallon, Esq., Solicitor, Newry,
Solicitor for the said Tenant.

LAND LAW (IRELAND) ACT, 1881.

COURT OF THE IRISH LAND COMMISSION.

Landlord.—DUKE OF MANSFIELD.

Tenant
County of Armagh
Recess No.

SIR,

Inasmuch as the appeal in this case was taken by the Landlord for the purpose of having struck out from the order fixing the Judicial Rent the declaration, that having regard to the fact that the application was made on the first occasion on which the Court sat after the passing of the Act, and was adjourned until the hearing before the Sub-Commissioners, the order should be of the same effect as if it had been made on the first day on which the said Act came into force, and that the tenant should be in the same position, and have the same rights in respect of his Tenancy as he would have been in and would have had if the application had been made on the day on which the said Act came into

force, upon the grounds that as a matter of fact the application was not made on the first day on which the Court sat, after the passing of the Act; and inasmuch as you were informed as aforesaid by our Notice of the day of March, 1883, and notice was thereby given to you that on the hearing of the said appeal the Landlord would not seek to vary any other portion of said order, save that heretofore quoted; and notice was thereby further given that in the event of your consenting and undertaking to pay the rent of your holding as formerly, up to and including the next day next after the said decision of the Court, we would withdraw said appeal; and notice was thereby further given to you that inasmuch as the question involved was one of law and not of fact, that in the event of your refusing or declining to undertake as aforesaid, the said Landlord was ready and hereby offers to join with you in making an application to the Court of the Land Commission to hear the case by way of motion or otherwise, as might be deemed advisable, so as to decide whether the said order should not be annulled by striking out the aforesaid declaration, and inasmuch as no answer has been received to the said notice, nor has the said offer been in any way accepted or acted on by you, and inasmuch as the decision of the Court of Appeal in the case of *Chambers v. Nelson* virtually settles the question for the decision of which the said appeal was taken, and renders it unnecessary that the same should be further processed. Now, we hereby give you notice, that the said appeal is hereby withdrawn and the same will not be further proceeded with; and you are hereby informed that the rent of your holding as fixed by the Sub-Commissioners in their said order will be accepted from you as from the first day of November, 1883, and you are requested to pay the same at the Rent Office in Tandragee within one month from this date.

Dated this day of July, 1883.
E. D. ARKINSON & SONS,
Solicitors for the Landlord,
Tandragee.

To William R. Carr, Esq., Solicitor,
Crossmaglen,
Solicitor for said Tenant,
and to the Secretary to the Land Commission.

No. 7.—STATEMENT OF GEORGE ROBINSON, Esq., Agent to the Berridge Estate, in reply to THOMAS CONROY, page 394, questions 13576 to 13599

Roundstone, 8th January, 1887.

THOMAS CONROY does not hold any land from Mr. Berridge. His father is a tenant at a judicial rent. Only four tenants were evicted on Mr. Berridge's estate at the time he states 404 individuals were put out, and these re-entered their holdings, and are still in occupation. The Conroys tenants were evicted about two years ago for a large amount of arrears of rent. All of them re-entered, and are still living on their holdings. They were offered to be reinstated on

paying one year's rent and costs, but very few have done so. A good many were evicted on Mr. Kierwan's estate, owing several years' rent; they have also re-entered, and, although constantly summoned for trespass, they still keep possession. They owed from four to six years' rent, and were offered an abatement of 50 per cent.

GEORGE ROBINSON
(For HENRY A. ROBINSON).

No. 8.—STATEMENT OF W. YOUNG, Esq., of Brookley Park, Strabally, in reply to the evidence of the Rev. PATRICK LYNCKY, R.P., page 390, questions 13426 to 13432

Brookley Park, Strabally, Queen's County,
29th December, 1886.

F. G. HODGINS, Esq., Secretary Royal Commission on Land Acts.

SIR,—I feel extremely grateful to the members of the Royal Commission for their courtesy in sending me the notes of the evidence given by the Rev. Patrick Lyncky, so far as it concerns my relations with my tenants in the parish of Clifden.

I am quite prepared to prove that his statements before the Royal Commission with regard to me are entirely and totally incorrect, and that he has been entirely misinformed on the subject; and I am the more surprised at his making such unfounded charges against me, so, outwardly at least, he has been always on friendly terms with me, and as it is only a short time since I had a long interview with him he could have had correct information on those points if he wished.

I must first state, for the information of the Royal Commission, that I bought the Dornella estate, in the parish of Clifden, in the year 1856, a short time after the great famine. Produce and stock of every kind were very low then—much lower than even now—and I found the property very unprofitably rented, and the seaweed rights required revision. With the full consent of the tenants, arbitrators were appointed—one by them and one by me—and the rents were fixed at a very low rate, and the seaweed rights adjusted to their entire satisfaction, as often expressed by them to me, and the rents then fixed I have never raised since, though nearly every property in the neighbourhood had the rents raised more than once in the interval, and my property has always been considered the lowest rented in the locality.

No. 13426. In reply to Rev. P. Lyncky's statement the facts are—At the request of my tenants I met them in the spring of 1858, and fixed the rents

out of court with as many of them as would come to an agreement with me, and most of them who then declined settled in 1884 on the terms first approved. There was no percentage named. I settled with each tenant individually, according to what we considered the chances and chances of his farm and the other circumstances regarding it, and I gave reductions, not because I considered any holding overrated, but simply because, having been on good terms with my tenants for nearly thirty years, I wished to keep their good feelings unimpaired. A Connaught man knows a little too much to mistake 5s. off his entire rent for 5s. in the pound, and well Father Lynskey knows this.

No. 13430. The average rents are about 28 4s. per annum (fifty-three tenants paying £149 15s.), net £4 to 25, as stated by Father Lynskey. No tenant pays more than £7, in fact only one pays so much, and the reductions given were from 5s. on holdings of £1 to £1 10s. per annum; and 10s. to 30s. on holdings of from £3 to £5. On some holdings I gave no reduction when these small farms had been divided without my leave, some of them with two or three under-tenants on holdings under £5; nor did I give reductions on farms held at or under Griffith's valuation.

In fixing these reductions everything was done in the most open manner, and the poor law guardian who witnessed the agreements was the guardian of the electoral division in which my property is situated,

who knows the farms and the tenants, who has no connexion with my estate in any way, who is a Roman Catholic, and, I believe, at the time he witnessed these agreements, was an officer of the Local National League.

The Rev. P. Lynskey did not state in his evidence that the greater part of these holdings being under £4 valuation, I have to pay the entire poor rates, which have, for some time past, averaged above 4s. in the £1; nor that I spend, generally, more than my rent in giving employment to my tenants; nor that I give them free turbarry and free sea-wood to enclose their farms; nor that I graze all their cattle on my mountain at the nominal sum of one shilling per head the half year, which is the truth. The fact is these small farms, for which they pay about ten shillings per annum, are merely accommodation lands. They make their livelihood by rearing cattle and sheep on my mountain, fishing for lobsters and other sea-fish (nearly all the farms on my property have a sea frontage), making kelp out of my sea-wood, &c. All the above statements I can prove on oath if necessary, and can furnish detailed rental if required.

I hope the Commission will do me the favour and the justice to publish this statement along with Mr. Lynskey's most inaccurate evidence.

I remain, sir,

Your obedient servant,
W. YOUNG.

No. 9.—STATEMENT OF R. H. TODD, Esq., LL.D., Solicitor, in reply to the evidence of JAMES McFARLANE, Esq., Agent to the Duke of Abercorn, page 688, qq. 2307 to 23080, and 23149 to 23164.

Waterloo-place, Londonderry,
10th January, 1887.

I have read the extract from Mr. McFarlane's evidence, kindly furnished by the Commissioners.

Mr. McFarlane's statements are untrue, and he knew them to be false when he made them.

This is evidently a deliberate and carefully planned, as well as an unscrupulous attempt to injure me, but it is in no way surprising. Mr. McFarlane and those associated with him have shown a persistent and unreasonable hostility towards me for many years, and have repeatedly urged my clients to transfer their business to other solicitors. I know of no reason for their entertaining such feelings towards me, except that I differed from them in my views of political affairs, and had more friends and clients, and more influence among the Duke of Abercorn's tenants than they think desirable.

When the Land Act of 1881 was passed, I acted for a large number of the Duke of Abercorn's tenants in having their rents fixed. Mr. McFarlane, at this time, thought it consistent with his position to oppose me publicly, and to urge the tenants to have their business done by any other solicitor, but on no account by me. The advice was not received by the tenants with much respect. The tenants' confidence in me was increased, and they took great delight in denouncing his exhibitions of rage, and repeating, for my encouragement, the language he used towards me.

Among others, my brother had the rents of two holdings on the Duke of Abercorn's estate fixed by the Sub-Commissioners. Both landlords and tenants appealed. Pending the appeal, my brother, on my suggestion, entered into negotiations with Mr. McFarlane for purchase of the fee of the holdings. Mr. McFarlane said he would advise the Duke to sell to the tenants at 20 years' purchase of the rent. My brother offered somewhat less than 20 years' purchase, and the question was referred to me. I advised my brother, and wrote Mr. McFarlane, that 20 years' purchase was fair if the rent were fair, but that having regard to the large increases that had been made in the rents, the extensive improvements effected by the tenants, and the fall in the price of produce, in my opinion, the rents

should be reduced, in the first place, to a figure I indicated. Mr. McFarlane refused to agree with this, and the case was listed for hearing on appeal. My brother then saw Mr. Wilson, the landlord's solicitor, who informed him he could consent to no reduction in the price, as his own would furnish a precedent in the sale to the other tenants, and that the Duke of Abercorn could not sell to the tenants generally for less than 20 years' purchase. My brother, in the end, agreed to pay the 20 years' purchase of the judicial rent, which amounts to somewhat less than 19 years' purchase of the Government valuation of the lands; and an agreement at that price was accordingly entered into. The title is now being investigated preparatory to the completion of the sale.

When it became known that my brother purchased, a number of the tenants asked me if the Duke would sell to the tenants generally, and if I could effect a similar purchase on their behalf. I wrote the Duke of Abercorn, asking him to meet me, and settled the details of a scheme of purchase for the whole estate. His Grace telegraphed me, fixing a day for the meeting, but before the day arrived Mr. McFarlane advised him against meeting me, and he wrote me informing me of this, stating he was advised such proposal for purchase should be dealt with on his own merits, and requesting me to communicate with Mr. McFarlane. It is utterly untrue that I sent circular broadcast over the estate.

On receipt of the Duke of Abercorn's letter saying such proposal would be considered on its merits, I wrote to those who had spoken to me on the subject, and on their suggestion I also wrote to a number of clients for whom I had acted in the Land Court, and a few others who, I was informed, were anxious to know whether the Duke of Abercorn would sell. My Land Court clients on the estate numbered 103. I wrote to only 35 of them, who, I was informed, were anxious for information on the subject, and I am instructed by upwards of 200 tenants to act on their behalf. They all waited on me. I explained the terms of my brother's purchase, informed them I had had a correspondence with the Duke of Abercorn, who was ready to receive proposals, and that I would advise

them to purchase at 30 years' purchase, as I was satisfied he would not sell at less for some years at any rate. At their request, I explained to them the method of purchase, the costs they would have to pay, and gave them such other information on the subject as they desired.

Mr. McFarlane's statement as to the costs is largely imaginary, and wholly malicious. When the tenants asked me what the purchase deal and all connected with it would cost, I informed them the difference for one year between the rent and the annual payment under the purchase would cover the costs. That statement is strictly accurate.

All the tenants whom I saw expressed a strong desire to purchase, and all but a few expressed their satisfaction with the terms. These few had to get their rents settled, but said they would buy as soon as the rent was fixed at a proper figure. The others all instructed me to purchase for them. Among those who waited on me were Mr. James Clarke and Mr. James Alexander. Mr. Clarke held under lease which denominated a certain number of acres. The farm contained, in fact, several acres less than was denominated, and as the rent had been paid at so much per acre, Mr. Clarke, who had before consulted me as to proceeding against the Duke of Abercorn to have the lease reduced and the rent reduced, said he would see Mr. McFarlane, and endeavour to get the rent reduced in the first instance. My clerk, however, in copying and sending the list of those who had instructed me, included Mr. Clarke's name, but I afterwards wrote Mr. McFarlane that Clarke's rent must be reduced before the purchase. Mr. Clarke afterwards informed me that Mr. McFarlane had shown the utmost anger, and had refused to correct the mistake in the rent, and it seems he induced Mr. Clarke to write the letter he has put in. When Mr. Alexander called with me, the only objection as to the terms he made was that he would not supply the guarantee deposit, and when I informed him I would supply it, if the Duke of Abercorn did not, he expressed himself perfectly satisfied. I am aware Mr. Alexander was attacked by Mr. McFarlane and a Bank Manager, named Steele, for putting the matter in my hands; but I cannot understand how a respectable man, like Mr. Alexander, could have been induced to write such a letter. Several persons were present when Mr. Clarke and Mr. Alexander had the interview with me in my own office. When it was found I was making proposals, a large number of the tenants, besides those I had written to, came in and instructed me, and some of these also instructed me on behalf of their friends and neighbours, who could not conveniently attend. Among others, Mr. Tipping instructed me on behalf of Miss Little. I had got the rent of Miss Little's holding fixed in the Land Court for her mother, who has since died, and I saw nothing strange in Miss Little sending me instructions through her nearest neighbour, who is a very respectable man, and who, I am sure, did not knowingly make a mistake. I must confess also that the method of procuring this letter from Miss Little's present solicitor, as well as the wording of the letter of Mr. Alexander and Mr. Clarke, look somewhat peculiar. When I sent in the proposals the following correspondence took place:—

"Belfast, Letterkenny, 16th Aug., 1896.

"DEAR SIR,—In reply to your letter of 6th and 12th, I send you the enclosed notice, stating that the Rent Office was closed on the 4th inst., and will not re-open till the 7th September. I was under the impression I had sent you a copy of this notice in my last letter, and I now beg to add that each case alluded to in your letter must be carefully considered on its merits before I can give you an answer. This cannot be done for some considerable time.

"Yours truly,

"J. McFARLANE.

"R. H. Todd, Esq., Solicitor, Derry."

"Abercorn Estate Office,
Strabane, 7th September, 1896.

"DEAR SIR,—Referring to my letter of the 16th ultimo, I have now to reply definitely to your letter of 6th and 12th ultimo, and beg to state it will be necessary for any tenant, who may be disposed to purchase his holding under the provisions of the Land Purchase Acts, to negotiate the terms with me direct.

"Yours truly,

"JAS. McFARLANE."

"R. H. Todd, Esq.,
Solicitor, Letterkenny."

"Waterloo Place,

"Londonberry, 21st September, 1896.

"J. McFARLANE, Esq.,
Abercorn Estate Office, Strabane.

"DEAR SIR,—The tenants, for whom I act, will make no change, and there is no room for negotiations. In my case they prefer being advised by their own solicitor like any other purchasers.

"The Duke of Abercorn was good enough to write me some time ago that any proposals I should send in would be fairly considered, and either accepted or refused. I shall be obliged if you will let me know, according to the usual course of business, whether you accept the proposals I have sent you or refuse them.

"Yours truly,

"R. H. Todd."

While this correspondence was going on, Mr. McFarlane had sent out the bullbills to summon in ray efforts, and interviewed them, and had several of his assistants using various forms of intimidation and misrepresentation. Amongst those whom he interviewed were—Rev. Robert Dick, Mr. William Bank, and Mr. Samuel Leach. He afterwards wrote me the letter two tenants had repudiated my authority, but I have since seen them, and they deny they did any such thing, but allege that he used very strong language, and declared he would never permit a purchase to be made through me. He asked the several tenants if I had stated I was authorised to sell the Duke of Abercorn's estate to them, and they severally informed him I had said no such thing. As a sample of what occurred, Mr. Dick told him he had instructed me, and that he was present when a large number of the other tenants instructed me. Mr. McFarlane asked if I had said I had the Duke's authority to sell his estate, Mr. Dick replied, "Certainly not." He nearly said his brother had purchased, and that he believed the Duke was prepared to sell to other tenants on similar terms. He then explained the terms and took the tenants instructions to make proposals on their behalf." Mr. McFarlane then said he could sell to the tenants on better terms than those suggested by Mr. Todd. Mr. Dick replied, "Very well; I am prepared to say if you sell to me on better or even the same terms—as you prepared to do so?" Mr. McFarlane then informed him the Duke would not sell at present as there was a good Conservative Government in office that would put down agitation, and that property would soon sell at a high price so far as Mr. McFarlane indulged in some further strong expressions about me, and the interview ended.

When Mr. McFarlane gave his evidence before Lord Cowper's Commission he had the statement of Mr. Dick, and all the facts now stated before him, and he knew perfectly well that the charges he made against me were false. Several independent witnesses are prepared, if necessary, to substantiate the statements in this memorandum, and I am prepared to corroborate their evidence by the publication, if Mr. McFarlane desires it, of the correspondence that passed between the Duke of Abercorn, Mr. McFarlane and myself.

In my evidence before the Commission I avoided saying anything which could reflect on any individual. I stated that the tenants of the Duke of Abercorn were willing and anxious to buy on fair terms, but

that the agent stood in the way. I have no hesitation in repeating that statement. The evidence of the present desire to purchase is increasing daily.

R. H. TONE.

No. 10.—STATEMENT of JOHN MCGILDOWNY, Esq., of Clare Park, in reply to the evidence of the Rev. W. G. BOYD.—Page 244, Question 8329.

Clare Park,
Ballycossale, Co. Antrim,
11th January, 1887.

SIR,—I feel greatly indebted to the Commissioners for giving me an opportunity of answering the most unjustifiable assertion of the Rev. Wm. G. Boyd, that I take no interest in the welfare of my tenants; that he should make such an accusation does not surprise me, as his salience against landlords is a well-known fact. The value of his evidence, as far as I am concerned, may be estimated from the fact that but a small number of my tenants reside in his district, and they are for the most part prosperous and well to do tenants, and of my relations with my other tenants he has no possible means of forming a correct judgment. I may state that very considerable sums of money have

been laid out on my property in draining, fencing, and other important improvements, and I take as lively an interest in the welfare and prosperity of my tenants as I ever did, although I cannot now be expected to lay out money on improvements. I was born and have lived on my property nearly all my life, and have always been on a cordial and friendly footing with my tenants, which I hope will always so remain.

I have the honour to be, Sir,
Your obedient servant,

JOHN MCGILDOWNY, D.L.

The Secretary,
Royal Commission on Land Acts,
Dublin.

No. 11.—STATEMENT of Rev. JAMES MACFADDEN, P.P. of Gweedore, in reply to the evidence of the Hon. SOMERSET WARD.—Page 246, questions 8373 to 8381.

"The Secretary,"
Royal Commission on Land Acts.

SIR,—I have to thank you for receipt of portion of the evidence of the Hon. Mr. Ward, touching the Hill property in this district.

The drift and nature of the Hon. Mr. Ward's evidence surprised me exceedingly. I would have hoped that the Hon. Mr. Ward would have acquainted himself fully with the matters with which he undertook to deal, and that the accuracy of his statements, at least in substance, would be unquestionable. But his representations are so wonderfully unreal, that I am forced to conclude that he knows very little, if anything, of the matters on which he gave such remarkable evidence.

Ignorance does not excuse him from the grave responsibility of such misleading evidence, though I feel quite disposed to accord him the indulgence due to one who really and unthoughtfully dares to give solemn evidence on a subject of which he shows utter ignorance.

I am now accustomed to large amount of misrepresentations from the class to which the Hon. Mr. Ward belongs; and for his expenses I was quite prepared. But that he was not justified in his resolutions will appear as I proceed.

I cannot possibly deal with every clause and sentence of the Hon. Mr. Ward's evidence, but I will try and touch the main questions.

The cuttings sent me are not consecutive and do not embrace all the questions touching Gweedore; hence I feel more or less embarrassed. I think it very unfair, not to say untrue, for the Hon. Mr. Ward to state, that he tried to get on with me. He simply meant to have his own way, and tried very hard, I admit, to get me to co-operate with him in accomplishing his aim, or, at all events, not to oppose him. On his visit to me, in December, 1883, I received him very civilly, I thought. My errand happened to be present, and the Hon. Mr. Ward was accompanied by some young man. I confess I regarded his language to me and his manner on that occasion exceedingly impertinent and unbecomingly. There had been about fourteen ejectment decrees obtained in June, 1883, which had not been yet executed, 1883, was a year of great distress in Gweedore. The people were maintained and the crops were put in mainly by charitable friends. Mrs. Power Lawlor

supplied breakfasts for the school children till the 15th of August; the Society of Friends had supplied a large quantity of potatoes. In those circumstances it was natural that the rents would not be payable out of the produce of the land, and that liberal reductions would be allowed; moreover the tenants had been engaged, during the closing months of '82 and the early months of '83, in paying the qualifying gale, and taking advantage of Arrears Act. But the Hon. Mr. Ward would not assent to any terms but his own, which meant no mercy. I consented to have a deputation of tenants meet him next day, and before that meeting he urgently pressed the point that the tenants must pay either there or at Lifford—meaning the Court of Quarter Session. Following up this threat the ejectment decrees obtained in June, 1883, were executed in February, 1884. I was enabled, by public charity, to pay amounts required by Sheriff on that occasion. And thirty-six fresh ejectments were issued for quarter sessions at Lifford, January, 1884. The tenants defended on grounds of distress, 1883, &c., and though Chairman gave decrees for two years' rent to November, 1883, yet he directed stay of execution till 1st June, 1884, on payment of one year's rent into court before 11th February, 1884.

Prosecuted tenants managed to correspond with instruction, as to paying one year's rent into court, hence, decrees were not available to June. Meantime the terms referred to in this question were agreed to between the Hon. Mr. Ward and myself, as between landlord and tenants, and the first batch of cases was dealt with by Court of Sessions-Commission. I deem it to be noted that this agreement was the only act of compromise or management consented to by the Hon. Mr. Ward, and that the chief feature of it from the tenants standpoint, was the non-acting of judicial lease. My earnest conviction that the court should, from the merits of the cases, give large reductions, determined me at once to accept this arrangement in lieu of the reductions which I, on behalf of the tenants, urged for. This arrangement included the tenants against whom ejectments were pending in June. I recommended this arrangement to the tenants, and, as a matter of fact, they adopted every available means, including borrowing and selling, to carry out the important condition for the landlord—the payment of one full year's rent. Out of nearly 800 tenants there were only 130 defaulters, and the defaulting arose out

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of sheer inability, except perhaps a few cases where there were some disputes and misunderstanding between landlord and tenant.

The covenants obtained in January were not executed, and the landlord's solicitor consented to accept half costs, which I paid from charitable sources. By judgment of Sub-Commissioner, on first batch of eighty-four cases, an average reduction of about 35 per cent. was obtained. This pained the landlord party, and caused the Hon. Mr. Ward to regret, no doubt, the terms agreed upon. All the cases were promptly appealed, and every effort was made to break up the Commission before the hearing of the remaining 204 cases that had been entered, and by affidavits and otherwise, the Chief Commissioner was induced to list, out of order, a few select cases out of above eighty-four, to be heard at first sitting in Lifford, and two chief valuers were sent down for a special inspection valuation and inquiry. By the efforts of the tenants' agents, this course of forced pressure and surprise fell through, and seventy-one cases were eventually listed for hearing in ordinary course at a special sitting at Benbulbin in July, 1883. The Commissioners having graciously consented to hold a court at Benbulbin in the middle of the parish, instead of at Lifford, forty miles away, for the convenience of the poor people, and in reply to a memorial from tenants requesting same. On 31st July, 1883, judgment was given by court in Dublin, which practically sustained judgments of Court of Sub-Commission. I desire special reference to judgment of court on that occasion, and I request that introductory remarks of Judge O'Hagan be printed, and form part of this statement. (I enclose copy herewith.) Over 120 appeals lodged by landlords were abandoned, the tenants hearing various assurances that they individually would get same reduction as their neighbours had obtained in court, and knowing it to have been agreed that they could adopt this course, or go into court at their own option, waited for action of landlord on this matter.

At hearing of cases, subsequent to first batch, landlord raised every possible difficulty and objection—particularly the objection of sub-division, and a great many cases were dismissed on this technical ground. In this many, who had taken immense trouble to comply with terms of agreement so far as paying of year's rent to November 1882 was concerned, were debarré of the spirit and letter of the agreement, because they were not allowed the option of court to fix their rents, the landlord, contrary to the spirit of the agreement, having put technical objections in the way which had cases dismissed.

In hundreds of other cases, where sub-division existed, the tenants thought it useless to go into court, as their cases would certainly be dismissed. Hence no further steps were taken by them, and they were necessitated to accept such reductions as landlord thought fit to grant, or none at all, and the average reduction allowed was only about 12½ per cent. instead of 30 per cent.

These reductions I thought it my duty to advise the tenants not to accept, for they were insufficient for justice and merits of cases, and the whole procedure seemed to me at variance with spirit of agreement—a copy of which I also herewith enclose.

At the same time I told the tenants they might individually deal with the landlord, and press in each case for reductions similar to those granted by the Land Court to their neighbours. Further steps have not been since taken by tenants, beyond putting this matter before agents, through me in last December. I enclose original agreement referred to in this statement.

I wish to direct your particular attention to fact that Chief Commissioners had specially valuable means to guide them in their decisions, having had for some of the cases, the opinions and valuations of their own special valuers, including Mr. Gray, their chief valuer.

Now, according to terms of agreement, the rent due to November, 1882, was to have been paid in 1884,

and it was, with comparatively few exceptions, arising out of inability to make up rent in any way. In December, 1884, first payment of reduced rent should have been made, consisting of one and a half years' to May, 1884. This was done by nearly all who had got rents fixed by Court, and by many others as well. In fact, I think, this first payment was well made—many paying, when able to do so, through 1883. In December, 1883, second payment, on reduced scale, should have been made, being one and a half years' to November, 1883. This 1883 was a ruinous year, and brought on the distress of 1885 in Gweedore. In December, 1885, tenants memorialised, as admitted by the Hon. Mr. Ward in his evidence, all to no effect, except so far as the Hon. Mr. Ward consented to take a half a year's rent then, and balance due in May following.

Many paid the half year. Those unable did not pay, but, owing to the hardships of 1883, none were able to pay balance due to November, 1885. At May the Hon. Mr. Ward brought 73 ejectments, affecting 33 families, at Summer Quarter Sessions. In August last they were carried through. The Hon. Mr. Ward gave evidence before you in October. He resigned the management of the estate later on. Colonel Dopping, agent to the late Lord Leffrin, was appointed agent over Gweedore property. Colonel Dopping visited the estate in November last. Tenants met him. Enclosed also, from *Derry Journal*, gives substance of result.

Another cutting conveys next step of Colonel Dopping, and his further action is the service of 32 ejectments to be heard at Letterkenny next week.

Now, let me state shortly that no concessions were made on the Hill property by the landlord, except a reduction of 25 per cent., allowed in December, 1881, on payment of two years' rents. This concession was only made when military and constabulary were actually marching to carry evictions. I consented to this arrangement, and used my influence to get tenants to pay, and nearly all who could manage it, paid. By this step, the Arrears Act, coming in in 1882, was useless for many on the Hill property. So much so that the Hon. Mr. Ward, in his evidence in Lifford, in January, 1884, stated, in reply to Mr. O'Doherty, Solicitor, that the owners did not lose 1s. 6d. of a year's increase from the estate by the operation of the Arrears Act. I lay special stress on this, as so much has been said about the Arrears Act.

Notwithstanding the recognised distressfulness of the past five years the landlord did not sacrifice a penny of his rent, except the little that he had been obliged to yield by the operation of the law—the arrears that have accumulated to the present time, being about two years' rent at least, have so accumulated mainly by the way in which the Hon. Mr. Ward managed the estate and directed the collection of rent. In November 1883, there were one and a half years' rents due. December 1883, instead of granting reductions as requested, he consented to accept a half year's rent then. Further payments since were rendered impossible by the distressful year of 1884, hence two years' generally due in November, 1885.

1837. In reference to this question, I desire to state that the Hon. Mr. Ward stated in Lifford, before Court, in January, 1884, that gross rent of estate was about £1,592, that agricultural rental of native tenants, excluding colonists imported by Lord George Hill, or other settlers, was over £1,100.

Now, the old rental of the estate in the hands of Lord George Hill, at date of Commission of Inquiry in House of Commons in 1858, was, according to evidence of his own land-steward and general manager, only £473 (see question 7182 of report of this inquiry). The old rent of portion, subsequently purchased, that is Knockastolee property, was £37 15s. Hence gross old rent of estate would not equal £500; yet same estate was made by Lord George Hill to yield over £1,100 agricultural rent, and nearly £1,700

gross rent. Take, in connection with this subdivision of Lord George Hill himself, that 12,000 acres of this mountain pasture was cut off from them and called "my share" (meaning the landlord's share), without a 6d. compensation, but on the contrary almost tripling rents besides, and you will estimate the value of to "improve the people," as stated by the Hon. Mr. Ward in question 8402, as motive actuating Lord George Hill in purchasing.

Question 8409. Migration is not to be recommended or reliable a source of earning money now as it was. The chance of getting employment is exceedingly precarious, and many leave home in search of employment, and are obliged to obtain, in charity or by loan from some friend, their return passage fare. Glasgow is the centre to which our labouring congregations and they scatter out to Wiltard, Castlebridge, Paisley, &c., and in harvest they proceed to Northumberland (in England). They never go to Liverpool or Manchester, and it is a strong proof of ignorance of the habits of the people on the part of the Hon. Mr. Ward to say that they do.

With regard to knitting industry, it is perfectly false to attribute the exclusive dealing in 1863 to the League or the agrarian difficulty. It was entirely the result of the action of the landlord and his party, in the matter of the election of Peter Law Guardian. There was also a rival industry established by the benevolent Mrs. Ward, which offered much more remuneration and general employment to knitting, &c., than anything that had ever previously existed.

As President of the National League, I must emphatically deny that anyone was ever "prohibited" by the League from taking yarn, or doing anything they pleased, and as a matter of fact they did as they pleased.

The industry now proceeding under Mrs. Ward given over £1,000 worth of employment for the year. In its palmy days the work given out by Messrs. Allen and Jolly would not exceed a yearly average of over £200, or £10,000 for over forty or more years in which they have connexion with Gweedore; and it should not be overlooked that a very considerable number of knitters from Rosser—a totally different parish—obtain yarn from the landlord's sub-agent, who is the agent for Messrs. Allen and Jolly.

Question 8427. The holding sold by me to Daniel O'Donnell—who had then recently returned from America, and had about £3,000 in gold when he touched Irish soil—contained 16 acres 1 rood and 10 perches, instead of four or five acres, as the Hon. Mr. Ward stated; I never burned the land, and there was none of it reclaimed by me; the enclosed arable portion of it is between seven and eight acres—the price ran up owing to the competition between two returned Americans, O'Donnell and McGovern. The higher the value of the tenant's interest, the less will be the interest of the landlord.

Question 8439. I never got £50, or so far as I recollect any money towards the distress fund from houses of filthiness; I own having received about £4—I have no memorandum to make accurate as to amount—towards Gweedore Flood Distress Fund in 1886. I never got such a letter as the Hon. Mr. Ward gives extracts from; I believe I got one letter, but it was not to the effect alleged by any means; the arrangement with Liverpool steamer was a free choice; the houses could have got plenty of carts to do their work if they liked.

8440. The day's wages for fishermen at best, was not at rate of 2s.; and only five men discontinued the fishing in 1885, two of whom were old and any larger net for the work, one a shoemaker, the other a butcher, and one a widower, who had no one but himself to mind his house and place, and who was in any case engaged but for five or six weeks on a sort of emergency boat when supply of fish was good, and like the case of knitting, no one was ever prohibited from working, and, as a matter of fact, men freely took

on the work for the first time without being in the least molested or annoyed.

The non-payment and the irregular payment of rents in the past six years arose from the exceptional severity of the year, and the inflexible management of the estate. In any case in which the landlord acted reasonably, or in a conciliatory way, I inevitably co-operated, and to his advantage too. This year tenants are prepared to make extreme efforts if reduction be granted; therefore, reply to this question is not true.

8448. I always publicly offered to buy at ten years' purchase of a fair rent.

8452. The case referred to is that of a widow, Maggy Coll, of Dora. The sub-division had been sanctioned previously by Mr. Esham, and the objection of the Hon. Mr. Ward at hearing of case before the Land Commission, on ground of sub-division, was overruled and a fair rent fixed. I only arranged between brother and sister as to direction and how the meaning should take; I generally take part in arranging family disputes among my people.

The insinuation therefore in this question is malicious, and the ground part utterly baseless, and Captain Ward knew this when he said—"In that case be civil." 8451. This is a false statement; so are all the statements conveying that the tenants burned the land to the rock. I have never seen it. There is, on the fresh bog and on the keep bog lands, a process of heaving resorted to in spring, that is, towards the end of April, and in the first half of May; the piles of earth are never allowed to burn out into a fire, but combustion is kept stopped up within straw, by which all is heated, and a chemical action stimulating first growth is carried on. The heated earth—now substance is scattered and first crop put in.

Anyone knowing the time of preparing land in Gweedore must laugh at the ignorance of the Hon. Mr. Ward, who states that this preparation is going on in February.

Questions 8452 and 8453. On the case of subdivision here represented as done at my instance, I wish to add a few more remarks. In the judgment delivered by Court of Sub-Commission, at Bushy, on the 28th of July, 1884, Mr. Bourke made special mention of this particular case in these words—"In Maggy Coll's case, having received no reply from the late agent to the letter I wrote (as agreed on in Court) to him as to permission to subdivide this farm, we take Rose Gallagher's evidence on record, that Mr. Esham gave permission to subdivide this farm, and we have fixed the judicial rent."

The Hon. Mr. Ward no doubt saw this judgment, and in face of this I cannot understand how he could give such evidence as he has given consistently with truth and honesty. More surprising still, he led the Commission to believe that this holding contained "not more than three acres," whereas the area agreed upon for this farm is exactly 37a. 2c. 18p.

I desire also to point out that the statement of the Hon. Mr. Ward, under question 8409, is entirely without foundation—namely, "They burn the surface of it every year until they get to the rock, and then go somewhere else."

I am sorry to have to say that the whole evidence of the Hon. Somerset Ward, so far as the contracts sent to me enable me to speak, is entirely unreliable, misleading, and at variance with fact. This arises probably from his want of knowledge of the subject. He evidently does not know the estate or the lives and habits of its tenants. This is not surprising, as in all probability he may not have spent two months of his life there altogether, and the most of that, in all likelihood, as a tourist or pleasure-seeker.

Mr. Murphy made the points referred to by the Hon. Mr. Ward, and many more; but the Court had reason to believe that he was misinformed or mistaken. All agree that burning is not only useful but necessary for reclamation of deep bog. It was admitted at inquiry in 1888 that the reclamation of moors around the Gweedore Hotel cost £14 per acre, and the reclamation

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mation on most lands through the district was more difficult.

Anyone living amongst the people knows the toil and labour they undergo in providing manure from sea and from mine, and from all available means about the the homestead; and it is perfectly ridiculous to say that earth itself supplies "soil and manure."

8468. The warfare commenced when first Lord George Hill put foot in Gweedore (see *Elas Book* of 1856).

Lord George Hill himself states—question 6792—"There was about 15,000 acres cut off, and called my share." 6183. "Steps were taken to oblige them to pay." 6925. "I found it necessary to put the whole of the tenantry under a notice to quit," &c. Reply to question put to J. Craice, Sub-Inspector, 5079, &c., "Yes, enormous outrages."

There were additional police forces, there were magisterial inquiries, there was driving for rent. The first warrant for sheep-tax was for £1,300. This was during times of disturbance on Achill property. Behold the veracity and accuracy of the Hon. Mr. Ward. "That profound peace prevailed but for me."

8472. I am only thirteen years in Gweedore, not seventeen or eighteen.

8473. I got a public character for maintaining the landlords in supporting their starving tenants, and obtaining, through charitable means, monies to pay rents and costs and keep roof over their heads. The Protestant clergyman stated to myself and curate that the landlords should subscribe for me a testimonial for my service to them in this way. I mentioned those matters on occasion referred to, and for support appealed to people present if this was not true—they said, "Yes," but they did not use the words given by the Hon. Mr. Ward, and they did not express their assent as to shooting, because of this they knew nothing, and I did not ask for their view on it, though I stated that in this way too the landlord party stood

inherited to me, as I got the information which, in the warmth of the moment I volunteered, from one or two persons.

8477. The so called "Squaring of farms" brought insurable ruin on the district in the spoliation and rack-renting that followed, and the whole process cost landlords, according to himself, only £100.

8468. I should say at question 8468, that in the district of the Rosne, where the condition of the people is far the worst, part reached the same as in Gweedore, the different landlords granted to all four shillings in the pound of reduction for judicial periods outside Court, and they granted besides twenty per cent. last year, and are doing the same this year. Perhaps this explains the favourable contrast made by the Hon. Mr. Ward. In my honest opinion misery, poverty, and discontent settled in Gweedore with the advent of speculators like Lord George Hill. This evil has fostered ever since. It will take a drastic remedy to cure; and happiness, peace, and contentment will only come when those gentlemen and their successors will come to own the land of Gweedore, for I do not believe that it is possible for their nature to allow them to deal honestly, justly, and sympathetically with the poor suffering people.

I enclose several cuttings, &c., which you will please return when used.

Yours, respectfully,

JAMES MACFARLANE, P.P.

P.S.—I should observe that for the past six years I have been the channel of conveying to the poor people of this locality about £6,000, in food and seed, and clothing; and that in the year, just ended, I expended £1,000 in the same way, but mainly in procuring seed potatoes.

JAMES MACFARLANE, P.P.

No. 11.—PAPER referred to by the Rev. JAMES M'FARLANE.

MEMO. of AGREEMENT between Captain Ward on behalf of Captain Hill, and Rev. JAMES M'FARLANE, P.P., on behalf of the Gweedore Tenants.

1. Cases in which Originating Notices have been served by the tenants, to be decided by Court, or by consent, at the option of the tenants, after decisions are given in the cases now listed.

2. In cases, when no application has as yet been made to the Land Commission, the judicial rent to be settled by consent, or by the Court, at the option of either party.

3. Judicial rents then fixed by the Court, or by consent, to take effect from 1st November, 1883, provided such rents are fixed by consent, or Originating Notices served by the tenant or landlord, as the case may be, within six months after decisions in the cases now listed are given by the Sub-Commissioners, or if appealed against by the Land Commissioners.

4. One year's rent at the old rate due 1st November, 1883, to be paid at the time fixed by the agent of the estate, immediately after the Land Commissioners, who will arrive next week, leave the district.

5. A year and a half's rent at new rate, to be paid at the time appointed by the agent of the estate in the month of December, 1884, and a year and a half's rent at same rate to be paid at the time appointed by the agent of the estate in the month of December, 1885.

SOMERSET WARD.

JAMES M'FARLANE, P.P.

1st March, 1884.

JUDGMENT Referred to by The Rev. J. M'FARLANE.

From *Derry Journal*, 3rd August, 1885.

THE IRISH LAND COMMISSIONERS.

THE GWEEDORE DISTRICT.

Mr Justice O'Hagan and Mr. Coombe-Little, *q.c.*, sat in the Land Commission Court, Dublin, on Friday, to deliver judgment in seventy-one cases from the Gweedore District, based at Bunclogh, county Donegal, in the early part of July.

Judge O'Hagan said—Judgment remains to be given in a very large number of cases which were heard by us at Bunclogh, county Donegal. We were urgently requested to sit specially for these cases at Bunclogh, on the ground that the people could not, without very great difficulty, attend at the Antrim Town of Lifford, where they would be otherwise heard. We accordingly sat at Bunclogh. The cases before us were cases on the estate of Mr Hill, Mr. W. O'Hagan, and, I think, on Mr Stewart's; but by far the largest number were on the estate of Captain Hill. Now, the place, Gweedore, in the west of Donegal, is very well known to fame. It is a wild and romantic district, and the soil is, for the most part, turf resting on granite. In one of the townlands there was a difference, and it was rather a story soil, but for the rest of Captain Hill's estate it appeared the soil was altogether turf lying on rock. The question raised before us whether the turf could be considered a distinct element of value. Turf, then, I need hardly say, is of great value: the cultivation is not, as it is in very many cases, of a cut away bog, but it is upon the turf bank itself; and it was stated that if the bog was wholly cut away there would be nothing remaining in the nature of soil on which to grow crops; but upon the turf potatoes are grown, and oats; and there is, in addition, of course, the turf for fuel.

and there is mountain grazing for their cattle. It was contended strongly by the solicitor for the tenants that we could not regard it as a distinct element of value, inasmuch as if it were not for existence of the turf the place would be wholly uninhabitable. In our opinion we must take the holdings as they are, with all their conveniences. Lord George Hill bought this property fifty years ago, when the holdings were in ruddle, and his idea was to change this system into the ordinary tenure. It was agreed too, that the people were not prepared for this change, and that they were better off under the old system; but we cannot doubt that the change was from a more primitive to a better system. The people were admittedly an industrious people, and we, having heard the evidence very fully, came to the conclusion that they were an honest and virtuous people. The gentleman who conducted the case

for the landlord and tenants conducted them with an admirable temper and discretion as we ever remember to have met in any part of the country. I will only add that both the Sub-Commissioners and ourselves in very many cases made alterations in the rent either by raising them, or by lowering them, which may seem very trifling, only a few shillings; but as I have had occasion, on several other instances (everything is comparative) and where a rent is only itself 15s. or 18s., of course a rise or a reduction of a few shillings is, comparatively speaking, the same as it would be in the case of pounds if the rents was mentioned in pounds; so that although we generally avoid as far as we can, making minute alterations, yet we cannot consider the alterations minute, having regard to the extreme poverty of the tenantry, and the amount of rents.

Judge O'Hagan delivered the judgments as follows:—

	Old Rent.	Adjusted Rent.			Old Rent.	Adjusted Rent.	
	£ s. d.	£ s. d.			£ s. d.	£ s. d.	
Charles Doyle, . . .	2 1 10	1 4 8	Confirmed.	Corn Gallagher, . . .	2 1 0	0 17 9	Confirmed.
P. Doyle, . . .	2 1 0	1 1 8	Reduced to 1s.	D. Gallagher, . . .	2 12 4	1 17 0	Confirmed.
G. Doyle, . . .	—	—	Dismissed, not in possession.	A. Gallagher, . . .	0 12 0	0 20 0	Confirmed.
Owen Doyle, . . .	—	—	Dismissed, do.	J. Gera, . . .	0 10 0	1 7 8	Confirmed.
G. Doyle, . . .	3 5 0	0 10 0	Confirmed.	James Gallagher, . . .	0 2 0	1 2 0	Reduced to 4s. 12s.
G. Doyle, . . .	3 13 0	0 12 0	Confirmed.	J. O'Donnell, . . .	2 12 0	1 5 0	Confirmed.
T. Doyle, . . .	1 5 0	0 12 0	Confirmed.	P. O'Donnell, . . .	2 4 0	1 0 0	Confirmed.
James Doyle, . . .	1 14 0	0 12 0	Reduced to 4s. 6s.	M. O'Donnell, . . .	0 2 0	1 10 0	Confirmed.
P. M. Doyle, . . .	0 17 0	0 12 0	Reduced to 4s. 12s.	H. O'Donnell, . . .	0 6 0	0 12 0	Confirmed.
Paddy Doyle, . . .	0 5 0	0 6 0	Confirmed.	M. O'Donnell, . . .	0 8 0	1 5 0	Confirmed.
James Doyle, sen., . . .	1 10 0	0 10 0	Reduced to 4s. 1s.	H. O'Donnell, . . .	1 0 0	0 16 0	Confirmed.
D. Gallagher, . . .	1 4 0	0 5 0	Reduced to 1s.	A. O'Donnell, . . .	1 4 0	0 10 0	Confirmed.
Wm. Gallagher, . . .	1 10 0	0 10 0	Confirmed.	G. O'Donnell, . . .	0 10 0	1 0 0	Confirmed.
James Gallagher, . . .	0 12 0	0 10 0	Confirmed.	H. O'Donnell, . . .	0 2 0	0 10 0	Confirmed.
Wm. M. Gallagher, . . .	1 4 0	0 10 0	Confirmed.	M. O'Donnell, . . .	—	—	Dismissed.
Shah Gallagher, . . .	2 1 0	1 17 0	Confirmed.	G. Doherty, . . .	0 10 0	1 10 0	Confirmed.
On Gallagher, . . .	2 4 0	1 5 0	Confirmed.	J. Doherty, . . .	0 6 0	1 0 0	Confirmed.
Owen Gallagher, . . .	1 0 0	0 10 0	Reduced to 12s.	H. Doherty, . . .	0 7 0	1 0 0	Reduced to 12s.
Wm. H. Gallagher, . . .	2 10 0	1 11 0	Confirmed.	M. Doherty, . . .	0 12 0	0 10 0	Confirmed.
H. Gallagher, . . .	0 14 0	1 4 0	Confirmed.	G. Doherty, . . .	0 10 0	1 7 0	Confirmed.
William Gallagher, . . .	0 12 0	0 10 0	Confirmed.	M. Douglas, . . .	0 6 0	1 2 0	Confirmed.
Charles McGee, . . .	0 10 0	0 10 0	Reduced to 4s. 6s.	A. Douglas, . . .	1 2 0	0 17 0	Reduced to 12s.
P. Carron, . . .	2 14 0	1 5 0	Confirmed.	J. Douglas, . . .	0 10 0	0 4 0	Reduced to 4s.
S. McGee, . . .	0 10 0	0 11 0	Confirmed.	P. Douglas, . . .	0 14 0	0 4 0	Reduced to 4s. 12s.
James McGee, . . .	0 10 0	1 4 0	Reduced to 4s. 12s.	G. Douglas, . . .	2 2 0	2 4 0	Confirmed.
D. McGarry, . . .	0 10 0	0 10 0	Confirmed.				
H. McGeehan, . . .	0 10 0	0 5 0	Confirmed.				
M. McFadden, . . .	1 5 0	1 2 0	Reduced to 4s.				

The total change on appeal in the seventy-one cases is a reduction of 4s. 1s. 6d., and on the fifty-four cases on Captain Hill's estates is an increase of 4s. 6d.

No. 12.—STATEMENT of Lieutenant-General A. NUGENT, of Portaferry, in reply to RICHARD MCNAB.—Page 261, Questions 8877 to 8879.

January 5th, 1887.

DEAR SIR,—In reference to Mr. McNab's statements, No. 8877 and 8879, I beg to say that on the occasion when he, with what he describes as a begging party of my Portaferry tenants, called on me in 1879, I was ill and unable to see them, and they did not afterwards call upon me.

It is not my practice to refuse seeing my tenants whenever they wish to see me, or to submit anything for my consideration. I reside at Portaferry for two

months every winter, besides paying a flying visit to the place occasionally. I have a resident agent, and give a great amount of employment, besides contributing largely to the local charities, and anything conducive to the interests of the neighbourhood.

Yours faithfully,

(Sig.) A. Nugent, Lieutenant-General.

The Secretary,
Royal Commission on Land Acts.

PAPER No. 13.—COMMUNICATION from Sir JOHN CALVERT STRONGE, Bart., received subsequent to the final printing of evidence, giving revised and more explanatory replies to questions put to him.

Question 11752.—And you would not mind being compelled to sell if you got fair terms?—Such rents should be nearly as good value as consols, and should sell for a higher price than ordinary rents. There are very peculiar circumstances with reference to the Trinity College properties. They are held under special Acts and the circumstances are not the same as those affecting other estates in Ireland. I should like to explain that the estates which are held by the middlemen under the College have been enjoyed by them and their predecessors for nearly 300 years—since the original grants to the College were made by the Crown.

I call myself a middleman, because I am in that position—it is rather an invidious term, but I take it for the sake of illustration. At the time these lands were granted to the College the country was in a state of misery and desolation, and had not recovered from the effects of the Desmond and O'Neill wars. The College, which was founded by Queen Elizabeth had to look to them for its sustentation. The College was in this position that it had to say to men of substance, "Here are the lands, give us a fair rent and we will give you fair terms and twenty-one years leases." Leases were accordingly granted to undertakers who imported new occupiers and furnished the capital for the new settlements and reclamation of the lands. The Provost and Senior Fellows were the governing body and had control over the estates, but by the constitution of the College they were not empowered to apply the rents to their own personal remuneration. Under these circumstances they established a system by which they secured for their own personal profit a large income and conferred what has been termed a quasi-perpetuity upon their tenants. They said to their tenants we will add one year to the twenty-one years or give you a new lease for twenty-one years at the expiration of the first year of your tenancy upon the terms of your paying down in anticipation and in addition to the rent reserved the sum of 5s. 6d. in the pound. Thus they exacted from the tenant a fine of more than 25 per cent. on the rent which was divided among the Senior Fellows, and the interest of which was lost to the tenants. That system lasted until the year 1851, at which time the Fellows of College applied to the Government of the day for letters patent enabling them to pay themselves their usual incomes out of the general funds of the College and then by making them

independent of the fines enabling them to determine the tenants' leases without loss of income to themselves.

The Government, however, declined to do this. The intermediate tenants had held for centuries, and their tenure was looked upon as a perpetuity. There was a great deal of negotiation between the Government and the College, some of the tenants also intervening. Ultimately an Act of Parliament was passed under which these lands are now held.

The tenants complain that under the provisions of that Act, with reference to varying their rents the College has had power to increase those rents upon the allegation that the prices of produce as given in the Act of 1857 (the data upon which the rents were ascertained), had as a matter of fact risen so as to justify an increased rent, while, by the operation of the Land Act, 1881, the occupying tenants have established a claim to reduction below the rents of 1851. The consequence being that the middlemen or immediate landlord in ground between the upper and the actual millstone. The rent he pays is increased on the one hand while his receipts are reduced on the other. It would detain you too long if I were to follow up this subject at length or to enter into further details.

11753. Is there actually any case in which the middleman has to pay more than the rent?—I believe that a full and fair investigation into all the facts of the case would show that the tenants (middlemen) as a matter of account, have paid to the College in fines and increased rents to which they were not liable a sum which amounts to more than the value of the perpetuity as estimated by material calculation at the time the perpetuity grants were taken out in 1851—and that any difference there may be between the rent paid by the occupiers and that paid by the middlemen to the College has been purchased and paid for by such payments of fines and increased rent. The middleman had twenty years against the College at the old rent when the perpetuity grant was taken out. He gave up this advantage in 1851 and agreed to pay an increased rent, calculated at the then full value of the College interest in the lands. The College has raised its rent upon the suggestion that the prices of produce have risen. The intention of the Act was that the College should share in the increase if the middleman raised his rent, but the way in which it has been worked has proved most unfair to the latter.

APPENDIX C

PAPERS HANDED IN BY THOMAS W. GRIMSHAW, M.A., M.D.,
REGISTRAR-GENERAL OF IRELAND.

PAPERS headed in by THOMAS W. GREENHAW, Esq., M.A., M.D., Registrar-General of Ireland.

PAPER No. 1.

SOME OF THE PRINCIPAL STATISTICS relating to the Counties and Provinces of Ireland,
General Register

COUNTIES, &c.	Total Population.						Male Population.			
			Increase.		Decrease.				Decrease.	
	1851.	1861.					1851.	1861.		
			Number.	Rate per cent.	Number.	Rate per cent.			Number.	Rate per cent.
Counties.	1	2	3	4	5	6	7	8	9	10
SOUTHERN PROVINCE.										
Carlow,	45,129	45,200	—	—	20,810	46.0	22,112	25,520	33,445	48.8
Dublin,	273,773	438,318	45,187	19.4	—	—	115,770	47,899	48,488	41.2
Kildare,	118,487	55,504	—	—	33,014	32.5	164,980	64,615	57,547	35.1
Kilkenny,	202,400	86,121	—	—	125,048	44.5	217,187	54,517	55,540	25.5
Sligo,	145,583	72,032	—	—	51,006	46.5	136,596	51,532	43,363	35.4
Longford,	119,401	51,600	—	—	54,492	47.2	109,117	54,678	52,885	47.8
Louth,	233,280	77,718	—	—	80,514	38.4	254,259	50,855	43,727	47.2
Monaghan,	105,114	61,410	—	—	55,617	50.9	271,204	52,774	55,269	25.8
Queen's,	253,769	74,274	—	—	58,488	29.5	158,781	58,204	74,051	25.8
Wexmouth,	141,000	51,200	—	—	51,500	40.3	174,935	46,915	57,337	38.0
Wicklow,	202,003	137,534	—	—	79,219	39.7	215,201	57,360	70,807	45.3
Wicklow,	202,162	70,200	—	—	55,552	34.2	217,002	27,885	60,361	33.9
Total of Southern,	1,372,893	1,279,893	—	—	405,810	39.2	1,218,264	705,140	710,352	40.2
MIDLAND PROVINCE.										
Clare,	264,404	141,457	—	—	246,897	50.5	307,967	125,363	126,592	42.0
Cork,	254,128	484,860	—	—	304,411	42.8	419,435	236,428	221,454	40.2
Kerry,	252,998	201,123	—	—	125,423	31.8	260,468	119,526	54,500	33.4
Limerick,	210,000	105,123	—	—	145,327	60.2	224,328	117,165	107,155	38.0
Tipperary,	430,263	125,413	—	—	335,383	51.5	584,338	136,545	204,518	37.4
Waterford,	138,187	112,518	—	—	124,458	42.8	145,597	73,751	69,450	40.8
Total of Midland,	2,105,101	1,237,115	—	—	1,285,940	40.5	2,005,220	1,209,736	870,487	42.0
EASTERN PROVINCE.										
Antrim,	264,278	425,840	57,785	29.2	—	—	548,160	195,278	55,574	28.9
Armagh,	201,202	125,217	—	—	89,214	39.5	211,200	126,215	55,544	40.5
Down,	145,150	138,478	—	—	125,603	60.5	224,054	126,428	106,055	47.2
Down,	268,460	204,818	—	—	95,413	39.5	308,079	201,607	115,001	37.7
Down,	168,140	275,207	—	—	68,000	39.5	256,084	201,074	121,570	47.1
Fermanagh,	145,081	54,575	—	—	51,829	45.5	180,753	75,167	73,429	47.9
Londonderry,	232,874	246,401	—	—	25,185	10.7	191,879	214,076	70,840	36.7
Monaghan,	200,400	100,770	—	—	37,616	18.7	181,502	95,161	62,450	34.8
Tyrone,	218,568	187,730	—	—	214,337	40.5	204,420	110,440	121,875	32.9
Total of Eastern,	2,205,125	1,742,015	—	—	645,368	29.5	2,240,930	1,755,795	838,210	37.5
CONNAUGHT PROVINCE.										
Galway,	543,519	542,588	—	—	165,406	45.5	600,385	204,812	180,878	44.7
Leitrim,	189,510	50,175	—	—	64,025	42.5	245,917	50,273	64,025	41.5
Mayo,	807,278	545,222	—	—	145,600	30.7	575,590	260,804	127,210	22.5
Sligo,	202,580	101,080	—	—	110,131	48.5	243,580	125,340	122,710	40.8
Sligo,	202,580	115,120	—	—	48,700	20.2	210,210	126,220	67,710	32.5
Total of Connaught,	1,415,185	853,065	—	—	433,821	42.1	1,400,185	710,710	815,618	49.2
WESTERN PROVINCE.										
County Group,*	1,375,405	1,184,815	—	—	1,674,041	55.5	6,575,539	1,107,210	2,516,084	45.4
Western Group,*	2,251,581	1,700,840	—	—	215,120	40.2	2,165,979	1,712,270	587,580	41.2
TOTAL OF IRELAND,	8,774,794	8,274,022	—	—	2,875,140	32.7	7,900,808	5,215,130	5,100,870	44.5

* In the "Western Group" are included the County of Donegal, situated in the Province of Ulster, the entire of the Province of Connaught & the County and Provincial numbers are estimates of 210,000 emigrants whose County was not specified. The

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compiled from the Census Reports of 1841 and 1881, and other publications issued by the Office of Ireland.

Census Population. (Times of 1,000 inhabitants or equivalents)								Birthplace, 31st Mar., 1881, to 31st Dec., 1881		Registration of Marriage Banns, and Deaths				COUNTIES, &c.	
1841	1861	Increase.		Decrease.		Percentage of Total Population of County, &c., in 1881.		Number in every 1,000 of population in 1881, who were born there	Number of Emigrants.	Ratio per cent. of Population in 1881.	Average annual rate per 1,000 of popu- lation registered in the 10 years ending 31st March, 1881.				
		Number	Rate per cent.	Number	Rate per cent.	1841	1861				Mar- riages.	Banns.	Deaths.		
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46
LONDON PROVINCE.															
14,566	6,829	-	-	6,829	47.0	100	100	942	22,327	48.9	4.4	26.5	10.3		London Province.
29,992	31,796	12,855	29.8	-	-	100	100	518	23,618	10.1	7.4	27.1	20.4		London Province.
30,718	31,293	262	0.8	-	-	100	100	712	25,598	12.0	4.6	24.6	19.9		London Province.
39,993	14,334	-	-	14,334	40.9	10.0	10.0	808	19,545	47.9	4.5	24.6	20.0		London Province.
36,104	16,975	-	-	1,793	34.4	13.6	13.6	935	40,389	60.8	6.2	23.7	17.4		London Province.
7,194	4,409	-	-	3,785	40.9	8.4	7.9	769	46,720	10.2	6.2	24.5	18.0		London Province.
41,291	79,337	-	-	4,499	10.0	24.0	24.9	971	33,331	31.3	4.4	24.8	19.4		London Province.
22,382	7,105	-	-	5,487	64.7	6.6	7.7	460	39,019	66.9	3.9	20.3	19.4		London Province.
23,037	7,106	-	-	5,297	63.6	6.9	13.6	813	36,037	65.9	3.7	20.3	19.4		London Province.
8,546	7,105	-	-	2,124	23.5	7.1	16.9	679	35,042	65.1	4.0	22.1	16.2		London Province.
30,793	29,634	-	-	5,115	7.9	26.9	25.4	855	17,384	20.8	4.7	14.7	16.2		London Province.
8,391	12,935	5,544	59.2	-	-	6.6	17.9	949	21,231	20.3	4.6	15.4	17.1		London Province.
463,785	496,396	42,611	18.9	-	-	21.6	35.4	-	315,600	64.9	8.2	20.3	15.1		Total of London
MIDDLESEX PROVINCE.															
29,027	33,112	-	-	4,299	47.9	9.5	7.3	822	304,349	61.9	9.8	21.4	17.9		Middlesex Province.
176,579	141,119	-	-	23,090	12.1	19.9	20.0	629	248,156	57.7	4.0	27.4	19.6		Middlesex Province.
24,676	21,220	-	-	9,698	15.0	8.3	16.7	658	135,474	31.7	4.1	28.0	16.6		Middlesex Province.
39,690	62,307	-	-	39,612	22.0	10.0	24.9	691	123,397	60.0	4.3	27.5	16.6		Middlesex Province.
71,292	64,997	-	-	31,625	37.0	10.4	22.2	938	187,840	69.9	4.9	20.2	18.6		Middlesex Province.
48,944	30,967	-	-	14,379	31.6	20.9	29.4	678	78,699	16.4	6.6	21.9	20.7		Middlesex Province.
619,642	276,381	-	-	64,359	36.4	18.1	29.0	-	619,699	71.2	6.4	27.4	19.0		Total of Middlesex.
UNITED PROVINCE.															
39,089	223,768	123,679	196.9	-	-	20.4	48.8	489	146,199	60.9	6.4	20.2	20.9		United Province.
26,790	26,123	16,294	20.7	-	-	10.0	20.0	512	46,707	37.7	5.1	24.6	18.0		United Province.
8,564	3,000	-	-	7,184	29.6	3.4	9.4	594	93,083	62.0	3.0	26.9	18.0		United Province.
4,020	5,696	-	-	1,596	20.8	2.2	5.4	510	93,346	50.3	3.6	24.2	19.4		United Province.
21,815	64,178	99,234	76.5	-	-	10.2	20.6	876	146,118	14.3	4.9	20.2	19.8		United Province.
8,688	5,712	24	0.5	-	-	8.6	4.7	582	95,619	35.7	4.0	20.2	14.3		United Province.
24,722	22,651	10,640	54.9	-	-	13.7	20.0	439	112,729	41.2	4.9	20.6	17.9		United Province.
6,141	7,387	-	-	3,744	27.0	4.6	7.4	913	84,468	67.4	5.4	20.4	19.0		United Province.
14,438	17,294	1,323	29.8	-	-	6.6	4.5	949	67,220	62.9	6.2	20.6	18.6		United Province.
219,672	619,217	179,622	77.6	-	-	9.2	20.8	-	469,048	42.8	4.3	27.1	19.1		Total of United.
CONVENT PROVINCE.															
39,029	26,222	-	-	16,418	39.6	9.5	10.0	766	117,316	61.2	6.6	27.2	17.9		Convent Province.
-	-	-	-	-	-	-	-	862	45,754	12.5	4.0	26.3	11.6		Convent Province.
18,149	14,085	-	-	6,951	34.4	8.1	6.1	691	86,428	33.9	3.0	27.1	10.3		Convent Province.
16,609	9,713	-	-	521	9.1	6.0	7.4	929	64,390	42.0	3.7	26.5	14.6		Convent Province.
13,071	18,956	-	-	1,781	12.2	7.3	12.8	911	26,394	32.8	5.9	25.5	13.7		Convent Province.
10,246	63,942	-	-	17,293	29.8	9.2	7.7	-	100,720	33.7	3.7	27.4	14.6		Total of Convent.
EASTERN GROUP.*															
1,096,814	1,147,894	448,618	11.9	-	-	17.1	30.1	803	2,008,849	61.9	4.9	19.0	10.2		Eastern Group.*
136,411	79,614	-	-	36,861	28.3	8.9	7.1	941	612,799	49.1	5.0	20.9	14.8		Eastern Group.*
1,130,665	1,268,280	110,859	6.7	-	-	10.0	34.2	-	2,719,200	47.0	4.7	19.0	10.5		Total of Ireland.

and the Counties of Clare and Kerry situated in the Province of Munster. The "London Group" comprises the counties of the country have been included in the 1841 and also divided you now between the "London" and "Western" groups.

PAPER No. 1—continued.

Some of the PRINCIPAL STATISTICS relating to the Counties and Provinces of Ireland,
General Register

COUNTY, &c.	Distribution of Land.															
	Agricultural Holdings in 1911.															Average valuation per statute acre of the entire area.
	Number of acres of Arable and Pasture Land in each parish in 1911 and 1901, and proportional valuation in 1910.		Number of acres in the entire county, Arable, in each parish.		Mean value of Holdings per Statute Acre.		Percentage of Agricultural Holdings.		Percentage of Area, under Holdings.		Average valuation of each Agricultural Holding.					
	1911	1901	1911	1901	1911	1901	1911	1901	1911	1901	1911	1901	1911	1901		
County—	20	26	27	28	29	30	31	32	33	34	35	36	37	38	39	
	Acres	Acres	Valuation	Acres	Acres		Statute Acres.						£	£	£	s d
LEINSTER PROVINCE.																
Carlow,	31	49	0 15 4	30	48	22	48	25 6	34 4	45 8	10 2	10 8	6	69	0 15 4	
Delvin,	0 5	0 1	0 11 6	0 0	0 1	26	11	37 8	72 5	38 3	10 0	10 1	22	147	0 2 4	
Edilow,	31	48	0 11 3	37	38	37	31	43 7	33 3	36 8	12 9	11 0	7	83	0 16 1	
Kilenny,	32	49	0 12 8	36	38	56	45	47 8	34 7	44 0	13 3	10 1	8	34	0 16 8	
Kilg's,	32	52	0 12 4	34	37	54	45	46 6	30 9	43 3	13 1	10 0	7	55	0 20 9	
Kingsford,	17	31	0 8 8	30	33	28	28	41 5	35 8	34 5	10 8	10 4	3	47	0 12 0	
Leath,	14	29	0 10 4	19	30	37	35	33 1	33 0	31 0	12 5	12 0	3	55	1 3 0	
Meath,	30	49	0 8 8	39	37	36	35	47 3	34 8	30 4	13 4	10 0	3	128	0 20 3	
Queen's,	32	48	0 12 0	34	35	54	41	47 4	37 0	35 4	13 5	10 3	7	55	0 20 9	
Wexford,	32	52	0 8 0	32	33	31	42	40 1	34 4	30 8	13 6	10 0	7	54	0 23 8	
Wicklow,	32	42	0 3 0	29	40	35	41	35 1	30 2	44 2	13 3	10 0	5	46	0 23 8	
Wicklow,	32	45	0 36 4	40	37	31	42	33 6	41 8	30 4	13 6	10 0	5	55	0 21 0	
Total of Leinster,	28	51	0 21 0	30	48	51	44	48 9	34 1	35 6	13 6	10 0	8	72	0 20 0	
MUNSTER PROVINCE.																
Cork,	18	29	0 5 0	28	38	15	48	38 9	40 4	41 8	12 9	10 0	7	32	0 2 0	
Cork,	18	29	0 5 0	28	37	25	58	20 2	40 5	36 1	11 1	10 0	10	40	0 10 0	
Kerry,	23	27	0 8 7	48	50	13	58	20 5	40 8	30 6	12 2	10 0	8	30	0 2 0	
Lisarrick,	18	29	0 10 7	31	37	28	48	32 3	30 3	37 9	12 4	10 0	9	56	0 10 0	
Tigerny,	30	33	0 8 6	34	38	32	40	30 1	30 0	42 4	12 0	10 0	8	34	0 15 0	
Waterford,	19	28	0 10 0	34	40	34	52	35 8	40 5	30 1	12 0	10 0	8	30	0 14 0	
Total of Munster,	18	34	0 21 0	34	40	28	53	38 4	40 2	48 6	12 4	10 0	8	42	0 13 0	
ULSTER PROVINCE.																
Antrim,	13	14	0 10 0	32	14	20	36	38 1	37 0	30 8	10 9	10 0	14	30	1 16 8	
Armagh,	27	17	0 10 0	14	20	12	18	47 6	30 3	18 0	40 8	10 5	11	32	1 7 8	
Carry,	29	30	0 3 0	32	27	14	33	40 7	30 2	18 6	40 6	10 1	0	30	0 12 8	
Down,	19	20	0 10 0	40	30	8	36	41 1	30 3	30 9	10 3	10 0	0	13	0 2 0	
Dumfries,	34	18	0 16 10	37	30	24	54	33 0	34 0	25 0	40 0	10 0	13	40	1 5 8	
Fermanagh,	38	40	0 10 0	32	30	12	32	38 8	30 4	30 6	10 1	10 0	10	35	0 31 8	
Londonderry,	14	24	0 3 7	30	31	17	38	45 6	33 0	30 0	10 0	10 0	0	30	0 12 8	
Monaghan,	14	27	0 11 3	14	31	12	18	40 6	30 3	12 0	10 4	10 0	14	30	0 12 8	
Tyrone,	14	29	0 3 8	30	40	10	38	40 1	30 9	30 8	10 0	10 0	0	30	0 12 8	
Total of Ulster,	14	30	0 10 7	30	41	27	32	48 4	30 6	29 5	10 6	10 0	0	42	0 14 0	
CONNAUGHT PROVINCE.																
Galway,	17	48	0 8 8	34	47	10	54	40 2	30 6	30 8	10 7	10 0	0	48	0 0 0	
Lettin,	15	38	1 8 8	36	48	6	34	40 8	31 2	18 6	40 0	10 0	0	30	0 7 0	
Mayo,	15	38	1 8 3	35	38	5	30	40 1	30 0	18 6	40 0	10 0	0	30	0 7 0	
Sligo,	17	36	0 8 8	34	40	24	38	40 2	30 8	18 6	40 0	10 0	0	30	0 7 0	
Sligo,	17	36	1 12 8	34	43	10	38	40 2	30 8	18 6	40 0	10 0	0	30	0 7 0	
Total of Connaught,	16	34	1 14 0	31	38	11	30	40 2	30 8	18 6	40 0	10 0	0	30	0 7 0	
WESTERN GROUP.*																
Western Group,†	15	34	0 1 4	30	34	38	48	42 6	37 0	30 0	10 1	10 0	0	38	0 18 8	
Western Group,†	15	34	1 16 0	34	35	39	48	40 0	32 2	24 8	10 6	10 0	0	31	0 0 0	
Total of Ireland,	14	30	0 26 0	30	42	30	57	48 6	30 8	30 1	10 2	10 0	0	44	0 14 8	

* In the 'Western Group' are included the County of Donegal, situated in the Province of Ulster, the entire of the Province of Connaught.
† The total valuation of houses and land has

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compiled from the Census Reports of 1841 and 1851, and other publications issued by the Office of Ireland.

Migratory Labourers				Occupations in 1841				Efficiency among persons 16 years old and upwards				Sub- graining Fences.	COUNTIES, &c.	
1841		1851		Average number of persons in every 1,000 of the population in 1841, belonging to the				1841		1851				Decrease in Per-centage	Average number of persons in every 1,000 of the population in 1851 who could speak Irish.
Number	Rate per 1,000	Number	Rate per 1,000	Cere- tural Class	Agric- ultural Class	Indus- trial Class	Number capable to read	Rate per 1,000	Number capable to read	Rate per 1,000				
48	45	42	40	44	43	45	47	47	49	46	42	49	Coleman.	
101	1.9	16	3	9	231	104	21,042	18.0	8,201	19.8	18.0	4	Letteren Province.	
7,020	101	40	2	16	21	390	16,200	20.1	54,203	34.8	16.0	12	Cork.	
118	4.6	7	1	19	581	131	62,614	44.9	13,706	80.9	31.0	8	Dublin.	
513	12.1	40	6	8	228	168	86,865	69.9	14,020	22.8	26.5	32	Kildare.	
442	3.2	30	5	6	596	183	41,456	47.8	16,181	25.8	26.0	7	Kilkenny.	
442	3.6	108	2.1	3	248	70	20,021	33.2	12,434	23.1	30.1	11	King's.	
3,132	8.0	398	2.6	31	319	313	47,745	89.8	50,372	29.4	50.7	73	Longford.	
403	4.9	117	1.6	4	945	100	44,329	44.9	16,815	16.6	32.6	42	Louth.	
245	2.9	6	1	6	264	39	16,478	40.8	16,428	59.4	20.0	4	Meath.	
473	4.6	26	2	6	243	36	44,448	42.1	19,444	34.4	20.7	39	Queen's.	
445	4.6	27	2	13	329	504	70,416	42.3	29,421	38.0	13.7	4	Westmeath.	
282	8.9	10	3	18	754	501	68,218	41.3	13,623	31.7	19.6	2	Wexford.	
11,494	2.9	594	6	22	1,65	145	161,888	44.9	552,216	30.1	20.7	81	Total of Leinster.	
366	7	35	1	9	329	82	216,047	61.2	76,536	29.8	31.9	440	MONAGHAN PROVINCE.	
468	4	165	4	19	344	123	446,061	61.7	137,612	29.8	31.3	616	Care.	
361	4	40	3	6	369	73	177,182	70.4	41,610	34.1	32.6	460	Kerry.	
619	1.3	20	3	14	173	171	555,086	80.6	46,444	34.9	38.4	210	Limerick.	
601	6	46	4	6	217	102	164,096	81.9	61,756	51.7	29.8	138	Tipperary.	
31	10	79	4	26	161	217	124,664	68.8	31,899	46.6	29.9	430	Waterford.	
1,617	4	496	9	14	164	196	1,260,073	48.6	477,015	35.6	39.1	616	Total of Munster.	
1,947	8.0	130	6.6	37	30	234	73,863	31.0	44,980	13.1	10.0	6	ULSTER PROVINCE.	
1,668	2.9	874	3.6	2	164	261	56,613	42.8	30,083	29.8	30.9	43	Antrim.	
1,894	7.6	100	3.6	6	319	47	186,716	81.9	36,781	39.4	30.1	43	Armagh.	
4,616	16.6	1,698	1.9	6	914	180	1,65,371	61.2	73,191	36.6	21.9	240	Cavan.	
1,845	4.2	347	0.9	24	960	283	66,723	37.6	50,119	14.6	13.2	2	Down.	
1,302	6.1	69	1.6	4	366	47	65,623	80.6	16,719	22.6	24.3	240	Fermanagh.	
1,118	0.3	130	0.7	16	208	107	37,781	24.4	25,612	17.6	13.4	90	Longsherry.	
1,307	6.9	500	6.6	4	377	68	96,437	45.3	31,880	33.6	20.3	66	Monaghan.	
5,986	6.7	287	1.3	6	963	224	138,574	48.9	66,229	32.6	22.4	66	Tynagh.	
15,702	8.1	5,663	2.7	13	185	218	647,217	48.6	914,368	20.2	19.6	15	Total of Ulster.	
6,386	2.6	9,014	5.1	8	369	64	191,246	36.6	97,680	69.6	32.6	120	CARLISLE PROVINCE.	
9,646	16.4	170	6.6	2	259	10	76,328	37.6	17,765	22.6	24.3	180	Dalkey.	
16,400	20.6	16,242	44.6	6	363	65	364,168	79.6	68,664	64.6	34.6	400	Lerlin.	
5,423	38.4	1,793	10.1	3	343	62	116,116	61.6	33,070	37.3	37.3	160	Mays.	
5,236	17.1	647	7.6	7	937	10	107,746	60.7	73,176	56.6	47.6	216	Roosomon.	
35,214	12.7	16,880	29.0	4	342	61	616,685	73.1	221,384	37.9	61.3	416	Slays.	
37,861	6.9	5,969	0.9	37	117	156	2,316,147	60.2	734,702	21.6	26.9	87	Total of Connaught.	
60,619	15.2	16,813	15.1	5	354	72	1,544,118	59.4	463,033	30.7	62.3	416	Kerry Group *	
37,861	7.1	21,033	6.3	14	103	264	2,746,665	59.1	1,135,636	34.9	27.4	161	Wick Group *	
													Torridge Islands.	

and the Counties of Clare and Kerry situated in the Province of Munster; the "Eastern Group" comprises the remainder of the Country. See also for the calculation under this heading.

PAPER NO. 2.

1886

GENERAL INSTRUCTIONS by the REGISTRAR-GENERAL for the use of the ROYAL IRISH CONSTABULARY, and METROPOLITAN POLICE FORCE, who act as Superintendents and Enumerators of the Agricultural Statistics of Ireland.

GENERAL INSTRUCTIONS.

GENERAL REGISTRAR OFFICE,
CHARLINGTON HOUSE,
Dublin, 25th March, 1886

I.—ENUMERATION DISTRICTS.

1. The Townland Lists of last year (Form E), will assist Superintendents to divide their districts for the purposes of the present Enumeration; they are recommended to refer to the Ordnance Maps to see that the Townlands allotted to an Enumerator adjoin each other, and that every Enumeration District is of convenient size.

2. Blank Forms—marked E—are supplied, in which Superintendents will enter the names of the Townlands allotted to each Enumerator. The Enumeration Districts sought, so far as practicable, to be co-extensive with Electoral Divisions. These Forms are to be prepared in duplicate,—one to be sent to this Office as soon as possible,—the other to be given to the Enumerator.

3. The extent of Tillage in each Townland will be collected, as in former years, on one set of Returns,—marked A,—and the number of Live Stock on another,—marked B.

II.—TILLAGE RETURNS—Forms A and A 1.

4. Form A will contain the names of all persons occupying land within each Townland,—the acreage of their respective holdings (see note at foot of Form A),—the extent of land under each description of crop, and in fallow,—and the extent not in tillage,—each area to be given in SQUARES (or English) ACRES. When bog, barren mountain, or waste land forms part of the holding, its extent should be entered in the proper column, and also included in the total of the holding; and where tracts of land of any description are not occupied by a tenant farmer, or cultivated by the proprietor, their acreage should be ascertained by the Enumerator, and added at foot of the Return, in the proper column. The total of all the occupied and unoccupied portions should equal the area of the Townland, as determined by the Ordnance Survey.

5. The area of the entire Townland, being first entered by the Enumerator at the head of Form A, affords a check upon the quantities stated by the various Landholders, and a means of testing the general accuracy of the answers. If upon adding up the acreage of the several holdings within each Townland, the total be found to differ from the area of the whole Townland, further inquiry should be made in order that the error may be corrected by the Enumerator.

6. In order to fill Form A correctly, the Enumerator will ascertain, first, the total area of the holding, then the extent under each description of crop, and, finally, the quantity under Grass, Fallow, Woods, &c., observing particularly that the total of all these items should amount exactly to the total area of the holding. Each item of this information should be procured from the occupier of the land, his steward, or some other competent person who has an intimate knowledge of the particulars. When on the lands, the Enumerator will take the areas in whatever measure—Irish or Cunningham—may be in use in the locality, and afterwards convert it into English or Statute Measure, in effecting which he will be guided by Form H.

7. Land intended for Turnips or other Green Crops, but which may not be sown at the time of the Inquiry, should be entered in the proper column, as if THE CROP WERE ALREADY IN THE GROUND—the Enumerator taking care to ascertain from the Occupier, or his Steward, or some other competent person, the EXACT extent to be cropped.

8. The Returns for Towns should be kept in separate files, showing the portions of the Town in each Townland; and the quantity of ground attached to each House on a garden plot must also be specified; but if such plots are very small it will be sufficient to state their number (as in pattern at page 10) and total area. The extent of the crops grown in small gardens may be entered under the column headed "Other Green Crops," if the exact quantities under plots of "Cabbages," "Carrots and Parsnips," &c., cannot be determined.

9. When obtaining information as to the extent of land under Pastures, the Enumerator will ascertain the extent under each of the different kinds planted, and make an Abstract for each Townland on Form "A 1" supplied for that purpose.

10. In the case of an occupier of land resident within an Enumerator's District holding two or more farms, or having a farm which extends into two or more adjoining Townlands, a special Form—"A 2"—is furnished, on which the Enumerator will show the Townland where each farm (or portion of a farm) is situated. This information is necessary to compile a correct Return of the quantity of land in the occupation of each Landholder. One or more of these Forms ("A 2"), should be filled for each Enumeration District in accordance with the particular instructions given on the Form. Should there be no such case in his District, the Enumerator will state so on Form "A 2."

III.—RETURNS OF LIVE STOCK, &c.—Form B.

11. The first and second columns of this Form will contain, in the same order as the first and second columns of Form A,—the name of every Landholder, and the extent of each holding. The other columns should show the number and description of Live Stock, &c., in each holding, as required by the headings of the columns. In order to ensure accuracy, it is very desirable that the Enumerator should first obtain the total number of each description of Stock, and then ascertain the number at the various ages stated on Form B.

12. Grazing Stock (that is Stock which does not belong to the owner of the land on which they are feeding) must be considered as the stock of that land for the time being, and should be entered as it belonging to the holder of such grazing land.

13. In the case of persons having Stock, but who are not Landholders, their names and the quantity of Stock in their possession will be entered on Form B, after the Landholders of the Townland, and a line drawn across the "Area" column. The names of such Stockholders should not appear in the A Returns.

14. In regard to Towns, the names of Stockholders should be entered for each Street on one or more of the Forms as in the case of a Townland, and the Stock belonging to each person distinctly stated.

15. Where farms extend into more than one Townland, the quantity of Stock within each Townland, at the time of the inquiry, should be entered on the

Form B of that Township, taking care that none are enumerated twice. Cattle driven to Fairs and Markets on the day of the Enumerator's visit to the Farm should be entered as Stock belonging to the Holding from which they were driven.

16. Separate columns are given to distinguish the purposes for which Horses two years old and upwards are kept, whether for "amusement or recreation," for "traffic and manufactures," or for "agricultural purposes," particular inquiry should therefore be made with a view to obtain this information. In many cases it will be found that the same horse is kept for recreation as well as for labour, and in every instance where the Enumerator is informed that any portion of the labour of the animal is given to productive employment, the horse is to be entered in the column headed "Agricultural purposes," or "Traffic and Manufactures," as the case may be: Carriage and Saddle Horses, kept for hire, should be returned in the column headed "Traffic and Manufactures." Military Horses should have the word "Army" written after them.

17. In making up the files of Stock Returns (Form B), they should be arranged in exactly the same order as those of Tillage (Form A).

IV.—ABSTRACTS OF THE "A" AND "B" RETURNS OF ENUMERATION DISTRICTS.

18. As soon as an Enumerator has completed the Tillage and Stock Returns of the Townlands allotted to him, he will fill up with great care the Abstracts marked F and P, observing the instructions at foot of the A and B Forms. He will also enter the Townlands in each Electoral Division on separate Forms. Very great trouble would be experienced if Townlands in different Electoral Divisions were entered on the same F Form; this irregularity should therefore be avoided. The E Returns should be used as a guide to the arrangement of the Townlands.

19. The Abstracts are to be placed in front of the files of Returns to which they belong.

V.—RATES OF PRODUCE—FORM "C."

20. Form "C," which will be forwarded in October together with instructions on the subject, will contain a Return of the Average Rates of Produce of the various Crops grown in each Electoral Division in each District.

VI.—SUTCHING MILLS—FORM "D."

21. On Form D will be entered the number and description of Flax-Mills. In those Enumeration Districts where there is not a Mill of the kind, a statement to that effect is to be written on one of the Forms D, and transmitted with the other Returns. The Township on which a Mill is situated should be carefully ascertained, and if during the past year a Mill has been converted to any other purpose, or the machinery taken down, or fallen into ruin, or been burned, the circumstance should be clearly stated on the form D.

VII.—AGRICULTURAL LABOURERS (MIGRATORY)—FORM "M."

22. Each Enumerator will carefully ascertain and enter on Form M the Names, &c., of all persons (Harvestmen) who, though usually resident in his enumeration district, are at the time of the above enquiry assisting in Agricultural operations (a) elsewhere in Ireland, or (b) in England, or (c) in Scotland, also of those persons who are likely to be so employed during the season, the latter being marked with a cross thus X.

23. The Enumerator will carefully attend to the directions given on the Form, and fill it up in accordance with the "Pattern Return." Should there

be no case of the above kind in his District, a Form M should be sent to this office marked "Nil."

24. Agricultural Labourers working outside the Enumeration District, who return daily to their homes within it, should not be included in these Returns.

VIII.—RETURNS OF SIREN—FORM "N."

25. On Form N the Superintendent will have entered the name, breed, age, &c., of all Sires within his Constabulary District, with the names and addresses of the owners. It is most desirable that a copy or two of the handbills describing the breed and pedigree of each Sire included in the Return should be forwarded to this Office. Should there be no Sire of any description in his District, a Form N should be forwarded marked "Nil."

IX.—IMPROVED AGRICULTURAL MACHINES—FORM "O."

26. On Form O the Enumerator will enter opposite the names of the Owners, the number and description of Improved Agricultural Machines having for their object the diminution of Manual Labour, and state in each case the power employed in working them.

X.—BEE-KEEPING STATISTICS FOR 1885—FORM "P."

27. Form P for Apiculture Statistics has been prepared for the purpose of obtaining information as to the quantity of Honey and Wax produced, and the number of Swarms at work in 1885. Should there be no Bee-keepers in his District, the Enumerator should send a Form P to this Office, marked "Nil."

28. In those cases where Bees are kept but the Owners have not hitherto noted the particulars as to which information is now sought the Enumerators should point out the desirability of their doing so in future, in order that the Statistics may be so complete as possible, and, therefore, as useful to Bee-keepers in general as it is anticipated they will prove to be.

XI.—FORWARDING RETURNS TO THE REGISTRAR—GENERAL.

29. When the Returns for any DISTRICT have been completed, they are to be very carefully made up and forwarded to this Office by Rail or other public conveyance, and not by post or otherwise, unless the parcel be under 3 lbs. in weight. The proper address is printed on the labels, one of which should be pasted on the parcel; the name of the District having been first written thereon.

30. An Invoice (Form I) of the contents should be placed in each parcel, and a copy thereof forwarded by post at the same time.

31. Letters forwarded to this Office by Post or Parcels transmitted per Rail should not be prepaid.

XII.—FINANCE.

32. The Superintendent will be allowed the sum of 2s. 6d. to cover expenses for pens, ink, and paper. He will also be reimbursed expenses for postage unavoidably incurred, and for carriage of parcels.

33. Each Enumerator will be allowed 2s. for stationery, and he will be entitled to an allowance of 1s. for any one day on which he is obliged to absent himself from his barracks on this duty for eight consecutive hours and under twelve, and of 1s. 6d. for a day of twelve hours and upwards. He will also be allowed 3s. 6d. for each night absent, when, owing to the distance of the locality to be visited, such absence cannot possibly be avoided. Travelling money will also be allowed when payable under Constabulary Regulations.

54. Carriage, railway fare, horse hire, and boat-hire, will also be allowed when absolutely necessary, but previous to such expense being incurred the authority of the Registrar-General must in all cases be obtained on the Form marked "Enumerator's Estimate of Expenses," Form of Account No. 1—supplying at the same time every detail necessary to a full understanding of the Estimate.

55. These estimates should be collected by the Superintendent, and if he considers them reasonable, forwarded by him, not later than the 15th April, to the General Register Office through the County Inspector, whose approval is also required thereon. After these estimates are examined and approved by the Registrar-General they will be returned to the Superintendent, who will forward them to the General Register Office when forwarding the Accounts for his District.

56. When it is indispensable to employ Interpreters, an allowance of £s. 5d. a day will be made for them; but in those Districts where the Irish language prevails, the Superintendents are, if possible, to appoint Enumerators acquainted with that language, in order to avoid the necessity of employing Interpreters.

57. Immediately after the Returns A, B, &c., have been forwarded to the General Register Office, the claims of the several Enumerators are to be made out on the "Enumerator's Pay Sheet," Form of Account No. 2, and the Superintendent will prepare an abstract thereof on the "District Abstract of Expenses," Form of Account No. 4, which is to accompany the file of claims when transmitted through the County Inspector to the General Register Office, Dublin, for payment. Receipts for Interpreters' pay, boat-hire, carriage, &c. should in all cases be taken, and on the "Enumerator's Voucher," Form of Account No. 3. These receipts should be subsequently attached to the "Enumerator's Pay Sheet" for the Sub-District in which the expense was incurred.

58. The Superintendent's Stationary Allowance, &c., should be inserted (in his own name) in the "Enumerator's Pay Sheet" for the Sub-District in which the head-quarters of the District is situated, storing the heading of the second column to "Superintendent and Enumerators."

59. All claims are to be furnished not later than ten days after the enumeration has been completed, in order to their prompt discharge.

60. The Superintendent is requested to take care when paying the several claims, that a Receipt Stamp is attached by the Enumerator to Form of Account No. 2, if the claim amounts to £3 or upwards.

61. No payment should be made to any person on behalf of another, without the authority, in writing, of the Registrar-General.

XIII.—GENERAL OBSERVATIONS.

62. It is very important that these inquiries should be commenced on each District on the same day. The Registrar-General, therefore, recommends Tuesday, the 1st of June, for commencing the Enumeration, and that it be continued diligently until completed. The Government is desirous of being informed of the results at an early period—and no errors arising from the transfer of Stock from one proprietor to another during the period of the inquiry may occur—expedition is most desirable.

63. A Return according to Form G should be forwarded to this office without delay, to show when the Enumeration in each District will probably be completed, which it is confidently expected will in no instance be later than Wednesday, the 30th of June.

64. Experience has shown that the Enumerators have had much difficulty, in some cases, in ascertaining the extent of "Woods and Plantations," their attention

is, therefore, particularly directed to this subject, as being one which requires great care.

65. Errors have sometimes arisen in preparing facsimiles of the Returns A and B, and in making the Abstracts of them on the P¹ and P² Forms, by inserting in every column the facts previously collected and by mistakes in the additions. An ordinary care would prevent such errors, the attention of the Enumerators is requested to this point; also to the instructions at foot of the A and B Forms.

66. In carrying the foregoing Instructions into effect, the Enumerator will observe the utmost civility, the information sought is to be asked for with courtesy and never with harsh language or threats. It is to be borne in mind, that almost all persons view inquiries of this character with suspicion in proportion to their want of knowledge of the results sought to be obtained; it is however considered that the publication of similar information which has now been collected for so many years, has done much to remove prejudices from the minds of all classes, so that it is confidently expected the Returns of this year will be obtained with facility, and that the required particulars will on public grounds be faithfully given to the Enumerators by occupiers of land, and also by proprietors of Live Stock. In any case of refusal to supply the required information, a special report should forthwith be made by the Enumerator to the Superintendent, whose duty it will be to forward the report to the Registrar-General without any delay.

67. It is most important that in all cases, where possible, the Enumerator should ascertain the particulars from the occupier of the Farm, or from his Steward, or other intelligent person employed on the land.

THOMAS W. CHURCHILL,

Registrar-General.

We approve of the foregoing Instructions being addressed to those members of the Royal Irish Constabulary and the Dublin Metropolitan Police who may be engaged in collecting the Agricultural Statistics. They will use their best exertions to obtain early and accurate information for the Government.

District-Inspectors will take care that the Districts of Enumerators are of such convenient size that the required Returns,—the collection of which is in every case to commence on Tuesday, the 1st of June,—may be completed and forwarded to the Registrar-General by the 30th of June, at furthest.

County Inspectors will afford every facility in their power to carry out the objects herein referred to.

In reference to finances, County and District Inspectors will carefully examine the several claims for Interpreters' pay, rightly allowances, extra pay, and boat or car hire, taking care not to recommend any charge which does not appear to them fair and reasonable, and their special attention is directed to the Registrar-General's Circular of the 25th March 1885, headed "Estimate of Probable Expenses."

A. REED,

Inspector-General.

D. HARREL,

Commissioner of Metropolitan Police.

[TABLE.]

AGRICULTURAL STATISTICS, IRELAND.

PATTERN RETURN OF TILLAGE, 1884.

Form A.

Name of the holder in this form.	Acre of land in this form.	CEREAL CROPS IN STATUTE ACRES, AND PARTS OF STATUTE ACRES														Name of Farm, from which the in- formation re- specting Tillage and other was obtained.		
		Grain, Beans, and Peas.							Green Crops.									
		Wheat	Oats	Barley	Beans	Peas	Turnips	Total	Swedes	Other Green Crops	Other Green Crops	Other Green Crops	Other Green Crops	Total	Field		Hay	Other and Cattle	Total
Mr. Smith,	100	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100
Mr. Jones,	50	-	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-	50
Mr. Brown,	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12
Mr. White,	400	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	400
Total,	552	-	1	-	-	-	-	1	2	1	-	-	-	-	-	-	-	552

Note.—The Enumerator will enter the contents of the Landholder and the areas of the holdings in the same order in both the "A" and the "B" forms, TAKING CARE TO PLACE THE LARGEST HOLDINGS IN EACH TOWNLAND FIRST, and when "Small" are given in bulk to state their actual number, as in the pattern Return.

In no case should the names of Stockowners, who are not Landholders, be entered in Form A.

AGRICULTURAL STATISTICS, IRELAND.

PATTERN RETURN OF LIVESTOCK, 1884.

Form B.

Name of the holder in this form.	Acre of land in this form.	HORSES				CATTLE				SHEEP				PIGS				POULTRY				Name of Owner in Free or Rural Landlord.
		One year old and upwards	Two year old and upwards	Three year old and upwards	Four year old and upwards	One year old and upwards	Two year old and upwards	Three year old and upwards	Four year old and upwards	One year old and upwards	Two year old and upwards	Three year old and upwards	Four year old and upwards	One year old and upwards	Two year old and upwards	Three year old and upwards	Four year old and upwards	One year old and upwards	Two year old and upwards	Three year old and upwards	Four year old and upwards	
Mr. Smith,	100	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Mr. Smith, Esq.
Mr. Jones,	50	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Do
Mr. Brown,	12	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Do.
Mr. White,	400	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Do.
Total,	552	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Note.—The Enumerator should enter all GRASSING STOCK as if belonging to the Owner of that particular farm on which it is grazing.

* See note at foot of "Pattern Return of Tillage."

PAPER No. 3.

NOTES ON THE STATISTICS OF WASTE LANDS IN IRELAND, by THOMAS W. GREENSHAW, M.A., M.D.,
Registrar-General for Ireland.

[Read Tuesday, 29th April, 1884.]

In consequence of many published statements by public speakers, newspaper writers, compilers, and writers in reviews, with reference to the relative amount of Irish land which is out of use, I have thought it advisable to make this matter the subject of a communication to this society. The tenor of the statements just referred to is that the land utilized in Ireland for agricultural purposes is gradually decreasing, and that waste lands are as steadily increasing; in fact, that the land of Ireland is steadily going back to bog and waste, and that Irish agriculture is steadily decaying, as compared with agriculture elsewhere. As the growth of agricultural products is the principal trade of three-fourths of Ireland, the affirmation that Ireland is passing back into bog and waste, and that agriculture is decaying is tantamount to saying that this country is steadily becoming poorer, that trade is likely to become worse, and that Ireland is not likely

to be a country where capital can be employed to advantage. Now nothing can be more destructive to the welfare of any country than to have the character of being in a perpetual state of decay. Such an impression drives out capital, and deters other capital from entering the country.

The statement that Irish land is steadily falling out of use is persistently made, and the proof that such is the case is, I regret to say, drawn from the publications issued by the General Register Office. Those who make these statements, however, do not take the trouble to study the older reports of the department, or they would soon discover their fallacy.

The following table shows that so far from the waste lands of Ireland being on the increase, an immense amount of waste land has been reclaimed during the past forty years.

DIVISION OF LAND IN 1841, '51, '61, '71 and '81.

Division of Land.	1841.	1851.	1861.	1871.	1881.
	Statute Acres.	Statute Acres.	Statute Acres.	Statute Acres.	Statute Acres.
Under Crops (including Meadow),					
Grass, - - - - -	21,494,380	2,815,181	5,099,838	5,091,417	2,251,273
Woods and Plantations, - - - -	274,483	304,795	325,219	284,860	18,395,494
Barren Mountain Land, - - - -					9,217,671
Bog and Marsh, - - - - -	5,459,971	5,015,218	4,399,891	4,213,941	1,798,090
Waste Land, &c., - - - - -					89,538
Total, - - - - -					99,766,744

NOTE.—The information for 1841 and 1851 respectively, has been obtained from the Census Reports for those years, and that for the subsequent periods from the Agricultural Statistics.

In the year 1841, according to the Census Report for that year, the waste lands of Ireland amounted to 6,489,971 statute acres. In the year 1881 the amount was only 4,729,551 acres, or in other words, 1,760,420 acres, or 8% per cent. of the whole surface of Ireland had been reclaimed in forty years. It will be observed from the above table that the decrease of waste land between 1841 and 1851 was 1,673,882 acres; between 1851 and 1861 it was 828,228 acres; and between 1861 and 1871 it was 277,050. Between 1871 and 1881 an apparent increase of 418,210 acres took place, and the natural conclusion arrived at by anyone testing the question in this manner, and without going into details, would be that during the last decade land in Ireland to the extent of nearly half a million of acres, had fallen out of use. If a more detailed examination of this question is made it will be found that up to the year 1876 the statistics show a general decrease of waste lands, with slight variations, from year to year, sometimes showing a slight increase. From the year 1876 up to the present year the returns apparently point to a steady increase of

waste land, and from this apparent fact the lamentable conclusion has been arrived at that Ireland is steadily "going back to bog and waste." The real facts of the case are these.—In the earlier days of the collection of agricultural statistics it was thought unnecessary to go into too minute detail, and thus if a grazing farm on a mountain side had a strip of barren mountain land at the top, and a little bit of marsh at its lowest level, the whole area would be probably put down as grass. No doubt nearly all was grass, but the stony part, and the marshy part, were practically useless, and therefore the area of such a farm should have been divided among all three elements, and only the usable grass included as pasture. For some years prior to 1876 greater care was enjoined on the enumerators, and land not actually used for grazing or other purposes was, unless of good quality, classed as waste. In 1877, in accordance with the increased accuracy demanded by advancing knowledge, a still further detail was insisted on, and the enumerators were required to ascertain, as nearly as possible, the amount of land available for use, and how it was em-

played, and also how much bog and marsh, *barren mountain land*, &c., was actually in the area of each farm. It has been this picking out of little scraps of waste of all kinds that has during the past five years apparently so much diminished the land in use in Ireland.

Another element which produces apparent fluctuation in the amount of waste land is that where live stock are very plentiful, lands which are almost waste are temporarily used during the fine summer months, when the acreage of the country in use is augmented. Thus we find in 1880, 1881, and 1882, when there was a diminution of cattle and sheep, especially of the latter, the waste apparently increased. We may expect that with returning prosperity in the cattle trade, and as a result of Dr. Lyons' useful agitation in favour of re-forestation many of our waste places, and further reclamation, waste lands will diminish steadily until all usable land in Ireland is in use. I would here utter a word of warning to those who are enthusiastic concerning reclamation of waste lands, that it is not to be assumed that the four and three quarter millions acres of waste lands of Ireland are to any

considerable extent capable of being converted into valuable land. No doubt much can be improved, but a large quantity, probably amounting to upwards of 2,000,000 acres, is barren mountain, scarcely of any value.

I believe much more can be done by improved cultivation than by reclamation. I was once driving along a road, bordered on one side by a stretch of swampy, and partly peaty moor, in the County of Galway, with a gentleman who owned a portion of this waste, and who took a great interest in the improvement of his estate. I asked what he thought of the value of reclaiming such land as this. He said, "I am trying to get them [the people in his neighbourhood] to drain and properly cultivate the good land they have got; when that is done we can talk of the bog." I have no belief in the doctrine that farming in Ireland is a ruined trade, and that, consequently, Ireland is a ruined country, and I believe those who are perpetually announcing that everything in Ireland is financially going to the bad, and can never get better, are enemies of their country.

PAPER No. 4.

Number of Cattle, &c., exported from Ireland to Great Britain, 1847-1885.

Year.	Oxen, Bulls, and Cows.	Cattle.	Sheep and Lambs.	Pigs.	Year.	Oxen, Bulls, and Cows.	Cattle.	Sheep and Lambs.	Pigs.
1847.	186,603	8,303	305,317	498,827	1871.	307,758	75,257	581,290	516,318
1848.	189,756	8,108	304,578	505,687	1872.	322,272	65,787	701,570	543,423
1849.	186,648	8,008	304,819	518,777	1873.	406,658	73,871	1,013,494	594,428
1850.	201,942	8,991	341,603	69,085	1874.	435,473	55,858	759,491	651,935
1851.	194,618	4,652	175,540	100,170	1875.	455,816	86,529	816,783	728,364
1852.	193,700	5,476	321,907	136,182	1876.	601,879	104,282	916,596	665,664
1853.	197,566	6,694	309,600	152,874	1877.	648,758	64,475	856,630	844,821
1854.	194,765	5,381	356,496	195,868	1878.	1033,528	61,828	744,704	764,326
1855.	214,589	5,149	685,496	554,864	1879.	819,474	54,266	817,879	493,725
1856.	215,921	15,764	692,217	598,854	1880.	651,193	63,847	618,586	551,233
1857.	225,400	16,183	666,527	545,130	1881.	613,652	56,758	688,174	63,681
1858.	273,540	23,094	707,814	673,841	1882.	607,207	54,866	742,580	470,547
1859.	268,643	32,050	689,508	563,250	1883.	574,638	69,564	673,571	409,468
1860.	311,683	51,899	625,094	549,922	1884.	639,950	106,671	714,188	575,200
1861.	304,384	54,369	607,428	568,187	1885.	673,798	91,532	677,627	593,364
1862.	307,152	62,246	629,872	584,736	1886.	729,581	88,815	688,484	582,985
1863.	315,314	63,817	617,332	587,328	1887.	660,666	66,537	668,720	485,957
1864.	336,846	10,678	529,593	558,543	1888.	644,438	73,348	653,253	418,898
1865.	368,759	14,879	578,509	563,669	1889.	548,770	48,882	618,090	515,184
1866.	364,843	34,819	509,548	604,754					

Notes.—The numbers for the years 1847-55 have been taken from "Thom's Official Directory," those for 1876-85 from the Returns for the year 1886 under the "Contagious Diseases (Animals) Act, 1875."

PAPER 5.

AGRICULTURAL STATISTICS IRELAND.

Extent in Statute Acres of Land under certain Crops in the Years 1851, 1861, 1871, 1881,
and in each year since 1881.

Year.	Tillage					Meadow and Covers	Grass
	Cereal Crops.	Potatoes.	Turnips.	Mangel Wurzel.	Total Tillage.		
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1851.	5,895,406	815,582	382,611	54,547	6,648,146	3,948,406	5,746,581
1861.	5,751,557	1,232,166	494,364	92,813	7,470,899	3,814,398	5,382,585
1871.	5,655,694	1,615,181	629,656	61,818	7,952,349	3,755,664	5,033,251
1881.	5,777,175	1,563,965	595,512	64,238	7,999,890	3,861,000	5,070,434
1882.	5,758,737	1,609,658	594,679	65,215	7,928,289	3,792,132	5,050,828
1883.	5,676,883	1,608,162	584,252	67,248	7,836,545	3,861,374	5,078,647
1884.	5,656,548	1,586,748	581,851	64,948	7,800,095	3,874,415	5,046,627
1885.	5,646,509	1,577,232	580,354	67,525	7,801,619	3,864,714	5,051,166
1886.*	5,660,737	1,584,806	590,303	67,613	7,803,459	3,884,315	5,050,255

* Estimated Figures.

PAPER No. 5—continued.

AVERAGE PRICES of the Produce of each Crop in Ireland in 1855, 1865, 1875, and 1885, and in each of the years 1851-6.

Description of Produce.	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Wheat, per 112 lbs. 50	12 0	18 0	9 6	8 8	10 0	8 8	8 8	7 6	8 8	8 6
Oats, " 50	8 0	7 0	8 0	8 8	8 0	8 0	7 8	8 0	8 0	8 2
Barley, " 50	10 0	8 0	8 2	7 8	7 8	8 0	7 8	7 8	7 8	8 2
Brew and Rye, " 50	8 0	8 0	7 0	7 0	7 8	7 0	7 0	7 0	7 0	7 0
Beans and Peas, " 50	10 0	10 0	10 0	12 0	10 0	12 0	12 0	12 0	12 0	12 0
Potatoes, " 50	4 8	8 0	3 8	3 0	4 0	8 8	8 8	8 6	3 8	5 0
Turnips, per ton, 50	12 0	12 0	12 0	12 0	12 0	12 0	12 0	12 0	12 0	12 0
Mangel Wurzel and Beet, " 50	14 0	14 0	18 0	18 0	18 0	18 0	18 0	18 0	18 0	18 0
Flax, per 112 lbs. 50	14 0	14 0	14 0	14 0	14 0	14 0	14 0	14 0	14 0	14 0
Hop, " 50	4 0	8 0	8 8	8 8	4 0	8 8	8 8	8 8	8 8	8 8

(a) Prices of the Dublin Market from *Fowler's Almanac*.

(b) Prices taken from *Thorn's Directory*.

(c) From *Fowler's Almanac*, which states—"The prices of flax are taken from reports of markets in Ulster, chiefly Armagh and Belfast."

No. 5—continued.

TOTAL PRODUCE of the Crops in Ireland in 1855, 1865, 1875 and 1885, and in each of the years 1851-6.

Years.	CEREAL CROPS					OTHER CROPS				
	Wheat.	Oats.	Barley.	Beans and Rye.	Beans and Peas.	Potatoes.	Turnips.	Mangel Wurzel and Beet.	Flax.	Hop.
1855.	£ 4,401,128	£ 2,727,716	£ 2,527,276	£ 455,272	£ 11,420	£ 2,273,522	£ 2,211,716	£ 408,244	£ 111,704	£ 2,016,288
1865.	£ 5,018,254	£ 2,685,202	£ 2,542,476	£ 117,884	£ 99,148	£ 2,812,000	£ 2,261,212	£ 361,587	£ 724,228	£ 2,084,227
1875.	£ 5,018,178	£ 2,594,456	£ 2,562,506	£ 126,661	£ 261,527	£ 3,012,014	£ 2,222,226	£ 151,172	£ 426,228	£ 2,084,217
1885.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1851.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1852.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1853.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1854.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1855.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218
1856.	£ 3,277,186	£ 1,812,277	£ 2,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218

No. 5—continued.

ESTIMATED TOTAL VALUE of the Crops in Ireland in 1855, 1865, 1875, 1885, and in each of the years 1851-6.

Years.	Cereal Crops.					Total Value of Cereal Crops.	Other Crops.					Total Value of Cereal and other Crops.
	Wheat.	Oats.	Barley.	Beans and Rye.	Beans and Peas.		Potatoes.	Turnips.	Mangel Wurzel and Beet.	Flax.	Hop.	
1855.	£ 14 00	£ 00 00	£ 00 00	£ 00 00	£ 00 00	£ 6	£ 04 00	£ 00 00	£ 00 00	£ 00 00	£ 00 00	£ 15,016,168
1865.	£ 1,018,254	£ 1,027,202	£ 1,062,476	£ 117,884	£ 119,148	£ 12,000,420	£ 2,812,000	£ 2,261,212	£ 361,587	£ 724,228	£ 2,084,227	£ 15,016,168
1875.	£ 1,018,178	£ 1,014,456	£ 1,062,506	£ 126,661	£ 261,527	£ 12,000,420	£ 3,012,014	£ 2,222,226	£ 151,172	£ 426,228	£ 2,084,217	£ 15,016,168
1885.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1851.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1852.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1853.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1854.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1855.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168
1856.	£ 601,186	£ 7,812,277	£ 1,051,627	£ 121,288	£ 121,288	£ 2,128,218	£ 2,011,716	£ 452,218	£ 411,228	£ 1,977,218	£ 1,977,218	£ 15,016,168

(a) Prices of the Dublin Market from *Fowler's Almanac*.

(b) Prices taken from *Thorn's Directory*.

(c) From *Fowler's Almanac*, which states—"The prices of flax are taken from reports of markets in Ulster, chiefly Armagh and Belfast."

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PAPER No. 5—continued.

AVERAGE PRICES OF WHEAT, OATS, BARLEY, and OATMEAL, sold at the Dublin Corn Exchange, in each year (1st November to 31st October), since 1847-8.

Years, from 1st Nov. to 31st Oct.	Wheat, per Bushel (12 stones).	Oats, per Bushel (14 stones).	Barley, per Bushel (12 stones).	Oatmeal, per cwt. (512 lbs).	Years, from 1st Nov. to 31st Oct.	Wheat, per Bushel (12 stones).	Oats, per Bushel (14 stones).	Barley, per Bushel (12 stones).	Oatmeal, per cwt. (512 lbs).
1847-1848, .	35 4	11 10	15 6	15 8	1863-1864, .	32 8	10 8	21 8	17 8
1848-1849, .	30 0	11 1	13 11	15 0	1864-1865, .	29 0	10 1	20 5	18 0
1849-1850, .	30 0	9 51	13 5	14 8	1865-1866, .	25 0	14 0	16 0	16 4
1850-1851, .	35 1	10 10	13 11	15 0	1866-1867, .	31 8	14 5	17 0	16 3
1851-1852, .	35 0	10 0	13 4	14 11	1867-1868, .	31 11	15 8	18 3	16 7
1852-1853, .	35 0	11 5	13 5	15 0	1868-1869, .	28 11	14 0	16 4	17 3
1853-1854, .	40 4	15 8	15 0	15 10	1869-1870, .	32 1	15 5	19 4	18 0
1854-1855, .	41 0	15 7	15 0	15 0	1870-1871, .	34 4	16 10	18 9	17 2
1855-1856, .	40 0	14 11	15 0	15 1	1871-1872, .	34 0	14 5	17 5	16 0
1856-1857, .	38 5	14 7	15 7	15 4	1872-1873, .	26 0	14 5	16 0	17 0
1857-1858, .	39 10	14 8	15 8	14 11	1873-1874, .	30 7	14 8	16 0	17 0
1858-1859, .	36 10	15 0	15 0	15 0	1874-1875, .	29 0	14 0	17 0	16 1
1859-1860, .	36 0	15 1	15 0	15 0	1875-1876, .	30 0	15 8	18 1	16 10
1860-1861, .	38 3	14 3	15 11	16 10	1876-1877, .	29 8	12 4	16 11	16 0
1861-1862, .	31 0	13 8	15 8	16 10	1877-1878, .	30 11	12 8	16 2	15 1
1862-1863, .	28 8	12 8	15 4	15 8	1878-1879, .	31 1	14 1	15 8	17 1
1863-1864, .	29 0	13 0	15 0	15 10	1879-1880, .	16 5	15 0	14 8	17 4
1864-1865, .	23 0	12 0	14 4	15 5	1880-1881, .	16 0	15 10	14 0	15 5
1865-1866, .	20 0	14 10	14 0	15 4	1881-1882, .	16 0	15 10	14 0	15 5
1866-1867, .	33 8	14 3	15 8	17 7					

No. 5—continued.

ESTIMATED VALUE of the WHEAT, OATS, and BARLEY grown in IRELAND in 1851, 1861, 1871, 1881, and in each Year since 1881.

(Average Prices for each Year at Dublin Corn Exchange)

YEARS.	WHEAT.			OATS.			BARLEY.			Total Estimated Value of Wheat, Oats and Barley.
	Bushels of 12 Stones.			Bushels of 14 Stones.			Bushels of 12 Stones.			
	Estimated Produce.	Average Price.	Value.	Estimated Produce.	Average Price.	Value.	Estimated Produce.	Average Price.	Value.	
	Bushels.	s. d.	£	Bushels.	s. d.	£	Bushels.	s. d.	£	£
1851	2,840,403	35 3	1,000,000	17,500,000	10 10	3,000,000	3,400,000	18 11	1,500,000	15,000,000
1861	1,401,000	30 8	5,000,000	12,000,000	14 0	8,100,000	1,500,000	19 11	1,500,000	12,000,000
1871	1,100,000	31 4	1,800,000	12,900,000	14 0	8,500,000	1,000,000	12 0	1,400,000	14,000,000
1881	900,000	25 8	1,800,000	15,300,000	12 4	1,800,000	1,400,000	14 11	1,300,000	9,000,000
1882	1,000,000	24 11	1,800,000	15,800,000	13 0	6,000,000	1,000,000	13 0	1,000,000	9,000,000
1883	1,000,000	21 3	1,400,000	16,700,000	14 1	7,500,000	1,400,000	16 0	1,000,000	9,900,000
1884	1,000,000	20 3	1,400,000	16,800,000	15 8	6,500,000	1,300,000	18 0	1,000,000	9,800,000
1885	1,000,000	18 10	1,400,000	16,800,000	12 0	6,400,000	1,400,000	14 0	1,000,000	7,400,000
1886,*	1,000,000	20 0	1,400,000	16,800,000	10 10	3,300,000	1,300,000	18 0	1,000,000	8,600,000

* Derived Figures.

PAPER No. 5—continued.

NUMBER of each DESCRIPTION of LIVE STOCK in IRELAND in 1850, 1855, 1875, 1885,
and in each of the Years 1881-85.

Description of Live Stock.	Number in									
	1850.	1855.	1875.	1881.	1882.	1883.	1884.	1885.	1886.	1887.
Hay and Males.	207,344	245,241	247,318	276,600	276,700	264,200	261,490	261,420	271,410	279,209
Animals.	181,182	212,200	200,018	207,170	185,348	207,798	189,188	270,880	171,278	270,885
CATTLE.										
Milk cows.	1,000,300	1,001,448	1,000,000	1,001,400	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Two years old.	710,416	704,000	680,000	680,000	680,000	680,000	680,000	680,000	680,000	680,000
One year old.	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Calves.	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
SHEEP.										
One year old and upwards.	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Lambs.	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Pigs.	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Goats.	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Poultry.	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000

BALINASHLOE OCTOBER FAIR.

AVERAGE PRICE of HORNED CATTLE and SHEEP in 1851, 1861, 1871, 1881, and in each Year since.

HORNED CATTLE.

Years.	Average Price of Oxen.					Average price of Hides.				
	1st Class.	2nd Class.	3rd Class.	4th Class.	Mean.	1st Class.	2nd Class.	3rd Class.	4th Class.	Mean.
1851.	4 8 0	4 4 0	4 0 0	3 6 0	4 2 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1861.	5 0 0	4 6 0	4 2 0	3 8 0	4 4 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1871.	5 2 0	4 8 0	4 4 0	4 0 0	4 6 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1881.	5 4 0	5 0 0	4 6 0	4 2 0	4 8 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1885.	5 6 0	5 2 0	4 8 0	4 4 0	5 0 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1886.	5 8 0	5 4 0	5 0 0	4 6 0	5 2 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1887.	6 0 0	5 6 0	5 2 0	4 8 0	5 4 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1888.	6 2 0	5 8 0	5 4 0	5 0 0	5 6 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1889.	6 4 0	6 0 0	5 6 0	5 2 0	5 8 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1890.	6 6 0	6 2 0	5 8 0	5 4 0	6 0 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0

SHEEP.

Years.	Average Price of Wethers.					Average Price of Ewes.				
	1st Class.	2nd Class.	3rd Class.	4th Class.	Mean.	1st Class.	2nd Class.	3rd Class.	4th Class.	Mean.
1851.	4 7 0	4 3 0	3 9 0	3 5 0	4 3 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1861.	4 9 0	4 5 0	4 1 0	3 7 0	4 5 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1871.	5 1 0	4 7 0	4 3 0	3 9 0	4 7 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1881.	5 3 0	4 9 0	4 5 0	4 1 0	4 9 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1885.	5 5 0	5 1 0	4 7 0	4 3 0	5 1 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1886.	5 7 0	5 3 0	4 9 0	4 5 0	5 3 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1887.	5 9 0	5 5 0	5 1 0	4 7 0	5 5 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1888.	6 1 0	5 7 0	5 3 0	4 9 0	5 7 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1889.	6 3 0	5 9 0	5 5 0	5 1 0	5 9 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1890.	6 5 0	6 1 0	5 7 0	5 3 0	6 1 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0
1891.	6 7 0	6 3 0	5 9 0	5 5 0	6 3 0	8 0 0	7 0 0	6 0 0	5 0 0	6 5 0

PAPER No. 5—continued.

AVERAGE PRICES (so far as could be ascertained) of each description of LIVE STOCK, in 1855, 1865, 1875, and 1885, and in each of the Years 1881-4.

Description of Live Stock.	PRICES.											
	1855.	1865.	1875.	1885.	1891.	1900.	1910.	1914.	1920.	1921.		
Horses and Mares (s),	—	—	—	—	—	—	—	—	—	—		
Asses (s),	—	—	—	—	—	—	—	—	—	—		
CATTLE.												
Wethers (s),	14 0 0	17 0 0	20 0 0	25 10 0	15 0 0	20 10 0	18 10 0	20 10 0	20 10 0	14 10 0		
Two Years old (s),	8 10 0	10 0 0	12 0 0	10 0 0	12 0 0	12 10 0	14 10 0	12 0 0	12 10 0	8 10 0		
One Year old (s),	8 10 0	8 10 0	8 0 0	8 5 0	7 10 0	8 0 0	8 10 0	8 10 0	8 10 0	8 10 0		
Calves (s),	—	—	—	—	—	—	—	—	—	—		
SHEEP.												
One Year old and upwards (s),	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0	8 10 0		
Lambs (s),	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0	1 10 0		
Pigs (s),	—	—	—	—	—	—	—	—	—	—		
Goats (s),	—	—	—	—	—	—	—	—	—	—		
Poultry (s),	—	—	—	—	—	—	—	—	—	—		

(a) Prices not ascertained.

(b) Average prices at County Fairs during the months of May and June.
(c) Average prices at Ballinacorney Fair (October).

ESTIMATED TOTAL VALUE (so far as could be ascertained) of each description of LIVE STOCK in Ireland in 1855, 1865, 1875, and 1885, and in each of the years, 1881-6.

Description of Live Stock.	VALUES.										
	1855.	1865.	1875.	1885.	1881.	1882.	1883.	1884.	1885.	1886.	1887.
Horses & Mares (s),	—	—	—	—	—	—	—	—	—	—	—
Asses (s),	—	—	—	—	—	—	—	—	—	—	—
CATTLE.											
Wethers (s),	9,400,146	10,540,212	12,307,290	15,870,000	10,161,300	10,215,800	10,542,000	10,400,000	11,010,000	10,071,200	—
Two years old (s),	8,661,802	7,240,360	10,400,000	9,400,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	8,661,802	—
One year old (s),	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	8,100,000	—
Calves (s),	—	—	—	—	—	—	—	—	—	—	—
SHEEP.											
One year old and upwards (s),	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	8,200,000	—
Lambs (s),	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	—
Pigs (s),	—	—	—	—	—	—	—	—	—	—	—
Goats (s),	—	—	—	—	—	—	—	—	—	—	—
Poultry (s),	—	—	—	—	—	—	—	—	—	—	—
Total,	27,800,000	40,000,000	42,000,000	45,000,000	40,000,000	40,000,000	40,000,000	40,000,000	42,000,000	40,000,000	—

(a) Prices not ascertained.

(b) Average prices at County Fairs during the months of May and June.
(c) Average prices at Ballinacorney Fair (October).

PAPER No. 6.

RETURN showing, by COUNTIES and POOR LAW UNIONS, the daily rate of WAGES for LABOURERS (men) in 1800, 1840, and 1886, compiled from information obtained by the Registrar-General from private sources.

PROVINCE OF LEINSTER.

County and Poor Law Unions.	1800		1840		1886		County and Poor Law Unions.	1800		1840		1886	
	s. d.	e. d.	s. d.	e. d.	s. d.	e. d.		s. d.	e. d.	s. d.	e. d.	s. d.	e. d.
CARLOW.							NAUTH.						
Carlow,	—	—	0 5 to 0 10	1 0 to 1 5			Carlow,	—	—	1 0	—	1 0	—
—	0 5	—	0 10	—	1 0	—	Dunshaughlin.	—	—	1 0	—	1 0	—
—	0 5	—	0 10	1 0	1 0	—	Tullin.	0 5 and food	0 5 to 0 10	1 0	—		
DUSSON.							QUINN.						
Salisbury,	0 5 to 0 10	0 10 to 1 0	1 0 to 2 0				Albany,	—	—	0 5 to 0 10	1 0 to 1 5		
—	1 0	—	1 0	—	2 0	—	—	0 5	—	0 10	—	1 0	1 5
—	1 0	—	1 0	1 0	1 0	—	WEXFORD.						
Ennis, South.	—	—	1 0 to 1 0	1 10	2 0		Malting,	0 5 to 0 7	0 10 to 1 0	1 0 to 2 0			
Rathdown,	—	—	1 0	—	2 0	0 0	—	—	—	0 5 to 0 10	1 0	—	
KILMORE.							Tullamore,	—	—	0 5 to 0 10	1 0	—	
Kilmore,	—	—	0 10	—	1 0	—	WEXFORD.						
Waterford,	0 10 to 1 0	0 10 to 1 0	1 0 to 2 0				Ennis,	—	—	0 5 to 0 5	1 0 to 1 5		
KING'S.							Corry,	0 5	—	0 5 to 0 10	1 0	—	
Ennis,	0 5 to 0 5	0 5 to 0 5	1 0 to 1 0	1 0	1 0		—	—	—	0 10	1 0	1 0	—
Tullamore,	—	—	0 10	—	1 0	1 0	WEXFORD.						
LOUGHBOROUGH.							Ennis,	—	—	0 5 to 0 5	1 0 to 1 5		
Loughfool,	—	—	0 5	—	1 0	—	WEXFORD.						
—	—	—	0 5 to 0 10	1 0	—		Ennis,	—	—	0 5 to 0 10	1 0 to 1 5		
LOUTH.							Ennis,	—	—	0 5 to 0 10	1 0 to 1 5		
Ards,	—	—	—	—	1 0	—	Ennis,	—	—	0 5 to 0 10	1 0 to 1 5		
—	0 5	—	0 10	—	1 0 to 1 0		Ennis,	—	—	0 5 to 0 10	1 0 to 1 5		
Droghda,	0 10	—	1 0	—	2 0	—	Ennis,	—	—	0 5 to 0 10	1 0 to 1 5		

PROVINCE OF MUNSTER.

County.	s. d.	e. d.	s. d.	e. d.	s. d.	e. d.	County.	s. d.	e. d.	s. d.	e. d.	s. d.	e. d.
CLARE.							CLARE.						
Ennis,	—	—	0 5	—	1 0 to 2 0		Ennis,	—	—	—	—	1 0	—
—	—	—	0 10 to 1 0	1 0	—		Ennis,	—	—	—	—	—	—
Tulla,	—	—	0 5 to 0 10	1 0	—		Ennis,	—	—	—	—	—	—
—	—	—	0 5	—	1 0	—	Ennis,	—	—	—	—	—	—
CORK.							Ennis,	—	—	—	—	—	—
Dunmore,	—	—	—	—	1 0	—	Ennis,	—	—	—	—	—	—
Maline,	—	—	0 5 to 0 5	—	—		Ennis,	—	—	—	—	—	—
Kilchickeen,	—	—	—	—	1 0	—	Ennis,	—	—	—	—	—	—
KERRY.							Ennis,	—	—	—	—	—	—
Coleraine,	—	—	0 5 to 0 5	1 0	—		Ennis,	—	—	—	—	—	—
Ennis,	—	—	0 5	—	1 0 to 1 0		Ennis,	—	—	—	—	—	—
Ennis,	—	—	0 10 to 1 0	1 0 to 1 0	—		Ennis,	—	—	—	—	—	—
Tulla,	—	—	0 5 to 0 5	1 0	—		Ennis,	—	—	—	—	—	—

PAPER No. 2—continued.

RETURNS showing, by COUNTIES and POOR LAW UNIONS, the daily rate of WAGES for LABOURERS (men) in 1830, 1840, and 1886, compiled from information obtained by the Registrar-General from private sources—con.

PROVINCE OF ULSTER.

County and Poor Law Union.	1830.			1840.			1886.			County and Poor Law Union.	1830.			1840.			1886.		
ANTRIM:	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.			s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Ballycastle, . . .	—	—	—	1 8 to 1 8	2 0 to 2 5				FERRISBURGH:		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Coleville, . . .	0 18	—	—	1 0	1 5	—	—	—	Ballydonnell,	—	8 6 to 0 0	—	0 12 to 1 0	—	1 4 to	—	—	—	—
ARMAGH:									Donagh,	—	8 5	—	0 12	—	2 9	—	—	—	—
Armagh, . . .	—	—	—	1 0	—	2 5	—	—	LOUGHBERRY:										
Newry, . . .	—	—	—	0 30	—	1 0	1 5	1 5	Ballymore,	—	0 10	—	1 0	—	0 12	—	1 0	—	2 0
CARRICK:									Londonderry,	—	—	—	0 12	—	1 5	—	1 5	—	1 5
Carrick, . . .	—	—	—	—	—	1 5	—	—	MOUGHAN:										
DOWN:									Monaghan,	—	0 5	—	1 0	—	1 5	—	—	—	—
Ballyvaughan, . . .	0 5	—	—	0 10	—	1 5	—	—	TYRONE:										
Glenties, . . .	—	—	—	0 12	—	1 5	1 5	—	Donagh,	—	—	—	0 12	—	1 5	—	1 5	—	1 5
Lethbride, . . .	—	—	—	0 5	—	0 11	1 5	1 5	Strabane, . . .	—	—	—	1 0	—	1 5	—	—	—	—
DUBLIN:									“ . . .	—	0 10	—	0 10	—	1 5	—	—	—	—
Edinstown, . . .	0 5	—	—	1 5	—	0 9	—	—											
Downpatrick, . . .	—	—	—	0 12	—	1 5	—	—											
Newry, . . .	—	—	—	0 12	—	1 0	—	—											

PROVINCE OF CONNAUGHT.

CLARE:	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	CLARE:	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Ennis, . . .	—	—	—	0 5 to 0 5	1 0 to 1 5			Ennis,	—	—	—	0 5 to 0 5	—	1 0 to 1 5					
Galway, . . .	—	—	—	0 12	—	1 5	1 5	Wexford, . . .	—	—	—	0 5 to 0 5	—	1 0 to 1 5					
Galway, . . .	—	—	—	0 5	0 5	1 0	1 5												
Loughrea, . . .	—	—	—	0 7	—	1 5	1 5	WEXFORD:											
“ . . .	0 5	—	—	0 7	—	1 5	1 5	Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
Trillick, . . .	—	—	—	0 12	—	1 5	1 5	Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
“ . . .	0 5	—	—	0 5	0 12	1 5	1 5	Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
“ . . .	0 5	—	—	0 5	0 5	1 0	1 5	Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
LEICESTER:								Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
Carleton-Ross, . . .	0 5	—	—	0 5	0 12	1 0	1 5	Ennis,	—	—	—	0 5	0 5	—	—	—	—	—	—
“ . . .	—	—	—	0 12	—	1 5	—	Ennis,	—	—	—	—	—	—	—	—	—	—	—

PAPER No. 7

PAPER No. 7.

MEAN of MINIMAL and of MAXIMAL PRICES of IRISH AGRICULTURAL PRODUCE in the Year 1840,
for 1886,* with the Average MINIMAL, and the Average

NOTE.—These prices have been taken chiefly from the market reports published in the FARMER'S GAZETTE, been taken from the *Dublin Gazette* or other official sources of information. The prices of Flax are taken Wool, Hay, and Straw are Dublin prices. Eggs.—The prices given are the wholesale rates current Cattle, have been taken from the reports of country fairs held during the months of May and June in the Dublin market. The prices of Butter given were taken from reports of Cork and other leading

The figures in Clarendon type show the Highest Average Maximal and the

DESCRIPTION OF PRODUCE.	1840.	1846.	1847.	1848.	1849.	1850.
	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.
WHEAT, per 112 lbs.	10 0 to 34 6	16 0	22 0	10 8	8 1	8 0 to 10 0
OATS, " "	5 8 to 6 10	11 8	6 8	5 0	5 8	5 10 to 6 10
BARLEY, " "	5 0 to 7 6	12 0	8 0	6 10½	5 10	5 3 to 6 0
FLAX, " "	28 4 to 46 0	37 0 to 43 0	30 0 to 44 0	28 0 to 32 0	40 0 to 65 0	40 0 to 50 0
BUTTER, " "	50 0 to 60 0	80 0 to 92 0	80 0 to 88 0	88 0 to 90 0	60 0 to 68 0	75 0 to 78 0
BEEF, " "	40 0 to 56 0	45 0 to 55 0	45 0 to 56 0	50 0 to 54 0	30 0 to 46 0	30 0 to 40 0
MUTTON, " "	37 4 to 56 0	51 4 to 60 8	50 0 to 60 8	51 4 to 60 8	40 8 to 51 4	37 4 to 50 0
PORK, " "	30 0 to 44 0	40 0	36 0 to 50 0	40 0 to 50 0	30 0 to 36 0	30 0 to 40 0
POTATOES, " "	1 4 to 5 0	6 0 to 8 0	5 0 to 6 0	4 0 to 8 8	4 0 to 5 4	4 0 to 5 0
WOOL, per lb.	1 0 to 3 1½	1 0	10s. to 11s.	8½d.	9d.	10s. to 1 1½
HAY, per 112 lbs.	4 0	2 6 to 3 0	5 0 to 6 0	2 0 to 3 6	1 8 to 2 2	2 0 to 3 10
STRAW, " "	1 8 to 2 0	1 4 to 1 8	1 0 to 1 2	8d. to 1 5	6d. to 1 6	8d. to 1 4
EGGS, per 100,	4 0 to 5 0	4 0 to 5 0	5 4 to 5 8	4 6 to 5 0	4 0 to 5 0	4 8 to 4 8
MILCH COWS, " "	£8 to £10	£9 to £12	£5 to £12	£5 to £12	£6 to £10 10	£6 to £12
TWO-YEAR-OLD CATTLE	—	£7 to £10	£8 to £10	£8 to £10	£8 to £9	£8 to £9
ONE-YEAR-OLD CATTLE	—	£3 to £6	£3 to £6	£4 to £5	£3 5 to £4 10	£1 5 to £3
LAMBS, " "	—	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.
		10 0 to 22 0	18 0 to 24 0	15 0 to 25 0	14 0 to 24 0	14 0 to 25 0

PAPER No. 7.

and in each of the 40 years, 1846-85: From "Pardon's Irish Farmers' and Gardeners' Almanac
MAXIMAL PRICE for the 40 years, and the AVERAGE PRICES in 1836.

The prices of Grain are those of the Dublin Market. Where only one quotation is given for a year it has
from reports of markets in Ulster, chiefly Antrim and Belfast. The prices of Beef, Mutton, Pork, Potatoes,
during the summer months in the Dublin market. The prices of Milch Cows, two-year-old and one-year-old
each year, and published in the FARMERS' GAZETTE. The prices of Lambs are those current during May and June
better markets in Munster, and also the Dublin market.

Lowest Average Minimal Price in any of the 40 years, 1846-85.

1851.	1852.	1853.	1854.	1855.	1856.	DESCRIPTION OF PRODUCE.
5 9½	7 6	12 0 to 17 6	12 0 to 18 0	18 4	12 0 to 12 0	WHEAT, per 112 lbs.
5 9½	4 10	7 2 to 8 0	8 0 to 10 0	10 4	6 6 to 7 6	OATS.
5 10	5 6	8 6 to 9 11	7 2 to 10 0	12 4	8 0 to 12 8	BARLEY.
40 0 to 60 0	48 0	—	—	55 0 to 60 0	56 0 to 66 0	FLAX.
70 9½	66 4	74 0 to 86 0	84 0 to 90 0	84 0 to 86 0	84 0 to 108 0	BUTTER.
43 8½	36 0	45 0 to 60 0	50 0 to 63 0	50 0 to 60 0	50 0 to 60 0	BEEF.
48 9½	41 0	56 0 to 63 0	56 0 to 63 0	56 0 to 60 0	56 0 to 63 0	MUTTON.
36 7	32 0	40 0 to 50 0	47 0 to 60 0	49 0 to 52 0	54 0	PORK.
2 9½	5 0 to 6 0	4 0 to 5 6	5 0 to 6 0	4 0 to 5 4	2 6 to 4 0	POTATOES.
20½ to 1 0	1 0 to 1 2	1 0 to 1 4½	0 11 to 1 1	1 0 to 1 1	1 2	WOOL, per lb.
1 8 to 2 4	1 6 to 2 2	4 0 to 4 6	4 6 to 5 3	5 0 to 4 10	2 6 to 6 6	HAY, per 112 lbs.
94 to 1 1	104 to 1 0	1 6 to 2 3	1 8 to 2 6	1 8 to 2 6	1 0 to 1 8	STRAW "
4 0 to 4 6	4 0 to 4 4	5 0	4 0 to 6 0	4 10 to 5 0	5 6	EGGS, per 120.
27 to 212	28 to 214	28 to 216	29 to 218	212 to 213	212 to 213	MILCH COWS.
28 to 27 10	24 to 29 10	24 to 27	26 to 219	25 to 211	27 to 221	TWO-YEAR-OLD CATTLE.
29 to 25	28 10 to 26 10	28 to 25	28 10 to 25	24 to 27	24 to 25	ONE-YEAR-OLD CATTLE.
25 0 to 24 0	15 0 to 26 0	19 0 to 22 0	21 0 to 27 0	18 0 to 20 0	15 0 to 25 0	LAMBS.

PAPER No. 7.—continued.

MEAN of MINIMAL and of MAXIMAL PRICES of IRISH AGRICULTURAL PRODUCE in the year 1840,
for 1896, with the Average MINIMAL, and the Average

NOTE.—These prices have been taken chiefly from the market reports published in the FARMERS' GAZETTE, been taken from the Dublin Gazette or other official source of information. The prices of Flax are taken Wool, Hay, and Straw are Dublin prices. Eggs.—The prices given are the wholesale rates current Cattle, have been taken from the reports of county fairs held during the months of May and June in in the Dublin market. The prices of Butter given were taken from reports of Cork and other leading

The figures in Obsolete type show the Highest Average Minimal and the

DESCRIPTION OF PRODUCE	1857.	1858.	1859.	1860.	1861.	1862.
WHEAT, per 112 lbs.,	89 0 to 11 0	8 0 to 9 0	9 0 to 11 0	11 0 to 13 4	10 0 to 12 3	8 0 to 10 0
OATS, " "	6 0 to 7 6	5 0 to 6 0	7 0 to 7 6	8 0 to 9 4	8 0 to 9 4	5 0 to 7 6
BARLEY, " "	8 0 to 9 6	5 0 to 6 0	8 0 to 8 6	8 0 to 10 0	8 0 to 9 6	4 0 to 8 0
FLAX, " "	55 0 to 50 0	72 0 to 118 0	55 0 to 91 0	42 0 to 91 0	55 0 to 73 0	55 0 to 86 0
BUTTER, " "	94 0 to 115 0	98 0 to 104 0	102 0 to 114 0	74 0 to 105 0	105 0 to 108 0	55 0 to 83 0
BEEF, " "	50 0 to 63 0	54 0 to 60 0	50 0 to 62 0	40 0 to 63 0	55 0 to 63 0	54 0 to 60 0
MUTTON, " "	56 0 to 60 0	56 0 to 60 0	51 4 to 53 6	59 0 to 70 0	60 0 to 65 4	60 0 to 70 0
PORK, " "	55 0	40 0 to 44 0	45 0 to 50 0	50 0 to 58 0	50 0 to 55 0	44 0 to 48 0
POTATOES, " "	5 0 to 6 0	2 4 to 4 0	2 4 to 3 4	4 0 to 7 6	4 4 to 5 0	3 5 to 4 4
WOOL, per lb.,	1 6	1 3	1 6 to 1 6	1 7 to 1 8	1 6	1 6 to 1 9
HAY, per 112 lbs.,	3 0 to 3 10	3 0 to 3 20	4 0 to 5 0	3 0 to 4 2	3 0 to 5 0	3 0 to 4 0
STRAW, " "	1 0 to 1 30	1 4 to 2 0	3 0 to 3 4	1 8 to 2 4	1 2 to 2 2	1 5 to 2 4
EGGS, per 120,	5 0 to 0 4	5 0 to 5 10	5 0 to 6 0	5 0 to 0 2	5 10 to 6 6	5 0 to 6 4
MILCH COWS, " "	£12 to £20	£12 to £20	£12 to £15	£11 to £15	£12 to £20	£12 to £20
TWO-YEAR OLD CATTLE	£7 to £12	£8 to £10	£7 to £12	£8 to £12	£7 to £10	£8 to £12
ONE-YEAR-OLD CATTLE	£5 to £6	£5 to £7	£3 10 to £7	£4 to £7	£3 10 to £7	£3 10 to £7 10
LAMBS, " "	8 0 to 31 0	8 0 to 32 0	20 0 to 28 0	25 0 to 38 0	24 0 to 38 0	22 0 to 33 0

PAPER No. 7—continued.

and in each of the 40 years, 1845-85: From "Purdon's Irish Farmers' and Gardeners' Almanac
MAXIMAL, PRICE for the 40 years, and the Average PRICES in 1886—continued.

The prices of Grain are those of the Dublin Market. Where only one quotation is given for a year it has
from reports of markets in Ulster, chiefly Armagh and Belfast. The prices of Beef, Mutton, Pork, Potatoes,
during the summer months in the Dublin market. The prices of Milch Cows, two-year-old and one-year-old
each year, and published in the FARMERS' GAZETTE. The prices of Lambs are those current during May and June
better markets in Munster, and also the Dublin market.

Lowest Average Minimal Price in any of the 40 years, 1845-85.

1863.	1864.	1865.	1866.	1867.	1868.	DESCRIPTION OF PRODUCE.
s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	
7 6 to 8 8	7 5 to 8 3	10 5 to 14 0	11 0 to 15 4	14 5 to 18 0	14 4	WHEAT, per 112 lbs.
3 0 „ 7 5	5 5 „ 6 8	7 0 „ 8 0	8 0 „ 9 0	9 4 „ 11 2	9 8	OATS, „
6 0 „ 8 3	4 3 „ 7 8	7 3 „ 8 6	8 0 „ 11 0	10 0 „ 19 5	10 8½	BARLEY, „
60 0 „ 88 0	44 0 „ 84 0	80 0 „ 132 0	54 0 „ 134 0	62 0 „ 104 0	64 0 to 120 0	FLAX, „
60 0 „ 102 0	56 0 „ 114 0	118 0 „ 150 0	110 0 „ 142 0	80 0 „ 106 0	120 0 „ 150 0	BUTTER, „
55 0 to 60 0	60 0 to 65 0	63 0 to 67 5	68 0 to 75 0	55 0 to 70 0	60 0 to 72 0	BEEF, „
56 0 „ 68 4	57 8 „ 70 6	78 4 „ 77 0	57 8 „ 79 4	46 8 „ 60 4	55 0 „ 79 4	MUTTON, „
44 0 „ 48 0	47 0 „ 51 0	52 0 „ 56 0	55 0 „ 59 0	40 0 „ 44 0	50 0 „ 57 0	PORK, „
2 2 „ 3 4	2 4 „ 3 4	3 0 „ 3 4	2 0 „ 4 0	4 0 „ 4 8	3 0 „ 4 8	POTATOES, „
1 6 to 2 0	2 0 to 2 4½	1 6 to 2 0	1 5 to 2 10	1 2 to 1 8	1 4 to 1 6	WOOL, per lb.
3 0 „ 3 8	3 4 „ 4 0	3 10 „ 3 5	3 4 „ 3 10	4 0 „ 4 10	4 0 „ 5 4	HAY, per 112 lbs.
1 6 „ 2 4	1 4 „ 2 0	1 8 „ 2 6	1 8 „ 2 0	1 10 „ 2 8	1 6 „ 2 0	STRAW, „
5 4 „ 6 8	5 0 „ 7 0	5 0 „ 7 0	5 0 „ 5 0	5 0 „ 6 8	5 9 „ 8 8	EGGS, per 120.
£15 to £30	£18 to £18	£14 to £20	£18 to £18	£15 to £20 10	£18 to £20	MILCH COWS.
20 „ £12	20 „ £15	28 „ £12	28 „ £11	28 „ 29	20 „ £11	TWO-YEAR-OLD CATTLE.
23 10 „ 27	25 10 „ 27	24 „ 29	24 10 „ 25	23 10 „ 25	24 „ 26	ONE-YEAR-OLD CATTLE.
s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	LAMBS.
50 0 „ 58 0	10 0 „ 35 0	30 0 „ 40 0	30 0 „ 38 0	35 0 „ 40 0	25 0 „ 32 0	

PAPER No. 7—continued.

MEAN of MINIMAL and of MAXIMAL PRICES of IRISH AGRICULTURAL PRODUCE in the Year 1840,
for 1886; with the Average MINIMAL, and the Average

NOTE.—These prices have been taken chiefly from the market reports published in the FARMERS' GAZETTE, been taken from the *Dublin Gazette* or other official source of information. The prices of Flax are taken Wool, Hay, and Straw, are Dublin prices. Eggs.—The prices given are the wholesale rates current Cattle, have been taken from the reports of country fairs held during the months of May and June in in the Dublin market. The prices of Butter given were taken from reports of Cork and other leading

The figures in Clarendon type show the Highest Average Maximal and the

DESCRIPTION OF PRODUCE.	1869.	1870.	1871.	1872.	1873.	1874.
WHEAT, per 112 lbs.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.
WHEAT, per 112 lbs.	12 0	10 4	12 6	12 8	19 0	9 4
OATS, " "	8 6	7 11½	8 0½	7 8	6 10	9 0
BARLEY, " "	10 1½	8 1½	8 10½	9 1½	5 0	9 1
FLAX, " "	56 0 to 56 0	44 0 to 78 0	64 0 to 119 0	80 0 to 70 0	66 7	56 0 to 78 0
BUTTER, " "	108 0, 118 0	110 0, 120 0	114 0, 118 0	120 0, 125 0	110 0 to 140 0	124 0, 130 0
BEEF, " "	68 0 to 80 0	70 0 to 72 8	70 0 to 80 0	70 0 to 85 0	70 0 to 95 0	70 0 to 85 0
MUTTON, " "	56 0, 78 4	74 8, 77 0	74 8, 84 0	74 8, 88 8	74 0, 88 0	74 8, 88 8
PORK, " "	60 0, 65 0	52 0, 60 0	40 0, 45 0	48 0, 59 0	50 0, 60 0	55 0, 60 8
POTATOES, " "	2 4, 4 4	3 4, 4 8	5 8, 4 0	5 0, 8 8	3 8, 6 0	2 8, 3 8
WOOL, per lb.	1 2 to 1 4	1 0 to 1 4	1 10 to 2 1	1 10 to 2 0	1 5 to 2 0	1 0 to 1 0½
HAY, per 112 lbs.	3 0, 4 4	4 0, 4 10	3 6, 4 6	3 0, 4 0	3 0, 7 0	4 0, 4 0
STRAW, " "	1 8, 2 8	1 10, 2 0	2 2, 2 8	2 0, 2 0	2 6, 4 4	2 6, 3 0
EGGS, per 120,	5 8, 5 8	6 0, 7 0	6 0, 7 0	6 6, 7 0	6 2, 6 4	7 0, 8 0
MILCH COWS, " "	£16 to £24	£16 to £25	£27 to £31	£19 to £21	£15 to £25	£16 to £24
TWO-YEAR-OLD CATTLE,	£ £ £11	£ £ £11	£29, £15 30	£15, £14 10	£9, £14	£12, £18
ONE-YEAR-OLD CATTLE,	£4, £5 10	£3 10, £7 10	£5, £8	£7, £8 8	£5, £11	£5, £8
LAMBS, " "	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.
LAMBS, " "	53 0, 57 0	38 0, 38 0	36 0, 36 0	35 0, 40 0	30 0, 50 0	30 0, 45 8

PAPER No. 7—continued.

and in each of the 40 years, 1846-85: *From "Purdon's Irish Farmers' and Gardeners' Almanac*
MAXIMAL PRICE for the 40 years, and the Average Prices in 1886—continued.

The prices of Grain are those of the Dublin market. Where only one quotation is given for a year it has
 from reports of markets in Ulster, chiefly Armagh and Belfast. The prices of Beef, Mutton, Pork, Potatoes,
 during the summer months in the Dublin market. The prices of Milk Cows, two-year-old and one-year-old
 each year, and published in the *FARMERS' GAZETTE*. The prices of Lambs are those current during May and June
 better markets in Munster, and also the Dublin market.

Lowest Average Minimal Price in any of the 40 years, 1846-85.

1875.	1876.	1877.	1878.	1879.	1880.	DESCRIPTION OF PRODUCE.
s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	
9 6	8 6½	10 8	8 5 to 9 6	10 0 to 12 0	9 0 to 9 6	WHEAT, per 112 lbs.
8 8	7 3½	8 0½	8 0 „ 9 0	6 8 „ 10 6	7 0 „ 8 0	OATS, „
8 8	8 4½	9 0	7 0 „ 8 9	7 0 „ 9 3	7 0 „ 8 8	BARLEY, „
60 0 to 68 0	52 0 to 74 0	60 0 to 80 0	50 0 „ 75 0	50 0 „ 60 0	50 0 „ 60 0	FLAX, „
115 0 „ 140 0	110 0 „ 134 0	99 0 „ 130 0	90 0 „ 130 0	61 0 „ 131 0	80 0 „ 140 0	BUTTER „
70 0 to 87 0	70 0 to 85 0	60 0 to 86 0	65 0 to 84 0	50 0 to 80 0	60 0 to 70 0	BEEF, „
65 4 „ 54 0	70 0 „ 90 0	74 8 „ 100 0	74 8 „ 98 0	55 0 „ 90 4	62 4 „ 84 0	MUTTON, „
58 0 „ 60 0	51 6½	51 0 „ 58 0	50 0 „ 60 0	45 0 „ 57 0	55 0 „ 60 0	PORK, „
3 0 „ 4 0	3 5½	5 0 „ 7 0	3 6 „ 5 6	5 0 „ 7 4	2 6 „ 3 8	POTATOES, „
1 5 to 1 8	1 2 to 1 4½	1 1½ to 1 4	1 0 to 1 3	0 5½ to 0 13½	1 2 to 1 5	WOOL, per lb.
5 6 „ 0 0	5 0 „ 6 6	3 30 „ 4 8	3 0 „ 4 0	4 0 „ 5 0	5 0 „ 4 6	HAY, per 112 lbs.
2 5 „ 4 6	2 4 „ 4 4	3 0 „ 5 5	1 2 „ 2 8	1 6 „ 3 4	1 4 „ 3 5	STRAW, „
7 3 „ 9 0	6 4 „ 11 0	5 10 „ 7 0	5 0 „ 9 9	7 5 „ 9 0	5 30 „ 10 0	EGGS, per 120.
£16 to £24	£14 to £24	£20 to £30	£25 to £34	£14 to £25	£12 to £23	MILCH COWS.
£10 „ £12	£10 „ £15	£10 „ £15	£20 „ £15	£9 „ £14	£9 10 „ £15	TWO-YEAR-OLD CATTLE.
£7 „ £9	£6 „ £12	£5 „ £10	£5 „ £11	£5 „ £10	£5 „ £11 10	ONE-YEAR-OLD CATTLE.
s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	s. d. s. d.	LAMBS.
25 0 „ 43 0	20 0 „ 50 0	30 0 „ 43 0	30 0 „ 40 0	24 0 „ 35 0	27 0 „ 47 0	

PAPER No. 7—continued.

MEAN OF MINIMAL and of MAXIMAL PRICES of IRISH AGRICULTURAL PRODUCE in the Year 1840,
for 1886; with the Average MINIMAL, and the Average

NOTE.—These prices have been taken chiefly from the market reports published in the FARMERS' GAZETTE, been taken from the *Dublin Gazette* or other official source of information. The prices of Flax are taken Wool, Hay, and Straw are Dublin prices. Eggs.—The prices given are the wholesale rates current Cattle, have been taken from the reports of country fairs held during the months of May and June in in the Dublin market. The prices of Butter given were taken from reports of Cork and other leading

The figures in Clarendon type show the Highest Average Maximal and the

DESCRIPTION OF PRODUCE	1881.	1882.	1883.	1884.	1885.	1886.
WHEAT, per 112 lbs.	s. d. s. d. 0 2 to 11 7	s. d. s. d. 0 4½ to 11 2½	s. d. s. d. 7 5 to 10 6	s. d. s. d. 8 5 to 8 5	s. d. s. d. 6 0 to 10 2	s. d. s. d. 5 10½ to 6 10
OATS, „ „	s. d. s. d. 5 0 „ 10 6	s. d. s. d. 5 2½ „ 8 10½	s. d. s. d. 5 8½ „ 9 8½	s. d. s. d. 6 0 „ 7 0	s. d. s. d. 6 0 „ 10 0	s. d. s. d. 5 1½ „ 7 4½
BARLEY, „ „	s. d. s. d. 6 0 „ 9 0	s. d. s. d. 6 8 „ 9 3	s. d. s. d. 6 0 „ 8 0	s. d. s. d. 6 6 „ 8 6	s. d. s. d. 6 7 „ 8 3	s. d. s. d. 5 7½ „ 7 3
FLAX, „ „	24 0 „ 84 0	32 0 „ 80 0	56 0 „ 78 0	44 0 „ 78 0	48 0 „ 68 0	43 0 „ 53 0
BUTTER, „ „	50 0 „ 145 0	55 0 „ 180 0	62 0 „ 150 0	60 0 „ 160 0	54 0 „ 120 0	57 0 „ 105 2
BEEF, „ „	50 0 to 77 6	50 0 to 51 0	55 0 to 65 0	62 0 to 77 6	40 0 to 70 0	43 4 to 68 8½
MUTTON, „ „	51 0 „ 84 0	55 0 „ 90 0	59 0 „ 112 0	60 8 „ 100 6	40 18 „ 55 8	51 4 „ 77 6
PORK, „ „	53 0 „ 90 0	50 0 „ 68 0	46 8 „ 82 0	30 0 „ 90 0	—	34 8 „ 46 1
POTATOES, „ „	2 6 „ 5 6	1 8 „ 5 6	2 0 „ 8 8	2 0 „ 4 10	1 6 to 2 8	2 1½ „ 3 4
WOOL, per lb.	0 11 to 1 2½	0 9 to 1 0½	0 8 to 0 11	0 8 to 1 0½	0 6½ to 0 9½	0 7½ to 0 10½
HAY, per 112 lbs.	2 0 „ 5 8	2 0 „ 5 0	2 0 „ 5 8	4 0 „ 6 0	1 0 „ 5 6	1 30 „ 4 5
STRAW, „ „	1 4 „ 5 0	1 4 „ 5 4	1 5 „ 2 10	2 0 „ 0 10	2 0 „ 4 6	1 3 „ 2 6½
EGGS, per 120	5 0 „ 14 0	5 8 „ 12 6	5 2½ „ 13 6½	6 0 „ 11 0	5 0 „ 11 8	6 0½ „ 7 0½
MILCH COWS, „ „	£13 10 to £25	£15 to £25 10	£14 to £18	£14 to £25	£11 to £20	£9 0 to £20 0 0
TWO-YEAR-OLD CATTLE	49 „ £18	£20 „ £25 10	£11 „ £18	49 „ £18 5	43 „ £18	£5 10 „ £15 0 0
ONE-YEAR-OLD CATTLE	45 10 „ 110	43 „ £11	45 „ £12 12	45 „ £10	41 „ £8 10	£5 10 „ £17 6
LAMBS, „ „	s. d. s. d. 20 0 „ 48 0	s. d. s. d. 20 0 „ 32 0	s. d. s. d. 24 0 „ 32 0	s. d. s. d. 20 0 „ 48 0	s. d. s. d. 18 0 „ 30 0	s. d. s. d. 16 0 „ 42 8

Compiled from the Almanac by the Registrar-General.

PAPER No. 7—continued.

and in each of the 40 years, 1846-85: From "Purdon's Irish Farmers' and Gardeners' Almanac
MAXIMAL, PRICE for the 40 years, and the AVERAGE PRICES in 1886—continued.

The prices of Grain are those of the Dublin market. Where only one quotation is given for a year it has been taken from reports of markets in Ulster, chiefly Armagh and Belfast. The prices of Beef, Mutton, Pork, Potatoes, during the summer months in the Dublin market. The prices of Milk Cows, two year-old and one-year-old each year, and published in the FARMERS' GAZETTE. The prices of Lambs are those current during May and June in the best markets in Munster, and also the Dublin market.

Lowest Average Minimal Price in any of the 40 years, 1846-85.

DESCRIPTION OF PRODUCE.	40 YEARS, 1846-85—Average of			1886.
	Mean Minimal Prices.	Mean Maximal Prices.	All Years.	Average Prices.
	s. d.	s. d.	s. d.	s. d.
WHEAT, per 112 lbs., ...	9 0	11 10	10 10	6 4
OATS, " ...	6 7	6 5	7 7	6 3
BARLEY, " ...	7 2	9 3	6 1	6 6
FLAX, " ...	50 0	63 0	66 4	52 6
BUTTER, " ...	66 0	117 0	101 4	66 4
KEEF, " ...	56 0	70 0	63 1	52 11
MUTTON, " ...	61 0	77 0	66 4	64 2
PORK, " ...	47 0	54 0	50 3	40 3
POTATOES, " ...	3 5	5 5	4 4	2 9
WOOL, per lb., ...	1 2	1 5	1 3	0 9
HAY, per 112 lbs., ...	3 2	4 5	3 9	3 0
STRAW " ...	1 7	2 7	2 1	2 1
EGGS, per 120, ...	5 6	7 7	6 6	6 4
MILCH COWS, ...	£12 3 0	£19 12 0	£15 16 0	£14 10 0
TWO-YEAR-OLD CATTLE, ...	£8 2 0	£12 0 0	£10 3	£9 7 6
ONE-YEAR-OLD CATTLE, ...	£4 7 0	£7 17 0	£6 1 0	£5 13 9
LAMBS, ...	s. d. 22 6	s. d. 36 0	s. d. 29 0	s. d. 29 0

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APPENDIX D.

PAPERS HANDED IN BY PARTIES NOT EXAMINED AS WITNESSES.

No.	Name.	Page.
1	LANSDOWNE, THE MARQUESS OF,	971
2	GILLOOLY, MOST REV.,	974
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5	FITZGERALD, J. F. VERSEY,	984
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APPENDIX D.

PAPER No. 1.

PAPER sent by the MARQUIS OF LANSDOWNE to EARL COWPER, President of the Commission.

The following are among the points to which the direction of the Commission might be directed with advantage.

1. *The failure of free sale.*

A reference to the Report of the Bessborough Commission, and to the debates upon the Land Act of 1881, will show the immense importance which was attached to the introduction of free sale. "It is to this provision that we look," said the Bessborough Commissioners, "for giving to the landlord an advantage under the new system, which would in some measure compensate for what he loses." "It has been of so much obvious benefit to the landlords to have this reserve to draw upon, that they have looked on with comparative indifference while the notion of tenant-right was first carried into a custom, and afterwards embodied in law. The tenant who sits behind-hand with the world is urged by the agent to sell—he is even anxious to sell if he sees any chance of righting his affairs before his whole interests are swallowed up by debts and arrears of rent. He takes his money or what remains of it, and buys a smaller farm, or emigrates, and betakes himself to a humbler calling. No agrarian outrage follows, and the descent of any, in the social scale is arranged for with as little hardship and heart-burning as possible." (v. Report of the Bessborough Commission, paragraph 45; see also paragraphs 41 & 48.)

It will be in your recollection that in the "Compensation for Disturbance Bill," introduced by Mr. Forster, in 1881, it was provided that a landlord, evicting a tenant for non-payment of rent, should not be liable to the penalties attached under the Bill to such evictions, if he offered to the tenant what was described in section 3, sub-section 3, as a "reasonable alternative," and it was explained by the Ministers responsible for the measure, that the "reasonable alternative," specially contemplated by them, was a permission to sell his interest.

This alternative is, under the Act of 1881, now open to every tenant in Ireland.

Although, however, in special cases high prices have been given for tenant-right, where the sale was not interfered with by the Land League, it will, I think, be found that at the present moment, in the greater part of Ireland, the free sale provisions of the Act are virtually inoperative.

It is probably the case that the reluctance of the tenant to buy is, to some extent, caused by the fall in prices, which has diminished the means of buyers as well as the value of the vendor's interest. There can, however, I think, be no doubt that during the last two or three years the tenants have been taught that it is a duty, which they owe to themselves, to hold their land, and not to have recourse to sale. The fact that, in many cases, large arrears of rent are due by the insolvent tenant both to his landlord and to other creditors, renders it scarcely worth his while to part with his interest for the sake of the small balance available after these claims have been satisfied.

I have myself, however, known cases where ten or twelve years purchase of the rent has been offered to a small tenant, on the landlord's part, and where this offer has been declined, and I may add that, not long ago, I asked my agent whether, if I allowed him to spend £1,000 in consolidating some of the smaller holdings on my Kerry property, by buying out some of the insolvent farmers, he would be able to spend the money, and that his reply was to the effect that

there was no prospect of his succeeding in doing so.

In spite of the distress prevailing in some parts of Ireland, I have no doubt that were the law enforced, and bankrupt tenants made to understand that they could not be allowed to remain in occupation of their holdings, free sale would again become what it was intended by the framers of the Land Act to be, a self-acting solution of many of the difficulties which at present beset the relations of landlord and tenant.

Rents and Prices.

The Commission will find abundant evidence with regard to the recent fall in the prices of agricultural produce; this fall has been serious even in the case of high class stock and butter. The low class animals bred in many parts of the West, and the wretchedly-made butter there produced were the first to feel the effects of the depression, and became at times almost unsaleable. The difficulties thus occasioned to the tenants have been aggravated by two exceptional accidents, the failure of the Munster Bank and the restriction of credit, due no doubt to the discovery on the part of the local tradesmen that the debts due by the tenants to the landlord were not the only liabilities which it was possible for the farmer to shirk.

I have no doubt that the combined effect of these causes has been to render even judicial rents difficult of payment in some of the poorer localities. The tenants in these districts live from hand to mouth and do not set the profits of a good year against the losses of a bad one. Until lately they have been in the habit of running into debt in bad years and discharging their liabilities in years of prosperity. Under any circumstances some of the neediest and most incompetent farmers are sure to fail whenever circumstances are adverse to them. It does not, I think, follow that for this reason the rents which the Court has fixed are other than fair rents. The test of fairness is not the ability of an individual tenant or body of tenants to pay at a particular moment. Some regard must be had to the capabilities of the soil, and to the manner in which it is cultivated; it can scarcely be contended that the standard of rents should be measured by the ability of a thoroughly incompetent farmer to make the rent in an exceptionally unpropitious season. No industry could survive a general levelling down of this kind.

Every competent authority who has examined into the condition of Ireland, has called attention to the ignorance and incompetency displayed by the smaller farmers. There is room for infinite improvement in regard to their stock by the exercise of ordinary care in breeding the best cattle.

The quality of the butter made in these districts is also capable of immense improvement. I know districts in which, by the introduction of creameries and better factories, the price obtained by the farmer for his goods has been raised by a pound to thirty shillings a hundred weight.

The very small size of some of the holdings also, tells seriously against the quality of the butter. Good butter cannot be made where it is churned in very small quantities, so that for this as well as other reasons, the consolidation of some of the smaller farms is desirable.

I have explained the reasons for which, in the face of the exceptional combination of adverse circumstances above referred to, I have thought it

desirable to offer an abatement even on judicial rents on my Kerry estate. Such concessions on the part of the landlords should not be regarded as involving an admission that with reference to the full term of fifteen years the judicial rents are too high. Before any such conclusion is come to the Commission will no doubt consider whether there are grounds for believing that the circumstances which brought prices down to the level of 1885-6 will be permanent. It should be borne in mind—1. That industries other than agriculture have been exceedingly depressed, and the demand for agricultural produce consequently diminished. 2. That Atlantic freights are at a figure which compels the steam shipping companies to carry at a loss. 3. That owing to the rapid development of the cattle raising industry in the North American Continent there has been an enormous surplus of stock available for export.

On the other hand, the statistics of the United States show that although there is a remarkable increase in the head of cattle bred in the country, its population is increasing at a still more rapid rate.

All these are considerations which should make us hesitate to anticipate with confidence a continuation of the combination of difficulties which now affect the Irish agriculturist.

Under the above circumstances I doubt whether a case can be established for further intervention between landlord and tenant. Such intervention might conceivably become inevitable if it could be shown that landlords were by their action precipitating a serious social crisis. Whether this is so the Commission will be able to judge.

On my Kerry estate out of eleven hundred tenants, twenty-eight only have been evicted in 1895, of these sixteen have redeemed and the remaining twelve are still able to do so. In all cases legal proceedings have been discontinued on payment of one gale and costs by the tenants. It should be observed that as in nearly every case two or three gales, in some instances seven or eight, are due, excluding the hanging gale, and as the decrees were obtained early in the present year, that in before the May gale of 1896 became usually payable, the gale of which payment has been actually enforced, is that which should have been paid in May, 1893, at which time the present depression had not yet fully set in.

Should it be decided to revise judicial rents, the landlord should, I think, be allowed to claim the right of selling the fee-simple of his estate at a price which would make the rentcharge payable by the tenant equal to the revised rents imposed by the Court. I should be disposed to act in the same manner in case it should be decided to allow leaseholders to go into the Land Court.

Purchase of Holdings by Tenants.

It is desirable that the operation of Lord Ashbourne's Act should be facilitated and extended for the following reasons:—

1st.—We have reason to expect a change, which will place the local government of Ireland in the hands of popularly elected bodies. It will be a serious misfortune to the country if such a change should take place without a large increase in the numbers of owners of land. The burden of local taxation at present falls either directly or ultimately upon the landlord. There is, I take it, no dispute as to this. The rent of a holding must be higher or lower, according to the amount of local taxation, for which it is liable. What will be the result if the rate come to be paid by the landlord and spent by the farmers? There is, on the other hand, every reason for expecting that if these rates are both paid and spent by the same class, that class will administer them with scrupulous frugality.

2nd.—There will be less difficulty in enforcing any agrarian law, ultimately sanctioned by Parliament, if

this law is no longer enforced, solely in the interests of what is commonly spoken of as "landlordism." Public feeling throughout the United Kingdom and in Parliament will regard in a very different spirit proceedings taken for the enforcement of a land tax payable to the Government, and the same proceedings when taken for the purpose of enforcing the payment of rent.

3rd.—The present tenure is full of defects, the landlord, who has become a mere absentee, and who has no real control over, or voice in, the selection of the persons who occupy his property, has no inducement to improve it.

The tenant, on the other hand, has been taught to look to agitation as a legitimate means of improving his position, and will maltreat his land, with a view of obtaining a further reduction of his rent at the end of his statutory term.

The statutory term is a bad one. It is too long, if regard is to be had to the effect of fluctuations in yield and price upon the smaller tenants. It is too short, if we see to look to it for the final settlement of the relations of landlord and tenant.

I have seen it suggested that the judicial rents might be made to revision at short intervals, of, say, two or three years, with reference to the variations of the price of certain kinds of agricultural produce. Such a system might work in the case of some farms. It would not be practicable where the tenant is dependent upon the price of stock, which varies almost infinitely, according to the condition of the markets and the quality of the animals sold. The uncertainty of fluctuating rents would be inconvenient, and would have a bad effect upon the parties, all of whom would have more to gain by a permanent settlement. A fixed rentcharge would be the best solution, with prompt means for compelling the defaulter to sell his interest.

There would, undoubtedly, be a widespread disposition on the part of the tenants to acquire their holdings on the liberal terms now placed within their reach. They have, however, been deterred by (1), the advice of the National League; (2), their own suspicion that a debt due to the State would be enforced more stringently than a debt due to the landlords; (3), the prospect of further alterations in the law affecting tenure, and of further reductions of rent at the expiration of the fifteen years term. The tenure clauses of the Land Act have from the first stood in the way of the purchase clauses.

Suggestions for Facilitating Purchase.

1. The Court should be empowered to deal expeditiously with the different interests involved in each transaction. These are often complicated by the existence of rentcharges or middleman tenancies. The owner of the title-rentcharge should not be allowed to frustrate a sale by insisting upon unreasonable terms for himself. In the case of middleman tenancies the Court might distribute the proceeds of the sale equitably between the head landlord and sub-tenant landlords.

2. The Land Commissioners should be permitted to authorize sales upon terms which would not disadvantage landlords from selling. It is no doubt the duty of the Court to protect the taxpayer from a ruinous bargain. It must, however, be remembered that the security depends not only on the value of the landlord's interest, but also upon that of the tenant. It should also be borne in mind that every year which passes after the transaction, and every installment paid by the tenant, diminishes his liability and the risk incurred by the public in advancing the purchase money.

Parliament did not scruple to abstract from the landlords, without compensation, rights of ownership, the value of which, if expressed in terms of money, would have been very considerable indeed. The claim put forward on behalf of the taxpayer that he is on no account to incur any risk in order to remedy the con-

sequence of the legislation of 1881, comes with had grace from those who were so liberal at the expense of others.

Should the number of years purchase at which sales are sanctioned by the Land Commission be fixed at too low a rate many of the smaller and smaller landowners, the transfer of whose property to their tenants would be especially desirable, could not afford to sell, and would hold on to their estates with a determination to extract from them the uttermost farthing which the law permitted them to demand.

The following imaginary case would illustrate my meaning. A. B. has bought in the Incumbered Estate Court an estate of £1,000 a year for £23,000, his rental has been reduced by the Land Court to £750, the sale of the estate at sixteen years' purchase of the reduced rental would return to A. B. the sum of £12,000, in lieu of the £23,000 originally spent by him. The smaller sum invested at four per cent. (he would only receive three per cent. at first on one-fifth of the purchase money) would yield him an income of less than £480 a year. The loss, making every allowance for saving of expense owing to diminished liability on account of agency expenses, local taxation, &c., would probably swallow up the whole of the available resources of the vendor, and barely suffice to pay off the incumbrances to which most of these small properties are liable.

The effect of the transaction upon the tenants themselves should also be considered. I assume that it is not desired to drive away from Ireland the whole of the owners of land in that country, and that the public would regard with satisfaction the retention of their estates by the most improving members of the class. A few such sales as that above described would, however, render such a state of things impossible. The tenants on the estate sold for sixteen years' purchase would find a rent of say £75 per annum converted into a terminable rentcharge of £18. The great disparity between these sums would create abundant discontent among those tenants who had not had the opportunity of purchasing their holdings, and would lead to a universal demand on the part of the whole of the tenants of Ireland for the expropriation of their landlords.

From this point of view, it would appear as if the price payable by purchasing tenants should be so adjusted as to make the rentcharge payable by them fall somewhat, though not too much, below the fixed rent recoverable by the landlord from the non-purchasing tenants. The latter would, on a liberally managed estate such as those which it is desirable to perpetuate, expect from his landlord benefits which would compensate him for the fact that his annual payments were somewhat higher than those of his neighbour who had become the owner of his holding, and had no longer a right to look for such extensive assistance.

Under such an adjustment as I have described I should look forward to a complete disappearance of the noisiest and most unimproving landlords, and to the sale of the outlying portions only of the well-managed estates.

Risks attached to Purchase.

It is idle to deny the existence of these. A succession of bad seasons, or any exhibition of weakness on the part of the Government of the day, might lead to an agitation against the payment of the rentcharge; on the other hand:—

1. The public, and its representatives in the House of Commons, and in the Executive Government, would regard the enactment of a low fixed rentcharge, payable to the State, in a light very different from that in which they would regard the enactment of rent by a class so unpopular as the landlords.

2. There would be far less prospect of resistance on the part of the tenants to the officials of the State than there is at present of resistance to the landlords, many of whom have not the means to withstand unscrupulous demands, and are consequently much exposed to them.

3. It is worth while, as a speculation, to run some risk for the sake of improving the condition of the country. Mr. Gladstone has recently stated "that civil government costs in Ireland 16s. per head of the population, and in the rest of the United Kingdom only 8s. per head."

4. No other course is open which does not involve some risk, reduce rents as low as you please, when the final reduction has been made, you must contemplate adding the landlords to recover them with the whole strength of the Executive.

Intervention of Local Authorities.

I doubt whether it would be desirable at the outset to impose upon any newly constituted or reformed local bodies the duty of collecting or making good the rentcharge. Such bodies would be unacquainted with the management of land, nor could any duty be imposed upon them more likely to interfere with their usefulness, or to add to their difficulties, than the duty of levying rent on their own constituents.

After the new local bodies have been for some time in existence, and are able to borrow at a low rate of interest on the security of the local taxes, it might be found possible to transfer to them, wholly or in part, the liability for the principal debt, and the duty of the interest.

As to Irish Rents generally.

I believe it is the case that in that part of the United Kingdom a smaller portion of the value of the produce of the land finds its way into the landlord's pocket than in any other. This point, I believe, has been elaborated by Sir James Caird. In the United States rented land sometimes pays as much as one-half the gross price to the owner.

In England it used to be said that the farmer should make three rents out of the land. I fancy, however, that as a rule, the landlord's share of the gross output is smaller than a third, but, of course, everything depends upon the style of farming adopted.

In Kerry I doubt whether more than one-tenth of the yield of the land is paid as rent.

Distinction between Different Parts of Ireland.

I need not insist upon the wide contrast presented by different portions of the country in regard to fertility, cultivation, and solvency of the tenants. I think the Commission should bear in mind that there are infinite gradations in these respects. It is a mistake to speak of the whole of the West as uniformly wretched and poverty-stricken. Language which would not be exaggerated if applied to the "congested districts" of Connaught would be wholly inapplicable to districts occupied by small farmers paying, say, £10 a year, with a cow for every 20s. of rent (a common rate in Kerry). There is a disposition to represent the whole of the small tenants of Ireland as hopelessly insolvent, and the landlord's interest in their holdings as, consequently, quite worthless.

Migratory Labour.

It should be remembered that in Munster there is practically no migratory labour. It is commonly believed by many people that Irish rents are earned by work in England: in Connaught this is to some extent the case, but not in the other provinces.

PAPER No. 2.

Sent to EARL COWPER by the Most Rev. L. GILLOOLY, Bishop of Elphin.

OBSERVATIONS ON MATTERS CONNECTED WITH THE LAND ACTS OF 1831 AND 1885, SUBMITTED TO THE ROYAL COMMISSION ON THE LAND ACTS, ON THE 9th DECEMBER, 1886, BY THE MOST REV. L. GILLOOLY, Bishop of Elphin.

I.—PAYMENT OF RENTS.

Speaking generally, I believe that rents, non-judicial as well as judicial, are being freely paid, wholly or in part, according to the available means of the tenants, where equitable reductions have been made to the tenants.

For the last three years there has been in the tenant class a very general, and, even for Ireland, a very unusual scarcity of money, arising chiefly from a very limited demand and very low prices for farm stock and produce of every kind. Money is, therefore, now wanting in very many cases to meet the landlord's full demand, and payment on account is all that can be made or expected. There is no combination, public or private, that I know of, against the payment of equitable rents; nor is there, except perhaps in a few isolated cases, any disposition on the part of individual tenants to discuss what are, in their class, considered their just obligations to their landlords. The present public combined action of tenants has no other object but the obtaining of equitable reductions of rent. The tenants generally regard such united action as an indispensable means of success, and they have recourse to it freely and deliberately, influenced and aided undoubtedly, but not introduced, by the local National League, which are almost exclusively composed of the tenant class.

II.—REDUCTION OF RENTS ALWAYS EXCESSIVE.

The non-judicial rents of small holdings, whether held from year to year or by lease, are universally admitted to be excessive. The reduction of them is claimed by tenants as a matter of strict justice, and as an indispensable condition of their payment of rent, and they found their claim on the following very solid grounds.—

1st. The old rents were, as a rule, fixed, not by the produce or the productive qualities of the land, but (a) by the necessities of the tenants; (b) by their competition for even small scraps of the worst land; (c) by their earnings in England, and even by the remittances of their children from America.

2nd. The old excessive rents were again and again raised, according as the tenants were rack-renting or improving their holdings by their own hard, unaided labour, or when there was a rise in market prices; and frequently, when arrears of rent had accumulated in years of blight and famine, a new increase of rent was arbitrarily and permanently imposed on the miserable tenant as an equivalent for those arrears.

3rd. Old rents often exceeded the value of the produce of the land. They seldom left the tenant the means of decent support for himself and his family. Under those rents, and still later, his food, clothing, and lodging were a struggle to a civilized country. He was unable to clothe or educate his children. For some years past there has been, happily, in the food, clothing, and housing of the small tenant class a considerable improvement; but although this progress has, as might be expected, produced exceptional cases of ingrown indolence and extravagance, it does not generally in any respect amount to much less cost, when a landlord with the ordinary views of justice and humanity, should desire to use universally prevail amongst his tenantry. Very many of our poor tenants still want the bare necessities of life, and it is only by hard, incessant toil, and by depriving their families of those necessities, that they contrived in past years to pay the old rents. Who will venture to assert that they are still bound to pay them by still subjecting themselves and their children to such gross privations? Is their wealth, at least, the creation of such rents is a violation of God's law, which a just Government should condemn and prevent; and the English law that enforces it is in their eyes utterly unjust, and to be submitted to only from sheer necessity. Therefore, were they even able to pay those excessive rents, which they are not, they will not pay them. The belief, even the hope, has but little terror for men who are

familiarized with sickness and death. Nevertheless, it is perfectly certain that the very poorest of this class are anxious to retain their homes, however miserable, by the payment of a fair rent. I am rather diffuse on this point, but I think it important to state clearly the deep, innumerable feelings and corrections of the people in reference to it.

4th. A deterioration and exhaustion of the soil (caused by constant cultivation, sowing of crops, and insufficient manuring, and which is inevitable in small holdings of inferior land) renders the crop very defective in quality and quantity, and contributes largely to the impoverishment of small tenants.

III.—REDUCTION OF RENTS THAT HAVE BECOME EXCESSIVE.

It is stated very positively, and I believe very truly, that the value even of the best agricultural farms has been gradually depreciating during the last half century, and very rapidly during the last few years, owing to the following causes.—

1st. The deterioration of the quality of grass, hay, corn, and turnips, and other roots, owing to purely climatic causes, chiefly the heavy constant rains, and the absence of warm, sunny weather. Both these causes have been operating steadily, and more and more injuriously during the last fifty years; and, as I have been frequently asked by the most experienced graziers and farmers, they have reduced the value even of good land, by one-third. Those lands will feed one-third less stock now than they did fifty or twenty years ago.

2nd. The fall in the prices of cattle and land produce of every kind, consequent on American and Australian competition, which I have been assured by many gentlemen of wide experience from America and Australia, is certain not only to maintain its present activity, but to acquire a vast and permanent development.

From the operation of those two causes, which are entirely above the control of landlord and tenant, land has lost about one-half its value, so that rents which some years ago were equitable, and accepted as such, have now become excessive, and their reduction is claimed as a matter of justice and necessity. This leads to the question of

IV.—JUDICIAL RENTS.

1st. Judicial rents, except those recently fixed, have become inequitable, owing to the great and unexpected fall in the value of agricultural produce, which has lately occurred.

2nd. The judicial rents, as fixed by the majority of the Sub-Commissioners, were considered unduly high by the tenants, even before the fall in prices occurred. The average of their reductions is stated to have been twenty per cent. lower than those made by the minority, who were certainly not inferior in legal knowledge or agricultural experience to their colleagues.

3rd. The tenants feel aggrieved by the lack of their improvements in the letting value of their holdings.

For these reasons a reduction in judicial rents has become necessary, as the recent decisions of the Land Commission are evidently proved. Several landlords in this county, and in Gloucestershire and elsewhere, are spontaneously making reductions of from ten to twenty per cent., and thereby recognise the justice of the tenants' demand. If the demand be general, so are the causes that have led to it.

From the above considerations I have come to the conclusion that in all rents reductions have become necessary, and that in asking for them the tenants do not seek to get and not act selfishly. The reductions must in justice vary on different estates, and on different classes of holdings, according to the diversity of circumstances connected with the holdings. To fix the amount of those re-

questions and of the future rest equally and satisfactorily will be a difficult task. Amiable private arrangements between landlord and tenant are, I fear, impracticable. The work, it seems to me, can be done only by a State Commission, and not permanently even by it unless the 'cases' interested be fairly represented on it. The fair rent, once fixed and accepted, should be subject to revision at short periods, or else vary from year to year with the varying prices of farm produce. This latter mode of regulating rent appears the most equitable; but I fear it would be, even if workable, a new and fruitful source of misunderstanding and litigation, which we do not want.

How easily abuses the reductions I advocate may prove to the majority of landlords I fully realise, and most cordially would I avert the evils they apprehend. But, surely, it is neither justice nor wise policy to continue to crush and starve the millions in order to save the luxuries of the few; and it would be the height of absurdity and cruelty to pretend that when the State withdrew the oppressive privileges of a class they should seek compensation for their loss from those who had been for ages the victims of their oppression. If compensation be due it should come, not from the victims, but from the State that insulated them to the privileged class.

The views I here express are those of the tenant classes and their friends, and I believe very propitious. I have laid down would meet the acceptance of landlords and their sympathisers if their judgment were not biased—very pardonable in most cases—by self-interest.

LAND ACT OF 1885.

I. The deed ownership of land must lead to constant disagreements between landlords and tenants, and prove a bitter source of political strife. Tenant proprietorship has, therefore, become a necessary condition of social order and peace. However, in advocating the creation on a large scale of tenant proprietorship, I would deprecate as its consequence the banishment from Ireland of the present resident landlords. Their presence in their altered relations with the people would contribute much to the material and social improvement of the country, and they would, I am sure, enjoy the respect and confidence of the people.

II. The extent to which present tenants should be made owners of their present holdings is a grave and difficult question, which should, I think, be decided differently, according to the different conditions of the tenants, and especially the quantity and quality of the holdings. To land a tenant so bad, unimprovable land, is to land him and his successors to poverty.

III. How to deal with congested districts is also a difficult problem, which cannot be solved at once by any legislative enactments. Indiscriminate emigration, even if voluntary, would be no benefit either to the emigrants or the country they go to; nor would it benefit those who remain at home, as experience has proved in Mayo and Galway. The following appear to me the only effective means of driving away the population from the congested districts, and enabling them to live at home by their industry:—

1st. To purchase the rich grass lands from which the occupants of the bad lands of the congested districts have been removed, chiefly within the last fifty years.

2nd. To subdivide these lands into farms of moderate size and sell them as agricultural holdings to working farmers of good conduct and practical experience, and having sufficient means to build suitable farm-houses and offices and to work the farms. On the larger of these holdings provision should be made for labourers. There is a considerable portion of my diocese comprised by tenants holding from ten to thirty acres of good land. They are all comfortable and respectable, and give a large amount of employment. Many of them have deposits in the banks, and it is the sons of this class of farmers that would rightly look for the new districts. It would be a grave mistake, I think, to give them to the poor, wretched tenants of the congested districts.

The new agricultural holdings, cultivated by their owners, would soon double the value of the poor land.

3rd. To purchase and in part roughly redivide unserviceable waste lands, build cheap but substantial cottages on them, and offer these cottages with moderate tracts of land attached, on favourable, inviting terms to the tenants in the congested districts.

4th. To make the treasures of the sea available for the support of the congested population on and near the sea coast.

5th. The reasserting of waste, unworkable lands, which would give extensive employment.

IV. PURCHASE OF THEIR HOLDINGS BY TENANTS.

1st. The tenants generally are most anxious to become the owners of their holdings; they regard ownership as a certain means of largely and permanently improving their condition, and if they hesitate and delay to make advances to the landlords or to accept their offers, it is solely because the terms of sale, measured on present exorbitant rents, are or would be unfavourable and unfair to the tenant, and they see their interest in waiting for equitable reductions of rent, which if not freely given by landlords must, in their opinion, be soon enforced by the State. This view shows prudence and intelligence. Those who are acting on it repudiate the charge of seeking to take a dishonest advantage of the landlords.

2nd. The provisions of Lord Ashbourne's Act as to the amount and security of loans for the purchase of holdings would give entire satisfaction to the tenants, without involving any loss to the Treasury.

3rd. It would be generally the wish of the tenants, so far as I can judge, that landlords who acquired their properties by recent purchase, and who let them at exorbitant rents, should receive compensation for what loss they may now sustain by the compulsory sale of their land; but the tenants would strongly protest against the injustice of levying this compensation on themselves, by requiring them to pay too high a price for the land. The compensation should come from the State.

4th. The sale of estates, if not voluntarily offered on equitable terms, should be to some extent compulsory; certainly, in the case of companies of absentee landlords, of reparable bog and waste lands. In other cases, after a due reduction of rents by the State, the sale might be left to voluntary arrangements between landlord and tenant.

5th. The selling price of land, when the sale is compulsory, would be fixed by a mixed Commission composed in equal proportions of members of the Government, the landlords, and the tenants.

In all sales, whether voluntary or compulsory, the value of all improvements and fruits of improvements made by the tenant or his predecessors in title should be excluded from the selling price.

6th. The intervention of local associations or private companies between the landlord and tenant in the sale of land would be unsatisfactory in many ways. The work can be done promptly and fairly only by State-appointed commissioners.

We, the undersigned, have read and carefully considered the opinions expressed in the foregoing statement by the Bishop of Elphin, and we feel pleasure in fully endorsing them.

✠ JOHN MACVILLIE,
Archbishop of Tuam.

✠ HUGH CONWAY,
Bishop of Kildare.

✠ FRANCIS J. MCCORMACK,
Bishop of Acherry.

✠ THOMAS J. CARR,
Bishop of Galway, &c.

PAPER No. 2.

PAPER sent in by Mr. GILBERT DE L. WILLIS, Secretary to the Grand Jury of County Kildare.

Having been unable to attend for examination during the recent sittings of the Royal Commission on the Land Acts in Dublin, I beg to submit for the consideration of the Commissioners the following notes on the subjects they are authorized to enquire into. My observations will be based to a large extent on the experience and opportunities I have had of knowing or learning something of the financial position of the Irish peasantry during a long service—from 1816 to 1885—in the Munster Bank, which, at the date of its stopping payment in July, 1885, had forty-three branches in the Provinces of Munster and Leinster.

The movement which assumed shape and organization by the founding of the Land League in October, 1879, appears to me to date in reality from the year 1873, and to have been from the outset an effort to resist the payment of debts generally and the enforcement of pecuniary obligations of any kind whatever. From the first moment a sheriff's sale was equally unpopular, and purchases at it were equally denounced and intimidated, whether the plaintiff happened to be a landlord, trader, banker, or other class of creditor. This feature has attached to the movement in all its stages, and goes far to account for the support and sympathy it has attracted to it from debtors of other classes besides farmers; and I anticipate there will be little change for the better in this respect, until means have been found, by the issue of time or otherwise, of removing or greatly lightening the burden of indebtedness which has undoubtedly been contracted by a large section of the people during the past twenty years.

There are apparently no statistics, and it would probably not be easy to obtain any, that would indicate with any exactness the aggregate amount due by borrowers of any class in Ireland; but it seems possible to form an approximate estimate of the number of depositors among the farming classes and the total amount deposited by them, and if so, we can also approximately estimate how many are not depositors, and even form some idea of the number who are debtors.

The Deposits and Cash Balances in Joint Stock Banks in Ireland on the 30th June, 1884, amounted to £28,293,000, and it appears by the report of the Liquidators of the Munster Bank, dated the 29th October, 1885, that when that bank suspended payment on 14th July, 1885, it had about 19,050 clients, whose deposits and cash balances amounted to £2,158,000, being upon the average about £112 for each client. It seems reasonable to infer that a similar average would be found in all Irish banks, and upon that assumption the total held by all the banks on 30th June, 1884, would represent about 260,000 depositors or account-holders. About one-fourth of this total, however, would represent current account balances, the residue, say £22,000,000, being deposit accounts. Probably not less than ninety per cent. of the current account balances belong to the non-agricultural classes, as the Irish farmers, as a rule, prefer deposit receipts to a current account and cheque-book; but of the total deposits I have no doubt that not less than seventy per cent., say £15,400,000, belong to the farming classes. It would follow that these classes hold something more than one-half of the total credit balances in the Irish banks, and represent from 140,000 to 150,000 individual depositors. The amount in question, moreover, must, on the whole, represent their accumulated savings or surplus capital, as the figures are taken at the 30th June, at which time of year the moneys required for investment in the cultivation and summer stocking of

the farms would have been almost entirely withdrawn from the banks.

On the 30th June, 1884, there was also in Post Office Savings' Banks in Ireland, £2,347,000, representing upwards of 131,800 depositors, whose average investments were something under £18 each; and the Trustee Savings' Banks in Ireland held at the same date £1,994,000, representing upwards of 49,000 depositors holding on the average, about £40 each.

There are also very large sums invested by the farmers in some districts, principally in parts of Leinster and Ulster, in the funds and in the shares of Irish railways, banks, and other securities, and even in loans to local landlords and traders, the security in these latter cases being usually the promissory note of the borrower for the amount, with interest at three or four per cent. per annum. In the county of Kildare alone, I have very good reason to know that the sums invested by the farmers in these classes of securities must approach, if they do not exceed, £160,000.

Making some allowance for investments of this nature, and assuming that not more than one-fourth of the depositors in Post Office and Trustee Savings' Banks belong to the farming classes, it would appear that there must be something like 300,000 persons of the farming classes in Ireland whose circumstances are not only solvent, but who, after meeting the claims of their landlords and other creditors, have been able, through good seasons and hard, to accumulate more or less surplus capital or savings. This number would represent nearly two-fifths of the occupiers of land in Ireland, who numbered 521,556 in 1885, and would be more than two-fifths if we exclude the very small holdings of one statute acre and less, very few of which belong to the farming classes at all.

Outside the class of depositors, there is a numerous class of farmers who never save money, but who manage on the whole to pay their way, and are seldom, and only for temporary purposes, in debt. If we add both classes together, I believe I am within the facts in saying that not less than one-half of the Irish farmers are in solvent or more than solvent circumstances. The great increase also in the deposits in banks and savings banks in Ireland (which have more than doubled in amount in the last thirty years), proves that this solvent class of men must have largely increased in numbers and improved in circumstances within the same period; and I believe that every bank officer of experience would agree with me in saying further, that a very large majority of the depositors and other solvent men would be found to be farmers whose holdings are of sufficient extent and quality to afford the tenants the means of living upon and out of them.

The residue, embracing, in my opinion, about one-half of the occupiers of land in Ireland, are, beyond all doubt, more or less heavily in debt, and I am convinced that no adjustment or reduction of rents, and no scheme for converting occupiers into owners, can do much to relieve, much less to remove, the serious pecuniary difficulties in which this very large section of the people have become involved, chiefly through their own reckless borrowing and expenditure during the period of inflated credit, which set in about the year 1865, and culminated in the autumn of 1877.

This expansion of credit undoubtedly originated in the extension of the banking system, and, to some extent, of insurance agencies throughout the country. In 1863 there were 127 bank offices in Ireland, and in 1877 there were 426. Until 1863 the branch banks were managed by old, experienced, and cautious

officers, whose general policy discouraged rather than invited applications for advances from the farming classes. From that year forward, owing to the rapid increase in the number of offices, the branch Managers were younger and less experienced men, and were tempted to lend too freely partly by the competition for business which arose from the starting of rival banks in the same town, and partly because, down to about ten years ago, the Directors of most of the Irish banks allowed their Managers an almost unlimited and very unsafe discretion both as to the extent of the advances made by them and the nature and value of the security obtained in each case. No doubt this great expansion of credit enabled many thrifty men to extend their business and increase their profits, but its results have been to a large extent mischievous and even disastrous. It tempted all classes to spend more than their income, and to adopt a standard of living beyond their means and position in life, and it must be added that the classes who had the smallest means and the poorest prospects of being able to repay their debts were as a general rule the most reckless and imprudent in contracting and adding to them. Moreover, however large may have been the sums borrowed in hard cash from banks and other sources they formed, and still form, but a part, and probably the minor part, of this general indebtedness; for owing to the same state of things the small traders and shopkeepers all over the country found themselves able to give almost unlimited credit, and shop accounts for goods of all kinds were freely opened for even the poorest and smallest farmers, and were allowed to accumulate and increase beyond all prudent limits, and when payment in whole or in part was pressed for the debtor very usually tided over it by borrowing more money from the bank or by opening a new account in some neighbouring shop.

As might naturally be expected, however, the increasing indebtedness of so large a section of the people was accompanied by an ever-increasing pressure on the part of creditors, though this latter fact did not prove generally inconvenient, nor attract much notice so long as it was possible to meet it by the simple process of getting further into debt. That the pressure of creditors, however, kept pace with the increase of debt, will, I think, be evident from a table which I append to this paper, and which I have compiled from the Judicial Statistics published formerly by Dr. W. Neilson Haughey, and in more recent years by the Registrar-General. It gives for each of the twenty years, 1866-1885, the number of proceedings instituted for the recovery or better securing of money in Ireland under the following heads—(1.) Bills of Sale registered, (2.) Judgment Mortgages registered, (3.) Writs issued in the Courts of Exchequer, Queen's Bench, and Common Pleas, (4.) Civil Bills served (except Ejectments and Receivings), (5.) Civil Bill Decrees and Decrees executed, (6.) Civil Bill Ejectments served, (7.) Ejectments executed for Non-payment of Rent, (8.) Petitions filed for Sale of Encumbered Estates, (9.) Number of Receivers appointed, (10.) Debtor Summons issued, (11.) Petitions in Bankruptcy, and (12.) Petitions for Arrangement. The Table does not include Summons issued and Decrees obtained in the Petty Sessions Courts for small debts under £2. There are no statistics about them, but this form of proceedings is very largely resorted to in many parts of the country, especially in the poorer districts.

The statistics in this Table seem to indicate very clearly that from 1866 the pressure of creditors steadily increased till 1874, in which latter year the figures show a large increase on any previous record. The crisis thus reached, however, was tided over without any general collapse of credit, as the banks had not then taken alarm, and there was also no serious or organised resistance in the country to the execution of warrants or the enforcement of legal obligations. It was, therefore, still comparatively easy to settle old debts by contracting new ones, and beyond

doubt this was the course most generally adopted. There was accordingly a large apparent improvement in the relations between creditors and debtors of all classes in 1875 and 1876; but a reaction due, not to the reduction, but to the renewal and increase of debt, could only be illusory and temporary, and in 1877 and 1878 the pressure became general again, and in 1879 reached a degree of intensity never before known. How serious and widespread the financial difficulty and embarrassment then were will be best seen by comparing some of the figures for 1866, 1874, 1878 and 1879:—

	1866	1874	1878	1879
Bills of Sale, . . .	350	475	640	5,492
Writs of Fieri Facias and Fieri Facias.	16,100	27,510	26,395	35,440
Civil Bills served excepting Ejectments and Receivings.	105,150	379,610	571,700	317,380
Civil Bill Decrees and Decrees executed.	161,707	25,370	18,120	35,061
Civil Bill Ejectments served.	2,325	6,316	9,880	6,780
Ejectments executed for non-payment of rent.	512	2,161	1,203	3,877

(In 1879: no returns for earlier years.)

The banks first became seriously alarmed after the bad harvest of 1877. At the close of that year the directors of the Munster Bank for the first time issued a circular to all their managers, directing them not to allow their clients to increase their liabilities, and not to make new advances to any important extent during the coming year (1878) without special leave from the Board in each case, but also directing that no undue pressure should be exercised in exacting payment of existing advances. This step marked the virtual collapse of the long period of inflated credit all over the country; for I have reason to believe that most, if not all, the Irish banks adopted a similar policy about the same time, and that their efforts to prevent new advances being made, and to call in existing advances, except where the security was unimpaired, became more and more stringent from time to time; and by the middle of 1879 the banks were practically in line with universal creditors in endeavouring to call in a large proportion of their advances in all doubtful cases. Debtors thus found themselves subjected to unprecedented pressure from all sides, and entirely deprived of the credit which had enabled them, though in a very unsafe way, to tide over any previous crisis of the kind, and the prevailing difficulty and distress became intensified in every way when the harvest of 1879 turned out to be, perhaps, the worst known since the years of the Great Famine.

In such a state of things it is hardly a matter for surprise that helplessly embarrassed men began to endeavour to resist and thwart the action of their creditors by every means in their power, and that their efforts were openly or tacitly seconded by those among their neighbours who felt themselves on the verge of similar trouble, and had the real position of matters—the heavy indebtedness and even absolute insolvency of a large section of the people—been kept steadily in view, it can hardly be doubted that Parliament would long since have enacted special measures calculated to allay the crisis, to regulate the relations of creditors and debtors generally, and to enable credit to run once more to an extent useful and helpful to all classes. However, as usually and unfortunately happens in Ireland, the main question and the common well were soon lost sight of in a heated political controversy, and in the partial interest of one class the general question was narrowed down to an outcry against rent.

This movement, as is well known, rapidly developed all over three-fourths of the country into a furious

vide from plaintiff and plaintiff, not alone against rents, but against the rights and property, and even the very existence of landlords as a class, and it illustrates in a striking degree the difficulty, if not the hopelessness, of any question being dealt with in Ireland in a rational, practical, and equitable spirit. If the tone and measures adopted by the Land League were justified by the facts, the great majority of Irish landlords must have always been unjust, unscrupulous, and extortionate in all their dealings with their tenants, and rents must have always been in the last degree unreasonable and unfair; and there should, moreover, have been plenty of better materials at hand than mere clamour and abuse to prove that both these alleged causes were responsible for the distress and embourgeoisment which prevailed, not only among a large section of the farmers, but among every class in the community at the same time. It should, however, not be forgotten that during the last fifty or sixty years the relations between landlord and tenant in Ireland have been carefully investigated from time to time by numerous Royal Commissions and Parliamentary Committees, comprising, especially in recent years, many gentlemen whose sympathies were well known to be on the tenant's side. It may at once be admitted that there is evidence of the existence to a certain extent, chiefly upon the smaller and more recently purchased properties, of unfair treatment of the tenants, and of unreasonable rents, but in a question involving thousands of landlords, and hundreds of thousands of tenants, such cases might be large in point of numbers, and yet form but a small percentage of the whole; and as regards the great majority of Irish landlords, it can hardly be denied that the reports of all these Commissions and Committees might be summed up in the words of the Commission presided over by the Earl of Bessborough, in 1880-81, while the Land League movement was at its height:—"Though the amount of rent was always at the discretion of the landlord, and the tenant had in reality no voice in regulating what he had to pay, nevertheless, it was unusual to exact what in England would have been considered as a full or fair commercial rent. Such a rent, over many of the larger estates, the owners of which were resident and took an interest in the welfare of their tenants, it has never been the custom to demand. The example has been largely followed, and is to the present day rather the rule than the exception in Ireland." "The credit is, indeed, due to Irish landlords as a class, of not exacting all that they were by law entitled to exact." So favourable a verdict could probably not be pronounced of the same or any other class in any other country, and there is, indeed, abundant evidence that Ireland, as a whole, is, and always has been, the lowest rented country in Europe.

But while I submit that Irish landlords, as a class, stand more than acquitted of the charges and accusations which, for interested and political reasons, have been levelled at them during the last half-a-dozen years, and while I hold that rents have not been, or have been only in a small percentage of cases, the cause and origin of existing difficulties and agitation, I do not in any way seek to defend the Irish land system as it existed down to 1881. However

harshly and considerably administered, it always appeared to me to create a feeling of insecurity among the tenants, and to deter them from improving their holdings, and so to retard the progress of the whole country. I believe, therefore, that the Land Acts of 1870 and 1881 were, upon the whole, wise and statesmanlike and just measures, so far as they gave the tenant greater security of tenure, greater protection for his improvements, and a greater disposing power over his goodwill or separate interest in his holding. No doubt it deprived the landlord, and without compensation, of many seigniorial and feudal powers and privileges, which carried with them a certain degree of social prestige and importance, and the long possession and exercise of which had led to their being regarded as an inalienable right, and even as a part of his property. Similar rights, however, were abolished, without compensation, by the Austrian Land Laws of 1848-9, and by the Prussian Laws of 1850, and in both those countries the result has been eminently beneficial, both to the classes directly concerned, and to the community at large, and I cannot doubt that similar results will, in due time, appear in Ireland also.

But if I am right in holding that a large section of the farmers and rural population are insolvent or very heavily embarrassed, it is important to ask how such men been placed in a position to become solvent by any abatements of rent heretofore obtained by them through the Land Act of 1881, or would they be enabled to get rid of their difficulties by such a further reduction of rent as might be obtained in many cases under a large scheme of Land Purchase and Tenant Proprietary? I am afraid these questions must be answered in the negative, for many reasons. Let me address one or two.

In the first place, there is a far greater difference and distance between the thrifty and the unthrifty tenant than between a fair and an unfair rent, and it would be absurd to deny that a very large percentage of those who are heavily embarrassed have nobody and nothing to blame for it but their own unthriftness, idleness, and wasteful ways and habits. To these have to be added, in what are well known as the congested districts, tens of thousands of so-called farmers, who eke out a miserable and starving existence from the poor land on which they live, and who are always in debt to the utmost limit of their credit or power to borrow. The former class would simply regard a reduced rent as a reason for getting deeper into debt, and becoming more idle and thriftless than ever. To the latter class the total abolition of rent could hardly afford any relief, for they practically hold their lands rent free already, the rents which they pay being only on the average what a labourer would pay for his cabin, or what would be paid for an inferior class of room in tenement houses in the slums of our towns and cities.

But assuming that the farmers generally applied any reduction in their rent towards paying off their debts, and that they avoided contracting new debts, how soon might they hope to find themselves in easier and better circumstances? The following table will show what they have gained by the reducing of rents under the Land Act of 1881 up to the 22nd August, 1886:—

Nature of Proceedings,	Number of Cases	Former Rent.	Reduced Rent.	Total Reduction.	Percentage of Reduction.
Rents fixed by Sub-Commissioners,	80,512	£ 5,461,140	£ 3,207,371	£ 2,253,769	41.2
Rents fixed by Civil Bill Courts,	1,329	122,514	5,513	117,001	9.5
Rents fixed by Land Commission on Agreements between Landlord and Tenant,	45,074	1,583,519	1,165,548	417,971	26.4
Rents fixed by Civil Bill Courts on title,	8,248	103,110	60,330	42,780	41.5
Rents fixed by arbitrators,	18	1,128	1,120	8	0.7
Rents fixed by Land Commission on reports of Valuers appointed by them at request of Landlord and Tenant,	361	36,748	36,702	46	0.1
Totals,	135,232	7,175,041	4,416,952	2,758,089	38.4

From this table it is evident that considerably less than one-third of the agricultural holdings in Ireland, and considerably less than one-third of the supposed aggregate rental, have so far been brought under the operation of the rent fixing clause of the Act, and as new applications to fix fair rents have become few, it would appear that this portion of the Act has now nearly worked itself out. When leaseholders are admitted (and they ought never to have been excluded) there will, of course, be a temporary removal of business in this department, if fair rents are to be fixed for them by the existing methods; but even then it seems probable that not more than half the holdings and half the rental of the country will ultimately be found to have been touched by these clauses at all.

It appears further that the average former rent of the 176,800 holdings so far dealt with was £18 5s., and by a curious coincidence the average reduction of rent was also just £18 5s. (18/235) per cent. The average of the judicial rents is thus £14 18s. 6d.; or about £18, if we take into account a small average increase in rents altered on appeal. This reduction represents on the average about 5s. 7d. in the £ on the old rent.

These figures also perhaps afford materials for estimating the probable rental of all Ireland. The total number of agricultural holdings is 565,313, and if the average rental be £18 5s., the aggregate rental would be £10,315,163. No doubt, however, the very small holdings, which are a large percentage of the whole, form only a small percentage of the cases judicially dealt with, as the tenants could not afford, or would not deem it worth while, to incur any costs in such cases. These cases would, therefore, substantially reduce the total estimate, but on the other hand a considerable addition should probably be made to it for the leaseholds, and for lands let to be used wholly or mainly for pasture. Both these classes of holdings are excluded from the Act, and they probably comprise most of the larger holdings in the country. Perhaps, therefore, we may take the aggregate rental value at about £11,000,000; and deducting from this the annual value of dwellings and other lands in the owners' hands, the actual rental would appear to be £10,000,000, or a little more. From this has also to be deducted the reductions of rent made and to be made under the Land Act. Consequently if all rents were to be converted into terminable annuities the total to be dealt with could hardly exceed £10,000,000 per annum.

To return, however, to the question, how far has the reduction of rent helped to improve the position and prospects of the insolvent or heavily embarrassed tenant? I am sorry to have to think there are scores of thousands of such men who, outside any arrears of rent due to the landlord, owe to the banks and shopkeepers from three or four to eight or ten times the amount of their rent. I have remarked to such men on not a few occasions that they could pay their landlord easily enough only for their outside debts, and their reply has always been substantially the same—they could pay one rent, but it is hard to make two—one for their landlord and another for their creditors. Take, as an example, a man whose old rent was £18 5s., and who owes about five times that amount, say £90, in outside debts. Probably about one-half is due to two or three banks, and the other half to shopkeepers. On his bank debt he pays eight or ten per cent. interest, say £4 to £5 per annum, and he probably spends half as much more in "treating" the men who come with him to sign renewals of his bills every three months, or in paying their travelling expenses. The petty shopkeepers, moreover, very soon find out that he cannot get out of their debt, and therefore charge him an increased price for everything debited to his account. This extra price practically represents interest, and is often most exorbitant, and on not a few occasions a farmer has asked me to increase his bank advance to enable him to get out of the clutches of some local trader, for this

reason alone. It is easy, therefore, to see that such a man, after paying his rent to his landlord, has to make out half as much more as interest to his creditors. His rent, no doubt, has now been reduced £3 5s. per annum, so he has to pay the landlord every half year just £1 12s. 6d. less than formerly. Such a sum practically counts for nothing with him. Nominally, of course, it helps to pay the interest on his debt, but it is too small to encourage him to make any effort to pay off or reduce the principal; and these remarks apply with all the greater force in smaller holdings where rents have been reduced perhaps £1 or £2 a year.

Practically, therefore, the result of the fair rent clause of the Act has been to deprive the landlord in many cases of a large part of his income, and to create no little hardship and embarrassment among the poorer members of the class, while conferring no very appreciable advantage or benefit on the tenants. The financial position of the tenant, therefore, remains pretty much where it was, save that, as the figures show, creditors have been holding their hands for the last four or five years, because proceedings, as a rule, prove abortive. During the same period, however, ejectments served, and ejectments executed for non-payment of rent, have continued to show a large increase on the figures of former years. The reason is not hard to find. An ejectment is now almost the only means a landlord has of putting any official pressure on a non-paying tenant, while the number of ejectments executed shows that neither the Land Act nor the Land League can save insolvent tenants from going to the wall like other insolvent people. In not a few of these cases, moreover, the ejectment is executed to help the tenant out of his difficulties, as a new letting is made to some member of his family who cannot be made responsible for his debts. The outcry that is repeatedly raised about ejectments and evictions, however, is very fictitious. Twenty thousand ejectments served means that the landlords have adopted that form of proceedings to put pressure on something under four per cent. of the tenants, while 5,000 ejectments executed would represent less than one per cent. of the tenants; and there are very few years in which these totals have been reached.

On the one hand, therefore, it is clear that within the last quarter of a century a large section of the people have become prosperous beyond anything ever before known in the history of the country. We can see it in the great increase in the deposits in joint stock banks and savings' banks, in their enhanced standard of living, in the handsome and costly buildings—churches, schools, convents, monasteries, parochial houses, schools, &c.—erected during the same period all over the country by the spontaneous offerings of the peasantry, and in many other facts that would strike even a casual observer. Add to this that for several years the land laws of Ireland have been more favourable and fair to the tenant than those of any other country in the world. And yet Ireland remains unquiet, disturbed, and discontented. Why is this? Is it only some sentimental antipathies of race against race, or class against class? or is it not rather proof that there are still substantial grievances and difficulties stopping the way to peace and contentment?

I have endeavoured to show that the most widespread and serious of such obstacles to a better state of things is, in my opinion, the pressure of debts contracted by the improvident and very poor classes during a period of inflated credit and prosperity. So long as these debts remain out of all proportion to the debtor's means and ability to pay, so long will his position be precarious, and any rent, however reduced or reasonable, will seem to him a rack-rent and more than he is able to pay.

Another, and hardly less serious cause of discontent, has been the conclusion from the Land Act of 1881 of leaseholders and the tenants of pasture lands.

It has led numbers of them who held aloof from the agitation in its earlier stages to join its later phase, and there can be no peace till they are admitted. Their claims have also been greatly strengthened by the many instances in which landlords have already voluntarily admitted them, and cancelled their leases. A large leaseholder told me but a few days ago that he submitted £5 to the National League last year, for the first time, that he would give them £10 this year, and would continue to subscribe till leases were brought within the Act. I happened also to meet a large farmer a short time ago who has taken an active and violent part in political agitation, in a neighbouring county, for the last couple of years. He complained very angrily about the conditions and covenants in his lease. I remarked that I thought he took more interest in a Parliament in College-green, than any other topic. He laughed, and said, "If my lease is set aside they may make the laws for us for ever in Australia, for all I'll care."

In offering some suggestions for

Alterations or Additions to the Law,

I do so with much diffidence, as I feel that fuller information, both from home and foreign sources, is to be desired on some of the most important questions at issue.

For instance, the Tables published by the Land Commission give no information as to the extent to which any particular class or size of holdings have been brought within the rent-fixing clauses of the Land Act of 1881. It would be satisfactory if a Table could be had showing by counties the number of cases dealt with where the former rent was—Not over £3; over £3 and not over £5; over £5 and not over £7 10s.; over £7 10s. and not over £10; over £10 and not over £15; over £15 and not over £20; over £20 and not over £30; over £30 and not over £50; over £50 and not over £100; and, lastly, over £100.

Again, in 1889-70, valuable reports, now out of print, were obtained by Parliament from Her Majesty's representatives, respecting the tenure of land in the several countries of Europe. Portions of these might with advantage be reprinted, and further reports, brought down to the present date, might be asked for, bearing on such points as the following:—Full details of all land purchase schemes established in each country; the present position of peasant proprietors; the law as to mortgages; statistics of evictions; the constitution, working, and results of the mortgage debenture associations of Germany, and of similar societies there and in other countries for making loans on terminable annuities; agricultural associations and loan funds; migratory trades and laborers (which exist, for instance, on a large scale in France), and other such subjects.

Poverty and Debt.—The poverty and indebtedness of large numbers of the peasantry, especially among the smaller farmers and in the congested districts, was brought forcibly before the Richardson Commission in 1881 by Professor Baldwin, and before the Committee of the House of Lords in 1882 by Mr. Toke. It remains, in my humble judgment, a question of the first importance, for which a solution has to be found before these claims will become passable and contented.

As a temporary remedy, both these gentlemen proposed the establishment of local Courts of Bankruptcy or Insolvency, to enable the peasantry to get rid of existing debts *de facto*, by the simple process of wiping them out. I think such a course both too drastic and too demoralising, and calculated also to reduce many petty traders to insolvency also, and so to cure one evil by creating another. I am sure such local Courts are to be desired, and would be largely availed of, but the process should be to take the debtor out of the clutches and power of his creditors, and at the same time to make him pay his debts to the utmost of his means and capacity. The Court should decide what

proportion of his debts he could pay, and in how many half-yearly instalments. Both the total and the instalments should be made a charge on the tenant's interest in the holding, and voidable only by being paid off, or by the tenant being evicted for non-payment of rent. The instalments should be collected with the Grand Jury Cess, just as the Poor-rate was collected with the Poor rate. Each creditor should be given a Debt Certificate, with half-yearly coupons attached for the instalments, such coupons to be payable at the County Bank after each jury had been paid in. These Certificates would be negotiable documents, and useful to the creditor, as he could pledge or sell them. They would be in some respects not unlike the rents assignable (*arable*), which have existed for centuries in Jersey; small mortgages, often for only a few shillings each, and which are in common use in that island of small, but happily prosperous proprietors.

As a permanent remedy, the proposals seem to be emigration and migration, either or both, wished by the State. However, at a meeting of the Roman Catholic archbishops and bishops in Dublin, on 5th July, 1883, State-aided emigration was condemned as "unwise and impolitic," and a resolution adopted "That the evil can be cured in a statesmanlike manner and with the happiest results 'by promoting migration.'" Accordingly, in the *Transport and Public Companies (Ireland) Act* of same year, Parliament voted a free grant of £50,000 for the experiment and the "Irish Land Purchase and Settlement Company, Limited," was subsequently started to carry out the idea, with a capital of £250,000.—Mr. Farrell as chairman, and Professor Baldwin as managing director. The whole project, however, has apparently fallen through. Would it not, therefore, be well to invite men like Lord Brassey, Mr. Toke, and the Council of the National Association for promoting State-directed Colonisation, to endeavour to occupy the field, and help many of these poor people to better themselves. The political agitator will never try to help them, for their poverty and misery are his bread and butter. The Land League was started among them in 1879, and when any new phase of it bids for popular support and favour, like the recent "Plan of Campaign," its advocates appeal first, not to the better-off tenant, but to the poor denizens of the agricultural slums of Connaught. Their condition, therefore, remains a standing obstacle to the restoration of law and order.

Land Purchase.

While agreeing with the proposed abolition of *free* ownership, I doubt that the existing Acts proceed upon the lines that would be found the most feasible, or that they fairly divide the ultimate advantages between the landlord and tenant and the community at large.

A term of annuities should be found that would offer the largest possible advantages to the present generation of tenants, while at the same time insuring the repayment of a substantial portion of the principal at a comparatively early date. The following table may be interesting, as indicating the rates at which the principal would be repaid by various rates of annuity at 5 per cent. interest.—

Period	Annually payable half-yearly.	Number of Annals.	Amount of Principal repaid at end of the				
			10th Year.	20th Year.	30th Year.	40th Year.	50th Year.
£100	£ 4. 0.	49.73	9.735	9.980	10.225	10.470	10.715
	£ 3. 0.	54.90	8.819	10.077	10.236	10.395	10.554
	£ 2. 0.	65.37	7.145	9.479	9.713	9.947	10.181
	£ 1. 0.	81.16	4.445	7.445	8.011	8.576	9.141
	£ 0. 10.	104.86	2.784	4.154	4.909	5.664	6.419
	£ 0. 8.	132.33	2.025	3.025	3.680	4.335	4.990

I would be disposed to suggest what may be called a compound term, one of say 66·67 years, the annuity being £4 for the first 9½ years, £3 12s. for the next 9½ years, and £3 4s. afterwards. This would secure a reduction of 10 per cent. to the tenant after 9½ years, and a further 10 per cent. after about 19 years. It is very nearly the same as the term—65·33 years—of a uniform annuity of £3 10s., but would be safer for the State, and ultimately better for the tenant. With a £3 10s. annuity it would take 10 years to extinguish 5½ per cent., and 20 years to extinguish 1½ per cent. of the capital, while the term I suggest would repay 10 per cent. of capital in less than 9½ years and a further 10 per cent. in about 9½ years more.

I doubt also whether any very large number of Irish landlords will be found willing to sell on the terms at present obtainable. They are less favourable to the seller than those of any Land Purchase scheme that has been carried out on the Continent. One Scotchman, as it is stated that Irish landlords would be well off if they got the present market price, or the twenty years' purchase offered by Mr. Gladstone's late bill, because the landlord got only twenty years' purchase in Prussia, and sixteen and two-thirds years' purchase in Russia. But the number of years' purchase is not a basis for comparison. The Prussian and Russian landlords were paid (for the most part) in bonds or debentures guaranteed by the State, and bearing interest respectively at 4 and 5 per cent. If he held these bonds they would, therefore, yield him about 80 per cent. of his former income, or he could sell them and secure 80 per cent. likewise by investing the proceeds in the public funds of his native country. The Irish landlord is offered a 3 per cent. debenture, and the English funds yield only 3 per cent. at par; therefore to put him in as good a position as the landlord in Prussia or Russia he would require to receive 26½ years' purchase of his net rent.

Purchase Scheme and Land Guarantees.

Under any scheme that may be adopted, rents or annuities will have to be collected from the tenants for the next half century or longer, and I believe they would be collected by the present landlords and agents with less friction and more indulgence to the tenants than by any public department. I feel also to see how any land guarantee of any value, or that could be made to work, can be obtained except one from the landlords.

I would suggest that a Purchase Scheme be carried out by creating a Land Board in each Parliamentary division of counties, consisting of unpaid members, elected from time to time by the owners of all properties that might be brought under the scheme. Such board to be empowered to create land debentures in favour of the apparent owner of each property, bearing interest to him or the holder thereof at 3 per cent., and repayable by an annuity such as I have suggested, commencing at 4 per cent., such debentures not to exceed 25 years' purchase of the net judicial rents. The annuities to be collected, as rents are, by the owner or his agent, but with power to the Land Board at any time to appoint an agent of their own. One-half of the Debentures to be guaranteed,

both as to principal and interest, by the State and the Land Board, and to be legal tender, at their face value, in payment of all mortgages and charges to which the property is subject. All debentures, when created, to stand in the books of the Land Board in the name of the apparent owner of the property, but not to be transferred without proof of title; in the meantime, the owner to be entitled to receive or retain the interest thereon. The owner or his agent to pay to the Land Board half-yearly the half-year's sinking fund on all such debentures, together with 1½ per cent. (being the half-year's interest), on any of such debentures as may at the time be registered in their books in any name other than the owner's. The Land Board to be responsible to the State for the sinking fund on all existing debentures, and for the payment of the coupons on all State-guaranteed debentures. The sinking fund to be applied in redeeming the debentures by half-yearly drawings as par; one half of the debentures so paid off to be debentures guaranteed by the State, and the other half non-guaranteed debentures. In times of severe agricultural difficulty and depression, owing to a bad harvest, an abnormal fall in prices, or other like cause, the Land Board (with the consent of the Treasury, and on the petition of not less than two-thirds of the tenants), to be empowered in any half year to suspend the payment of the sinking fund, thereby granting the tenants a temporary abatement of 25 per cent.; the term of any debentures affected thereby, to be extended accordingly.

When the debentures, created in respect of the rent, have all been redeemed, I would suggest that the tenant hold his farm at a freehold rent, equivalent to one-half his original rent; such freehold rent to be paid to the State for ever, to be applied, firstly, in reduction or extinction of all rates and taxes payable out of the land, and the residue for the benefit of the Irish people at large, as Parliament may direct. This proposal is a step towards land nationalisation, which I believe will be recognised as for the public welfare, once it comes to be considered without the confessional and wild schemes which have been attached to it by such advocates as Mr. Henry George, Mr. Davitt, and Professor Wallace. I confess I do not think that at the end of the term the State ought to make a free present to the farmer, of a property for which he will have really paid nothing.

I feel that this paper has reached an inordinate length and should be brought to a close, though there are many other, and not unimportant, questions and details, which suggest themselves to me. For instance, I would suggest that a date should be fixed, after which no further applications to fix fair rents would be received, and that some limit should be placed upon a tenant's power to mortgage and encumber his holding. Under the Prussian Law of 1850, no applications for purchase were receivable after 1st December, 1859; and the Prussian Edict of 1811 forbade a tenant to mortgage his holding beyond one-fourth of its value.

In conclusion, I beg to subjoin the table of Judicial Statistics, which I have several times alluded to in this paper.

GILBERT DE L. WILLES.

TABLE, showing the Number of Proceedings instituted in Ireland for the recovery or better securing of Debt under the following heads, in each of 20 years, 1804-1883.

Year.	Debt of Debt-holders.	Judgment Mort-gages Re-gistered.	Writs of Summons issued in Ex-chauque, Queen's Bench, and Common Pleas.	County Courts.			Mort-gages recorded for Muni-cipalities of Town.	Petitions for sale of Immu-bered Estates.	Local Judges.		Registry.	
				Civil Bills served, except Ex-ecution and Repetition.	Civil Bills Docketed and Decisions entered.	Civil Bills Re-ported served.			Number of Sessions appointed.	Debtors in-ventories made.	Peti-tions of Bank-ruptcy filed.	Peti-tions for arrange-ments.
1804.	259	(1)	18,126	282,149	(1)	5,393	515	494	(1)	208 (2)	218	218
1805.	238	(2)	17,140	222,508	(1)	5,763	615	485	(2)	200 (2)	217	218
1806.	218	(3)	16,736	218,590	(1)	5,546	787	545	(3)	181 (2)	203	213
1807.	258	(3)	16,560	226,381	(1)	5,359	922	557	(1)	126 (4)	216	249
1808.	233	(3)	16,736	218,590	(1)	5,250	815	575	(5)	214 (2)	197	271
1809.	242	(3)	16,269	216,500	(1)	4,615	551	522	(5)	212 (2)	203	236
1810.	278	(10)	15,856	245,526	12,337	4,503	680	591	(1)	212 (2)	218	261
1811.	248	(15)	20,313	265,128	18,631	5,234	1,380	541	(15)	212	209	229
1812.	471	(11)	22,318	319,681	56,185	5,584	1,581	555	(11)	212	245	265
1813.	413	(11)	20,516	299,835	41,036	5,549	1,583	559	(11)	208	205	211
1814.	448	(11)	20,585	297,250	34,116	5,502	1,584	551	(11)	209	205	211
1815.	574	(11)	22,584	306,568	80,868	5,510	1,523	575	(11)	211	207	205
1816.	585	214	24,224	309,694	21,635	5,531	1,549	585	13	201	202	205
1817.	1,487	1,294	25,400	341,606	58,861	5,702	1,677	515	43	184	466	470
1818.	1,465	1,517	24,212	299,210	(3)	16,736	2,040	515	100	211	206	162
1819.	1,724	1,595	25,599	340,520	16,421	16,561	1,715	550	115	205	270	286
1820.	1,826	1,660	26,713	390,543	29,027	15,035	1,647	545	100	200	217	205
1821.	1,805	1,660	26,681	325,520	37,027	15,196	1,600	545	100	202	217	210
1822.	1,998	1,648	26,593	336,594	16,219	15,719	1,645	597	100	218	210	210
1823.	2,711	1,693	22,304	316,115	22,567	15,003	2,500	571	140	210	213	217

Notes.—(1) No statistics published for these years.

(2) Owing to the general reluctance to collect the principal of debts, the Sheriff and Special Bailiffs were unable to furnish any accurate returns, but the number appears to have probably been under 2,000.

(3) Transfer Debtor Expenses only.

PAPER No. 4.

Sent in by Mr. THOMAS COLEMAN, of Rockfort, Banamona.

I [Mr.] do not wish combination in the North, that I have observed, particularly in the Co. Londonderry and the portion of Co. Down, in the baronies of North and South Rapson. In the other portions of the Co. Down, where National League branches exist, I have noticed some indications, such as unwillingness of tenants to appear at the signs fixed for the collection of the rent gale for fear of incurring the displeasure of the other tenants, and consequently on these estates the collections on fixed gale days

are not so large as formerly, but the rents are realized by letters of credit and P.O. orders.

(6.) Tenants sometimes complain of fall in price and difficulty of making up, saying I have not heard up to the usual complaints that the landlord rents lately fixed are too high; nor do I think they believe they are, as the price of tenants' right, where a farm is offered for sale, are still, in my experience, as high, if not higher, than formerly.

Instances since November, 1881.

Landlord.	Tenant.	From whom Purchased.	Rent.	Purchase Money.	Date of Sale.
His Excellency the Marquis of Londonderry.	Matthew Miller.	William Coyle.	28 0 0	400 0 0	November, 1881.
Do.	John Colman.	H. W. M. Colman.	27 0 0	200 0 0	18 January, 1882.
Do.	Robert J. Curry.	William Coyle.	10 0 0	300 0 0	November, 1881.
Do.	John McKelvey.	Reps G. Murray.	45 17 4	1,075 0 0	November, 1881.
Do.	William McNeill.	Robert Taggart.	10 12 12	519 0 0	December, 1881.
Colonel George Keane.	Edward Clements.	James Taggart.	30 10 0	7210 0 0	August, 1880.
Do.	do.	James Lyne.	25 0 0	200 0 0	November, 1880.
Do.	Joseph Way.	Henry Smith.	5 0 0	150 0 0	November, 1880.
Mr. J. Moore, esq.	Becky McNeill.	Hugh Dolan.	11 3 0	550 0 0	March, 1880.
Do.	William Smith.	Thomas McGlinchey.	7 12 0	54 0 0	May, 1880.
Major Hartley.	Patrick Sherry.	Owen Connor.	2 10 0	74 0 0	April, 1880.
Colonel George Keane.	Robert Little.	John Graham.	2 0 0	210 0 0	24 November, 1879.
Do.	do.	do.	12 10 0	550 0 0	do.

* Same price as the term would be in 1871.

R. (a.) As a rule, tenants do not seem to avoid themselves of the Land Purchase Act, I consider, from a belief that things have not yet reached bottom, and from their experience that those who in time past purchased under the Church Temporalities Commission and others, at high prices (although such persons were looked upon with envy at the time of such purchases), are now not so well off, and have not participated in the boom which recent legislation has conferred on tenants from year to year—namely, the Three Ps and the Arrears Act, each of which was an immense concession made at the expense of the landlord.

If, however, the matter is brought plainly before them, many of them would entertain purchase, but at a price below what a landlord is fairness has a right to expect.

In congested districts the operation of the Act might be exploited, and a fair price obtained, in the following manner:—

Government to purchase direct from landlord; in such case the amount of the landlord only required in the first instance at a price fixed at twenty years' purchase of the *pastoral rent*.

Example.

Judicial rent, £5, of twenty years' purchase, £100, repayable in forty-five years, at four per cent., or £4 annual instalments, to a Government official Receiver. If tenant refuses these terms, which give an immediate reduction of twenty per cent., let him continue to pay the *pastoral rent*.

The principal sum to be paid over (less two years' purchase, say £10, to defray cost of collection, &c.), to be applied in the first instance in paying off charges, including mortgages, Church Temporalities Commission's mortgages, Quit and Crown rents, Board of Works loans, &c., redeemable at prices to be arranged. In this way public funds would be augmented.

An average of the last five years of poor rate, and also county cess, in cases in which it had been allowed, to be deducted from the rental.

Tenants to have the option at any receipt of instalments, to pay off any number of instalments over the one due on such receipts, but no broken instalments.

Examples.

	£	s.	d.
A tenant of £5 valuation holding would pay, . . .	4	0	0
Less Poor Rate, at say 3s.,	0	5	0

£3 12 0

	£	s.	d.
A tenant of £5 valuation holding would pay, . . .	1	12	0
Less Poor Rate, at say 3s.,	0	5	0

£1 0 0

If a peasant proprietor sells the whole, or part of his holding, all instalments must be paid off.

Sales to be carried out between 1st May and 1st November, with landlords, and with tenants who have paid up their rents to 1st November previous, agreeing to be arranged where they exist, but a year's rent previous to, and up to the 1st November preceding the sale, must in all cases be paid in full.

Instalments to fall due, and be paid on 1st November in each year, first instalment to fall due, and payable 1st November after sale.

Penalty for non-payment of instalment sale of holding, &c.

That, where nominal sum of say 1s. paid, tenant to continue his right on payment of £1.

Where land on estate given free, right to be continued to tenant, and, if interfered with hereafter, to be enforced by order of County Court Judge, who may award damages as he shall think right.

Example.

Rental of £1,000 per annum mortgaged to half its income.

	£	s.	d.
Rental,	1,000	0	0
Average Poor Rate for last five years, say 2s. in the pound,	100	0	0

£900 0 0

Twenty years' purchase thereof,

20

Debtless expenses, two years' purchase,

18,000 0 0

Debtless expenses, two years' purchase,

2,000 0 0

Charges say £200 annually, 5 per cent., say twenty years' purchase,

10,000 0 0

Balance payable to landlord, on which 5 per cent. to be paid for one year after sale arranged, and then paid to landlord,

6,000 0 0

I think, however, the above sum of £10,000 for incumbrances should be reduced proportionately to price realized by landlord, say eighteen years purchase. And variable rents, such as College, and Church Temporalities. Head rents to be reduced to meet present times.

I do not think any local authority should be made the medium of advancing money for the purpose of the sale of land. Their interference would only complicate matters, and few sales could be effected through such bodies, as it would be impossible to bring about unanimity between them and the parties immediately concerned in the sale and purchase.

Land Agents, where proof given of competence, to be employed.

Exchange reserved.

Shootings.

Sales of large farms, at and over £25 rent, to be effected singly on terms agreed on, and without reference to other tenants on same estate.

GENERAL REMARKS.

Small Tenants in Congested Districts.

More dependent on good crops and harvest than on high prices, being consumers more than producers.

Holdings generally held at rents below £2 12s. yearly, the rent of the weekly proposal to be charged under Labourers Act to labouring men.

One great advantage of peasant proprietors in congested districts would be the desire of the tax-payer to keep down rates.

Sale on these terms gives immediate reduction of 20 per cent. on judicial rents.

Any reduction in taxation would also be a gain.

Sale of diminishing instalments increases security after few first payments.

A list of applications for sale and purchase to be kept and taken up according to priority, as State funds permit.

THOMAS COLQUHOUN.

23rd October, 1886.

PAPER No. 5.

Paper sent in by J. F. VERNY FITZGERALD, Esq., Barrister-at-Law.

18, Kilburn-street, Dublin,
November 22nd, 1893.

SIR,—As one who has made the question of the Land Purchase Act a subject of special study, having been the first to suggest its principle,* which was afterwards adopted both with and without acknowledgment by others; and also having at the request of Mr. Edward William O'Brien drafted a Bill for a body of gentlemen called Lord Castle-town's Committee, upon which the Act commonly called Lord Ashbourne's Act is obviously founded, I beg to submit the following observations for the consideration of the Commission.

I append a copy of the Draft Bill I have referred to, being desirous of calling attention to certain of its provisions which have not been included in the Act (possibly because at the late period of the session at which it was passed they might have involved contentious matters), but which in my judgment are very material (a) to landlords and (b) to secure the safe operation of the Act, first to the Treasury and secondly to the vendors, if it is intended to work it on a more extended scale. The provisions which I refer to are as follows:—

PART II., CLAUSE 6.

That part of Clause 6 underlined in black.—This provision was inserted because from communications which I received while drafting the Bill, I was aware that a considerable number of intending vendors would accept a reduced rate of purchase, and would sacrifice a large, sometimes the greater portion of the guarantee fund (now called the guarantee deposit) on condition of receiving the residue in hand, thereby materially diminishing the purchaser's annual payments. I think this suggestion deserves reconsideration.

PART II., CLAUSE 8.

One of the obstacles to the working of the Act is undoubtedly the serious loss of income which vendors must sustain in consequence of the discrepancy between the rate of interest paid on the guarantee deposit and that yielded by investment in land; this must in the case of some incumbered estates render voluntary sales by the landlord impossible. The provision contained in Clause 8 would, without really diminishing the security of the Land Commission, considerably diminish this hardship; the yield to investors in preference stocks of first class railways (e.g., the Great Southern and Western and Midland Great Western in Ireland, the London and North Western and Great Western in England, and the Caledonian in Scotland) ranging from 45 10s. to 54 9s. 6d. per cent.

It may be objected that it would render the operation of the Act too easy for the landlords. The answer is, (1) that it would render voluntary sales possible in some cases where they would be now impossible. (2) In other cases the operation of the clause would be to diminish the amount of purchase money demanded by the vendor.

PART II., CLAUSES 9 TO 15.

These clauses contain provisions regulating the procedure on default being made in payment of an instalment of the annuity payable by the purchaser.

The only provision with reference to this contained in the Purchase of Land Act is that in the 10th Section "Bank order" (i.e., an order declaring the sum due to be an irrecoverable debt) "shall not be made unless the Land Commission having exercised any power of sale of the holding" which they legally may exercise, have failed to realize by "means of such sale the sum due to them secured on the holding, or unless it appears by the order of the Land Commission that they have attempted to exercise such power of sale and have been unable to do so."

It will be observed that there is here no obligation imposed upon the Land Commission to proceed to recover the debt by action (or Civil Bill if the amount admits), and there is no limitation to the amount of time they may give for payment or to the amount of arrears they may refer to action.

I append from a criticism by Mr. Lynch, on the draft Bill appended, entitled "Observations on the paper entitled

* Revised. Suggestions for the Amendment of a Bill to amend the Land Law (Ireland) Act, 1891," &c., which Mr. Lynch (who at that time was an agent that the administration of the proposed Purchase Bill should be conferred upon the Land Judges of the Chancery Division) had privately printed and circulated, that in his opinion the power of sale should be almost exclusively relied on for the recovery of arrears of the terminable annuity.

Without expressing any special prohibition for the procedure indicated in the clause of the amended Draft Bill which I have referred to, although they were carefully considered, I beg to express my opinion, and respectfully to urge upon the consideration of the Commissioners in the strongest possible way, that it is a practical necessity, if the operation of the Act is to be extended, back for the protection of the Treasury and of the vendors, that some definite regulations concerning the procedure to be observed in case of non-payment of the annuity should be prescribed by statute, from which the Land Commission should have no power to depart, except perhaps in some extraordinary instance. My reasons are as follows:—

1. From experience of the working of other departments I consider it certain that applications for time will frequently be made as a fraudulent means of avoiding payment.

2. If the annuity is suffered to run into arrears, the difficulties in the way of collecting it will be enhanced and probably become insurmountable.

3. The knowledge that the Land Commission has no power to extend the time for payment would (1) induce efforts to pay and (2) would check possible combinations to resist payment.

4. The guarantee deposit being in the case of settled estates an authorized investment for trust money every possible protection should be given to trustees.

5. It would go far to meet the objection urged by some opponents of the Act, that the retention of the guarantee deposit is merely a preliminary to its final appropriation by the Commissioners.

That this apprehension may not, in many cases, be unfounded is apparent from the table illustrating the operation of a loan under the Act, which I append to these observations, and from which it will be seen that the interest acquired by the purchaser by payment of the annuity will for many years be very small—only some 25 out of each £100 borrowed being paid off after five years' payments.

With reference to the desire to avail themselves of the provisions of the Act which prevails among the tenants, I have the strongest reasons for believing that it prevails only among the larger tenants, and that among them it is only induced by the immediate distraction which it would make in their annual payments. Where this distraction is small, as it must be in the case of small holdings, the desire does not exist, the status of a statutory tenant being regarded as preferable to that of a purchaser under the Act (so it is).

In all cases the desire to purchase has been diminished by the absence of any competition in the market, there being practically no purchaser but the occupying tenant. It has been suggested to me by a person of wide experience and authority on the land question that this want of competition would be sufficiently provided against if the Land Commission had power, where a property was brought to sale in the Land Judge's Court (Landlord and Tenant Court) and the sale proved abortive by reason of insufficient offers on the part of the occupying tenants, to advance money to independent purchasers on the same terms as provided by the 7th section of the Land Purchase Act with respect to purchases of tenants.

Such a provision would be an innovation on the principles of the Act, but with proper protection for the interest of such tenants as were tenants of purchase, and having regard to the evils arising from the existing absence of competition, it is, as a temporary measure and to a limited extent, deserving of consideration.

With reference to securing advances by guarantee against the rates given by local bodies, particularly as regards the congested districts, I beg to offer the following observations for the consideration of the Commission.

Such advances might be made in two ways:—

(a.) Direct to the local body on the security of the rates, leaving it to them to collect the annuity by which the loan was to be repaid, or

(b.) The Land Commission might advance the money to occupiers and receive the annuity as at present—the guarantee being given against the rates only in case of default in payment of the annuity.

In the event of an advance being made in the manner indicated in (a) it would be especially necessary to lay down stringent regulations regarding the procedure for the recovery of the annuity, and also to empower the Land Commission to take legal proceedings in the name of the Local Authority in the event of their refusing or neglecting to take them within a prescribed period.

Upon the whole, however, I am of opinion that a guarantee by local bodies could not, from their composition, be expected to work satisfactorily.

The local bodies must be different:—

1. The Grand Jury.
2. Municipal Authorities.
3. Boards of Guardians.
4. Some newly-constituted body.

I do not believe a Grand Jury would give a guarantee; but if they did, and the price to be paid for the land to be purchased were arrived at by agreement, it would, whether moderate or not, be alleged to be excessive, from the composition of the guaranteeing authority, and organized efforts would be made to resist the payment of a rate made on foot of such purchase.

If Municipal Bodies, as at present constituted, would not offer or guarantee any price which landowners could be expected voluntarily to accept. Purchase by agreement may, therefore, in such a case, be put out of the question; and it is to be presumed that the ordinary process of acquiring land compulsorily, which in Ireland are usually supplied by the incorporation of the Railways (Ireland) Acts of 1851 and 1860 with the Special Act, would be resorted to upon this, if the proposed measure was intended to have any operation. The price in such a case would be determined by a Government Arbitrator, and his award would be liable to be objected to as excessive, and payment of the rates related on that ground—that the rate fixed by him was higher than the guaranteeing authority would voluntarily have imposed, and the case of the Limerick police tax and several similar cases demonstrate that municipal bodies cannot be relied upon to discharge their duties by leaving unpopular taxation.

III. Similar observations apply to Boards of Guardians and the levy of the small rate shows that they cannot, as a rule, be relied on to levy unpopular rates.

IV. In the case of newly-constituted bodies, and generally, if the price to be paid is to be arrived at by agreement, the guaranteeing body must practically be mainly composed of uninterested members, and if such a body consented to pledge the credit of its district (which I think impossible), the price would be denounced as excessive.

If, on the other hand, the guaranteeing body were mainly composed of elected members, and armed with compulsory powers, and the price ascertained by an official arbitrator, it would be objected to as exorbitant, as being in excess of what such a body would voluntarily offer, and a body so constituted could not be relied on to levy a rate for its payment.

With reference to the extent to which provision should be made for the purchase of congested estates, I beg to offer the following observations:—

The present Purchase Act has been objected to by an authority whom all must respect as involving a number of independent contracts between the State and the purchaser, and it is represented that the security of a local guarantee would be superior to that afforded by such a transaction.

With the utmost deference, I think such a view is entirely mistaken. It is far from improbable that a local authority would refuse to levy a rate if it became necessary under their guarantee, and in such an event it would become impossible to levy it at all in consequence of the vast number of small payments which would have to be enforced (e.g., the attempted levy of county cess in the Blunkets). The best security in the extraordinary difficulty of the tenant to be disturbed in his holding, which, as has been shown in the case of purchases under the Irish Church Act, will induce him to make extreme efforts to meet his engagements, especially if he knows that legal proceedings must necessarily follow his failure to do so, and that no power exists to extend the time of payment or to grant reductions. The probability of resistance to payment under such circumstances is, in my judgment, less than it would be from local authorities.

The manner in which congested estates were intended to be dealt with under the draft Bill which I submit was by the fifth clause, providing an estate guarantee fund, to every portion of which tenant could be held in the event of any tenant failing to pay, combined with the retention of a large proportion of the purchase money than one-fifth. It is submitted that this is as much as ought to be done, for the following reasons:—

1. Such small holdings would not singly be sufficient security for an advance.
2. The creation of such a class of proprietors is not to be desired, and when such a large sum of public money is to be expended it should be applied in the most beneficial manner.
3. These small tenants, as before mentioned, have no strong desire to become proprietors.

In connection with this subject, it appears to be doubtful if the Land Commission, retaining one-fifth of the purchase-money upon the purchase of an estate, can resort to every part of such fund to supply a deficiency in respect of an individual holding or whether the fund is to be divided into parts, and the parts allocated to particular holdings. If the latter is the true construction of the Act, any additional security derived from the retention of an estate guarantee fund would be altogether lost.

I think it is to be deplored that the provisions of the Act relating to the purchase of estates by the Land Commission for the purpose of resale to tenants have not been more resorted to, on account of the additional security derived from a properly defined estate guarantee fund, but owing to a reason connected with the constitution of the sales department, it cannot be expected that landowners will enter into negotiations for the sale of their estates through it.

I respectfully submit the foregoing observations for the consideration of the Commissioners.

I remain, sir, your obedient servant,
J. V. FERGUSON.

F. G. Holden, Esq.

LAND PURCHASE (IRELAND) BILL. ARRANGEMENT OF CLAUSES.

Class

1. Short Title.
2. Construction of Act and Incorporated Acts.
3. Definitions.

PART I.

ADVANCES FOR PURCHASE.

4. Advances to Tenants shall be of two classes.
5. Guaranteed advances.

PART II.

TENANT'S GUARANTEE.

6. Guarantee Fund.
7. Interest and Disposal of Guarantee Fund.
8. Investment of Guarantee Fund.
9. Recovery of Guaranteed Annuity.
10. Sale of Holding for arrears of Guaranteed Annuity.
11. Application of proceeds of Sale.
12. Alternative Sale.
13. Vendor's Election on Alternative Sale.
14. Effect of Vendor's election to take Holding.
15. Effect of Vendor's disclaiming Holding.
16. Estate Guarantee Fund.
17. Indemnity to Land Commission.
18. Information for Possession.
19. Payment of Guaranteed Annuity before order for possession executed.

PART IV.

LAW OF PURCHASE.

25. Power of sale.
26. Power to tenant for life to leave part of purchase-money outstanding.
27. Vesting order in lieu of conveyance.
28. Charges and rights subject to which the sale may be made.
29. Vesting order not to affect certain public charges.
30. Appropriation of income and capital money.
31. Powers of Land Commission in case of sale.
32. Appointment of Trustees: Purchase of rents, &c. by the Land Commission.
33. Sales to be for a gross sum. Stamp duty.
34. Addition to the staff of the Land Commission.

PART V.

35. Rules.
36. Repel of Provisions inconsistent with this Act.

S s s 2

Class.

37. Provisions for agreements not completed at the passing of this Act.
38. Raising of the Land Law (Ireland) Act, 1881.

A BILL to amend the LAND LAW (IRELAND) ACT, 1881, and to provide facilities for the SALE and PURCHASE of LAND in IRELAND.

Enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Land Purchase (Ireland) Act, 1883.

2. This Act so far as is consistent with the tenor thereof shall be construed as one with the Landlord and Tenant (Ireland) Act, 1870, and with the Land Law (Ireland) Act, 1881, and the two last-mentioned Acts may be cited together as the Land Tenure and Purchase (Ireland) Acts.

DEFINITIONS.

3. In this Act unless the context otherwise requires—

The word "holding" includes the parcel of land subject to the guaranteed annuity hereinafter mentioned and shall also include all profits a prendre, easements, and incorporeal rights enjoyed with the holding.

The expression "tenant proprietor" means a tenant who has purchased his holding under the provisions of the Land Tenure and Purchase (Ireland) Acts, as amended by this Act (so long as the holding is subject to the said guaranteed annuity), and includes the successors in title to the tenant proprietor.

The word "tenancy" includes the interest of a tenant proprietor in his holding so long as it is subject to the said guaranteed annuity.

The word "vendor" means the person for the time being entitled to receive the rents and profits or who is in possession or entitled to take possession of any holding or estate when purchased under the provisions of the Land Tenure and Purchase (Ireland) Acts, as amended by this Act and includes the successors in title to the Vendor.

The expression "the Lord Lieutenant" includes the Lord Justice or other chief governor or governor of Ireland for the time being.

The expression "the Landlord Estates Court Act" means the Act of the session of the twenty-first and twenty-second year of the reign of Her present Majesty, chapter seventy-two, intitled "An Act to facilitate the sale and transfer of land in Ireland," as amended by any Act or Acts.

The expressions "the Treasury," "the Local Government Board," and "the Land Commission," mean respectively the Commissioners of Her Majesty's Treasury, the Local Government Board for Ireland, and the Irish Land Commission.

PART I.

ADVANCES FOR PURCHASE.

4. From and after the passing of this Act, the advances which the Land Commission may make to tenants to enable them to purchase their holdings, either from their landlords respectively or from the Land Commission, shall be of two classes; that is to say, advances the repayment of which is guaranteed by the vendor, and advances not so guaranteed.

5. (1.) With respect to advances guaranteed by the vendor, in this Act referred to as guaranteed advances, the provisions of Part Five of the Land Law (Ireland) Act, 1881, shall be amended as follows:—

- (a.) Subject to the provisions of this Act, the Land Commission may, if satisfied with the security, and if the repayment of the advance is guaranteed by the Vendor, advance to a tenant who is purchasing his holding, the whole principal sum or price payable by the tenant, instead of the three-fourths thereof mentioned in Part Five of the Land Law (Ireland) Act, 1881.

- (b.) Every guaranteed advance shall be repaid by an annuity hereinafter called the guaranteed annuity, in favour of the Land Commission for forty-seven years, of four pounds for every hundred pounds of such advance, and so in proportion for any less sum, instead of by the annuity mentioned in the said Act.

- (c.) It shall not be lawful for the Land Commission to make guaranteed advances under this Act exceeding in all the sum of twenty million pounds nor exceeding the sum of five million pounds in any one period of twelve months after the passing of this Act.

(2.) With respect to advances not guaranteed by the vendor, the provisions of Part Five of the said Act shall be amended as follows:—

- (a.) Every such advance shall be repaid by an annuity in favour of the Land Commission for forty-seven years, of four pounds for every hundred pounds of such advance, and so in proportion for any less sum, instead of by the annuity mentioned in the said Act.

(b.) Subject to the amendments contained in this Act, the provisions of Part Five of the said Act shall apply to all such advances.

(4.) Where a holding is sold by the Landed Estates Court to the tenant of that holding, the sale shall for the purposes of advances under this Act be deemed to be a sale by a landlord to a tenant.

PART II.

VENDOR'S GUARANTEE.

6. For the purpose of guaranteeing the repayment of a guaranteed advance whenever a holding or estate is purchased under the provisions of the Land Tenure and Purchase (Ireland) Acts, as amended by this Act, the vendor may agree to guarantee the Land Commission against default being made in payment of the guaranteed annuity payable in respect of such holding, and the Land Commission shall thereupon render to their hands during the term for which the guaranteed annuity is payable, and until the last instalment thereof shall have been paid* (which term is hereinafter called the "guarantee term") such a proportion of the purchase-money as they may consider a sufficient guarantee against such default (which retained portion of the purchase-money, or so much thereof as for the time being shall be in the hands or under the control of the Land Commission, is hereinafter called the "guarantee fund").

Provided always that the amount of the guarantee fund so retained shall not, in the first instance, be less than one-fifth of the purchase-money.

The condition respecting the guarantee fund may be dispensed with upon special grounds with the consent of the

Treasury and thereupon the Land Commission may advance to a tenant who is purchasing his holding, the whole principal sum or price payable by the tenant and such advance shall be deemed to be a guaranteed advance and the annuity by which it is to be repaid shall be deemed to be a guaranteed annuity within the meaning of this Act anything hereinafter contained to the contrary notwithstanding.

7. The Land Commission shall, during the guarantee term, pay interest on the guarantee fund at the rate of three pounds a year for every hundred pounds of such guarantee fund to the persons to whom the income of the fund in respect of the purchase of which the guarantee fund has been retained would have been payable, and shall at the expiration of the guarantee term pay the guarantee fund (if any) to the persons to whom the capital value of such fund would have been payable if it were then paid.

8. It shall be lawful for the Lord Chancellor or for the Land Commission for the custody of the Great Seal, with the advice and assistance of the Land Commission, to make such general orders from time to time as to the investment of the guarantee funds retained under the provisions of this Act, in such stocks, funds, shares, and securities as he or they shall, with such advice and assistance, think proper, and it shall be lawful for the Land Commission, if they think fit to make an order for the investment of the guarantee fund in any manner, in any of the stocks, funds, shares, or securities in which, by such general order as aforesaid, guarantee funds may be invested, and may from time to time vary such investments for others of any kind thereby authorized, and the income of such stocks, funds, shares, and

* In the author's original suggestion the guarantee term was one of fifteen years, the same as the customary term under the Land Law Act, 1881; but in the event length of the term obviously depended on an assumed calculation as to what number of years payment of the annuity would recoup an amount equal to the guarantee deposit which the landlord had put into the name of making. It was thought better to leave the provision as in the text.

security, shall be paid or applied as the interest on the guarantee fund would have been applicable, and all orders of the Land Commission as to the investment of the guarantee fund in such securities shall be made upon petition to be presented by any of the parties interested in a summary way, and such parties shall be served with such notice thereof as the Land Commission shall direct: Provided always that it shall be lawful for the Land Commission, if it should become necessary for the purposes of this Act, or if they should deem it expedient to do so for the security of the guarantee fund, to sell, call in, and convert into money the said securities or any of them or any part or parts thereof, and the Land Commission shall not be answerable for or chargeable with any loss which may be incurred in consequence of such investments, or such sale, calling in, or conversion as aforesaid.

9. If at any time during the guarantee term any instalment of the guaranteed annuity shall be in arrear for three calendar months after the day appointed for payment thereof, the Land Commission shall proceed to recover the amount of such instalment from the person who is liable for the payment thereof.

10. In case proceedings taken by the Land Commission for the recovery of the guaranteed annuity shall fail to realise the amount due on foot thereof, and for which such proceedings were instituted, the Land Commission shall sell the holding in respect of which the guaranteed annuity is in arrear, and such sale may be made either by public auction or by private contract, and either together or in parcels, and either subject to or discharged from the guaranteed annuity, and when a holding is sold in parcels, subject to the guaranteed annuity, the Land Commission shall have power to apportion the guaranteed annuity upon the different parcels of the holding, provided that in case the Land Commission shall refuse to sell a holding for any arrear of the guaranteed annuity payable in respect of the same, notice to that effect shall be given to the Vendor.

11. When a holding is sold by the Land Commission for an arrear of the guaranteed annuity payable in respect thereof, the purchase money arising from such sale shall be applied by the Land Commission as follows (that is to say):—

(a) When a holding is sold subject to the said guaranteed annuity, the proceeds derived from such sale, after paying all costs, charges, and expenses incurred by the Land Commission in relation to such sale, and in any proceedings for the recovery of the said guaranteed annuity, shall be applied in the discharge of all arrears of the said guaranteed annuity due at the time of such sale.

(b) When a holding is sold discharged from the said guaranteed annuity, the proceeds derived from such sale shall be applied in payment in the first instance of all moneys due to the Land Commission in respect of the holding, and in the redemption, on the terms specified in section 51 of the Landlord and Tenant (Ireland) Act, 1870, of the guaranteed annuity charged on the said holding in favour of the Commission, or so much thereof as remains unpaid.

The Land Commission shall pay the balance (if any) of the proceeds derived from any such sale as aforesaid, to such persons as may appear to the Land Commission entitled to receive the same.

12. When a holding is offered for sale by the Land Commission for an arrear of the guaranteed annuity payable in respect thereof, if the offers for such holding are insufficient,—

(a) If it is sold subject to the said guaranteed annuity to pay all costs, charges, and expenses incurred by the Land Commission in relation to such sale, and in any proceedings for the recovery of the said guaranteed annuity, and to discharge all arrears of the said guaranteed annuity due at the time of such sale; or—

(b) If it is sold discharged from the said guaranteed annuity to pay all moneys due to the Land Commission in respect of such holding, and to redeem the said guaranteed annuity, or so much thereof as remains unpaid;

then, and in every such case, the sale shall be deemed to be an absolute sale, and the Land Commission shall, during the guarantee term, within one month after every such absolute sale, give notice to that effect to the vendor; but no notice of an absolute or of an absolute sale shall be given to the vendor if the guarantee fund has been disposed of with special proceeds.

13. The vendor may, within the prescribed time after receiving notice of an absolute sale, elect to take or may decline taking possession of the holding, the subject of such absolute sale; and in the event of the vendor refusing or neglecting to elect or decline, he shall be deemed to have declined taking the said holding. In the event of the vendor's declining taking or neglecting to elect to take possession of such holding, interest on the guarantee fund shall cease to be payable as from the date of such disclaimer, or from the last day on which he could have elected to take such possession, as the case may be.

14. In the event of the vendor's electing to take possession of a holding which has been the subject of an absolute sale, the Land Commission shall put him into possession thereof in the manner hereinafter provided, and he shall hold the same thereafter subject to the guaranteed annuity payable in respect thereof, and shall have the right and be subject to the liabilities, both as against the Land Commission and against the tenants and subtenants (if any) on the said holding, which the outgoing tenant's proprietor would have had if he had continued in possession of the holding.

15. In the event of the vendor's declining taking possession of a holding which has been the subject of an absolute sale, the Land Commission shall cause such holding to be put up for sale by public auction, discharged from the guaranteed annuity payable in respect thereof, and shall apply the proceeds derived from such sale, and also the guarantee fund in payment, in the first instance, of all moneys due to them in respect of the holding, and in the redemption on the terms specified in section 51 of the Landlord and Tenant (Ireland) Act, 1870, of the guaranteed annuity charged on the said holding in favour of the Land Commission or of so much thereof as remains unpaid and all expenses incurred by the Land Commission in relation to the sale or otherwise in respect of the holding, and shall pay the balance of the proceeds of the sale (if any) and the guarantee fund or the residue thereof (if any) to such persons as may appear to the Land Commission entitled to receive the same, and it is hereby declared that the proceeds of such sale shall be the fund primarily liable to pay the said moneys and expenses, and to redeem the said guaranteed annuity.

The sale of any holding under this section may be made either together or in parcels, and the Land Commission shall have power, if they should deem the bidtings insufficient, to withdraw the said holding, or any part thereof, from sale, and resell the same, subject to such conditions as the Land Commission may think fit, without being answerable for any loss occasioned thereby.

16. (1.) The Land Commission may purchase any estate for resale to the occupying tenants thereof, and may advance to the said tenants the entire purchase money of their respective holdings. Provided always that in such case the Land Commission shall retain in their hands such a proportion of the purchase money as may be agreed upon with the vendor which shall form an estate guarantee fund, and thereupon such advances shall be deemed to be guaranteed advances within the meaning of this Act, and the securities by which they are to be repaid shall be deemed to be guaranteed securities.

(2.) If the tenants of the several holdings comprising an estate shall agree with the landlord for the purchase of their holdings, the guarantee funds retained in respect of such holdings may be consolidated into one fund, which shall form an estate guarantee fund.

(3.) An estate guarantee fund shall not be less than one-fifth of the purchase money of the estate, and shall be retained by the Land Commission so long as any guaranteed annuity remains payable out of the said estate, and shall be liable for any default in payments thereof, and shall be subject to all the powers in this Act declared with reference to the guarantee fund.

17. Before making any guaranteed advance, the Land Commission shall satisfy themselves that the guarantee fund (unless it has been disposed of with special proceeds) is sufficient security against any reasonable probability of loss arising from non-payment of the guaranteed annuity, and shall certify the same to the Treasury, and such certificate shall be conclusive evidence to all persons concerned that they were so satisfied, and in the event of any loss arising by reason of the guarantee fund proving insufficient, the Land Commission shall be indemnified against such loss, and such indemnity shall be a charge on the Consolidated Fund, and the growing produce thereof.

18. When any holding is sold by or at the sale of the Land Commission, or when the vendor elects to take possession of a holding, the subject of an absolute sale, the Land Commission may, on the application of the vendor or of any purchaser, issue an order to the Sheriff of the county

in which such holding or any part thereof is situate, to put such vendor or purchaser into possession of the holding, or part thereof, purchased by him, and such order shall be executed by the Sheriff in like manner as a writ for the delivery of possession; and upon the execution of such order the outgoing tenant proprietor and all other persons interested in his tenancy shall be deemed from all relief or remedy at law or in equity.

19. It shall be lawful for a tenant proprietor, or any other person having a specific interest in the holding before, but not after, an order of the Land Commission to give possession of a holding as aforesaid shall have been executed, to lodge with the Land Commission the guaranteed annuity, and the arrears (if any) thereof, due at the date of such order, together with the costs and expenses incurred in relation to such order, or otherwise, in respect of the holding, or a sum sufficient to cover such costs and expenses, when taxed and ascertained, and thereupon it shall be lawful for the Land Commission to order all further proceedings on foot of such order to be stayed.

PART IV.

LAW OF PURCHASE.

25. The landlord of any holding may sell such holding to the occupying tenant thereof, and the owner of any estate may sell such estate or any part thereof to the Land Commission for the purpose of a resale to the tenants of the lands comprised in such estate of their respective holdings.

Every sale from a landlord to a tenant under this Act shall be completed through the medium of the Land Commission.

If such landlord or owner is a tenant for life, or has the power of a tenant for life, and the land proposed to be sold is settled land, within the meaning of those expressions as used in the Settled Land Act, 1892, he shall have and may exercise all the powers conferred upon tenants for life under that Act, subject to the assents thereof herein contained, and to the other provisions of this Act; and the purchase money arising from such sale may be invested or applied as if it were capital money arising under the said Act.

26. Where a landlord of a holding is a tenant for life or has the power of a tenant for life within the meaning of those expressions as used in the Settled Land Act, 1892, and is selling such holding to the tenant thereof, he may exercise to the same extent as if he were an absolute owner the power of permitting any sum not exceeding one-fourth of the purchase money to remain as a charge upon such holding secured by a mortgage, and in case any advance is made by the Land Commission to the tenant for the purchase of such holding, any such mortgage shall be subject to any charge in favour of the Land Commission for securing such advance; and any such mortgage shall be deemed to be part of the purchase money payable in respect of such holding, and the money secured thereby when paid shall be dealt with as if it were capital money arising under the Settled Land Act, 1892, or purchase money otherwise payable under this Act.

27. When a sale of a holding by a landlord to a tenant has been completed through the medium of the Land Commission; and also when a holding has been sold by the Land Commission to a tenant or other person, it shall be lawful for the Land Commission to make an order vesting the holding in the purchaser, subject to such charges, rights, and easements, as may be specified in such order.

Every order for vesting a holding in a purchaser which purports to be made by the Land Commission in exercise of the powers conferred on them by this Act shall be binding upon all persons claiming any estate or interest in the land comprised in the holding, and shall be as effectual in all respects as if it were a conveyance or assignment executed by one of the Land Judges of the Chancery Division of the High Court of Justice in Ireland under the Limited Estates Court Act. Provided that where the purchaser of a holding is also tenant of the holding the interest vested in him by such order shall, subject to any charges, rights, or easements set out in the order, be deemed to be a grant upon the previous interest of the tenant in the holding, and be subject to any rights or equities arising from its being such grant.

28. (1.) The Land Commission may if they think fit declare by their order that the sale of any holding is made subject—

- (a) to any chief rent, title-charge, quit-rent, or Crown rent payable out of the lands comprised in the holding,
- (b) to any annuity charged upon the holding in favour of the Land Commission,
- (c) to any other mortgage or charge, or to any such apportioned part of any annual charge as the Land Commission may think fit should remain thereon.

(2.) The Land Commission may, if they think fit, declare by their order that the sale is made subject to any rights of easement, rights of way, or other easements which the Land Commission find to affect such holding; and in that case the rights and easements so declared shall be the only rights or easements affecting the holding; or they may abstain from making any such declaration, and in that case the holding shall be deemed to be sold subject to such rights of easement, rights of way, and other easements, as may lawfully affect the same.

(3.) Where the land comprised in any holding is subject to any mortgage, incumbrance, or charge, the Land Commission shall before sanctioning or completing the sale of such holding give such notice to the mortgagee, incumbrancer, or person interested as may be prescribed by rules under the Land Law (Ireland) Act, 1861.

(4.) In the case of a sale by a landlord to a tenant, such vesting order may be made at any time after the contract for sale is complete. But the purchase money shall, whenever necessary, be retained and dealt with in the manner provided by this Act.

29. A vesting order under this Act shall not prejudice or affect any title-charge, Crown rent, or quit-rent charged upon or issuing out of any land, or any charge in favour of the Commissioners of Public Works in Ireland made by virtue of any Act authorizing the creation of such charge, save where the Land Commission shall think fit to redeem or apportion the title-charge, or Crown rent, or quit-rent, or any part thereof, or to pay off or redeem the charge in favour of the Commissioners of Public Works when such payment or redemption is authorized by law, and shall express in such vesting order that the land vested thereby is so vested discharged of all title-charge, Crown rent, or quit-rent, or charge, or other of them as the case may be; and in such case such land shall be so discharged accordingly.

30. When the capital money arising from any sale under this Act is retained by the Land Commission, the income thereof may be paid by them to the vendor or other person entitled thereto.

The Land Commission, when they think it expedient so to do, may make orders for the payment of such purchase money to any persons found by the Land Commission to be entitled thereto.

Save as expressly provided by this Act, nothing herein contained shall affect the rights of any incumbrancer or other person interested in any estate or holding sold, to the capital money arising from such sale.

31. In every case in which the sale of a holding by a landlord to a tenant is negotiated and completed through the Land Commission; also in every case in which a holding is sold by the Land Commission to a tenant or other person, the Land Commission shall have the jurisdiction and powers which are vested in the Land Judges of the Chancery Division of the High Court by the following sections of the Limited Estates Court Act, and those sections shall be incorporated with this Act, as if the Land Commission were therein referred to, and as if the purposes of those sections included the purposes of this Act, that is to say:—

Section thirty-seven, relating to the jurisdiction and powers of the Court, so far as may be necessary for enabling the Land Commission to discharge any of the duties imposed on them by this Act.

Sections sixty-eight and sixty-nine, relating to Crown rent, and quit-rent, and incumbrances and charges.

Section seventy, relating to the payment of purchase money into Court in certain cases. Money may be paid into Court under that section, in all cases in which the Land Commission think it expedient, and when paid in, may be invested or applied as if it were capital money arising under the Settled Land Act, 1892, and were paid into Court under that Act; or, if the Court so orders, as if it were money paid into Court under the said section of the Limited Estates Court Act.

Section seventy-two, relating to apportionment of rent, and in that section the term "rent" shall include a free-rent rent.

Section seventy-three, relating to persons under disability.

Section seventy-six, relating to the statement of proceedings.

32. When the tenant for life of any settled land, or a person having the power of a tenant for life, is desirous to sell the land, or any part, to a tenant or to the Land Commission, and there are no trustees of the settlement for the purposes of the Settled Land Act, 1892, or if it is expedient that new trustees should be appointed, it shall be lawful for the Land Commission to appoint fit persons to be trustees of the settlement for the purposes of that Act.

Wherever, for the purposes of purchasing any estate for resale to the tenants thereof, it appears to the Land Com-

mission expedient so to do, the Land Commission may purchase any land or hereditaments held in connection with such estate or any rent issuing out of it.

33. On every sale from a landlord to a tenant which is negotiated and completed through the Land Commission, also on every sale from the Land Commission to a tenant or other person, when an advance is made by the Land Commission to the purchaser, the Land Commission shall charge the purchaser with one gross sum, which shall include the advance, the stamp duty on the vesting order made by the Land Commission, and the stamp duty and fees payable for registering such vesting order.

The Land Commission shall register in the Registry of Deeds in Dublin all vesting orders executed by them under this Act.

A landlord negotiating through the Land Commission for the sale of a holding to a tenant, or for the sale to the Land Commission of a holding or estate, shall furnish the abstract of his title and verify the same to the satisfaction of the Land Commission at his own cost.

No charge shall be made in respect of any investigation by the Land Commission of the title of either the vendor or the purchaser of any holding.

The stamp duty on vesting orders made by the Land Commission under this Act shall be at the same rate as if the vesting order were a conveyance.

34. The Land Commission may from time to time, with the consent of the Lord Lieutenant and the Treasury, appoint or employ such counsel, solicitors, clerks, and persons

as they think necessary for enabling them to carry into effect the provisions of this Act.

PART V.

SUPPLEMENTAL PROVISIONS.

35. Rules for carrying this Act into effect shall be deemed to be rules under the Land Law (Ireland) Act, 1881, and shall be made by the Land Commission accordingly.

36. So much of the forty-eighth section of the Land Law (Ireland) Act, 1881, as enacts that an appeal from the Land Commission to the Court of Appeal in Ireland shall not be permitted in respect of any matter arising under Part Five of that Act; also so much of the same section as enacts that nothing therein contained shall authorize the Land Commission to determine any question or to exercise any power of a judge in relation to any purchase of an estate by them, or to the purchase of a holding through the medium of the Land Commission, shall be and is hereby repealed.

37. Where before the passing of this Act an agreement has been made for the sale of a holding by a landlord to a tenant, but the purchase money has not been paid by the tenant and an advance has not been made by the Land Commission in respect thereof, the sale may be carried out and completed through the medium of the Land Commission under this Act.

38. Nothing contained in this Act shall restrict the powers of the Land Commission under the Land Law (Ireland) Act, 1881.

TABLE illustrating the operation of a Loan of $\frac{1}{2}$ of £100 repayable by Thirty-five Half-yearly Payments, Interest being reckoned at £3 2s. 6d. per cent.

No. of Payment.	Date of Payment.	Amount of Payment.	Amount in Payment of Interest.	Amount in Reduction of Principal.	Amount of Principal remaining Due.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	May, 1886, . . .	2 0 0	1 11 3	0 8 9	92 11 3
2	November, „ . .	2 0 0	1 11 10 $\frac{1}{2}$	0 8 10 $\frac{1}{2}$	90 2 4 $\frac{1}{2}$
3	May, 1887, . . .	2 0 0	1 10 11 $\frac{1}{2}$	0 8 6 $\frac{1}{2}$	86 15 4
4	November, „ . .	2 0 0	1 10 9 $\frac{1}{2}$	0 8 2	82 4 2
5	May, 1888, . . .	2 0 0	1 10 6 $\frac{1}{2}$	0 8 5 $\frac{1}{2}$	77 14 10 $\frac{1}{2}$
6	November, „ . .	2 0 0	1 10 4	0 8 5 $\frac{1}{2}$	77 5 4 $\frac{1}{2}$
7	May, 1889, . . .	2 0 0	1 10 4 $\frac{1}{2}$	0 8 7 $\frac{1}{2}$	66 15 9 $\frac{1}{2}$
8	November, „ . .	2 0 0	1 10 3	0 8 9	60 8 0 $\frac{1}{2}$
9	May, 1890, . . .	2 0 0	1 10 1 $\frac{1}{2}$	0 8 10 $\frac{1}{2}$	50 10 1 $\frac{1}{2}$
10	November, „ . .	2 0 0	1 9 11 $\frac{1}{2}$	0 10 5 $\frac{1}{2}$	45 6 1
11	May, 1891, . . .	2 0 0	1 9 9 $\frac{1}{2}$	0 10 2 $\frac{1}{2}$	34 15 10 $\frac{1}{2}$
12	November, „ . .	2 0 0	1 9 7 $\frac{1}{2}$	0 10 4 $\frac{1}{2}$	24 5 5 $\frac{1}{2}$
13	May, 1892, . . .	2 0 0	1 9 5 $\frac{1}{2}$	0 10 6 $\frac{1}{2}$	15 14 11 $\frac{1}{2}$
14	November, „ . .	2 0 0	1 9 5 $\frac{1}{2}$	0 10 8 $\frac{1}{2}$	9 4 2 $\frac{1}{2}$
15	May, 1893, . . .	2 0 0	1 9 1 $\frac{1}{2}$	0 10 10 $\frac{1}{2}$	0 10 4 $\frac{1}{2}$
16	November, „ . .	2 0 0	1 8 11 $\frac{1}{2}$	0 11 0 $\frac{1}{2}$	0 2 4
17	May, 1894, . . .	2 0 0	1 8 9 $\frac{1}{2}$	0 11 2 $\frac{1}{2}$	0 11 1 $\frac{1}{2}$
18	November, „ . .	2 0 0	1 8 7 $\frac{1}{2}$	0 11 4 $\frac{1}{2}$	0 10 6 $\frac{1}{2}$
19	May, 1895, . . .	2 0 0	1 8 5 $\frac{1}{2}$	0 11 6 $\frac{1}{2}$	0 9 2 2
20	November, „ . .	2 0 0	1 8 3	0 11 9	0 8 15 8
21	May, 1896, . . .	2 0 0	1 8 0 $\frac{1}{2}$	0 11 11 $\frac{1}{2}$	0 8 4 5 $\frac{1}{2}$
22	November, „ . .	2 0 0	1 7 10 $\frac{1}{2}$	0 11 1 $\frac{1}{2}$	0 8 15 4 $\frac{1}{2}$
23	May, 1897, . . .	2 0 0	1 7 8 $\frac{1}{2}$	0 11 2 $\frac{1}{2}$	0 8 6 1
24	November, „ . .	2 0 0	1 7 8	0 11 5	0 7 7 7
25	May, 1898, . . .	2 0 0	1 7 5 $\frac{1}{2}$	0 11 5 $\frac{1}{2}$	0 6 14 10 $\frac{1}{2}$
26	November, „ . .	2 0 0	1 7 1 $\frac{1}{2}$	0 11 10 $\frac{1}{2}$	0 6 2 0
27	May, 1899, . . .	2 0 0	1 6 10 $\frac{1}{2}$	0 11 1 $\frac{1}{2}$	0 6 5 10 $\frac{1}{2}$
28	November, „ . .	2 0 0	1 6 8 $\frac{1}{2}$	0 11 2 $\frac{1}{2}$	0 6 15 7 $\frac{1}{2}$
29	May, 1900, . . .	2 0 0	1 6 6	0 11 6	0 6 2 10
30	November, „ . .	2 0 0	1 6 3 $\frac{1}{2}$	0 11 8 $\frac{1}{2}$	0 6 4 $\frac{1}{2}$
31	May, 1901, . . .	2 0 0	1 6 0 $\frac{1}{2}$	0 11 11 $\frac{1}{2}$	0 5 14 5 $\frac{1}{2}$
32	November, „ . .	2 0 0	1 5 10 $\frac{1}{2}$	0 11 1 $\frac{1}{2}$	0 5 0 3 $\frac{1}{2}$
33	May, 1902, . . .	2 0 0	1 5 7 $\frac{1}{2}$	0 11 4 $\frac{1}{2}$	0 4 5 11
34	November, „ . .	2 0 0	1 5 4 $\frac{1}{2}$	0 11 7 $\frac{1}{2}$	0 4 11 8 $\frac{1}{2}$
35	May, 1903, . . .	2 0 0	1 5 2	0 11 10	0 3 16 8 $\frac{1}{2}$

N.B.—The date on which the last instalment of the 450 became due falls between November, 1902, and May, 1903.

PAPER No. 6.

Headed in by Colonel C. R. CHESTER.

No. I.—Referring to the Schedule.

Rennam, Rosecommon.

Sir,—I send herewith a schedule containing information which may, perhaps, be of some interest to the (Earl Cowper's) Commission.

The following particulars will, I think, be found sufficiently explanatory. Late in 1881 or early in 1882, one Patrick Balh Eysie died seized of certain property, and its management, &c., devolved on the Court of Chancery (Ireland) not long after, his will having been disputed.

The portion of his property in land to which I am directing your attention was let to tenants as per schedule herewith, all but one farm, as noted, lying close to the Droombreen station on the line between Limerick and the Limerick Junction for Waterford, Cork, &c.

About 1880, or somewhat earlier, for the purpose of dividing the property as the testator desired, the opposition to his will having been withdrawn, a valuation was made, and a rental fixed under directions of the Court of Chancery, the Commission appointed having no interest, of course, in the result.

That part of the property to which I am referring, and possibly other portions of it, was managed by Messrs. Stewart and Kinneil, till the end of 1884, when I took its management over.

I handed it over to Messrs. Guinness and Mahon, all but the Rosecommon farm, for reasons which would not interest the Commission, in the beginning of 1885, resuming its management again either late in 1885 or early in 1886. During my first management I made no valuation of the lands. I had succeeded, without unduly pressure, in inducing the tenants to pay up the hanging pile, which up to then they had always retained in hand, and that circumstance alone seemed to me then, as it does now, to be a sufficient proof that the Chancery Commission had done its work equitably to the tenants.

My success in the matter was largely, no doubt, owing to the fact that prices of agricultural produce were during the period of my first management steadily on the rise, and also possibly owing to my having the confidence and goodwill of the tenants. That I enjoyed this confidence is proved by letters in some abundance which I have had from them during the more trying times of my second management, and Mr. Constance, of Deck, who lives in that neighbourhood, and his son, who is now R.M. at Trillick, and lived on the property I am speaking of on a purchased globe, will corroborate this part of my statement. The latter gentleman has, I think, been before the Commission.

In March, 1882, I made a valuation for the following reasons. During Messrs. Guinness and Mahon's management large arrears had accrued. I am imputing no blame to them, but stating a fact, and the farming class throughout the country was in considerable pecuniary difficulty. Moreover, we were just emerging from three consecutive wet years, and it seemed to me probable that this little estate had suffered deterioration, as I found in fact.

On these grounds I made a valuation, which will be seen to be considerably under the valuation of 1869.

In some cases the tenants took out a statutory lease; in other cases they went into court. I appeared in a couple of cases, and had sent instructions to appear in others, but the instructions being lost either in transmission or in some other way, those other appeals did not come off.

It must not be supposed that the valuation which I made represented my view of the permanent value of the land, looking forward to the statutory term of fifteen years; but it represented my view of the actual then value, and the amount of abatement which I should have advised the proprietors (myself and connections, children, &c., of mine) to have made on the collection of that particular year, had the Act of 1881 not passed. But the Act having passed, and the views of the Commissioners and Sub-Commissioners being known, I thought it advisable to offer to the tenants a statutory lease on the basis of my valuation.

The land in question has about six to four inches of rich clay, lying upon a stiff yellow subsoil, through which water cannot pass, and was just the kind of land to suffer the most from continued wet and the absence of sun, in spite of its being undulating in its superficial character, and easily drained in consequence. It is land which, with skill and capital, could easily be raised in value at least thirty per cent.

The points to which I wish to draw the attention of the Commission, should its members think the matter worthy of their attention, is the extraordinary discrepancy between the Poor Law valuation and the valuation of the Chancery Commission, strong as it does (the latter) from thirteen to ninety-seven and a half per cent. over the official valuation.

The second point to which I wish to draw attention is the difference in amount between the arrears when I resumed the management in 1885 and when I gave it up in 1869—a result which appears to me to bear witness to the reasonableness of the rent fixed by the Chancery Commission. There is another fact pointing in the same direction. In the only case in which there was a lease—a lease which, as well as I remember (Lawrence Heffernan, Droombreen), dated from many years before the date of the Chancery Commission—the rent was not at sixty per cent. over the Poor Law valuation, and if we take out of the list the three small tenants, Nos. 6, 7, and 11, and Lawrence Heffernan's case, the average excess of rent over valuation fixed by the Chancery Commission stands at less than fifty-three per cent.

In another letter herewith I take the liberty of placing before the commission some observations in regard of the policy displayed in the mode of working the Land Act of 1881.

I have the honour to be, sir,

Your most obedient servant,

C. RALPH CHESTER.

The Secretary,
Land Act Commission.

[SIGNED.]

SENTECEA refused to in a communication of same date made to the Land Act Commission made by Messrs. Coburn C. R. Overman, containing certain particulars of Part of the Estate of the late Patrick Balle.

1	2	3	4	5	6	7	8	9	10	11	12	13
Selling Value Fixed by Commissioners	Name of Tenant	Valuation T. L.	Chancery Rent.	My Val. s. d.	Exp. Com. Rent.	Stand on Apprent.	Voluntary Surrender.	Court Value	Antient 31. 10.	Amount 10. 10.	Percentage of Commission fixed over New Law Valuation	Remarks
+	1. James Halliwell.	20 0 0	20 0 0	20 0 0	20 0 0	20 0 0	—	20 0 0	20 0 0	—	11	McIlwain, Jan. 1
+	2. William Barks (transferred into the estate).	20 0 0	20 0 0	20 0 0	20 0 0	20 0 0	—	20 0 0	20 0 0	—	12	Keble, 2
+	3. Port Capelin (transferred into the estate).	20 0 0	20 0 0	20 0 0	20 0 0	20 0 0	—	20 0 0	20 0 0	—	13	Cock, 3
230 0 0	4. Port Barry (transferred into the estate) previously by per- mission.	20 0 0	20 0 0	20 0 0	20 0 0	20 0 0	—	20 0 0	20 0 0	—	14	Barrow, 4
5.	Thomas Cowell.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	15	George, 5
6.	William B. Lygon.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	16	Blaga, 6
7.	William Maly.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	17	Wiley, 7
8.	John Landin.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	18	London, 8
9.	Port English.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	19	McIlwain, 9
10.	Edna Dwyer.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	20	Dwyer, 10
11.	William E. Waking (transferred into the estate) previously by per- mission.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	21	Malbury, 11
12.	Port Hanning (transferred into the estate) previously by per- mission.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	22	Bransby, 12
13.	James Halliwell (the only trans- ferred into the estate) under an old lease—allowed 100 years).	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	23	McIlwain, L. 13
14.	Thomas Balle.	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	24	Scott, 14

All the above holdings with the exception of No. 16 are in the county of Lancashire and in the Manxwick Poor Law Union.

In the five cases marked in first column + the Rate Commissioners refused to fix the selling value on the grounds that suitable evidence should be given of the selling value in the neighbourhood.

Remarks—In these cases + the parties suggest that if the rate value is the neighbourhood rent as to which it is already fixed with the Rate Commissioners or Court of Appeal for the purposes of their own value, why should they require evidence as to selling value?

No. 2.—QUESTIONS OF POLICY.

REMARKS, ROSSCOMMON.
Nov. 17, 1886.

SIR,—Having laid before you a schedule of facts, explained in my letter, No. 1, I now seek, with much diffidence, to lay before you a few observations, as to the mode of working the Land Act of '81, pointing out what seems to me to be some errors of commission, and still more of omission.

The avowed object, and declared necessary cause of the Act, was, as alleged, that the pressure of competition made the landlord master of the situation, and that, as a matter of fact, large numbers of them used their power inequitably.

This is not the place to impugn or disprove these statements of mingled petulance and fact, and I have the less desire to impugn in this way, that I have discussed them in a paper, which will be published in the December number of the *Dublin University Review*. The fact remains that it is on these twin allegations that the Land Act is based.

Now, there are two ways in which the pressure of competition may show itself; one is in unduly raising the annual rent; the other is in the price of the good will.

The efforts of Commissioners and Sub-Commissioners, have spent themselves rightly or wrongly, wisely or unwisely, in raising a barrier against one only of these incidents of competition. It has done nothing, or next to nothing, to raise a barrier against its pressure on the good will, and in the latter case its pressure is infinitely worse than in the former. The pressure of rent is at least terminable with the end of the year, or the end of the tenancy. The pressure of the other is, for ever, an shifting tax upon the land, voidable only by its loss. Moreover, it is a permanent sentence of divorce from the land, against the whole labouring class, for it is hard for them to save capital enough to work a farm, but impossible for them to save up, in addition, the price of the good will; that good will which the man who now can sell, in endless cases got for nothing, he or his predecessors in title.

In my schedule of facts, I gave cases where the Sub-Commissioners refused to put a price, that is to say a limit, on the good will, and gave their reasons. Two other cases are therein given, where the price has been fixed at prices prohibitory to the working man. In the *Pressman's Journal* of May 3rd, 1883, Judge O'Hagan is reported to have expressed himself thus:—

"With all respect to the Legislature, to put upon unfortunate Commissioners, the task of estimating the value of land, in places where land has not been in the habit of being set up to be sold, and where no experience can be brought to bear upon it, is one of the most absurd tasks that was ever put upon men." And the landlord withdrew his application. Now, with all deference, granting that the good will of a farm is a thing that must and ought to be saleable, it is difficult to see why past experience of sales in a district, is a necessary element to be considered. It is difficult to see why the good will of a farm should be anything other than a fixed multiple of the rent, or why the multiple should be greater in one case than in another. Moreover, seeing that the price of the good

will, now in endless cases for the first time made a property, is a tax in perpetuity on the land, for the benefit of the present generation of farmers, public policy would seem to require that the price should be set very, very low.

But one operation, not an absolutely necessary result of the Act itself, but a result of the way in which it has been worked, has been to destroy the existing standard of value, mixing no other in its place. Now, without a standard of value, it is impossible for us to get on. Judge O'Hagan, himself, feels this want, for he said in the passage quoted, that he could not fix the selling value, because he had no standard. Yet he, and the other Commissioners and Sub-Commissioners, keep carefully hidden away from the public, such standard as they may happen to have elaborated, he and they, to guide them in the fixing of rent.

I beg to suggest a mode, in which a standard, more or less workable, could be set up.

Suppose that land was classified in six, seven, ten, any number of classes, according, in each case, to the difference in actual gross value of possible products, under the system prevailing in the district, and that a scale of rent was laid down, ruling that in class A, four-fifths of the net return should go to the landlord; and in class X, but one-tenth, and so on. Disputants would then be in a position to lay before the Courts and the public, two ranges of facts, either of which could be tested, with some degree of accuracy and comfort, and we should be spared that flood of perjury, which is poured forth when witnesses testify as to notions of value.

We could prove, first the amount of gross produce, and next the cost of production; and the evidence given, being as to matter of fact and not of opinion, could be intelligently and carefully sifted. The result would prove, not only the net gain with which the Court could reasonably deal, but it would also and necessarily establish the class to which the land belonged; and the rent would then be established by a mere reference to the rent scale. The only remaining duty for the Court would be to allot to opposing claimants the set off to which their improvements would entitle them.

The general result of such a course as is herein suggested, would be to create a confidence in these Courts, which they have not acquired and do not enjoy; and this, independently of such trust or distrust, as the principles embodied in the Act itself, may be calculated to create.

It would encourage and facilitate the settling of rent questions, surely a desirable object. It would reproduce a workable standard, and by degrees there would grow up and be established a standard of agricultural values, of inalienable worth and reliability.

I have the honour to be, sir,

Your most obedient servant,

G. BAUGHEN CHICHESTER

The Secretary, Land Act Commission.

PAPER No. 7.

Handed in by ALEXANDER M. BREEDON of Millicent-terrace, Portadown, 1st November, 1886.

To the Right Hon. Earl Cowper.

MR LEARN—I beg leave to bring the following case under your notice:—My father who was for many years a medical practitioner in this town, purchased in the year 1862 in the Landed Estates Court, Dublin, the estate of Castleton Cooley, Co. Louth. Shortly afterwards the residence (known as Cooley Castle) with lands occupied by the former owner of the estate, was let without purchase to a Mr. Richard Murphy as yearly tenant. In 1864 the above mentioned house and lands, consisting of 184 English acres arable land, and thirty-six acres mountain run, was let on lease for twenty-one years to said Richard Murphy, at a yearly rent of £185 2s. 6d. Richard Murphy after some years died, and the place was held by his representatives till 1880. My father had also in the meantime died, and I by his will became the owner of the property. In 1880 Richard Murphy's representatives, without my sanction, disposed of their interest (on what terms I know not) to the Rev. Hugh Murphy, Roman Catholic Parish Priest of Cooley, who was in no way related to former occupants. The Rev. Hugh Murphy has since held it. He is no farmer, but lets the lands on lease, by auction, every year to the highest bidder, making thereby, I believe, a substantial profit. Of course this does not improve the land, as the people who take it for one year drain all the substance that can be taken out of it, and have no interest whatever in manuring or improving.

Last November the lease expired, and the Rev. H. Murphy brought me into the Land Court. I had the house and lands valued by a professional valuator (Mr. M'Bride) whose valuation was £174 6s. yearly. The case came before Mr. Reeves, Legal Commissioner, and Messrs. Baldwin and O'Keefe, Assistant Commissioners, who on June the 1st settled judicial rent at £160, i.e., at forty-five per cent. less than the tenant himself considered it worth six years ago. In fact he must have thought it worth more than the then rent, for he swore that he paid £165 to former occupants on taking possession. The buildings, which are very extensive, all belong to me. The tenant was able to prove no improvements, and sent me for rent due last November £158 2s. 6d., which he said he considered a fair rent, and which I took, giving a receipt on account.

The property, which was bought by my father at a high price, was mortgaged at the time he purchased it to nearly half its value, and although since it came into my possession I have cleared some of them off there still remains very large charges on it. These mortgagees, who are, in every thing but name, as much the owners of the property as I am, sustain no loss, while my income has to suffer all the penalty of the late reductions.

I offered Mr. Murphy £160 to give me up the place (before the case came into Court), knowing that I could let it for more than his rent previous to last November, but he refused my offer.

I may also state that I offered to sell to Mr. Murphy and the other tenants on the estate their holdings of any fair rate, but they refused to make any offer, some of them alleging that "they preferred to wait and see what Home Rule would do for them."

Since the property came by purchase into my father's hands twenty-four years ago, in no instance has a rent been raised or a tenant evicted, and yet in every instance where I have been brought into court the tenant has got a substantial reduction. I also lost a considerable sum by the Arrears Act, as I always tried to be as lenient as possible to my tenants, and had allowed many of them to fall far in arrears. The property is now not worth much more than half what it has cost my father and myself, and yet none of the charges on the rental have decreased by a farthing.

The above is a plain, unexaggerated statement of facts, and I leave it to your own sense of justice to draw conclusions therefrom.

Below is a summary of the different valuations in the Rev. Hugh Murphy's case, as mentioned above:—

	£	s.	d.
Rent up to 1st November last	..	185	2 6
Valuation of Landlord's Valuator	..	174	6 0
Tenant's own Valuation last November	158	2 6	
Sub-Commissioner's Valuation	160	0 0	

I have the honour to be my Lord,

Your Lordship's most obedient servant,

ALEXANDER M. BREEDON.

PAPER No. 8.

Handed in by JAMES BOGUE.

To EARL COWPER, President of the Royal Commission.

MR LEARN,—I beg respectfully to put before your lordship and the other members of the Royal Commission, the following statement of facts, being my experience of the working of the Land Act of 1881, on a small estate situate in the Barony of West Muskerry, County Cork, owned by the Cornwall family, of which, in right of my wife, I am entitled to one-fourth and act as agent for the owners, viz.: The lands of Mountmole, consisting of 562 acres, Government valuation, £221, rent prior to 1881 £380, judicial rent £200, held by seven tenants from year to year. All went into Court except two, to whom I gave the same advantages the rest got. I employed a gentleman of

experience and skill to value the different holdings and at once offered the tenants to reduce their rents by twenty-five per cent., being the gross reduction he proposed, they gladly accepted the terms except two who made objection, but afterwards on small discussions being made, they also agreed to settle and save the further expense of going into Court. Of these seven tenants, only one up to the date at which I write has paid the half year's rent due the 25th March last. These owe a year's rent, due 25th of September last; these have made but partial payments towards the 25th March gale. All have been skimming for statements for the past twelve

T t t 2

months, which I have resisted. The other lands forming the estate are those of Ballyvoig in the same barony, consisting of 580 acres, rent £350, Government valuation £351, held with one exception under leases of lives; these rents were paid for the half year due 25th March, 1885, without one of the tenants asking for an abatement, while those of Mountanside, urged for an abatement of ten per cent. On demanding the September rent, 1885, in consideration of the honourable conduct of the Ballyvoig tenants in paying up the previous year, I intimated to them, that the owners intended presenting to them a short-horn bull and to abate ten per cent. of the September rent then demanded. As there was a difficulty as to keeping the bull, which I entered into, I proposed instead, to give them the value of the bull in money, which most of them gladly accepted, a few preferred cash, however, they all accepted the terms and have expressed themselves satisfied. The prices of young stock and bullock having suffered this year a further decline, I made an abatement of twenty-five per cent. on the rent due the 25th March, 1886, and so grateful were they, that they wished to acknowledge it in the daily papers, which I objected to, telling them that if they did, I would not again make a reduction in their rents—these were all paid in August last. I stated above, that these tenants all held under leases of lives, dating from 1826 to 1848, except one who was a yearly tenant. This one paid £10 a year for 44 acres of rough grazing land, he went into Court, and the Sub-Commissioners reduced his rent to £8. I had to serve ejectments on this one and on three of the Mountanside tenants for a year's rent, due the 25th March, 1886, from the last three I took one half-year and stopped proceedings, but in the present case I insisted on being paid, which was done at once with ease. It will be observed from the foregoing statement, that the same abatement was made to the old leaseholders as was made by a rule of Court to the tenants from year to year and this only for one year, while the others have enjoyed the judicial rents since 1882. The conclusion that I think I may safely arrive at is, that the Land Act of 1881, has had a most demoralising effect upon the tenants; in the foregoing statement, viz., those of Mountanside, inasmuch as they all, with one exception, owe either a year's rent or more than a half a year's rent on the 25th of March last, while the Ballyvoig tenants paid up with thanks, but subject to the abatement before stated.

ESTATE OF MR. FRANCIS BEANISH, of Killineer.

I am authorized by that gentleman to state his experience of several cases on his estate. The first is that of Thomas Shorren, who held 150 acres at a rent of £100 a year, in the lifetime of the father a most respectable man, who brought up a large family; the eldest son he set up in a large flour mill in this county; the second in a very good farm; the third also in a farm of considerable extent on Mr. Beanish's estate; and to the youngest he left the farm now in question—about forty or more years ago—the rent was £100 a year. Mr. Beanish at this time built for tenant a most substantial dwelling house, with a complete set of offices—all forming an enclosed square. One side of the square is a building eighty feet long, roof of red pine and Welsh slate, granary or hay loft running the whole length, underneath stable for three or four horses, cart shed, calf house, and other conveniences. The remaining sides of the square consist of byre for twenty or twenty-five cows, potato house, pens for

young cattle, pigs, poultry, &c., dairy, and wash-house.

When this was all concluded the tenant said "take off the rent the odd £10 and I will be perfectly satisfied." This Mr. Beanish at once did, leaving the rent £100 at the passing of the Act of 1881. The son, Thomas, went into Court after having deteriorated the farm by madowing the grass land, and selling the hay, his stock by the time having been reduced to one horse and nine cows. The Sub-Commissioners reduced the rent to £94, and fixed the value of the tenant-right at £400, Mr. Beanish having contributed £400 in permanent buildings. The tenant immediately gave up the farm to the landlord, receiving first of all the £400 fixed by the Sub-Commissioners. Adding this sum to £300 laid out in buildings, makes £700.

The only contribution the tenant made being in deterioration of the value of the farm.

The next case was that of a tenant named Rees, who holds a farm from the same owner. About the year 1849 Mr. Beanish took the farm into his own hands, he drained in the very best manner about ten acres of mountain—an excellent subject for reclamation, built a large quantity of fencing in the most substantial manner, all at an outlay of about £300. When this was done, being about twelve miles from the farm, he let it to the father of the present tenant. In 1882 he went to the Land Court, and the Sub-Commissioners reduced the rent. I went to the farm with Mr. Beanish six or eight years ago, and found the place of mountain which had been so thoroughly drained, lying in the same state as the father had got it, with this exception, that we could not discover the outlet to the drains, which was heretofore sealed. On digging for it we found it, and when opened a flow of pent-up water escaped sufficient to turn a small mill. Mr. Beanish appealed to the Chief Commissioners, and his evidence before them was simply a protest against the rent being interfered with which had been punctually paid for over thirty years, during which time he had not once to ask for it. However, the rent fixed by the Sub-Commissioners was confirmed.

The third case on the estate is that of a tenant named Walsh, who holds a small farm, the interest in which he purchased from another tenant of Mr. Beanish's. This tenant was broken, and he had the farm put up to auction, and it was knocked down to Walsh, before named, for £250—the rent being £24. Walsh went into Court, and the Sub-Commissioners, after a careful examination of every field, reduced the rent to £16 15s., against which Mr. Beanish has appealed. Walsh has lived all his life in the neighbourhood, and it is surely to be presumed that in giving such a sum for the farm he had got the full value of his money.

So far as the Cornwall estate is concerned my firm belief is that judicial rents, instead of being a boon to the tenants, which, of course, was the object of the Legislature, have been up to this time, through the touching of paid legislators, a very curse to the tenants, and hastened the ruin of very many of the landlords, to say nothing of mortgages and other incumbrances.

(Signed),

JAMES BOGUE,
S. St. Luke's-place, Cork.

12th November, 1884

PAPER No. 9.

Handed in by SAMUEL F. ADAMS, Esq.

Royal Commission on Land Acts,
25, Fitzwilliam Square, Dublin,
22nd December, 1886.

SIR,—As requested, I beg to state my well-considered opinions regarding "The Land Act, 1881," and "The Purchase of Land Act, 1885."

ACT, 1881.

1. That as regards the Act of 1881, much of the friction, misery, and loss, to the community, and unproductiveness of property in this country, since this Act passed, and the misfortunes permanently entailed on thousands other than landlords (but excluding tenants), has arisen from the manner in which its provisions have been attempted to be given effect to by the Commissioners appointed thereunder, and their inexperienced assistants, who, with few exceptions, were wholly unskilled and unacquainted with the management or value of landed property (qualifications essentially necessary for the just administration of the Act), and unsuited to conduct a work of such magnitude and importance.

2. That consequent on the above, many tenants and others believed that the object of the Act was to transfer without consideration, the fee-simple of all property, from the owners to the occupiers, and thus arose and was fostered, the unjust combination against the rights of all (save the occupiers) interested therein, and the unchecked arbitrary domination of the Catholic clergy in relation thereto.

3. That in attempting to carry out the provisions of the Act, the rights of all interested in such landed property, save tenants, were disregarded and in a great degree confiscated, no consideration being given to the fact, that since 1850 £35,000,000 worth of property, had been purchased under legislative title, and that millions of money still due, had been lent on securities attaching thereto, thereby vitally affecting the rights of innocent individuals and their families other than landlords, scattered over the world, and which at the time the loans were made were in fact, and were deemed and considered to be state title securities, and whose rights have been so unjustly dealt with without appeal or redress.

4. That there are 1,500 estates, under the care and management of the Court of Chancery, most of which have been materially affected by the Acts referred to, as well as the Land League agitation, wrongfully permitted to exist, the entire incomes arising from many of them having during the last five years scarcely met such outgoings as income tax and tithe-rentcharges (in many instances most oppressively exacted), county and poor rates, law and other costs and expenses incident to the management of estates in Ireland, whilst much valuable land has lain idle, consequent on fear and agitation, and wholly unproductive to the community, to the ruin of thousands interested therein.

5. That so great is the existing tyranny unably accorded by the Land League, it would be impossible for your Commission, during the present inquiry, to obtain accurate and adequate information in relation thereto, for fear of personal injury to those most capable of giving evidence on the subject.

6. That the Act of 1881 rendered it impossible for good landlords and their agents to effectively manage property as theretofore, and to suitably adjust differences constantly arising between tenants, respecting boundaries, rights of water, ways, bogs, &c. (common to many tenants' estates), and family differences respecting tenants' holdings, and which it is essential on estates should be possessed by some one, for the

peace and prosperity of the country, I deem it essential for the future peace of Ireland, that estates, and especially unincumbered and congested ones shall, for fair value, be taken over and managed by the State, which, by the Act of 1881, deprived the previous natural guardians of almost all power over the same, and who, by its officials, should be given such power, which the Act of 1885 has in no way provided for, its anticipated operations being confined to solvent, isolated tenancies, and in no way reserving a future controlling power over large estates dealt with.

7. The Act of 1881, and its mischievous administration, has so paralysed all dealings with land, and the charges thereon, as to render it impossible to effect the sale of land, or transfers of the charges affecting the same, and thus caused ruin to thousands, and materially affected trade and all concerned therein, and the administration of estates of deceased persons who had died possessed of land (or the charges thereon), also materially reducing probate, legacy, and succession duties, and preventing either individuals or companies from investing in purchases of land, the Acts relating to which have become so intricate and complicated, as to render a codification and simplification of same desirable.

8. That an entire suppression of the unjust tyranny exercised by the Land League, and of the undue interference by the Catholic clergy, with the rights of proprietors of property in many parts of Ireland, is essential to the restoring of peace and prosperity in this country.

9. That it is to be regretted, that in giving effect to the Act of 1881, records were not kept, by reference to the Ordinance maps, of each tenant's holding dealt with by the Commissioners, whereby much prospective confusion and litigation would have been averted, which is sure to follow from the course that has been pursued.

Act 1885.

10. That the Act of 1885 has been framed chiefly on the assumption that all tenancies coming under its operation, are on estates held in the free of leaseholds, annuities, and other incumbrances, but so framed that many of the estates which, for the peace of the country, it is most desirable to deal with, viz., those incumbered and those in congested districts, cannot come under its operation, and legislation is necessary to enable those to be sold on the application not confined to the nominal owners, but to others more interested therein.

11. Owners of estates, desirous to sell, should be relieved from the present deterring and novel requirement of the Act of 1885, unaccompanied in ordinary dealings between vendors and purchasers, of having to leave 20 or 25 per cent. of the purchase-money or value of each estate or holding purchased outstanding, as a guarantee against future loss, pending which, as regards each holding, two separate accounts must be kept, a certain forerunner of trouble, irritation, confusion, and litigation.

12. That, as regards tenants, the novel and unusual practice should be provided against, of conveying their holdings to them without a present consideration being paid, and only secured by mortgage of the property conveyed, a very expensive and complicated process only applicable to property in or adjacent to towns, where houses are contracted to be built, as security for the purchase money of the ground to be built on, but wholly inapplicable to tenants' holdings of the land of Ireland.

13. Another cause of the past failure of the Act of 1885, arises from the disinclination of tenants to

become responsible to the State for payments, at certain fixed periods, knowing they will be enforced, and if the State had power to purchase any estates offered to be sold, the tenants on others would cheerfully pay their rents to existing landlords, in preference to becoming responsible to the State for fixed certain payments, feeling that in cases of need they would be more leniently dealt with, by private individuals.

14. A scrutiny of the official report of the Commissioners of the first year's working of the Act of 1885, shows the contracted results the loans provisionally sanctioned out of the £5,000,000 empowered by the Act, to be applied in creating a peasant proprietary, amounting, for all Ireland, to only £1,065,444, of which £310,358 is for property in the County of Londonderry, and loans issued, amounting for all Ireland, only to £484,950, of which £182,048 is for property in the County of Londonderry, £45,485 for property in the County of Antrim, and £68,804 for property in Kerry, and the entire number of loans provisionally granted for all Ireland being only 2,426, of which 1,175 are for property in the County of Londonderry.

15. The loans so sanctioned for applications to the County of Londonderry are no criterion of the success of the Act, they being chiefly for estates, belonging to London companies with clear unincumbered titles managed, at all times with great liberality, and the sale of which, in no way affects individual rights, which estates, of all in Ireland, least required State intervention.

16. The existing powers under the Act of 1885 are quite too limited, and should be much extended. At present they appear to be curtailed to dealing with separate tenancies so as to prevent loss upon any individual holding (and such guaranteed against by the vendors), which disables proprietors from disposing of their entire estates, as it is impossible to suppose that any sane man would seek to sell the pet holdings of solvent tenants, leaving the congested and cottier portions of the same estate un sold, to be dealt with by him, the effect of which would be to largely intensify existing complications and misery, and to increase county and poor-rates, &c., and render it impossible to deal with or recover, succession and legacy duties, tithe-rent and Board of Works charges, and lead to inextricable confusion and litigation questions, vitally affecting the entire community.

17. The existing Act of 1885, renders the conveyance machinery, in carrying out the objects (so much to be desired), complicated and expensive, which might be greatly simplified, and freed from prospective confusion and litigation, by the State acquiring entire properties and controlling powers over the same in perpetuity, with powers to make fee-farm grants of tenants' holdings at one-third or one-half their value, payable in perpetuity, which rents could be sold for full value, and determinable annuities reserved for the remainder of the annual rent or value, and which fee-farm rents would form valuable securities for sale, and thus would be laid the foundation for redeeming the titles of tenants and all others interested in estates, the rentals of same being kept, with reference to the existing Ordnance Maps (or, still better, such maps on an enlarged scale as exist in England), as at present kept in the estate office of every well managed estate, and thus the holdings of insolvent tenants, or those desiring to sell, might be divided and added to those adjoining.

18. Legislation such as I have indicated, would be merely extending beneficially the principles of the Act, 1885 (see 5th section), by an act of wisdom and justice towards tenants as well as landlords, resulting from the Act of 1861, because to leave some proprietors, especially those incumbered and congested, with mere nominal, but not real owners, as at present, is only perpetuating misery, discontent, and agitation, and fostering nuisances and hotbeds for intensified dissatisfaction, and increased poor rates, and rendering income tax, succession, and legacy duties irrecoverable, which fact must, sooner or later, be con-

tended with, and no English or Scottish legislator should hesitate to supply the pecuniary advance necessary to effect the desired object, and mitigate or remove the present grievous position of many estates and districts. In years of admitted distress it would be more just for the State generally to aid in congested districts, until they were eased by emigration, migration, or colonization, than that all loss should fall on small districts, and a situation would thus be given to keeping localities and estates acquired by the State unimpaired and prosperous, and to foster and encourage manufactures and industry, and judicious planting, much to be desired.

19. The Act of 1881 having deprived the responsible owners of such properties of power to deal therewith, which they had possessed some years prior to its passing, when Ireland was in a more prosperous position than it had ever previously been, the course suggested would put a stop to the unrighteous doctrine so long and now being taught, by professional, well paid agitators, that landlords' rights to their properties had ceased to exist, and that same belonged to the tenants or occupants of the land, and should rightly be held by them in future free of rent and charges, as tenants claim to be, and are taught is their right.

20. It is believed that no proprietary less, but the reverse, would be sustained by the State, nor any large cash advances required to be made by Government taking over and becoming owners of estates such as those referred to, and that the chargeants and incumbrancers thereon, would gladly leave outstanding the same due them on being secured by a Government Land Debenture attaching on the properties bearing 3 or 3½ per cent interest, and that the owner for his interest and good will would gladly accept a like security, and Government officials in so doing for the purchase of such estates, would naturally be less stringent as to the title and the expenses, and time attendant on sales would be largely diminished, and a record of the future dealings with the holdings could be easily instituted and kept, the margin of income would fully bear all expenses of management by existing Government officers and Local Government Agents to be appointed.

21. If the State were to become the proprietors of estates with power to encourage voluntary, but not compulsory emigration and colonization to millions of valuable acres in different parts of the world under British dominion, now lying uninhabited and unproductive, the holdings of emigrants could be added to those adjoining and remaining on the same estate, to an extent sufficient to maintain the occupants of same, and provide them with employment, and certain benefit would result to the State, and the country, and the tenants, exceeding all expenses attendant thereon; and thus would power be preserved of preventing a repetition of congestion in many districts. Occupiers of small plots erroneously called landholders, but who in fact should be styled laborers, have much too little ground to manage or maintain families on with their education and capabilities. In other districts many tenants have too large farms to manage with their education and want of capital, such supposing that the actual possession of land is wealth, regardless of agricultural knowledge, or capital.

22. Too limited extent property in possession of owners could be purchased in parts of the south and west to ease by migration some congested districts. A perpetual controlling power by the State should be wisely retained over all estates dealt with, as fully as, or more so, than owners possessed prior to the Landlord and Tenant Act of 1870, and the interest of every holder of land on an estate, should on their death intestate, devolve either on their heirs liable to succession-duty, as fee-simple, or on their administrators as chattel property.

23. Agricultural instruction in many parts of Ireland is greatly needed, and which with little cost to the State (having regard to the benefits), could be obtained through the instrumentality of the agricultural branch of the National Education Board, and through such

institutions as the Royal Dublin Society. As the produce or profits from land decrease, in a like degree arises the importance of increasing the size of tenants' holdings, and the necessity for education, so as to make the profits therefrom sufficient to maintain the occupiers.

24. Upon the subject of timber industries and forestry, and the beneficial and profitable results of so doing, I invite attention to a letter in the *Pressman's Journal* of the 29th October, 1886, from Mr. Dermot O'G. Donelan.

25. It is a mistake for the State to make advances for purchasing out of large estates, limited and pet spots, leaving the residue to become divided infinitesimally and congested, without any legally constituted controlling power over the entire.

26. Proceeding to any large extent under the Act of 1885, as it now stands, would render necessary a machinery to give effect thereto of the most extensive and expensive character, as for instance, suppose only 50,000 tenancies brought under its operation it will be necessary to reserve their half-yearly payments, amounting to 100,000 yearly receipts, and 100,000 more yearly payments for the interest on the one-fifth of each tenancy guarantee fund retained by the State against loss.

27. That in any amended Act special attention should, for the general benefit of the community and individuals, be given to the following:—

A.—Questions of succession duties and income taxes attachable to congested estates, and the difficulties of recovering either therefrom, if the occupiers are created peasant proprietors, even poor rates, could scarcely be recovered therefrom, and the solvent and better occupiers in each county would, in fact, have to support the insolvent and less thrifty, in view of which it would become the direct interest of the industries and thriving portion of Ireland to favourably consider well organized schemes for emigration, and colonization, as suggested.

B.—Relieving estates from the effect of recognisances entered into by landed proprietors who have become necessities for Chancery Receivers, attaching on every acre of soil, whereas some would not specifically affect £1 of personal property of the obligors of recognisances who did not possess landed property.

C.—To the justice of relieving all mortgagees from personal covenants in mortgages of landed properties entered into on the faith of the then existing regulation as to tenants' rents not being disturbed, and also trustees from their responsibilities for having advanced money on landed securities subsequently so reduced in value by legislative enactment.

D.—To extending the provisions of the 23rd section of the Act of 1885 to purchasers and mortgagees of ecclesiastical properties other than the very limited numbers thereby embraced, and thus to meet the just expectation when the Act was first proposed.

E.—Trustees and corporations should be empowered to accept State Land Bonds or securities in substitution for existing charges or for new advances by them.

F.—The present scale of costs chargeable against tenants and proprietors in the County Courts (in cases where many tenants on an estate are at the same time being proceeded against), being excessive and oppressive should be provided against.

In valuing estates for sale and purchase, reasonable consideration by way of rebate should be given for the large sums paid by or for the present proprietors on account of succession duties which had been assessed by Government officials, on the assumption that the rents which existed when such duties calculated would be recoverable during the whole period of the owner's life.

The foregoing is founded on large personal experience of the purchase, sale, and management of numerous estates in Ireland for a period of forty years, during which time I have been in frequent contact with the tenantry thereon in most parts of Ireland, but chiefly in the South and West. I have consulted many most competent to judge, and they concur in opinion with me.

I am, Sir,

Your faithful,

SAMUEL FREDERICK ADAM

To Francis George Hodder, Esq.

PAPER No. 10.

Handed in by E. C. HOUSTON, Secretary to the Irish Loyal and Patriotic Union

ANALYSIS of PARTITIONABLE SALES of TENANTS' INTERESTS in their HOLDINGS, 1883-5, inclusive. Compiled from Returns furnished to the Irish Loyal and Patriotic Union.

TABLE I.—Number of Sales and Number of Years' Purchase given for Tenants' Interest

Where the Annual Rent was £20 and under.

Number of cases in which price paid represented an equivalent to	Ulster	Leinster	Munster	Connaught	All Ireland
20 years' purchase and under	990	68	51	52	1161
Over 20 " and not exceeding 25	767	63	49	55	934
" 25 " " " 30	80	7	20	2	109
" 30 " " " 40	61	2	5	1	69
" 40 " " " 50	12	1	2	—	15
" 50 " " " 60	13	—	—	—	13
Total	1923	138	127	110	2298

Where the Annual Rent was over £20.

Number of cases in which rent paid represented an equivalent to	Ulster.	Leinster	Munster.	Connaught.	All Ireland.
10 years' purchase and under	62	25	41	23	151
Over 10 " and not exceeding 20	24	24	20	18	86
" 20 " " " 30	20	1	0	1	22
" 30 " " " 40	—	—	1	—	1
" 40 " " " 50	1	—	—	—	1
" 50 " " " "	—	—	—	—	—
Total	107	51	62	42	262
Grand Total for all Ireland	627	323	275	149	1,374

The following Table gives the proportion per Cent. for the above total of 1,374 Cases.

Years' Purchase	Rent £20 and under					Rent over £20					Grand Total.
	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.	
10 years & under	14.9	11.1	12.7	10.1	11.8	45.5	55.8	58.8	57.0	51.6	48.5
Between 10 & 20	40.0	50.5	50.5	44.5	46.5	45.5	55.8	58.8	57.0	51.6	48.5
" 20 & 30	12.7	4.4	14.8	7.9	12.7	11.1	0	4.4	0.0	4.9	6.2
" 30 & 40	0.0	0.0	0.0	0.0	0.0	—	—	—	—	—	—
" 40 & 50	2.4	0	7.9	—	3.0	0	—	—	—	0	1.5
Over 50	1.6	—	—	—	1.0	0	—	—	—	0	0.7
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

TABLE II.—Sales of Tenants' Interests in their Holdings, 1886.

Particulars of 283 Cases of Sales since 1st January, 1885 (included in Table I.)

Annual Rent £20 and under.

Number of cases in which rent paid represented an equivalent to	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.
10 years' purchase and under	46	28	8	14	96
Over 10 " and not exceeding 20	19	4	6	13	42
" 20 " " " 30	18	1	7	—	26
" 30 " " " 40	15	—	2	—	17
" 40 " " " 50	3	—	—	—	3
" 50 " " " "	1	—	—	—	1
	108	37	23	27	195

Annual Rent over £20.

Number of cases in which rent paid represented an equivalent to	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.
10 years' purchase and under	16	27	17	3	63
Over 10 " and not exceeding 20	14	4	9	—	29
" 20 " " " 30	7	—	—	—	7
" 30 " " " 40	—	—	—	—	—
" 40 " " " 50	—	—	—	—	—
" 50 " " " "	—	—	—	—	—
	33	31	26	3	93
Grand Total for all Ireland	141	68	49	30	288

Proportion per Cent. for the above Total of 283 Cases.

Years' Purchase	Annual Rent £20 and under					Annual Rent over £20					Grand Total.
	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.	Ulster.	Leinster.	Munster.	Connaught.	All Ireland.	
10 years & under	30.6	28.0	30.4	41.5	30.4	43.9	43.1	49.5	100.0	43.9	33.5
Between 10 & 20	48.6	38.5	27.1	32.2	47.2	49.6	12.8	18.5	—	43.7	28.1
" 20 & 30	15.9	6.0	11.6	—	12.9	29.0	—	—	—	29.0	9.9
" 30 & 40	7.8	—	2.7	—	5.4	—	—	—	—	—	2.5
" 40 & 50	1.0	—	—	—	2.5	—	—	—	—	—	1.5
Over 50	2.5	—	—	—	2.2	—	—	—	—	—	1.5
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

PAPER No. 11.

Handed in by JOHN HANLY, of Sunville House, County Clare.

Relative to the inquiry on the operation of the Land Acts of 1881 and 1883. As regards the Land Act of 1881, my belief is that while its operation may be affected to some extent more or less in many parts of Ireland by combinations to resist the enforcement of legal obligations, yet such obstruction is not the paramount cause of affecting its operation in general.

After careful consideration on the subject, it appears to my view that the operation of the Land Act of 1881 is affected by the fall in the prices of agricultural produce more than any other cause that presents itself to me, and that rents fixed by the Land Court, however judiciously, have failed to meet the pressing necessity of the times, when prices of every article of farm produce have fallen to exceptional low figures, which has caused a rather sudden occasion for a further reduction in rents, to meet the exigency of an increasing depression in the market of agricultural produce, which in several instances has fallen in value from thirty to fifty per cent. below the prices of farm produce at the time the Land Court first opened for appeal. And if I may here remark, that for some time after the early decisions of the Court, the people who had their applications heard, and rents fixed, were almost universally pleased with the judicial rents fixed on their holdings. Time, however, wrought a change, and each succeeding year from 1882 to the present 1886, was attended with a growing depreciation in the value of everything connected with the produce of the land, till we find 1886 the most trying year probably ever experienced by the farmers of Ireland.

To look for the cause of this vast depression, is, I believe, beyond the limit of this inquiry, as doubtless the Commissioners of this Royal Commission are already aware of some of the chief causes. But if I may remark without digressing from the subject of inquiry, to my view the first and great cause comes from our Colonies, which have overstocked us with a surplus and ever-growing commodity of food, with which our best efforts shall fail to compete, while land and labour hold their prices in this country entirely dependent on its agricultural produce. To couple labour in connexion with the price of land is something unusual, but when we learn that the East Indian labourer's daily wage is two and a half pence a day, while here in this poor country it is from 1s. 6d. to 2s. per day, which I myself have to pay for labour, surely it is a point to be considered in the raising of produce intended for the same market, as much as the price of land, if we are to compete in future with the wheat growers of Her Majesty's Empire in the East, who are at the present time in a position to undersell every wheat-growing quarter of the globe, and against whom the future promises even the United States of America not to be able to hold their prices for this article of food. With this prospect before us, we must naturally look to the land for a substantial footing to hold up against the competition of this foreign produce.

From the produce of grain, let us now turn to that of the animal, and here we find ourselves in a position equally unfavourable with foreign stock underselling us at our doors, while the produce of the animal has decreased in value 30, 40, and even in instances, 50 per cent. below the prices of 1882, when beef was 70s. to 75s. per cwt., and mutton 9s. to 9½d. per lb., and if we take beef and mutton for the standard of what there are to come to the present prices of 1886, for these articles of food at 45s. to 54s. for prime beef, with 35s. to 45s. per cwt. for inferior, go to show that the fall in beef is of exceptional depreciation and loss to the farmer, who bought in his stores in spring at prices equal to those he now receives in early winter. This course of things, if continued, would have the land become valueless, and the only approach to

amendment of such matters will have necessarily to find a beginning in coming nearer to the value of land in these days of startling changes, when the people of these islands find themselves face to face with foreign competition at their doors. To put a duty on any article of food of foreign produce is beyond the hope of Irish producers, therefore the only alternative that remains is in the reduction of the price of land, and until that comes nearer to the level of foreign prices, of property in land, the hope for prosperity in these islands is but little indeed.

As regards the Land Act of 1883, on inquiry I find that the desire among tenants to avail themselves of the provisions of that Act is not as general as it was expected it would be. As it appears to me, there are many reasons for the sluggish action of the tenants, who appear quite indifferent in becoming owners of their land by the provisions of the Land Act of 1883.

First—They consider from sixteen to twenty years' purchase which the landlords ask for the land too high at the present value of land, as they almost invariably hope for better terms in the near future, and it is with this hope they are content to wait the future.

Secondly—There are many tenant farmers at present prepared, and even anxious to come to terms with their landlords in the purchase of their lands, but obstruction is offered where all tenants on the property are not concerned, therefore the desire of those anxious to purchase falls through without effect.

Thirdly—There are many tenants on some properties very poor, who pay their rents by labour and other jobbing given to the landlord in lieu of rent, and those people are entirely averse to purchase, as they say—"I can deal with the present landlord as I like, but I would have to pay rent punctually to the Receiver General if I were to purchase," and though this class may be but a unit, or at most a few on a large property, it is singular how their influence prevails on the major part of the tenants to leave matters stand as they are at present. It is a pity and a grievous mistake that this obstruction should exist where well-disposed tenants desire to purchase. What the people want is good sound advice from their landlords, or those whom they confide in, and if this were given the desire to purchase would be universal. But notwithstanding all this, if landlords were disposed to offer their lands at 15, 16, and 17 years' purchase, the inducement would soon conquer the present prevailing feelings of the tenants, and once the benefit and profit were realized I am sure there would be no greater Conservative than the Irish tenant, as he is just the person to protect his property to the utmost advantage. It is my belief that if he feels his interest sustained by making him owner of the soil at a fair rent as redemption, he will know how to protect it, and I should hope live in peace and contentment in future.

It is my belief that modifications in the above Acts are necessary. For example, there are many leaseholders on the verge of ruin, and it would be a wise course to let them have the benefit of the Act of 1881, as they must fall if not supported by some means of relief.

I also believe that demesne lands let to tenants should not be exempt from the provisions of the Act of 1881—all lands should be equal in value when landlord and tenant are equally concerned. And I would also remark that millowners are, in a large measure, the cause of much trouble, as their course is in many instances exacting and harsh.

JOHN HANLY,

Justice of the Peace for the
County Clare.

U u s

PAPER No. 12.

Handed in by R. M. DOUGLAS, of Knockanbooy, Derwack, County Antrim.

STATEMENT OF THE LAND LAWS, FROM R. M. DOUGLAS, J.P.

In the Land Act of 1881 itself, as an enactment, there is little I would find fault with, but its administration has been very bad. The Court invariably consisted of partisans, with, perhaps, half a dozen exceptions in its legal members, and double that number in its lay members, and were composed of gentlemen entirely unacquainted with agricultural pursuits, or farmers of a purely radical type, having sympathy with the farmer, and enmity to the landlord system altogether. The inequality of their reductions will be proof positive of their inaccuracy, as it will, doubtless, be admitted that rents, if high, were on a scale with some sort of equality, but the reductions bore no proportion to each other—our farmer getting 35 per cent, his neighbour $1\frac{1}{2}$ only. On an estate of £4,000 a year rental, a farm, I consider one of the worst, got a reduction of £1 in £14 only, while cheaper farms, within a few fields, got treble or quadruple as much. On some estate two tenants served originating notices from same township; their respective rents had been fixed by same man on same day; I tried to settle out of Court, but failed. The man with (to my mind) the best farm got 5s. per £1 reduction; his neighbour (the land being in a manner dovetailed together) got nothing. I have since allowed the latter a reduction of 2s. per £1.

The lay members of Commission Court No. 1 were often changed, and it was found that from 10 to 15 per cent, more or less, of a reduction, as to how the Court was constituted. I remember one of the very best lay Commissioners saying to me—we were on the ground before his colleague had arrived—speaking to a field, “there is the best field my foot has been on in County Antrim, what do you think I put per acre on it? 24s. per acre,” said he (replying to his own question). This is a low price for the best acre in County Antrim. Again, on meeting two Commissioners one morning, after having gone over a sixty-acre farm the day before with them, one asked me in presence of the other, “What do you think was between us on that big farm when we went over our notes last night? 15s. 6d. only,” he added. I had kept my eyes open the day before when they were inspecting that farm, and saw that there was one field, the best on the farm, which my questioning Commissioner friend had not set a foot upon. (So much for their agreement as to valuation.) To make certain of this, I asked the tenant if I was correct, and he admitted that one Commissioner had not gone into that field at all, and that it was one of the best on his farm.

I was again along with two Commissioners on field inspection—the two worst specimens of the genus I came across—and as I had other estates to go over with them, I asked them not to name a day for their inspection for a week, as I wished to go to England. They both promised they would not do so, one saying it was no inconvenience to them, as they had plenty of work to do; however, behind my back, they proceeded to value the farms. It is but due to the Chairman to say I made this fact known to him, and he said it would not occur again (nor did it), and he condemned the course adopted by them.

I think, in fixing the rents, the Sub-Commissioners should take into consideration the habits and industrial inclinations of the farmers, and where tenant-right exists on an estate, the sale value of such tenant-right in the district. In this district, with all the outcry about low prices for the past two seasons, I have known flax make £17 an acre, and on another farm, the land let for the season for cropping, with flax, at 25 10s. per acre, ground in last for oats at £3, and in measure for oats at £6 per acre last season; same field letting this season for flax at £3 10s. per acre. The crop of last season told me the oat

crop paid him well at above rate. The landlord's rent for this land is 25s. per acre.

My experience of the administration of the “Land Purchase Act” is also not very encouraging to either landlord or tenant; I own a townland, and agreed to sell it to the tenants at a trifle over twenty-one years rent, all the rents were judicial or fixed by agreement between us. After the papers were lodged, I got intimation from Mr. Murphy, Government Valuer, that he had instructions to visit the lands, and we met on them on the 23rd of February last, the day being very stormy with three inches of snow on the ground. I asked Mr. Murphy if he was to value the lands; he said no, that his duty was just to look at them and walk or see the boundaries. He did not value them. My sale price to the tenants had been £2,149. I got an intimation from the Land Commission soon after, that the sale would be sanctioned at £1,842, only, of course, I let the matter slip through. The tenants' interest will at fully ten years rent, one of the farms in question changing hands since at that rate, thus the State would have had as security for their advance in this case, in addition to my interest, that of the tenants. Whether the price was curtailed on Mr. Murphy's report or not I cannot say, but I know he did not value the lands. He spoke of lands he had visited going at sixteen years purchase, but this was not in Ulster. The consequence is the tenants were cut out of a permanent reduction of 17½ per cent. per annum, and they are now paying us the full rent. It is to be wondered that they should think the Land Purchase Act but an “empty spoon to fill their mouths with.”

The State having stepped in between landlord and tenant so far as to fix the rent the one should pay to the other, and again having offered on certain terms to provide cash for the tenant to purchase the land if they like—two boons to the tenants; the landlord must accede to the former, the tenant need not avail himself of the latter, but on the contrary by holding off renders the boon which was intended to benefit both of no use to the landlord. And how many of these men, young in years, would be only too glad to sell out while they have youth on their side, and make a way for themselves and families in a new country or other speculations, if they could but realize their property in the land.

Now, as the State has found that it could without loss to itself give money at four per cent. to the tenants, would it be unreasonable to ask an enactment that where a landlord wished (a judicial rent having been fixed) he could call upon the State to take up his land at twenty years purchase? Thus leaving a margin of twenty per cent. to the State to cover losses. I would venture to say if such an enactment was passed, and that the tenants saw the landlords had a buyer outside of themselves, they would very soon be glad to avail themselves of the present Purchase Act.

Again, if the State can give tenants money at four per cent without a loss, why should it not advance to landlords (a class which even Mr. Gladstone admitted had stood their trial well) at same rate, to pay off existing mortgages, always providing there was a sufficient margin for security,—the present enactment being to give a price up to twenty-five years purchase. In the case of the landlord, let the advance not exceed twelve and a half years purchase, which would leave ample security, and give the landlords breathing time, which they have not enjoyed for the last seven or eight years, as a Bill is no sooner passed than on complaint of the tenants some graft is put on it. The Land Act, 1881; The Arrears Act (which was simply a provision for perjury); and the Land Purchase Act, with others leaning in the immediate future.

PAPER No. 13.

STATEMENT of MR. AVERELL LLOYD, Land Agent and Magistrate, County Tyrone.

I served my time, commencing in 1853, to the Land Agency business, and since then have managed estates in Tyrone, Armagh, Derry, Antrim, Dublin, Monaghan, and King's County.

I managed an estate for ten years under the late Sir Richard Griffith, who told me twenty-five per cent. over Government valuation might be taken as a fair rent, except on cut-out bogs subsequently reclaimed, as they had been valued as waste.

I found that estates were usually revalued after the expiration of twenty-five years by the best local values, especially after the opening up of a county by a railway. That rents at these rates were paid regularly, and the tenant-right increased.

That on the estates I am agent for the reductions made by the Sub-Commissioners averaged from fifteen to forty per cent., although it was proved the tenants' interests increased.

One estate for which I am agent was bought in 1877, at about twenty-three years' purchase, which included purchase money, low costs, and all expenses connected with the transfer of estate. It consisted of about 2,000 acres, and a rental of £8,666 per year, exclusive of town buildings.

The estate had been valued in 1839, under which valuation it was let until 1873. Between 1873 and 1876 the estate had been put under a new valuation, and by an arbitration, consisting of three Queen's assessors, the rents of about half the estate were fixed for a term of thirty-one years, the remaining half of the tenants having settled with the then agent what their rents should be. Notwithstanding the arbitration the tenants went into the Land Court, and the Head Commissioner decided that although the

landlord could not raise the rents for thirty-one years the tenants were entitled to have fair rents fixed.

There are about 484 agricultural holdings on the estate. On about 324 of these a judicial rent has been fixed, with the result that the rental from agricultural holdings, which was in 1877 £8,666, is now about £7,661, and if the remainder of the tenants go into court and get reductions equal to those that have gone in, even if twenty-three years' purchase could be got on the reduced rental, the owner would lose about £38,838, while the value of the tenants' interests has considerably increased.

The tenant-right sworn to by tenants before Land Commissioners averaged, prior to 1876, £10 per acre; and from the purchase of the estate in 1877 up to 1881 it had increased to an average of £10 6s., and from the passing of the Land Act in 1881 till now the average has been £12.

When the valuation was made in 1839 the estate was badly situated for roads and railways. Since then large sums have been expended on improvements by the former owners of the estate, and railways now run within easy access round the property.

The result of the Land Act of 1881 on this property has been to reduce the rents almost ten per cent. under the valuation made in 1839, which was paid regularly up to 1873, and 17-43 per cent. under the rental on which the estate was purchased in 1877.

I am prepared to prove the accuracy of this statement.

AVERELL LLOYD.

TURRISHMORE, Moy, Tyrone,
27th November, 1886.

PAPER No. 14.

Sent in by WYBRANTS OLFERT, of Ballyconnell House, Falcarragh, Donegal.

As regards the Land Act of 1881

I don't find any combination in this part of Donegal to resist the payment of judicial rents, both landlords and tenants consider these binding for 15 years, and should not be disturbed. The fall in the price of produce make little difference with the small holdings. As far as rent is concerned, no doubt the National League is opposed to payment of any sort, only for its tenants would be as peevish and happy as formerly.

As regards the Land Act of 1885

(Lord Ashbourne's Act)

I think this will be generally received by both landlords and tenants, but it requires some improvement.

1st. The Commission should be obliged to sanction a sale when both landlord and tenants have agreed as

to terms, and complied with all the requisite forms, no matter whether in a congested district or not. A sale is now refused often after all the trouble and expense is taken.

2nd. When two-thirds of the tenants in a townland agree to purchase, the rest should be obliged to agree. Three or four troublesome tenants might prevent any sale, and no landlords would like to sell portions of their property.

3rd. All money should be paid down to the landlord, and let him go and have no more to say to the property. No difference should be made in congested districts.

I fear it would be difficult to get security through the intervention of local authorities for loans.

WYBRANTS OLFERT.

Sent in by Lord CASTLETOWN OF UPPER OSSORY.

I consider the following points deserving of serious attention on the part of the Commission:—

1st. It must be remembered that the system of tenure, the principle of farming, enclosure, cultivation, and social life is intrinsically different in various parts of Ireland.

It will be impossible to apply hard-and-fast or similar rules to Leitrim or Monaghan, Ulster, and Connaught. The four provinces are differently circumstanced, and even counties in each of them differ considerably from one another. It is essential the Commission should deal differently with the different portions of the country, and the diverse aspects presented.

2nd. In response to the first question I am quite clear that in this district the legislation of the Land Act with respect to free sale of tenants' interests has had very little effect. The National Land League has as much as possible prevented free sale. Grave difficulties in selling their interests are experienced by tenants desirous of, or obliged to leave their farms. The neighbouring farmers are prevented from purchasing by the fear of the National Land League, and as a general rule, the whole circumstances of each case are debated in the Land League Courts or Commission, and once judgment is pronounced in these tribunals, any man who disobeys that edict incurs serious personal danger. Under these circumstances, it is not too much to say that in these districts where the National League is paramount, free sale is impossible.

3rd. Fall in price of produce has not been so very serious, even in this (an agricultural) district. The great uncertainty in value, owing to the marvellously rapid changes in the markets, has been the great cause of depression. There have been decreases in different items at different times, but there has always been one class or other of produce which brought a good price. Cattle paid well during portions of this year, though the markets were uncertain.

The method of selling stock and produce through middlemen, which is combined with a system of advances to farmers by these middlemen at usurious rates of interest, exists, I believe, everywhere in Ireland, and has much to do with depriving the producer of a very large portion of his profits, while the very high railway rates have also a prejudicial effect on the agricultural enterprises of Ireland. The old and slovenly method of farming, and the entire absence of any ambition on the part of the farmer to improve his land, or to get beyond a certain grade of comfort or well being, renders it very difficult to induce the Irish agriculturist to march with the times, or to combine with a view to producing better cattle or crops, or even seeking for more advantageous means of marketing his present produce. In many parts the minds of the farmers have been so upset by the political crises, and the rapid phases of agitation through which the country has passed since 1848, that they have ceased to look after their farms, and are trusting that some sudden turn of the wheel may give them the land for nothing, no taxation, and even money supplied to them, on which to live without further trouble. The feeling of continuous insecurity and turmoil in having a very serious and grave effect on all conditions of men in Ireland, but especially on the farmers who have up to now gained most by agitation, and hope to gain still more.

4th. I believe there is a general desire among tenants to avail themselves of the provisions of the Land Purchase Act. This is the case, especially among those to whom it will be of most use (the larger tenants).

Any attempt to utilise that Act in the congested districts, unless it is much amended, can only result in failure.

At the present time, and until further modifications are made, that Act is, in my opinion, not really applicable to the congested districts.

The immediate changes in the Act I would suggest are as follows:—

1. Simplification of transfer and also a cheaper and much more rapid method of transfer and working. (The principle adopted in the Rhenish provinces of Germany is, as far as I am aware, the best and quickest.)

2. A complete and clear system of registration (locally arranged) for future transfer.

3. A more liberal interpretation of the plenary powers of the Commission. I mean by this that the Commission and the Treasury should agree to advance the larger sums of money demanded whenever a proper opportunity occurs; also less disinclination to assist purchasers should be shown by the Commission.

To guard the Treasury against undue amounts being utilised by the Commission, it would be very easy for the Commission, in the event of an agreement for sale and purchase being entered into between a landlord and occupier, and where the security was not considered large enough, having reference to the proposed price, for the Commission to fix the maximum price they would advance on that holding and let the tenant and landlord revise their bargain. Clause 4, "Purchase of Land (Ireland) Act, 1885," would be specially applicable if the Commissioners would fix a maximum value on every holding, that it is proposed to sell, but where the price exceeds what the Commissioners consider the true value of the holding.

The Commission should understand they are paid to facilitate the working of the Act not to restrict its operation.

The query dealing with the special point of extending the Act in the congested district by the intervention of security provided by local authorities should, in my opinion, be answered in the following way:—

In the congested district, owing to its congested state, you have no strong local authority, therefore you cannot depend on them or it for the security of your loan.

You must therefore look elsewhere for that security. The loan might be secured by a special rate, like a county cess or poor rate, on the district itself.

I believe the local branch banks would provide the best security for guaranteeing the loans, combined also with Governmental guarantee. The managers of these banks have intimate knowledge of the circumstances and feelings of the people in their districts, and all the local money naturally passes through the hands of these banks. Committees composed of two or three influential men in the district, with a Government official as a supervisor and intermediary, would very quickly, in my opinion, effect a change in the condition of the congested districts, provided they were not hampered by too much red-tape or legal crotchets.

These loans should be repaid by a terminable tax, specially levied with the other ordinary rates. The authority to whom the power of granting the loans is to be entrusted, should also have the power of emigrating such persons who might desire to emigrate, and should also have the necessary power and responsibility of selling the interest in any form on which the tax was not paid. This power should be hereditary and used at once if the taxpayer got into arrears. (N.B.—It should be specially arranged that a farm could be sold in portions to suit the farmers whose lands may search with the farm in question. By adopting this plan more people are interested in the sale of the interest, and the concentration of land in

the hands of the most solvent men in the congested districts comes into immediate operation.)

Finally, I am of opinion that having regard to the inequalities of action in the administration of the Land Law (Ireland) Act, 1881, the inequities perpetrated by the administrators of that Act, and the abnormal situation created by the "barbarism" of that legislation that every effort should be made to clear this statute away. It is costly, "barbaric," and inequitable.

The only method by which this can be done is by replacing the dual ownership by either actual ownership or ground rent possession. Both of these tenures are recognised in the Land Act of 1881 in a vague manner. Part V. of Land Law (Ireland) Act, 1881, sections 1, 3 and 4.

These again, especially subsection "a," referred to in line above, were further amplified by the Land Purchase Act, 1885, but insufficiently and without a broad enough policy. This fact was owing, I suppose, to the following circumstance: The Bill of 1885 was, I think, framed on a draft memo. containing larger and more extensive powers, which would have met the difficulties now enumerated by the administrators of the present Act, but which were omitted in the Bill itself.

With reference to the question of "Ground Rent Possession," I would draw special attention to the pamphlet on this subject, published by Dr. Tröfz and Mr. Wilson.

There are two absolute necessities in the formation of an adequate Land Purchase Bill:

1. Security to the taxpayer; and
2. Simplicity of transfer combined with freedom between the contracting parties.

Subordinate, naturally, to these necessities, I consider that local security and responsibility, and simplicity in operation of the Act are essential.

I mean by local security, that the district in which the sales take place should be responsible for its own sales, and its own advance, and its own recouping of the loss if defalcations occur.

I am convinced that there is only one way to obtain these advantages, and that is by a simple system of agricultural banks combined with or affiliated to the present banking system in Ireland. Naturally, in the operations undertaken, Government support and credit would be necessary. The "Credit Foncier" system in France is, I understand, conducted on some such lines.

There is no doubt that though perhaps difficult at first sight, such a scheme can be framed, and the fact that the local banks are engaged in it will do more to expedite and clear away difficulties than anything else.

The absurdity of keeping the whole working of the scheme in one place (say Dublin) is patent to all. It is alone by confiding all persons in the operation of the scheme that rapidity, interest, and vitality, can be generated in any land-purchase operation.

A system of land banks that has been successful in other countries cannot surely offer very great difficulties in a country like Ireland, where every town has a branch bank, where Government securities are pledged in the savings banks (Post Office), where registries are present, and all the necessary machinery exists, and only wants to be utilised or set in motion by any competent cabinet of statesmen.

Any land-purchase banking scheme should indirectly contain emigration, improvement and reclamation of land arrangements, and could be identified also with the savings bank system, and an issue of Government three or two-and-a-half per cent. debentures. Every step by which the public is invited to take vital pecuniary interest in the payment of the instalments for land purchase, emigration or reclamation will strengthen the position of the State collection, whether that collection is done by rate collection or through the medium of banks or local bodies. Legal tenders in the shape of land purchase debentures at three per cent., or land reclamation notes at three per cent., or colonization bonds at some amount, would command great value among a population such as now exists in Ireland.

Let me, in conclusion, distinctly state what I believe and know are the facts of the case:—

1. The farmers are anxious to purchase their holdings at a fair rate.
2. They are desirous of a return to peace and security.
3. They will pay their instalments punctually and well, if law and order are maintained.
4. The majority of the people would welcome any means of investing at three per cent. in Government securities, or securities guaranteed by Government or well known banking credits.
5. The agitators would be unable to counteract any scheme of such magnitude, and where the interests of the whole population would be concerned.
6. It only needs determination and common sense on the part of a few good financiers and statesmen to find out the most simple and comprehensive scheme.
7. The present costly Land Commission could be got rid of were a good purchase scheme initiated, and the Sub-Commissioners could be utilised, until their terms of office expired, in valuing farms for purchase.

CANTERTOWN OF UPPER OSNEY,

PAPER No. 16.

MEMORANDUM as to the PROPHETRY of RECORDING the TITLES of PURCHASERS under the
"PURCHASE OF LAND (IRELAND) ACT, 1885."

By H. BROUGHAM LEECH, LL.D.

THE present conjuncture of circumstances offers to the Government one more chance—probably the last—of introducing into Ireland the true method of Registration, viz. Registration of Title, in substitution, as far as may be, for the present system of Registration of Deeds. I do not propose in this Memorandum to discuss the arguments in

favour of either system further than may be necessary for the purpose of pointing out the differences between the two, and showing the advantages which will accrue to all parties concerned from the adoption of the former method in the case of transactions carried out under the Land Purchase Act.

Contrasting the two systems as closely as possible—under the former, the title to, or ownership of, land is recorded in the office, and, there is entered in the same office, and in the same book or file, every transaction which may subsequently take place with reference to that land. Provision is likewise made for the recording thereof of every legal proceeding, and of every deviation brought about by operation of law or otherwise, by which the rights of the recorded owner may be affected. Accordingly, when the title to each land comes to be investigated, its whole history and every facility attaching to it may readily be ascertained by inspection of the Record. *Practically*, one would say that no conceivable arrangement could be simpler and less expensive.

Under the existing system of registering deeds, every deed affecting land must be registered in the Registry of Deeds Office; the title or ownership is not registered at all. In order to ascertain the history of the transactions affecting a piece of land—that is to say, in order to prove ownership—searcher must be made in this office against all persons who have enjoyed rights of ownership or of incumbrances for a sufficient period, generally speaking, of forty years. Searches must also be made in the Registry of Judgments against all such persons as have enjoyed rights of ownership during that period; and further investigation must be made as to wills, which in practice are not registered, and as to incumbrances. With respect to the searches in the Registry of Deeds, the duration of the proper ones to be made, and of the periods over which they are to extend, is a very technical, and therefore an expensive business. Further, on almost every search all sorts of notes are returned which do not affect the lands, but still have to be explained away. A fee of 1s. is charged for each of these notes, and then a further sum of money is expended in proving that they have nothing to do with the land which forms the subject-matter of the immediate transaction. The fee for searching against each name is 10s. 6s. for the first ten years, and 6s. for each succeeding year. The judgment searches also are expensive: a fee of 1s. is charged for the search against each name.

In contrast with the other system, it may be said that this is tedious, costly, and embarrassing. As long as it exists it is impossible that the transfer of land should be cheap and expeditious.

The system of Registration of Title was introduced into South Australia by Sir Robert Torrens in 1857, and having proved successful there, it was adopted by Queensland in 1861, by Victoria, New South Wales, and Tasmania in 1862, by New Zealand in 1870, by Western Australia in 1874, and since then in Fiji. It has worked smoothly and satisfactorily in all these places. The statements of Sir R. Torrens, and of others who have given evidence on the subject, show that ordinary transfers of land are completed within two or three days, while the more complicated transactions seldom take more than a week, the cost being comparatively trifling.

In several of the Canadian Provinces, and in many of the American States, the system of Registration of Deeds still prevails. I quote a passage from an address delivered in December, 1890, before the Canadian Institute, Toronto, by Mr. J. R. Mayne, President of the Canada Land Law Amendment Association, in which, while advocating the change now proposed, he criticises the existing system:

"Speaking generally, as the law now stands, no man can be sure that he is the owner of land, unless he can show not only that he has paid for, and has possession of it, but that his deed is the last that is in an unbroken chain of property—drawn, executed, and registered consecutively, back to the purchase of the Crown, or at least for sixty years back. To do this effectively, his attorney may have to critically examine hundreds of documents, many of which may not affect the property in question, and he may perhaps find after all, that he is unable to determine with certainty whether his client has a good title or not. If one link is defective, or missing, the title fails, as far as the records are concerned, and must be sustained by costly evidence, which, after the lapse of years, is often difficult and sometimes impossible to obtain. A link may be missing in the Registry Office, owing to the title having been acquired by purchase, by inheritance, or by devise. . . . So serious has the evil become in the United States, that Companies with corporate power and large capital have been formed at Baltimore, Philadelphia, Boston, Washington, and probably elsewhere, whose business it is to purchase titles to land."

Attempts have been made to introduce Registration of Title into England by Lord Westbury's Act, 1862, and Lord Cairns' "Land Transfer Act, 1875," and into Ireland by the "Record of Title Act, 1862." All these attempts have failed; but the Lord Chancellor of England is said to be at present happily engaged upon the same task. It would be impossible to discuss here at length the reasons

of these failures in the two countries; but it is necessary for my purpose, to show generally that in each case this result was brought about by a different set of causes, and that the difficulties to be surmounted in Ireland are, under the present circumstances, insignificant as compared with those with which the Lord Chancellor of England has to deal.

The English Acts failed, in the first instance, even though unembarrassed by any competing system, because no sufficient inducement was held out to owners to land them to incur the expense of a Primary Registration; and, secondly, because there is not in England any basis or starting-point for working the system such as exists here, where the Landlord Estates Court or Land Judge, and now the Land Commission, are in a position to give an indefeasible title. The scheme failed in Ireland—the circumstances being otherwise most favourable—mainly because it found itself in competition with a long-established, and well-understood system, which, whatever may be its defects on the score of delay, complication, and expense, had at any rate this merit, that it had on the whole worked securely, and had therefore gained the confidence of the public; and, secondly, because one of the main advantages of the possession of land being the power of raising money with facility, men thought, and probably not without reason, that a Land Commission would not be as efficient a weapon for that purpose as the deed itself by which the land was conveyed. Moreover, the Act was, like the English Acts, too full of stringent safety regulations; so that the system, which at that time had been but imperfectly developed in the Colonies, and was not understood here at all, met with a determined opposition from the general body of Solicitors, and never had a really fair chance of success. That failure was thus produced is abundantly clear from the evidence given before the Royal Commission of 1894. The objections to the recording of titles are stated in the First Report of this Commission, and they are answered, as I think, successfully, in the dissenting Report of the O'Connor Dea. It is enough at present to remark that these objections are largely inapplicable to the limited proposal here advanced.

In both countries the acceptance of the system has been left entirely to the option of the landowner. The latest writer on this subject, Mr. C. F. Brinkdale of Lincoln's Inn, whose book is a most valuable repository of observation and information, argues strongly against a compulsory system, pointing out several serious objections. So far as England is concerned, he may be right; but the arguments are, for two reasons, wholly inapplicable to the proposition here advanced, which is limited to titles examined by the Land Commission. In the first place, there is in existence here a compulsory system of Registration of Deeds, as the person who fails to register his deed loses his priority, and therefore his property; the system is practically as compulsory as if he were subjected to a penalty for the omission; and, secondly, as the Government, under the Land Purchase Act, advances the whole of the purchase-money, or, in other words, is the real purchaser, there can be no possible objection to its taking its security in the form which may be deemed most effective, as well as most advantageous for the purchasing tenant.

Having made these observations for the purpose of indicating the difference of the systems, and that the previous failure was the result of causes, the operation of which may readily be obviated, I now proceed to show that the adoption of the Record of Title system must be attended with advantage to the three several parties concerned in Land Purchase transactions, viz. the tenant, the landlord, and the Land Commission; and further, that the present conjuncture of circumstances is specially adapted for the establishment of such a system.

As regards the tenant, if he desires to sell his holding, or to deal with it in any other way, his facilities will be greatly increased. At present the conveyance to the tenant is registered in the Registry of Deeds, and as more valid title is given than in an ordinary case of purchase of land. The Land Commission, through its officials, examines the title, and if it is considered sufficiently good, the advance is made. A purchaser or mortgagee of a holding so conveyed is not bound by this examination, and would, doubtless, in most cases, demand that title should be shown in the ordinary way. This would be a matter of serious difficulty, particularly for the owner of a small holding, and even if a purchaser or mortgagee should be content to accept the conveyance to the tenant as a root of title, the whole co-operative process of search and inquiry described above would have to be gone through as from that date. If, on the other hand, the tenant's title to his holding were recorded, he would receive a certificate of ownership; this would be his maxim of title, and the examination and verification of

such title would be confined to a simple inspection of the record, upon which would appear every act or deed on his part which could in any way affect the lands. It is then clear that the tenant's facilities of transfer, for which all land reformers have long been yearning, would thus be greatly increased.

As regards the Land Commission, this security would be improved by being made more easily realisable. According to the present practice, the title-deeds of a vendor are not deposited unless he is selling a substantial part of his estate. It would be a hardship on him to insist on the retention of all his deeds, including settlements and other documents dealing with different properties and interests, if he were selling only a small portion of his lands. In such cases the practice at present is to insert in the conveyance and mortgage (which form one deed), an acknowledgment of the right to production. It is not to be denied that this may prove, before a source of difficulty and danger, when the necessity arises of making titles to holdings sold for non-payment of the mortgage. The absence of the deeds, which may arise either from their loss, or their possession by persons unwilling to produce them, may seriously affect the security; and, even under the most favourable circumstances, the cost of making title may be excessive, having regard to the size and value of many of the holdings which may come into the market under such circumstances. Such dangers would disappear under the proposed system of recording ownership.

Lastly, it is obvious that the landfed, being the only remaining party concerned, would derive a considerable advantage. In the great majority of cases, it is he who provides the guarantee deposit, by permitting its retention by the Land Commission. It is the ultimate security during seven years, or, if the guarantee deposit is more than one-fifth, during a longer period, for the discharge of the obligations due to the Commission; and therefore everything which increases the security offered by the holding itself must benefit the person entitled to the guarantee deposit.

One or two further points remain to be considered. In the case of transactions carried out by vesting order an indefeasible title is given, and no difficulty as to recording can arise. As to the rules which are carried out by conveyance, an indefeasible title is not given. In these cases a guaranteed title only, in accordance with the Australian system, should be recorded. A few words of explanation are here necessary. In Australia and the Colonies which have adopted the Torrens' system, an applicant for the registration of his title is required to pay a small subscription to an insurance fund. This insurance fund is used, generally speaking, for the purpose of relieving a bona fide owner or purchaser against any fraud or mistake which may have occurred, and giving compensation in respect of any dormant or other claim which may have been overlooked at the time of registration. In Australia and New Zealand, *id.*, and in Tasmania, *id.*, in the pound is levied on all first registrations, and on every transmission on death afterwards, and yet, as shown by Mr. Brinkdale, "the funds have everywhere increased out of all proportion to the demands made upon them." He quotes some statistics, from which I extract the following:—

- South Australia*.—Twenty-two years' work; two titles cancelled; one compensation paid (£890); fund £40,000.
Tasmania.—Over eighteen years' work; no title cancelled; no compensation paid; fund (£*id.*) £5,000.
Victoria.—Eighteen years' work; one title cancelled; £924 paid in compensations; fund, £21,000.

Similar results are given for Queensland, New South Wales, New Zealand, and Western Australia.

Special facilities present themselves here for the provision of such a fund, which could be raised by the addition of a very small sum to the lease—say, at most, £5 for each £1,000—and of 1s. to the annual rentcharge. This would provide a larger insurance fund than that which has been found more than sufficient in the Colonies.

Registration of Title on principles resembling those of the Torrens' system, but with certain differences adapted to the institutions of the country, was adopted in Prussia in 1832. It would appear to have been successful there also, particularly in respect of the facilities offered to poorer landowners for dealing with their holdings. Under their system a holding can be mortgaged to secure £1 at a cost of about 10d. Sir R. Torrens may be again quoted on this point:—"I have had people in South Australia mortgaging their land for £7, because a man gets his mortgage for five shillings."

The usual objections will, of course, be urged by those who are averse to making any change in an established system. It is said that the dealings with land are so complicated, and the rights so manifold, arising from settlements, easements, &c., that Registration of Title is impracticable. The answer to this is twofold: First, the evidence of Sir R. Torrens, Sir A. Blyth, and others, shows that in Australia and New Zealand complications, brought about by exactly the same causes are constantly arising, and yet that no serious difficulty has been experienced; and, secondly, a tenant's holding in any rarely, indeed, made the subject of a strict settlement.

I would, therefore, earnestly press upon those who are charged with this special department of legislation the importance of taking this subject into their earnest consideration. I do not suppose that anyone can doubt that Registration of Title is the true system. Here we are obviously free from the great difficulty which still confronts the Land Transfer Reformers in England, viz. the difficulty of getting titles over the harbour-bar of Primary Registration; while the facilities for such a change offered by the present state of affairs are as clear as the advantages which are likely to accrue from it. Of one thing we may be certain—that as long as inquiry must be made in various quarters as to the liabilities of land, and as long as these inquiries are of such a nature as to necessitate the employment of an expert, who must employ another expert to advise him as to the proper mode of conducting them, so long will all dealings with land be attended with uncertainty, delay, and expense.

H. BROUGHAM LEECH, LL.D.,

Residing Counsel to the Land Commission (Land Purchase Department); Professor of Jurisprudence and International Law in the University of Dublin.

P.S.—Since the above Memorandum was written, a Memorial has been presented by the Ulster Lichens to the Chief Secretary, in which the Memorialists, after referring to the advisability of extending Lord Ashbourne's Act, use these words:—"In connection with this matter, your Memorialists venture to point out that a measure simplifying and cheapening the process of Land Transfer would be an enormous boon." I may add, that the transfer of land is much more common in the North than in other parts of Ireland, and that the Northern Law Society, Belfast, in reply to questions put by the Royal Commissioners of 1876, pronounced a decided opinion in favour of the system of Recording Titles.—H. B. L.

APPENDIX E.

PAPERS HANDED IN BY WITNESSES TO SUPPLEMENT THEIR
EVIDENCE

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1	LYNCH, S. J.,	{ A, 1009
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APPENDIX E.

PAPER No. 1.

PAPERS handed in by Mr. Commissioner S. J. LYNCH.

PART A.—Suggestions as to the Amendment of the Purchase of Land Act, 1881.

*Subject and proposed Amendment.**Reasons.**Guarantee Deposits.*

That the Land Commission might be authorized to dispense with a guarantee deposit when otherwise satisfied with the security.

That where a mortgage upon an estate is vested in trustees, such trustees may authorize the application of moneys payable to them in respect of such mortgage, to the purposes of a guarantee deposit, and that trustees being owners of an estate upon trust for sale should have like powers.

That the Land Commission should have the power upon the application of the owner of a guarantee deposit, to invest the deposit in any securities authorized by the Settled Land Act.

That the Commission should have power to release the deposit after a certain number of years, say after six annual instalments to release one-third, after twelve one-third, and after seventeen and a half one-third, and so according to the amount of the deposit.

Payments in Cash by Tenants at date of Purchase.

That some premium should be offered for the payment of a portion of the purchase money in cash. This could be done by extending the period, and reducing the rate in such cases the whole purchase money as at present, 4 per cent. for forty-nine years.

If one-fourth paid in cash the advance to be repayable at £3 18s. per cent. for	60 years.
If one-third at £3 9s. per cent. for	60 "
If one-half at £3 4s. 6d. per cent. for	60 "

Limit of Advances.

That notwithstanding the provisions of the 3rd subsection of the 34th sec. of the Act of 1881, the Commission may in any case in which they think fit, advance £5,000. But that no purchase under the Act shall obtain advances exceeding in the whole £5,000.

Constitutional Fasting Orders.

That as soon as the Commission being satisfied with the security, has provisionally sanctioned the advance applied for on the agreement between landlord and tenant, the Commission should have power to make an ad interim order, which would provide for the payment to the Commission by the tenant-purchaser of a sum equivalent to the annuity on the advance, and that pending the completion of the title and sale, that sum should be retained, and 3 per cent. set apart as representing the interest payable to the landlord.

Security for Advances and Recovery of Annuity.

That the advance by the State should take priority over all estates, interests, or charges, affecting the tenant's interest at the time of purchase. That subsection (c.) of section 4, which provides that all advances are to be secured by deed, should be repealed, and that the order of the Land Commission should be sufficient to charge the land with the advance. That

In a large number of cases, and having regard to the value of the tenant's interest, the holding is ample security for the entire advance. Where, however, the tenant has little or no interest, or is without capital, a deposit is necessary.

Without some such provision, the persons beneficially entitled to the mortgage or to the proceeds of the sale of estates vested in trustees, could contend that such investment was a breach of trust, and it is most desirable that such persons should be enabled to authorize such retention.

At present the Commission pays interest at 3 per cent. on the deposit. The depositors contend that they should get the larger rate of interest such investments would afford.

Under the Act, the deposit is retained until the entire deposit is repaid with interest. This in the case of one-fifth, involves the retention of the whole sum for seventeen and a half years, and if the deposits exceed a fifth, the period would be lengthened. It would be an advantage if a portion of the deposit could be released after the payment of a certain number of annual instalments.

The difficulty as to guarantee deposit would be lessened, and the security of the State enhanced, by adopting this course, and the deposits of the farmers now invested in banks at very low rates of interest, would be available towards such payments.

The Act of 1881 provides that in respect of any one purchase, the advance shall not exceed £3,600, unless for special circumstances the Treasury sanction the advance of £5,000. It will be seen, that if a tenant buys these holdings he can obtain £3,000, whereas £5,000 only represents the value of a farm of reasonable size. While it is desirable to encourage the purchase of their holdings by substantial yeomen, it is not desirable that one tenant of many holdings should be able to obtain advances exceeding £5,000.

The inevitable and necessary delay in the completion of title and sale after the preliminary agreement between landlord and tenant has been signed, causes loss and inconvenience to the landlord, and opens the door for repudiation by the tenant of his agreement. If the tenant was liable from the next sale day after signing his agreement, to pay in lieu of rent to his landlord, interest to the Commission, these difficulties would be obviated, and it would be only in the case of defective title in landlord or tenant, that the parties would be reverted to their original position, and the retention of the interest by the Commission would compel the landlord to complete his title rapidly.

The existing state of the law is most unsatisfactory. If a tenant's interest is charged or incumbered, while by the deed securing the advance he gives a first charge upon the fee, the advance is payable to the incumbrance on the tenant's interest. The execution by the tenant of a deed securing the advance also entails expense and delay, and so the charging order of

X x x 2

Subject and proposed Amendment.

order should carry with it all powers of sale now given by the deed executed by the tenant; and that in addition to the power of sale of the holding, the Act should provide that on default of payment of the annuity, the Commission should have power to issue a *f. f.* to levy the annuity due. The Commission should also have power upon sale to issue an order to the sheriff to put the purchaser in possession. Under the 16th section of the Act of 1885, application must be made in the High Court or County Court for such order, whereas under the 63rd section of the Landed Estates Act, the Land Judge issues his own order to the sheriff for delivery of possession.

Power of Tenants having limited Interests in Holdings to Contract for Purchase.

That the person for the time being in the actual occupation of a holding, and paying the rent reserved in respect of such holding under any contract of tenancy to the landlord, shall have power to enter into an agreement for the purchase of the holding from the landlord; and that thereupon the Commission may make the advance, notwithstanding that such person is not the absolute or beneficial owner of the holding, but is only in occupation as a tenant for life, trustee, or executor, or claiming to have some interest therein, but that the interest so acquired shall enure for the benefit of all persons claiming to have any interest in the holding.

Prevention of Fraud.

Provision should be made for the punishment of persons suppressing deeds or evidence, and provision will be found for this in the 42nd clause of the Sale and Purchase of Land Bill, 1886 (193).

Head Rents

That in addition to the power of apportionment of head rents, provided by the 10th section of the Act, the Commission should have power to make orders for the redemption of any rent or apportioned rent. The scale for redemption might be fixed by the Act, or by agreement between the owner of the rent and the owner of the land, with an appeal to the Land Commission, or by the Commission with an appeal to the Privy Council. Provision might be made against minute apportionments so that the amount to be redeemed would bear a fair proportion to the total rent, regard being had to the total quantity of the land subject to a head rent capable of being sold to tenants.

Improvements or Lay Tithes.

That there should be the same power for the apportionment and redemption of these as for tithe-rent-charge payable to the Land Commission.

Tithe-rent-charge and Quit and Crown Rents.

The prices for the redemption of tithe-rent-charge (fixed by the Church Act) twenty-two and a half years, and of quit rent (fixed by the Treasury) twenty-five years, are too high. These should be reduced.

Drainage and Land Improvement Charges.

That power should be given to the Board of Works to apportion any charge between lands to be sold and lands not to be sold, and that the amount so apportioned upon the lands to be sold may be redeemed.

Jointures and Annuities.

That the Commission should have power to apportion jointures and annuities as between lands to be sold and lands not to be sold, provision being made against minute apportionments, and that upon sale the liability in respect of such apportioned annuity or jointure shall be transferred to the purchase money.

Annuitants.

the Landed Estates Court under the Act of 1870 was sufficient to charge the lands with the advance made by the Board of Works, so should the order of the Land Commission be sufficient to charge the lands with the advance and carry with it all the powers of sale for the recovery of the annuity which are now sought to be taken under the deed. The power to levy the annuity by *f. f.* would be a cheap and effectual remedy, and would obviate the necessity of resorting to a sale of the land, and the small amount of some of these annuities renders it desirable that the remedy should be cheap, quick, and effectual.

Some provision of this kind is absolutely necessary. Having regard to the informal manner in which tenants deal with their holdings by will and settlement, the difficulty and expense of making title to a holding would often be prohibitive, and in cases of limited interests the power to purchase should be conferred.

It is desirable that penalties should be attached to the suppression of deeds or to the fraudulent creation of tenancies.

It is manifestly desirable that upon sale the fee-simple of the land should be vested in the occupier, freed from all outgoings, except the annuity to the State; and the existing system of dealing with head rents by indemnity is unsatisfactory as to the security to the State, and enhances the cost of conveyancing.

These titles are like head rents the subject of settlements and incumbrances, and under the existing law lapse sales.

Where lay tithes were sold in the Landed Estates or Incumbered Estates Courts, or when compensation was given by the Court to a purchaser in respect of tithe-rent-charge, the price was not measured at so high a rate as twenty-two and a half, and head rents of annuities so small as quit rents are not worth twenty-five years' purchase in the market.

When a landlord obtains an advance, the loan is registered against all the lands owned in the manorial. The expenditure may, however, have been only made upon a portion of the lands (perhaps those in the owner's occupation), in such cases it is a hardship that the landlord should upon sale of part of the lands be obliged to redeem the entire advance.

Jointures and annuities are great obstacles to sales. In the case of personal estate, jointures and annuities are payable out of stocks and other securities, so in the case of sale of land, subject to such annual outgoings, it would be no injustice to an annuitant to apportion, within proper limits, the annuity, and transfer part to the purchase money.

*Subject and proposed Amendment.**Reasons.**Mortgages.*

That upon sale of portions of land subject to a mortgage the Commission shall have power to compel the mortgagee to accept a payment on account of the principal sum due.

A mortgagee is not bound to accept a payment on account. The result is that when a portion of the land, subject to his charge, is converted into money, the sum realized has to be invested at 3 per cent, and the landlord is liable to pay the higher rate of interest secured under the mortgage, and the mortgaged lands are still subject, in conjunction with the fund, to the entire charge. Payments on account, within proper limits, do not prejudice the mortgagee, but they relieve the owner.

Insolvent Estates.

Where an estate is insolvent and the owner has no possible interest in the proceeds of the sale, it might be desirable that the mortgagee entitled to the residue should have power to contract for the sale of the whole estate through the Commission.

Mortgagees can now petition in the Land Judge's Court for the sale of such estates, but it might further facilitate sales if the Land Commission had power to deal with insolvent estates.

Sales of Residues.

Under the 5th sec. of the Act of 1885 the Commission can purchase an estate for re-sale if four-fifths of the tenants are willing to purchase their holdings, and under the 7th sec. the Commission may sell the residue, advancing to the purchaser half the price. It is desirable that a landlord selling directly to tenants should have power to sell residues, and that the purchaser should be able to obtain an advance of half the price. The limit as to number and value might with safety be reduced to three-fourths in all such cases.

Under the 47th sec. of the Land Act of 1870 a landlord having contracted for the sale, under the 2nd part of the Act, of an estate to the tenants where four-fifths in value were willing to purchase, could sell the residue, and the purchaser of such residue could obtain an advance of half the price. On sales by agreement between landlord and tenant, under the Act of 1885, the like facilities should be given and not be limited to the cases of estates purchased by the Land Commission.

Indemnities by Limited Owners upon Sale.

If upon the sale of portions of estates being settled land, it is necessary for the purpose of such sale to indemnify the lands sold from head rents and other outgoings, common to the entire estate, the tenant for life should have power to give a valid indemnity upon the residue not sold.

It would facilitate the sale of settled estates if limited owners had the power of giving such indemnities, and as they have the power of sale so too should they have the power of an absolute owner to provide such indemnity.

Amendment of sec. 10 of Act.

In this section incorporating sec. 79 of the Landed Estates Act, the words "Land Commission" should be substituted for "Land Judge."

This was manifestly an error in the original print.

Amendment of sec. 13 of Act.

The power of appointment of trustees under the Settled Land Act given by this section should not be limited to the cases in which the Commission purchases estates. The power of appointment should extend to all cases before them.

This was also an error. There appears to be no reason for this limit.

Definitions.

The definition of owners should be taken from the 33d sec. of the Land Act of 1870, or that section incorporated with this Act. The definition of a landlord in the 57th sec. of the Act of 1881, and the provisions as to the powers of limited owners in the 25th sec. of the same Act, and in clause 2 of sec. 29 of same Act render this amendment necessary.

Having regard to the provisions of the sections of the Land Act of 1881, referred to, and which are incorporated with the Act of 1885, very anxious questions arise as to the powers of, or manner in which some corporations and trustees for charities could exercise the power of sale to occupying tenants. This is a most necessary and important amendment.

The definition of "holding" should be enlarged so as to include any additional land not held under a contract of tenancy, but which, upon the occasion of the sale of a holding, the Commission may direct to be sold to the tenant with the parcel of land so held under a contract of tenancy.

This would facilitate sales in cases where it was desirable to add to the holding small parcels of land, such as plantations and bog, now in the hands of the owner.

Exclusion of certain Holdings from the Operation of the Act.

The definition of holding in the 57th sec. of the Act of 1881, the provision as to subletting contained in that section, and the provisions of the 56th sec. of the same Act, render it desirable that cases where there are sub-tenants who had had judicial rents fixed, or could get them fixed, demesne lands (unless devoted to the character of demesne), and holdings which include houses in towns, should be excluded.

If there is to be a large conversion of tenants into owners there should be restrictions against sales to tenants having middle interests, or sales of lands and holdings, to which the Act can hardly have been intended to apply, though technically within the definition of "holding" as found in the Act of 1881.

Subject and proposed Amendment.

Continuance to Purchasers under the Act of 1870 and 1881.

Tenant purchasers under either of these Acts should have the same benefits extended to them in respect of unpaid instalments as is provided for Church Tenants by the 23rd sec. of the Act of 1885.

Local Registries.

Having regard to sec. 14 of the Act of 1885, provision should be made for the establishment of Local Registries, and all cases in which advances are made should be locally recorded.

●
Assimilation of the Law of Succession in Freeholds to Chittels real.

The interest of a tenant in any holding acquired under the Act of 1885, or the fee-simple in which has been acquired under the Church Act or Land Acts of 1870 and 1881, should be for all purposes, personal estate without prejudice to any interest acquired by any dealing with or devolution of such holding before the passing of the amending Act.

Reasons.

There is no reason why those tenants who purchased at high prices and on less favourable terms as to repayment should be excluded.

There is no provision as to the duties of the Clerk of the Peace, when vesting orders or conveyances are transmitted to him, and the Act limits such transmission to cases of vesting orders or conveyances executed by the Commission. A conveyance from a landlord to a tenant need not be transmitted.

It is not desirable that holdings sold to tenants should be subject to the existing law as to entail and settlement.

Having been requested by the Royal Commissioners at the close of my examination upon the 16th October, to place before them such suggestions for the amendment of the Act of 1885 (other than in reference to local guarantees), as in my opinion were necessary, or would expedite and facilitate the working of the Act, I beg leave to submit the foregoing suggestions for their consideration.

S. J. LYSON

PAPER B.—Sent in by Mr. Commissioner S. J. LYSON.

34, Upper Merrion-street,
18th October, 1886.

It has occurred to me that it might be convenient for the members of the Royal Commission, and also facilitate further inquiries if I were to summarise the evidence which was elicited from me during my examination, on the 16th instant, upon the question "whether the operations of the Purchase Act of 1885 might be extended and expedited by providing security through the intervention of local authorities for loans advanced from public funds." While I consider that the terms offered by the Act of 1885 are sufficiently liberal in the measure of advance, the security to be taken, and the terms of repayment, to enable the great majority of the tenants in Ireland to acquire the ownership of their holdings, and that the £5,000,000 provided by the Act may be supplemented by further grants, upon the same conditions, without risk to the State, I am of opinion that there are a large number of estates now being brought into the market by incumbrancers, and being offered for sale by landlords to the occupying tenants, which, under existing conditions, are not capable of being transferred to the existing occupiers, either with advantage to themselves, or with adequate security to the State, upon the terms provided by the Act of 1885.

These estates are chiefly to be found in Ulster, in the county of Donegal, in Connaught, in the counties of Galway, Mayo, Sligo, Leitrim, and some portions of Roscommon; and in Munster, in the counties of Clon, Kerry, and Cork. The map which I have headed in indicates the unions where these estates are to be found, but, while in such cases the entire area of the unions is coloured, it is to be borne in mind that these areas include large estates of a very different character, and that the map is only intended to be an index to the unions where these estates may be found. There are also, no doubt, in other parts of Ireland isolated estates of this character, but it is not necessary to refer to them now.

The districts to which my observations are limited have been frequently referred to, and are known as "congested districts." The estates consist of a number of very small holdings irregularly divided, not sufficiently large to afford employment or support to the occupiers, and where the population are grouped together, often in wretched cabins, where sub-division exists, and is on the increase; where there are no local industries or public works to afford employment to the able-bodied, and where the inhabitants are usually dependent upon their earnings as migratory labourers in England or Scotland, during the summer months, for the means of support for their families. Their system of cultivation is of the most character. In the winter months they do little work. The chief crops are potatoes and patches of oats. In many cases no attempt is made to collect four-pasturage manure. Inferior artificial manures are bought upon credit, at high prices, and used to fatten the crop without permanent benefit to the land, and, when it becomes deteriorated by overcropping, it is left to run to pasture without the use of good seeds. In the spring the crops are set, and the able-bodied migrate, leaving the women and children to complete the summer's work, and procure fuel for the winter. If the season proves unfavourable, or the potato crop fails, or (as has been the case for some years), if by reason of the use of machinery or other causes, the market for agricultural labour in England or Scotland is depressed, the people are without the means of support, the cry of distress is raised, the food rates are increased, public grants are made for food and seed, and the population becomes demoralised by dependence on public charity. The districts become the reservoirs of agitation, and from them the stream of discontent is carried into other parts of Ireland, and the agricultural tenants in other and better circumstanced districts are taught to trade upon the wants and evils of their less favoured brethren.

The local overgrowth of population on these estates should be checked instead of being allowed to increase.

Now, the able-bodied, when they come to maturity, and have saved a few pounds out of their earnings abroad, contract, in the locality, early and improvident marriages, and another home is created, and another family raised on these wretched holdings. Sub-division cannot be detected or checked. The house is internally divided, and while the rent is paid by the nominal tenant in one sum, the fields are cultivated separately, and the rent is made up of the contributions of the holders who form members of apparently one household. Upon sale, notwithstanding the statutory provisions against sub-division and sub-letting, the evil could not be checked, and the existing state of things would be stereotyped.

I am, therefore, of opinion, that it is not desirable that occupiers of holdings under such conditions should be converted into proprietors, and that, while in the majority of such cases, the existing rents or the amounts payable upon purchase in lieu of rent, might be regarded as reasonable payments for such accommodation holdings, and that such payments are but a small proportion of the annual outlay of the occupier, and a reduction in which, or a total abolition of it, would make no material or permanent improvement in his social condition; the holdings cannot be regarded as affording (in the event of default in payment of the annuities) upon sale adequate security for the repayment of the advance made by the State of the entire purchase-money with guarantee deposit, and that the Land Commission could not be reasonably satisfied that upon the purchase of estates so circumstanced by them under the 5th section of the Act, a sale could be effected to the occupying tenants without risk of loss to the State. The estate maps which I have handed in will enable the Commissioners to form some idea of the manner in which the holdings have been sub-divided, the obstacles which such sub-division presents to proper cultivation of the land, and the difficulties which a mortgage would have in realising advances made thereon. Upon estates so circumstanced are usually to be found large tracts of bog upon which the tenants have rights of turbary, and often also mountain tracts over which the tenants have rights of grazing. Considerable sums of money have been expended on some of these estates by the landlords in draining and upon farm roads by means of advances obtained from the Board of Works, under the Land Improvement Acts. These bogs now valuable for the purposes of fuel, and capable of reclamation, would, if handed over to the existing occupiers, become deteriorated, and the improvements made by the landlords on such estates would not be maintained when the authority to enforce such maintenance was withdrawn.

The bankrupt condition of some of the unions where congestion exists, and the constantly recurring periods of distress in them make it essential that the strongest powers should be obtained to eradicate the disease at its source. We cannot hope for quiet or contentment until these plague spots are dealt with. Districts so circumstanced should be scheduled out of the general provisions of the existing purchase Acts. Estates of this character should be treated exceptionally. When offered for sale they should be purchased upon fair and reasonable terms by local corporations acting under a strong central board in Dublin, and with funds provided by the State or with State guarantee. Compulsory powers would have to be given for the removal of the surplus population, and the redistribution of the land into holdings of a suitable size having regard to the character of the soil, the nature of the district, and other local circumstances. The further development of the resources of the country, of fisheries and other local industries, which in each district have to be considered. These corporations should have power to acquire by purchase unencumbered lands when offered for sale in the district or in adjoining districts, and a judicious system of State-aided migration and emigration carried out.

The tariff laws should remain vested in the local

corporations, and while providing fuel necessary for the consumption of the occupiers of the new holdings they would also prove a valuable source of revenue under judicious management. The cut-away bog could be reclaimed, and would produce crops after a small outlay, or could be devoted to planting.

The mountain commons should also remain in their possession, the rights of grazing incident to the holdings being maintained—vacant lands when purchased should be divided into proper sized lots, and families migrated thereto, and the option of emigration, or migration might be given—all this will cost money, but the expenditure would be gradual. The expenditure now made out of the public rates, and by means of public grants in relief of distress would be saved. Remunerative employment would be found for local labourers in works of reclamation, in the maintenance of works on corporate property, and in the rearrangement of the old holdings and creation of the new ones. The limitarian area of a farm depends not much on local surroundings to lay down any hard and fast rule, the overcropping may be only partial, some tenants may hold farms it may be undesirable to disturb, while others hold scattered lots which might be treated by exchange. These are all matters to be dealt with by the local corporation with local knowledge.

When an estate so purchased had been re-divided and the work of migration completed the holdings could be sold by the corporation (as landlords), to the newly created tenants through the intervention of the Land Commission, the expenses incurred in the fencing of the holdings and the erection of houses being added to the price of the land, and thus the work of relief of congestion, and the creation of peasant proprietors would be carried out.

The price to be paid for estates so to be acquired by these corporations could not be fixed merely upon the basis of the annual rents paid by the tenants for their existing holdings, regard should rather be had to the saleable value of such land if it were re-arranged so as to be let in reasonably sized holdings, and also to the saleable value of the turbary and mountain—such estates could be obtained at very moderate rates leaving a margin for return on further outlay by the corporation on the rearrangement.

A great deal of evidence was given before the Richmond and Bomborough Commissions in relation to these congested districts, and I would refer to the evidence of Lord Dufferin, Mr. Tuke, Mr. Vere Foster, Mr. Edmund Murphy, Mr. Baldwin, Major Robertson, Sir John Ball Green, the Rev. P. Lyons, &c. It was estimated by one of the witnesses that £2,500,000 would at the utmost be required as an advance for such a scheme.

The second part of the Finance Act under which £50,000 is still available for the purposes of migration, and the Labourers Act, 1885, afford precedents for the manner in which such a scheme could be carried out.

In conclusion, I desire to state that I have only attempted to direct attention to the necessity of immediate legislation in relation to these districts and to indicate generally the lines upon which such legislation might run.

The work is not one to be undertaken by private companies or existing local bodies constituted under existing Acts. It must be the work of the State, but acting through the intervention of local corporations specially constituted for the purpose, possessing local knowledge, but controlled by a central board sitting in Dublin.

By the creation of such State-aided corporations the condition of the inhabitants of these districts would be permanently ameliorated, and the operation of the Act of 1885 expedited and extended in a healthy manner by providing security through the intervention of local authorities for loans advanced from public funds.

S. J. LYNCH.

PAPER C.—Handed in by Mr. Commissioner S. J. LYNCH.

PURCHASE OF LAND (IRELAND) ACT, 1885.

LOANS APPLIED FOR.						LOANS SANCTIONED.						LOANS ISSUED.					
To 31st December, 1888.			For Month of January.			Total to 31st January, 1889.			To 31st Dec., 1888.			For Month of January.			Total to 31st January, 1889.		
Province.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	
		£		£		£		£		£		£		£		£	
ULSTER.	3,248	655,661	44	59,666	3,374	710,429	1,667	637,516	186	66,164	7,129	163,716	1,435	616,640	68	26,436	
LEINSTER.	818	646,937	181	86,318	3,061	741,348	605	660,664	181	61,661	737	291,184	973	506,567	189	61,618	
MUNSTER.	1,100	774,075	34	26,968	1,134	786,075	731	681,273	261	67,163	642	605,262	216	246,466	31	26,960	
CONNAUGHT.	543	375,661	66	1,866	617	596,161	568	61,556	67	13,564	616	317,366	66	56,160	—	—	
TOTAL.	4,709	2,855,177	566	168,769	5,186	2,845,614	3,571	2,447,616	467	261,746	8,521	1,461,664	1,691	646,612	168	66,616	

PAPER No. 2.

PAPER A.—Handed in by C. U. TOWNSHEND.

SALES IN LAND COURT (IRELAND).

TABLE showing Average number of Years' purchase obtained for Landed Estates (held either in Fee, Free-farm, for Lives renewable for Ever, or for terms of Years of which Sixty shall have been unexpired) sold in Land Court from 1865 to 1883, with Gross Average, Profit Rent, and Purchase Money of such Estates.

Compiled from Returns presented to Parliament, 1870, 1882, and 1883.

	Year.	Average No. of years Purchase.	Average	Profit Rent.	Purchase Money
			£ s. d.	£ s. d.	£ s. d.
Earl of Donoughmore.	1865	20	56,631 8 10	46,662 3 6	661,566 37 6
	1866	20	61,574 3 6	56,714 13 7	746,566 0 0
	1867	21	156,565 8 16	56,772 6 5	635,566 16 5
	1868	22	61,726 8 7	56,816 4 4	546,566 0 0
	1869	21	66,136 3 52	56,667 13 4	602,577 20 4
	1870	20	61,664 3 50	51,816 14 6	602,516 0 0
	1871	21	16,816 3 58	6,876 0 0	516,661 0 0
	1872	22	76,611 1 33	61,664 6 3	666,572 3 6
	1873	22	61,564 0 36	56,564 6 6	716,571 6 6
	1874	23	156,665 0 65	66,666 16 6	1,246,565 0 0
Duke of Angles.	1875	24	66,516 1 21	62,666 12 0	612,116 6 0
	1876	25	67,666 1 22	66,566 0 6	662,666 16 4
	1877	26	66,666 1 25	66,666 14 6	1,176,671 26 10
	1878	26	76,666 3 56	66,666 16 6	1,246,571 26 10
	1879	27	66,666 3 26	66,771 26 1	766,666 0 0
	1880	28	66,666 3 26	76,666 12 6	666,666 0 0
	1881	29	66,666 3 26	66,666 6 6	1,176,671 26 10
	1882	30	66,666 3 26	66,666 6 6	1,176,671 26 10
	1883	31	66,666 3 26	66,666 6 6	1,176,671 26 10
	1884	32	66,666 3 26	66,666 6 6	1,176,671 26 10

PAPER No. 2.

PAPER B.—Handed in by C. U. TOWNSEND.

TABLE tending to show that in those counties where distress and (consequently) disinfection, have been the greatest, they result from causes other than the relationship between Landlord and Tenant.

That the poverty of the inhabitants is mainly due to the following causes:—

- (1.) The inferiority of the land in the county.
- (2.) The amount of waste land.
- (3.) The number of small holdings (from 1 to 15 acres), compared with the amount of cultivated land.
- (4.) The number of families who are dependent on agricultural pursuits.
- (5.) The want of education of the inhabitants, as shown by the percentage of those who can neither read nor write.
- (6.) The small amount of emigration from those counties where the agricultural population is excessive.

COUNTIES AND PROVINCES.	VALUEABLE.	WASTE LAND.	HOUSEHOLDS.	AGRICULTURAL POPULATION.	EMIGRATION.	EMIGRATION.
	Average per Acre, 1879.	Per centage in 1879.	Per centage from 1-15 Acres, 1879.	Per centage of Families so employed, 1871.	Per centage who can neither Read nor Write, 1891.	Yearly Average to 1,000 of the Population, 1870-74.
	A. C.	Acres.				
Dublin,	119 2	18 4	36 3	12	30 2	4 9
Antrim,	22 16	18 4	36 3	30	14 8	10 0
Armagh,	36 8	10 0	37 4	40	20 4	10 2
Down,	50 3	14 6	32 0	49	18 8	10 8
Louth,	22 4	19 2	29 8	41	20 0	7 4
Monk,	18 10	7 4	42 0	61	20 1	11 0
Meath,	14 7	11 4	36 4	65	20 7	11 4
Offaly,	18 2	14 0	41 8	51	20 0	4 7
Monaghan,	11 0	11 0	26 0	55	22 6	10 0
Carlow,	16 12	12 0	31 1	40	20 0	10 0
Londonderry,	16 7	20 8	40 7	31	20 4	11 0
Waterford,	14 7	18 0	40 0	46	21 0	8 0
Kilkenny,	14 8	18 4	20 0	58	20 4	7 4
Wick,	12 11	20 0	31 4	47	20 0	9 4
Cork,	10 0	22 0	30 0	40	20 0	10 0
Wexford,	11 0	11 0	30 0	35	21 0	10 0
Tipperary,	12 11	20 0	26 0	60	20 0	11 0
Queen's,	10 8	17 0	37 0	57	20 0	10 4
Longford,	11 10	20 0	40 0	49	20 0	10 0
Cavan,	11 4	14 0	40 0	32	20 0	10 0
Fermanagh,	11 0	14 0	40 0	40	20 0	10 0
Tyrone,	12 0	20 0	42 4	47	20 0	10 0
Wicklow,	10 10	20 0	30 7	53	20 1	4 0
Down,	18 1	10 1	32 4	75	20 0	0 0
King's,	8 12	20 8	44 4	49	20 0	11 4
Queen's,	0 1	20 4	18 4	73	40 1	7 0
Queen's,	0 2	20 0	27 2	65	40 0	10 1
Louth,	7 0	20 0	40 1	77	30 0	11 1
Queen's,	8 4	20 0	20 0	67	20 4	4 7
Queen's,	6 0	20 0	40 0	68	40 0	10 0
Queen's,	4 11	20 0	30 4	50	41 0	11 0
Queen's,	4 0	40 0	37 4	70	40 4	0 0
PROVINCES.						
London,	10 1	16 0	40 0	40	20 0	4 4
Queen's,	10 12	20 7	40 0	61	20 4	10 0
Queen's,	11 5	20 0	20 0	60	20 0	11 0
Queen's,	8 0	20 0	22 7	70	40 0	0 0
IRELAND,	10 4	24 0	40 0	40	20 4	11 1

PAPER No. 3.

PAPERS handed in by DAWSON A. MILLWARD.

PAPERS A, B, C

RETURN I.—DAVINSTOWN.

Average Collection in periods of Five Years.	Yearly Rent.	Increase on Arrears.	Per centage of Increase on each Year.	Collection per annum per week.
	£ s. d.	£ s. d.		
September, 1864, to March, 1865, ..	470 11 3	343 16 4	73	96 6
September, 1865, to March, 1866, ..	Same.	337 12 3	63	32 3
September, 1866, to March, 1867, ..	Same.	412 0 0	4 1 6	106 6
September, 1867, to March, 1868, ..	Same.	38 0 0	2 6	37 6
September, 1868, to March, 1869, ..	Same.	516 12 3	6 6	123 6

* Increase.

RETURN II.—COLLECTIONS—AVERAGES.

REVENUE OF LAND.	For Five Years from November, 1874, to May, 1875.					For One Year, November, 1874, and May, 1875, running Dates.				
	Yearly Rent.	Increase on Arrears.	Per centage of Increase on each Year.	Amount allowed and per centage.	Collection per annum per week.	Gross amount collected, including allowances.	Amount allowed.	Increase of Arrears.	Collection per week.	
	£ s. d.	£ s. d.		£ s. Per cent.		£ s. d.	£ s. d.	£ s. d.		
1. County Waterford, ..	512 11 8	—	—	379 2 7 = 35	645	519 17 0	50 1 8	—	65 4	
2. County Wicklow, ..	370 11 9	212 12 3	54	378 8 1 = 45	864	337 5 11	55 15 30	850 8 6	440	
3. " ..	574 7 6	—	—	80 8 2 = 3 8	927	518 12 1	3 0 0	87 8 8	20 4	
4. " ..	436 10 0	156 5 3	27	37 12 = 4 8	638	518 12 11	2 1 10	180 16 2	73 7	
5. " ..	510 0 0	261 18 8	52	437 3 8 = 30 1	950	522 8 7	38 0 0	25 19 2	80 7	
6. " ..	512 14 3	47 18 8	9	393 3 30 = 3 1	450	513 18 4	10 0 0	137 3 3	73 0	
7. " ..	482 1 7	237 18 10	11 5	145 19 7 = 4 0	827	508 17 8	20 10 8	348 5 3	61 0	
8. " ..	754 10 0	77 7 6	10 8	61 37 8 = 8 7	650	48 3 0	8 0 0	41 31 7	33 5	
9. " ..	136 0 0	—	—	17 34 = 2 2	377	136 8 0	12 8 0	—	30 9	
10. " ..	600 0 0	122 8 8	6 6	60 22 0 = 2 5	821	546 15 11	27 17 7	0 30 7	34 8	
11. " ..	507 14 10	112 0 11	7 6	36 6 8 = 2 2	828	138 1 8	—	143 15 13	42 9	
12. " Town rents, ..	1,512 12 11	157 15 8	5 5	—	875	1187 5 8	—	261 3 7	32 3	
13. " ..	618 18 0	—	—	593 34 = 4 6	818	623 1 7 6	250 9 0	66 8 8	14 0	
14. " ..	1,410 11 10	566 0 0	81	181 12 3 = 2 5	864	541 5 11	4 8 0	264 7 8	72 8	
15. " ..	610 7 2	—	—	379 18 4 = 7 2	828	512 2 11	51 2 0	305 6 3	37 7	
16. " ..	863 2 8	261 2 0	37	83 10 = 2 1	928	535 12 2	36 8 4	34 35 7	54 1	
17. County Cork, ..	542 9 8	—	—	40 0 0 = 2 2	773	500 9 8	59 0 0	—	50 0	
18. " ..	607 5 8	5 0 0	1 0	—	908	501 7 6	1 13 11	185 27 8	190	
19. County Wicklow,* ..	616 8 8	61 11 11	8 8	—	645	560 16 18	2 0 0	87 25 0	54 0	
20. " ..	261 7 4	—	—	5 14 8 = 2 6	353	150 8 4	—	—	32 0	
21. " ..	347 7 4	—	—	—	280 3	478 17 2	0 18 0	44 0 8	38 0	
22. King's County, ..	261 10 2	—	—	—	308 9	501 9 0	—	—	308 0	

* For Two Towns from September, 1871, to March, 1874.

RETURN III.—SHOWING THE PORTION OF LANDLORD AND TENANT UNDER "THE PURCHASE OF LAND (IRELAND) ACT, 1885.

Prepared by Mr. Dawson A. Millward.

LANDLORD'S PRESENT RECEIPTS.

Judicial or other fixed rent—receivable after paying Tithes, Quilt Rent, &c. ... £100 0 0

DEDUCTIONS TO BE MADE THEREFROM.

I. Credit—Arrears lost—Allowances to Tenants—Vacant Land—Beddy's Fee—

Law Expenses ... £10 0 0

II. Half Poor-rate ... 2 10 0

III. Income Tax ... 2 10 0

IV. Agency Commission ... 5 0 0

20 0 0

Net Income to expend ... £80 0 0

PAPERS D, E.

LANDLORD'S FUTURE RECEIPTS BASED ON YEAN'S PURCHASE OF WHICH HE SELLS.

YEAN.	Purchase Money.	Interest on Investment—Less Income Tax at 4½.	
		@ 4½ per cent.	@ 4 per cent.
	£	£ s. d.	£ s. d.
31 Years, . . .	2,500	65 8 3	51 10 0
34 " " " "	2,400	61 35 0	49 15 0
36 " " " "	2,300	58 8 0	46 14 0
38 " " " "	2,200	55 1 8	44 18 8
40 " " " "	2,100	52 10 0	42 13 0
42 " " " "	2,000	49 5 0	39 0 0
44 " " " "	1,900	46 12 0	36 9 0
46 " " " "	1,800	43 8 8	33 4 0
48 " " " "	1,700	40 9 8	30 8 0
50 " " " "	1,600	38 15 0	28 9 0
55 " " " "	1,500	35 8 8	25 15 0

- I. It may be thought that this item has been put at rather a High figure, and on the average of 30 years past, it would be found high on most estates on old rents, and with reduced or judicial rents, it should be the same. If, however, it is reduced, it would raise the amount set down for the nett income, and therefore raise the income required to be made good by the purchase-money or its investment. If it is left at 10 per cent. on judicial rents, it should be a guarantee for the safety of the income, on the average of a series of years, even on second-class estates.
- II. This item is taken as an average for Poor-rate allowances, as even if rates are over 1s. in the pound, the Poor Law valuations are, in some cases, still below the judicial rents.
- III. Having deducted Income Tax from present receipts, it has also been deducted from future income.
- IV. This payment is, of course, optional, but as it is customary on most estates, it has been included.

With these deductions allowed from judicial rents, it is thought that the nett income will be found well secured on all, unless very exceptional estates.

As it is impossible to make an average estimate of the outgoings for Quit Rent, Tithe, Head Rents, and other charges payable on the various estates, the calculations have been made on the assumption that these charges have been released out of the gross purchase-money.—It must be borne in mind that any excess in years' purchase paid for them over the number of years' purchase received, must be made good by the vendor, to the detriment of his capital for future investment.

It must also be borne in mind that the guarantee deposit of one-fifth of the purchase-money is only to receive 3 per cent. for 17½ years at least, and possibly for many more; and further, that there is the contingency of its being converted from a charge on the Consolidation Fund, into a second charge on a property which the Land Commission have declared to be unsaleable.

TENANT'S PRESENT PAYMENT.

Judicial or other fixed rent—Gross £100 0 0

TENANT'S FUTURE PAYMENTS.

I. Interest on purchase-money as per table below . . . . .	...	...	...	...	...
Debits formerly paid or allowed by the Landlord, but going to the advantage of the Tenant, and now to his loss, viz:—					
II. Credit—Arrears waived—allowances . . . . .	...	...	...	...	10 0 0
III. Half Poor-rate . . . . .	...	...	...	...	2 10 0
IV. Income Tax . . . . .	...	...	...	...	2 10 0
					£15 0 0

YEAN.	Purchase Money.	Interest at 4 per cent.	Debits as above.	New Rent for 50 Years.
	£	£	£	£
31 Years, . . .	2,500	308	18	213
34 " " " "	2,400	28	18	111
36 " " " "	2,300	82	12	107
38 " " " "	2,200	83	18	183
40 " " " "	2,100	61	18	29
42 " " " "	2,000	60	18	82
44 " " " "	1,900	55	15	81
46 " " " "	1,800	72	15	57
48 " " " "	1,700	68	15	83
50 " " " "	1,600	54	15	78
55 " " " "	1,500	30	15	79

PAPER E.—continued.

- I. The amount of this item depends on the arrangements made with the vendor, as to the number of years purchase to be paid.
- II. This item includes the important one of credit which, to the average holders of small farms in Ireland, is of great consequence, as hitherto landlords have generally allowed running sales of six months, and in many cases twelve months credit, and have, in addition, given time to realize produce, whereas in future the Government will require punctual payments of the instalments, and will only give one month's credit. In case the purchaser has not got the money ready, he will have to pay for credit at the Bank, or will have to sell at a sacrifice, and the loss of the credit to which he has been accustomed, will be very serious. The chance of arrears does not affect wealthy tenants, but it is an item of consequence to the average small farmer. The chance of allowances say for improvements or losses by illness, or by seasons, is to the average farmer, and with the average landlord, an item of considerable importance, which will not be recognized by the Government collector. The lower the class of farms go the more important these items become.
- III. The whole Poor-rate must in future be paid by the occupier.
- IV. Income Tax is charged on all incomes where the gross income from all sources is over £150 a year, and as the value of the land with in future be added to the occupation profit of the farmer, the result will be to include a great many farmers now exempt, as payers of this tax, particularly as no allowance can be made on instalments of purchase-money payable. As the landlords dispose of their large estates, and the Government lose the tax, the tendency with the Income Tax collectors will be to try by all means to include as many of the new proprietors as possible, and therefore this item has been included as a probable charge.

PAPER No. 4.

PAPER sent in by Sir WILLIAM COTTEGRAM, to show the Expenses of Management of the Manor of Drogheda, from 1870 to 1886 inclusive.

英 金 鎊				英 金 鎊				英 金 鎊			
1870.	-	-	1,345 5 2	1876.	-	-	1,825 14 2	1882.	-	-	1,834 4 8
1871.	-	-	1,355 15 10	1877.	-	-	1,834 4 8	1883.	-	-	1,814 35 9
1872.	-	-	1,340 17 8	1878.	-	-	1,814 35 9	1884.	-	-	1,811 10 1
1873.	-	-	735 13 2	1879.	-	-	1,811 10 1	1885.	-	-	1,137 15 5
1874.	-	-	1,635 5 7	1880.	-	-	1,137 15 5				
1875.	-	-	1,475 9 13	1881.	-	-					

GENERAL EXPENDITURE on the Estate and on Charities, &c., from 1882 to 1886 inclusive.

英 金 鎊				英 金 鎊				英 金 鎊			
1882.	.	.	2,556 7 1	1884.	.	.	2,645 1 10	1886.	.	.	2,750 0 0
1883.	.	.	2,757 13 5	1885.	.	.	2,605 4 11				

This Return refers to queries 9125-26-27 and 9140.

PAPER No. 5.

PAPERS handed in by GEORGE F. FRENCH, of Abbeylands, Ardara, County Kerry, being Tables referred to in his evidence.

TABLES A. and C.

ARREARY ESTATE.

Name.	Date of Fixing.	Rent Fixed.	Date of 1st Revision.	Revised Rent. 1.	Rent Paid.	Date of 2nd Revision.	Revised Rent. 2.	Rent Paid.	Date of 3rd Revision.	Revised Rent. 3.
		£ s. d.		£ s. d.	£ s. d.		£ s. d.	£ s. d.		£ s. d.
Rev. O'Brien.	Sept. 1873.	600 0 0	Sept. 1873.	515 5 4	418 8 6	Sept. 1875.	555 15 3	540 7 4	Sept. 1878.	555 15 3
Thomas Carey.	April 1880.	180 0 0	Mar. 1878.	185 4 11	95 10 1	Mar. 1880.	201 15 4	—	—	—
William Feller.	April 1880.	41 0 0	Mar. 1880.	40 10 8	30 12 10	Mar. 1885.	50 14 5	—	—	—
Thomas Roche.	Mar. 1880.	71 0 0	Mar. 1880.	73 17 8	60 10 0	Mar. 1885.	68 12 0	—	—	—
Thomas Roche.	Mar. 1881.	155 0 12	Mar. 1884.	155 2 5	161 4 4	Mar. 1887.	—	—	—	—

The above table shows that:—(1.) Even under a system of Revising Rents triennially, the dependence of the years 1879-1880 rendered it difficult for Tenants to meet the Rents. (2.) That Landlords may be trusted to meet with required indulgence, exceptional need. (3.) That for a complete system of fluctuating Rents, prices are an insufficient basis. Quantities also must be taken into account.

TABLE E.
FARMS IMPROVED BY LANDLORD.

NAME.	1. Landlord's Outlay on which interest at 4 per cent. has been added to Rent.	2. Interest on Borrowed Loan in- cluded in column 1.	3. Old Rents with Interest added, see previous columns.	4. Judicial Rent fixed by Court.	5. Government Valuation.	6. Proportion of Outlay spent on Buildings and included in the present Government Valuation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
George Lynch,	302 8 4	8 10 0	35 23 4	38 0 0	7 10 0	7 10 0
John Lawlor,	403 16 3	9 14 0	47 7 8	50 10 0	25 1 0	—
Michael Fitzgerald,	228 22 8	13 4 0	30 1 6	46 0 0	44 2 2	10 0 0
John Egan,	286 0 3	18 10 3	264 2 0	210 0 0	220 0 0	90 0 0
Michael Stack,	182 10 3	5 17 8	61 4 0	52 0 0	8 0 0	—
James Flaherty,	128 5 0	3 8 0	40 10 4	21 0 0	26 10 0	5 0 0
Michael Nathan,	61 0 0	—	72 4 0	88 10 0	54 0 0	37 12 0
Thos. William Sullivan,	500 0 0	8 0 0	103 10 4	120 10 0	48 10 0	200 0 0
	1690 14 10	*41 6 8	608 2 1	487 10 0 Superior above Govt. Valuation	616 10 0	210 1 3 Reduction, 10 2 per cent.

* This interest has not been charged in the Rent, but it is added in Column 3 to make the comparison perfect.

TABLE F.
FARMS NOT IMPROVED BY LANDLORD DURING RECENT YEARS.

NAME.	Government Valuation.	Old Rents.	Judicial Rents.	NAME.	Government Valuation.	Old Rents.	Judicial Rents.
	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
Patrick Stack,	10 0 0	27 10 0	27 0 0	Timothy Flaherty,	3 0 0	14 1 2	20 1 0
Michael McEligott,	22 0 0	187 11 10	27 0 0	Will McConna,	4 0 0	19 11 4	5 0 0
David Teoh,	8 10 0	31 7 0	15 10 0	Best Cowan (Clerk),	10 0 0	69 14 8	20 0 0
Denis Donohue,	51 10 0	68 17 0	28 0 0	Best Cornet,	8 0 0	30 12 3	13 0 0
Sam Lawlor,	17 10 0	23 10 0	22 0 0	Daniel Hayes,	11 10 0	27 0 0	18 0 0
Thomas Donohue,	8 10 0	14 10 0	12 0 0		100 10 0	361 12 2	*260 0 0

* 67 per cent. above Government Valuation; Reduction, 12 per cent.

The above Tables prove that the more a Landlord improves, the less rent he is to get. Improved farms are reduced 30-6 per cent., unimproved only 18 per cent.

They also prove the ignoring by the Land Court of Landlord's improvements, because, although the Government Valuation is not revised except for buildings, the Judicial Rents of farms drained and fenced by the Landlord is only 1 per cent. higher, as compared with the Government Valuation, than farms not improved by him.

Col. 6 shows how small a proportion of the outlay was spent on buildings and recognized in the Government Valuation.

TABLE D.
ESTATE OF WILLIAM T. TALBOT COCHRAN, Esq., AGENT, GEO. F. TRENCH, Esq.

NAME.	Rents of 1862.	Landlord's Expenditure since 1862.	Judicial Rents.	Profits.	Price of 1869.	1870, 1871, 1882.	Price of 1862.
	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
Thos. Margaret Barrett,	181 14 0	701 0 11	180 0 0	Ouir,	0 3	7 0	0 0
Michael Ryan,	57 0 0	203 10 0	64 0 0	Indry,	7 1	7 1	7 1
Michael Fitzgerald,	20 16 4	283 12 8	61 0 0	Baker,	58 0	165 0	60 0
John Egan,	285 2 10	208 4 0	213 0 0	Wood,	14 0	30 0	21 0
Michael Stack,	33 11 4	145 7 5	92 0 0	Mutton,	60 0	78 0	61 0
James Flaherty,	24 0 0	114 10 0	81 0 0	Pork,	40 0	48 0	60 0
John Sullivan,	50 0 0	48 10 0	26 0 0	—	—	—	—
George Lynch,	57 0 0	108 0 0	24 0 0	—	—	—	—
	622 10 0	2,072 2 8	480 0 0	—	—	—	—

Reduction 16 per cent., or, excluding Margaret Barrett's case, 20 per cent.

Object of the above table is to show that comparing two years 1863 and 1885 in which prices of staple produce were nearly the same, and rents ought consequently to be nearly the same, reductions have been made by

TABLE D.—continued.

Land Commissioners, in spite of the fact of large expenditure by landlord in improvements between the two years.

If the average price for three years, 1883, 1884, and 1885, be taken instead of for 1885 only, the result will be even more startling. For by this test the rent in every case should have been raised for increase in prices, even supposing no expenditure in improvements have been made by landlord.

The rents of 1885 were paid without arrears, or on an average of years 3 per cent. represents arrears.

TABLE B.—CORK MARKET.

Average prices of Buttes.

			£	s.	d.
1876, mean between first and second, per cwt.,	"	"	6	12	10
1877, 1878, 1879,	"	"	5	4	0
1880, 1881, 1882,	"	"	5	12	0
1883, 1884, 1885,	"	"	4	19	6
1886, seven months,	"	"	3	18	8

The above return is furnished from the Official Tables of the quotations in the Cork market on the eight months of the season, April to November, on the second Monday of each month, and in the mean between the price of "firsts" and "seconds" for "country."

PAPER No. 6.

PAPER handed in by the Rev. Canon GRIFFIN, as a supplement to his evidence.

To be added to the evidence given on Friday, the 12th inst., at the Railway Hotel, Killarney, before the Royal Commission, by the Rev. Canon Arthur S. Griffin, F.R., Millstreet, Co. Cork.

Lord Ashbourne's Act.—I think if the term for repaying the purchase loan, under the Land Purchase Act, could be extended to sixty-five years, or to a longer term, it would induce many farmers to come to a settlement with their landlords, as the encumbrance would be much lighter, and they would not be so much afraid of the probable taxation as they are at present. A special clause to this effect may be added to Lord Ashbourne's Act, but I am convinced that the only solution to the present unsettled state of the country is, as I stated before, compulsory sale and purchase, and in sanctioning all transfers of land, sub-division should be carefully guarded against beyond a certain limit. Powers should be vested in the County Court Judge to transfer, at a small cost, the interest of peasant proprietors who may wish, or be obliged to sell their holdings; and sub-letting should also be prohibited, otherwise a new race of landlords would, after a time, be established. All mortgages or legal claims against peasant proprietors should be immediately notified to the County Court Judge, or to a local solicitor appointed to act in his absence, in order to avoid delay in case of sale, and if this registration was neglected for one calendar month the claim should be invalid. This compulsory Act appears very necessary where sub-letting has taken place, because two out of three having interests, are, in some cases, satisfied with the terms proposed, but the third party will not consent to sell on any terms. I know a few cases where the landlords are anxious to sell to their tenants, but parties to whom they pay small head rents will not accept even 50 years' purchase for their claims. In this parish there are, in a few instances, three rents paid—the farmer pays his landlord, who makes as a gentleman; he pays a rent to another, holding the same position; and the third pays to a fourth, occupying a higher position. It is utterly impossible that farmers, occupying these lands, can avail of the advantages of Lord Ashbourne's Act.

With regard to the Land Act of 1881, I think conditions and mortgages should suffer pro rata where the tenant has fixed judicial rents. It appears very hard that the actual landlord is obliged to pay the full amount of charges left on the estate by his father or grandfather, who supposed the inheritor would enjoy the same income he possessed, but which is now considerably reduced by non-payment of rent, and reduction of rent. This reduction having been caused, 1st, by a legal process, under the Act, and 2nd, by a depression of agricultural produce, which obliges him to make still further substantial reductions to his tenants. Yet he has to pay to the penny the annuities and mortgages, which is a dreadful hardship, and in many instances jeopardizes him.

Technical Education. I believe to be absolutely necessary throughout the country, in order that the farming class would abandon their present system of agriculture, and properly develop the resources of the land. Agricultural schools should be established in every county where the sons of farmers may for a small pension get theoretical and practical instruction during two years, and their daughters, for six months, in cookery and butter-making. I always thought that a Minister of Agriculture, on the French system, would be of vast advantage to Ireland. Technical education on various other branches of industry would develop the tastes of the people in general, and make them more refined.

Deep Sea Fishing.—In the congested districts along the sea coast, much misery could be averted by the development of deep sea fishing. Everyone who has lived on the Cork and Kerry sea coasts knows that there is a mine of wealth close by, and that the want of capital leaves it untouched, except by the stranger. One priest, Father Davis, F.R., of Cape Clear, has done wonders for his people, and if encouraged can give valuable information on deep sea fishing. It is quite certain that in remote parts of Kerry, if the tiller of the soil got these small holdings free, and even taxes paid for them, they cannot exist on them. Deep sea fishing is the only outlet at home for them, or the only industry available.

PAPER No. 7.

PAPER handed in by F. J. JOYCE, entitled a "PLAN OF CAMPAIGN."

Supplement to *United Ireland*, Saturday, November 20, 1896.

A PLAN OF CAMPAIGN.

A MEMO. FOR THE COUNTRY.

Except in a few districts of Ireland, evictions have not been so numerous during the past two months as in the earlier portions of the year. This is simply the annual breathing time of the crowbar brigade. The "Jenny-catchers" in the Superior Courts, however, now drawn to a close, and already the County Courts have resumed their quarterly sittings. Ejectment processes have been issued wholesale, writs of the Superior Courts will soon follow, and again the full work of destruction will proceed. Irish homes sanctified by many happy memories will be unroofed; Irish families will be scattered. One who has borne his part in the struggle of the past half dozen years, who has seen almost every phase of the agitation, thinks it his duty at the present critical moment to offer to the Irish tenantry and their friends the following suggestions as the result of his experience. Present rents, speaking roughly, are impossible. That the landlords will press for them let the rejection of Mr. Parnell's Bill testify. A fight during the coming winter is therefore inevitable, and it behooves the Irish tenantry to fight with a skill begetten of experience. The first question they have to consider is

HOW TO MEET THE NOVEMBER DEMAND.

In a few weeks at most the agents will issue invitations from the rent-office. There should not be an estate in Ireland where the tenants would not by that time have their minds fully made up as to the course they intend to pursue. To delay action until the gale-day means to go into the struggle handicapped. Should combinations be formed on the lines of branches of the National League or merely by estates? I say by estates decidedly. Let branches of the National League, if they will, take the initiative in getting the tenantry on each estate to meet one another. But it should be distinctly understood that the action or resolution of one estate was not to bind any other, and the tenantry on every estate should be free to decide upon their own course. When they are assembled together, if the point be not with them, let them appoint an intelligent and sturdy member of their body as chairman, and after consulting decide by resolution on the amount of abatement they will demand.

A committee consisting, say, of six and the chairman should then be elected, to be called a Managing Committee, and to take charge of the half year's rent of each tenant should the landlord refuse it.

Everyone present should pledge himself (1) to abide by the decision of the majority; (2) to hold no communication with the landlord or any of his agents, except in presence of the body of the tenantry; (3) to accept no settlement for himself which is not given to every tenant on the estate.

Should any tenants be excepted? Question is likely to be raised as to large holders. It should be remembered, however, that the large tenant plays for high stakes, and there is no reason why he should not throw in his lot with the rest. Holders of town-parks who are shopkeepers have a stronger claim to exemption, for a judgment against them may mean ruin. But no case for exemption arises at this stage until it be known how the landlord will proceed. In any published report of the meeting the names of the committee should not be given.

On the gale-day the tenantry should proceed to the rent-office in a body. If the agent refuses to see them in a body they should on no account confer with him individually, but depose the chairman to act as their spokesman and acquaint him of the resolution which they require.

No offer to accept the rent "on account" should be agreed to. Should the agent refuse—then every tenant must hand to the Managing Committee the half year's rent which he tendered to the agent. To prevent any attempt at a garnishee this money should be deposited by the Managing Committee with some one reliable person whose name would not be known to any but the members of the committee. This may be called the Estate Fund, and it should be absolutely at the disposal of the Managing Committee for the purposes of the fight. Broken tenants who are unable to contribute the reduced half year's rent should at least contribute the percentage demanded from the landlord—that is, the difference between the rent demanded and that which the tenantry offer to pay. A broken tenant is not likely to be among the first proceeded against, and no risk is incurred by the general body in taking him on these terms. Thus practically a half year's rent of the estate is put together to fight the landlord with. This is a fund which, if properly utilised, will reduce to reason any landlord in Ireland.

HOW SHOULD THE FUND BE EMPLOYED?

The answer to this question must to some extent depend upon the course the landlord will pursue, but in general I should say it must be devoted to the support of the tenants who are dispossessed either by sale or ejectment.

It should be distributed by the committee to each evicted tenant in the proportion of his contribution to the fund.

A half-year's rent is supposed to maintain a tenant for a half year, and based upon this calculation a tenant who funded say £60 would be entitled when evicted to receive £3 per week.

But not one penny should go to low costs. This should be made an absolute rule, for there is no principle in the whole agitation more grossly misanderstood. I have known combinations where the tenants agreed to pay the low-costs for any man proceeded against, and all the while they never seemed to realise that it was the landlord's low-costs they were paying, and that they were helping to defray their cause rather than serving it. Incidents undoubtedly may arise in the course of the struggle where the expenditure of some small sum in legal defence would be judicious, such as defending a tenant who takes possession of his home. But these are exceptional cases, and can be easily provided for. The "low-costs" which must be guarded against are the costs of attorney's letters, writs, and judgments incurred by the landlord. To pay these means to arm your enemy for the quarrel and furnish him with provision to boot. In a determined fight there are no "low-costs" on the side of the tenantry, and they should remain out for ever rather than pay those which the landlord incurs in fleeing them.

Grants and expenses should all come out of common fund. Everyone settling before majority have agreed

to accept settlement should forfeit his contribution. When the tenants decide upon settling, the balance in hands should be divided among them in proportion to the amount they funded.

THE ASSISTANCE OF THE NATIONAL LEAGUE.

To inspire confidence among the tenants, the National League should guarantee—

1st. That in the event of the trustee with whom the Estate Fund was lodged proving dishonest, the money would be made good to the tenants, and grants in proportion to their contributions given to them just as if their own fund had not disappeared.

2nd. That when the Estate Fund of the tenants has been expended, or so diminished as not to be able to meet the grants required, then the grants would be continued on the same scale by the National League.

3rd. That this grant would be continued as long as the struggle lasted and the majority of the tenants held out.

THE LANDLORD'S REMEDIES.

Before referring in detail to the different remedies open to the landlord, it is first necessary to caution the tenantry against some artifices to which it is not uncommon for the landlords to have recourse. Rumours are industriously sent round after the gale day that a certain proportion of the tenants have secretly paid their rents. Instances have occurred where bailiffs, by trying to get into conversation with some of the tenants at public places or making an ostentatious call at their houses, try to spread the belief that certain men are breaking away from the combination; and to push the deceit still farther, only every alternate tenant in a township is sometimes served with the first attorney's notice. I need only mention that these artifices are resorted to put tenants off their guard. So long as the main body, the majority in fact, of the tenants hold out they need give little heed to rumours about backsliding. Those who do backslide in such a case invariably come off the worst of the whole body.

EJECTMENT

is the most common of the landlord's remedies. The procedure, unfortunately, is too common to need much explanation. When a landlord intends to seize cattle or sell the interest in the holding the writ or process states that the plaintiff's claim is for *£ s. d.* (setting forth the amount due), when on the other hand the claim is for the recovery of possession, &c., then he is proceeding by *Ejectment*. In *Ejectment* the tenant is allowed six months after eviction to redeem, the landlord being bound to account for the crops, &c., if not left to the tenant.

Every legal and constitutional obstacle which could oppose or delay eviction should be had recourse to.

Every hour by which the sheriff is delayed in one eviction gives another brother-tenant as much more grace. There are only 310 days in the sheriff's year, and he must do all the evictions in a whole county within the time.

If, after eviction, a tenant is re-admitted as caretaker, he should go in, but never upon the understanding that he would care any other farm but his own.

Should the tenant not be re-admitted shelter must be procured for him immediately by the Managing Committee, and then if necessary a day appointed when all would assemble to build him a hut on some spot convenient to the farm, where the landlord could not disturb him. Wooden huts such as those supplied by the Land League waste too much of the funds, and become valueless when the tenant is re-admitted.

Sometimes it happens that when a landlord evicts he burns or otherwise demolishes the home of the evicted family. Here the Managing Committee would do well to consider, if only little rent is due, whether it would not be wise to redeem and take an action against the landlord to compel him to repair the injury.

Any labourer evicted in consequence of the strike should be carefully seen to by the committee and provided with suitable shelter and employment.

SALE.

This is the resort of the landlord when he proceeds by writ or process as an ordinary creditor. From eight to twelve days are allowed after service of the writ before judgment can be made. The sheriff may seize cattle if he find them on the farm, or he may seize and sell the tenant's interest in the farm. A tenant who has his tenant made up for the fight will have his cattle turned into money before the judgment comes on. Every tenant who neglects to dispose of them is preparing himself to accept the landlord's terms, for he will not wish to see the Emergencyman profit by taking his cattle at some nominal price, and if he buys he is in reality handing the landlord the amount of his demand. Sale of a farm is not of so much consequence. Every farm sold in this manner during the agitation either has ceased or is bound to come back to its owner even on better terms than he first held it.

But if a man has a very valuable interest in his farm he can place it beyond the sheriff's power by mortgaging it to some one to whom he owes money. Mortgage effected thus for a loan of debt or consideration, bars the sheriff's power of conveyance.

At a sale, if the landlord or Emergencyman be represented, the cattle should not be allowed to go at a nominal sum. They should be run up to their price, and, if possible, left in the hands of Emergencyman at full price. It must be borne in mind that if the full price be not realized, the sheriff could seize again for balance.

In bidding for a farm it should also be run to amount of debt, but by a man of straw, or some one who, if it were knocked down, would ask the sheriff for time to pay. By making the landlord's bidder run it up to the amount of debt and costs, and leaving it on his hands, the sheriff cannot follow the tenant farther.

No auction fees should be allowed.

A farm held on a lease for a life or lives, any one of which is extant, cannot be sold by the sheriff.

After a sale a tenant is still in possession of holding until a fresh writ is served and a judgment for title marked against him.

All this involves the landlord in fresh costs.

The eviction may then follow, and my observations in case of eviction on *ejectment* apply here.

DISTRESS.

another of the landlord's remedies, cannot be resorted to for more than one year's rent. Few landlords can have recourse to this without exposing themselves to actions. The chief points to attend to are:—That distress must be made by the landlord or known agent, or bailiff authorized by warrant signed by the landlord or known agent; that particulars of distress be served; seizure on Sunday is unlawful; seizure before sunrise or after sunset is unlawful; or for any rent due more than one year. Distress is illegal if growing crops be seized; or the implements of a man's trade; and if other property be on farm to answer landlord's demand, it is illegal to seize beasts of the plough, sheep, or implements of husbandry necessary for the cultivation of the land. These points should be carefully watched when landlord has recourse to distress.

BANKRUPTCY PROCEEDINGS

are too costly a machinery for general use, and no landlord is likely to have recourse to them except in dealing with a holder of a town park, or some one who has an industry in addition to the farm in dispute. As I hinted already, such a tenant might be exempted

by the general body from any action which involved the marking of judgment against him. But he should at least remain in the strike to the extent of leaving his money in the common fund until the struggle be over.

It is unnecessary to add that landlords and their partisans on the magisterial bench and among the Crown officials, will do all in their power to twist the operation of the law so as to harass the tenants.

A tenant taking possession of his home to shelter his family from the severity of the winter is not likely to escape. A summons for trespass must be preceded by a warning to the tenant if he be found in possession. I have known a case where the father complied with this warning, and on the bailiff's next visit the mother only was found, and she complied. Next time the eldest daughter only was in possession, and so on through the length of a long family such as an evicted tenant nearly always has. A goodly time had been saved before the father's turn came again. He was fined, and went to jail. The prison then lost its terrors for him. When he came out he struck boldly to his home, and he soon won the victory which rewards determination.

JUDICIAL SYMPATHY.

The fullest publicity should be given to evictions, and every effort made to elicit public sympathy.

PAPER No. 8.

PAPER sent in by G. GERALD TYRELL to supplement his Evidence.

30 Upper Pembroke-street, Dublin,
6th January, 1887.

SIR—The Royal Land Commissioners having expressed a wish, when I was giving my evidence, that I should extend the limit of my return of sales in the County Court of Armagh to the years 1882 and 1883, to enable my evidence to embrace a period of five years in place of three, and also that I should give the particulars of abortive sales, I have the honour to state that there were 11 sales of agricultural holdings in 1882, five of which were held as tenancies from year to year, at rents amounting in the aggregate to £56 2s. 1d. They sold for £789, having somewhat less than 12 years' purchase on the yearly rents. There were five leasehold interests sold. The aggregate rents of these leaseholds were £34 12s. 7d. They sold for £328, being slightly over 9 years' purchase. No judicial holding was sold this year. The interest in a holding of 21a. 0s. 10r., which was held in perpetuity at a rent of 24 17s., was sold for £416.

In the year 1883 one judicial tenancy only was sold, the yearly rent of which was £18 10s. It was

That the farms thus unjustly evicted will be left severely alone and every one who aids the evictions shunned is scarcely necessary to say.

But the man who tries boycotting for a personal purpose is a worse enemy than the evicted landlord, and should be expelled from any bosom of the League or combination of tenants.

It has often surprised me that tenants waste their energy in party efforts to boycott a few bailiffs or Emergencymen.

On estates where some tenants have been unjustly evicted the others are paying their rents with punctuality, while they expect publicans and shopkeepers and others to boycott police or Emergencymen.

No landlord should get one penny rent anywhere or on any part of his estate, wherever situated, so long as he has one tenant unjustly evicted.

This policy strikes not only at landlord, but the whole ungodly crew of agents, attorneys, and bailiffs.

Tenants should be the first to show their sympathy with one another, and prompt publicity should be given to every eviction, that the tenants of the evictor whenever he holds property may show their sympathy.

Such a policy indicates a fight which has no half-heartedness about it, and it is the only fight which will win.

sold for £200, being somewhat less than 11 years' purchase on the yearly rent. Three holdings, held as tenancies from year to year at rents amounting in the aggregate to £33 15s. 10d., were sold for £780, being somewhat over 23 years' purchase on the yearly rents. I should mention that one of these holdings was purchased at £40 per Irish acre: viz. £620. The competition for this holding, however, was entirely between the children of a deceased parent. Two leaseholds were sold, the aggregate rents of which were £24 4s. They sold for £215, being somewhat less than 9 years' purchase on the yearly rent.

Abortive sales took place in the year 1886; they consisted of three holdings held as judicial tenancies, and one holding held as a tenancy from year to year.

I am, sir, your obedient servant,

GEO. GERALD TYRELL,

Clerk of the Crown and Peace for the
County of Armagh.

To F. G. Hodder, Esq.,
Secretary of the Royal Land Commission.

PAPER No. 9.

Handed in by H. DE F. MONTGOMERY.

MEMORANDUM OF CONTENTS OF OFFICIAL DOCUMENTS handed in by H. DE F. MONTGOMERY, relating to the administration of Turf-bog and Bog Gardens in the Commune of Munchenbuchsee, Canton Berne, Switzerland.

A.—The first of these documents is dated June 17th, 1882. It contains:—

(1.) A preamble, stating that a better arrangement for the administration and use of the turf bog in the Commune had become necessary in consequence of the increase of population, and the disproportionate increase of the poorer classes, whereby the prosperity of the Commune was threatened, and the smaller proprietors and the poor were especially oppressed.

(2.) An outline of the new scheme under which—

1. The greater part of the surface of the bog should

be divided among the proprietors in the Commune in proportion to their properties.

2. A sufficient portion should remain undivided, on which members of the Commune not owning landed property and poor persons should be allowed allotments.

3. Common grazing over the surface of the bog should be done away with.

(3.) An account of the steps taken to bring the new scheme into force, the discussion and agreement thereupon by the Commune; the appointment of a commission representing the various classes of which

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the Commune is composed, the upper village and lower village, &c., &c., to carry out the arrangement in detail, justly, and in accordance with the wishes and claims of their constituents.

(4.) A code of bye-laws of which the following is a sketch:—

I. (Description and definition of a complicated character of the different classes of proprietors in the Commune, and of the proportionate amount of their several claims to shares of bog land, wood, &c.)

II. Abolition of grazing over common bog land.

III. Provision for survey and maps on large scale.

IV. Provision for marking out the surface of the bog, both cut out, and not cut, and in persons of cutting, in equal divisions with oak posts, so that the main divisions attached to properties of the first class shall not be less than three acres, and the sub-divisions attached to the smallest class of properties shall not be less than half an acre.

V. Car roads shall be made through the bog so that everyone can cut to his plot at any time. These roads to be made and maintained by the Commune.

VI. A fortnight shall elapse between the marking out and allotment of the plots that those concerned may inspect them.

VII. The land in the bog, both uncut and cut out, allotted to a proprietor of a holding of the first class (*Rechtsbesitzer*), becomes his property, and he may sub-divide and exchange it, provided that no sub-division be less than half an acre.

VIII. But it is forbidden under penalty and annulment of the contract, to sell, mortgage, alienate, or in any way separate a plot from the property to which it is allotted, or to exchange it for other land (not bog). The Commune being resolved that as much bog land as is allotted shall permanently belong to each property.

IX. (Formal.)

X. The Commune reserves the right of cutting turf to what extent it chooses, but the plots shall abut on the banks as equally as possible. The cut out bog remains the property of the owner of the plot, who may fill and use it at his pleasure.

XI. No private person may cut turf under penalty of being deprived of his plot of bog land and a fine of ten francs.

XII. The lower lying plots are bound to allow the drainage of the upper (in accordance with sec. 380 of the General Law of Property).

[NOTE:—The main claims are the property of the Commune.]

XIII. Exchange and sub-division of plots can only take place within one year of allotment; after that the divisions shall be recorded by notary and titles prepared.

XIV. Clay pits shall be opened at different places on land acquired by the Commune, from which the owners of bog plots may draw clay to them, under control and inspection of persons appointed by the Commune.

XV. No dwellings may be built on any bog plots.

XVI. Costs of division borne by the Commune.

XVII. Not less than fifty acres of bog land to be reserved by the Commune for allotments to persons not owning land, and poor persons, according to their ability to use it—to attach to their houses or households for life under the following conditions.

a. The user is given for life, the property remaining with the Commune. The allotment may not be alienated in any way on pain of fine and forfeiture of the allotment.

b. Claimants for such allotments must be citizens of the Commune of Münchenbuchsee, must be resident,

using fire and light within the Commune, and must be twenty-six years of age. Newly settled citizens must have resided at least four years in the Commune.

[NOTE.—The Swiss Commune, for general administrative purposes, is one corporation; but as regards the ownership of communal property and rights to fuel, &c., it is generally divided into two corporations holding separate property, as well as property common to both, the corporation of the citizens, and the corporation of the "suballottees" (not being "citizens"); the two corporations vary in proportional numbers; the citizens are not exclusively the oldest families. Insub grants can become citizens on certain conditions and on the payment of certain fees. It appears from the wording of bye-law xvii. sect. b, only members of the citizens' corporation are entitled to bog garden allotments in the reserved communal bog.]

c. No more than one allotment can be held by one household, or by two or more households in one house unless they live entirely separate.

d. No allotment may be given to any person not the holder to use under any conditions. Whoever cannot cultivate his allotment himself must surrender it to the Commune.

e. Any occupier of an allotment inheriting or acquiring a plot of bog land as property must surrender his allotment.

f. (Special local provision.)

g. Allotments in the part of the bog in process of cutting by the Commune may be made rather larger than others. Clay may be drawn to these allotments according to provision of Act xiv.

h. The Commune reserves the right to resume possession of allotments and give them to other persons.

(1.) On the death of occupier. (If the occupier has substantially improved his allotment, his successor shall pay compensation to his heirs, to an amount to be fixed by arbitrators appointed by the Commune.)

(2.) If the occupier, after due caution, conducts himself improperly, dishonestly or badly, neglects the education of his children, or neglects to keep his allotment in good order or to labour it.

XVIII. If, in consequence of further increase of population, the whole of the bog land reserved for allotments is occupied, the Commune shall divide such plots as revert into its hands among such members of the Commune as may seem right.

XIX. (Formal.)

Then follow the signatures of the Communal authorities and the declaration of confirmation by the Bernese Government on the recommendation of the Home Office on the report of the Commissioners of Forests.

B. A revision of the above, dated December 17, 1866.

C. A further revision dated March 2nd, 1873, forming the code of bye-laws now in force, of which the following is a sketch:—

I. The corporation of the citizens of Münchenbuchsee (see note to A. XVII. E) owns the following lands subject to these bye-laws.

[NOTE.—The same corporation owns woods, waterways and other property not referred to here.]

A.	B.	C.	
(1.)	41	0	0 . . . turf bog.
(2.)	4	0	0 . . . do.
(3.)	2	0	0 . . . do.
(4.)	0	1	20 . . . meadows.
(5.)	2	0	0 . . . "
(6.)	0	2	30 . . . "
(7.)	6	2	0 . . . " (formerly wood).
(8.)	0	2	0 . . . clay land.

II. (1) and (2) is divided in allotments for life among citizens.

III. (3) is used for digging clay to draw to allotments under rules and superintendence of the Communal authorities.

IV. Allotments may not be sold, exchanged, mortgaged, or alienated in any way, on pain of forfeiture.

V. Qualifications of allotments for allotments (see A. XVII. b).

VI. Disqualification of citizens having land enough of their own, or fortunes valued at £200.

VII. (Same as A. XVII. c.)

VIII. Repetition of A. XVII. d., with permission to Communal authorities to relax the rule in case of sickness or old age—and permits sub-letting under certain conditions.

IX. Citizens may re-enter an allotment in case of persistent bad behaviour, or neglect to cultivate it, on the part of the occupier. If the occupier in such a case is in receipt of any form of parish relief, the allotment may be let by the Commune for the benefit of the poor fund.

X. In case of death, the heirs retain possession to end of current year. If allotment have been improved or cropped, the Commune may require the succeeding occupier to compensate the heirs of deceased.

XI. Redistribution of allotments falling into the Commune shall be made at the ordinary spring meeting of the Commune. The age of the applicant and date of application are to be considered in making allotments.

XII. Vacant allotments for which no suitable applicants present themselves may be let for the benefit of the Commune, but not for more than one year at a time.

XIII. The roads into the communal bog shall be kept up to the breadth laid out, and maintained at the expense of the Commune, unless otherwise constructed for in the conditions of division. The Commune has the right to lay out new roads.

XIV. No houses may be built on the allotments, or on any part of the communal bog land.

XV. *No occupier of an allotment may cut turf on pain of forfeiture. Turf may only be cut by the Commune.*

XVI. In accordance with the contract of partition of 1867 the corporation of the citizens and the corporation of the inhabitants (see note A. XVII. b) have the right in common to cut turf in the citizens' bog, where not already cut out. In return for which every proprietor (Béchtaine béiteoir) and every resident citizen shall have a right to draw three single waggon loads of turf at a fixed price. About 100 double waggon loads shall be cut for sale, and the profits divided between the two corporations.

It is now agreed that every citizen and proprietor may draw two double waggon loads on payment of fifteen francs.

The right is reserved to the citizens Commune alone, when all the citizens' bog shall have been cut over, to cut over part again for the use of the citizens.

XVII. The above described right to turf may be claimed by members of the Commune of the inhabitants of Mieschenbushouse residing within the bounds of that commune, and having completed their twenty-fifth year. Newly settled members only obtain the right after two years residence. Unmarried persons, or married, widowed, or separated persons not keeping house separately shall only receive half a share. Two or more persons or families with shares to turf living in the same house shall only receive one share among three, unless the households are quite separate.

XVIII. Persons having a right to a share of turf who sell their turf, and are afterwards convicted of stealing wood or other fuel, will forfeit their share of turf the following year.

XIX. The communal council is responsible for carrying out these regulations.

XX. These regulations can only be altered on the vote by a majority of two-fifths of the communal meeting.

NOTE.—It is not suggested that the above code, and the arrangements upon which it is founded, will be found applicable to Irish conditions, but it has been thought right to draw the attention of the Commissioners to the elaborate nature of the arrangements which it has been found necessary, in the public interest, to make for the administration of turf fuel and bog gardens in a district of the continent where peasant proprietorship has existed for a very long time, and where its results have been most satisfactory, where the character of the people and their long practice in self-government has given the system of peasant proprietorship the best chance of success. It is submitted that some provision for the administration of such matters will be a *fétier* required in Ireland, when the authority of the landlord and agent is withdrawn, and a community is launched into a condition of peasant proprietorship, districts of many of the character that make successful peasant proprietors abroad—institute of habits of self-government, and far more litigious than Swiss or German peasants. It is further submitted that if such elaborate arrangements have been found necessary for the administration of turf bog in a country where the peasants have large supplies of wood fuel as well, it is much more necessary in Ireland, where, in many districts, the poorer classes are entirely dependent upon peat for firing. What is recommended for the moment is that the State should not lose the opportunity, when a large quantity of the land of Ireland will probably be virtually, if not technically, passing through its hands in the process of the transfer of the ownership from landlord to occupier, to retain power over all "monopol rights"—over all such property as is not in the narrowest sense the tenant's holding, and which would, with advantage to the public, and to the whole body of tenants, be better administered by a public authority than divided up among the tenants with an absolute title, so that such arrangements as may seem expedient may be made with regard to such property in the future, without the immense expense and friction that any attempt to recover it from the tenants when once absolutely conveyed to them would cause. This applies to turf bogs in the first place. It applies also to main drains and small streams, of minor character to those usually understood under the head of arterial drainages. It applies to large expanses of waste and mountain land, whether with a view to State forests, to reserve supplies of turbarry, or other purposes.

H. DE F. MONTGOMERY.

PAPER No. 10.

PAPERS handed in by J. McFARLANE.

AVERAGE SALES of TENANT Right on the Abercorn Estates, from 1881 to 1885.

Average Number of Years' Purchase in the years					
1881.	1882.	1883.	1884.	1885.	1886.
22½	24	18	17	22½	22½

Average Number of Years' Purchase for the six years, from 1881 to 1886, inclusive, 21½

COUNTY TYRONE.

AVERAGE PRICES of Sales of TENANT Right on the following Estates, from 1881 to 1886.

No.	Name of Estate.	Name of Agent.	Agent's Address.	Average No of Years' Purchase.
1	Donnelly Estate,	Reel W. Chambers, esq.,	Sperrinstown, county Tyrone, . . .	14
2	Castletown Estate,	W. G. Robinson, esq.,	Brick Hill, Armagh,	24½
3	Caldera Estate,	R. Q. Alexander, esq.,	Colson, county Tyrone,	15½
4	Burns Estate,	A. Lloyd, esq.,	Thamesmore, Moy, county Tyrone, . .	13½
5	R. W. Lowry's Estate,	C. W. Alexander, esq.,	Tamock, Castlemore,	18
6	Col. H. C. Lowry's Estate, Rockliffe, Danganoo,	—	—	16½
7	Hamilton Stuart's Estate, Danganoo,	—	—	16
8	Gerrard's Estate,	M. S. Patterson, esq.,	—	12½
9	Sandry Estate,	Robert Norton, esq.,	Danganoo, county Tyrone,	17

The above particulars were carefully taken out by me from the Schedules furnished by the Gentlemen named herein, and which are sent herewith.

THE EARL OF RAFFF'S ESTATE.

Date of Sale.	Townland.	Vendor.	Purchaser.	Average	Rent	Amount paid for.	No of Years' Purchase.	Observations.
				A. S. P.	£ s. d.	£ s. d.		
1882	Carr,	Isabella Strahan,	Thos Jamieson,	51 6 18	50 0 0	185 0 0	6½	Tenant-right sold by Rob Commins & Sons.
	Carrish,	Nicholas Little, .	Mary McGee, .	50 0 00	8 15 0	115 0 0	12½	
	Carrishlagh,	Patrick Hall, . . .	Robert Kelly, .	54 0 0	12 0 0	150 0 0	12½	
1883	Carragee,	Joshua Ballant, . .	William Ballant,	5 0 00	2 0 0	140 0 0	17½	Tenant sold before purchasing them was an agent pending against Judicial Sale.
1884	Carr,	Hops E. O'Neill,	John Cumberland,	41 2 20	30 0 0	107 0 0	6½	
	Derryreen,	James Hensley, . .	William Wynne,	27 2 12	13 12 0	100 0 0	8½	
	Derryreen,	Ellen Francis, . . .	George Mason, .	6 8 28	6 15 0	50 0 0	13	Tenant sold before purchasing them was an agent pending against Judicial Sale.
	Anglinaboe,	Edw. C. Murphy,	Michael Hughes,	6 0 0	2 12 0	84 0 0	29	
1885	Carr,	Edward Hughes,	Robert Smith, .	8 1 1	2 12 0	56 0 0	15	
	Anglinaboe,	John McGee, . . .	Edw. C. Murphy,	11 2 12	12 10 0	150 0 0	7½	Tenant sold before purchasing them was an agent pending against Judicial Sale.
	Derrygreenery,	Michael Shole, . . .	William Erwin, .	8 0 0	2 10 0	120 0 0	16½	
1886	Killymaddy,	John Haffington,	Henry Haffington,	10 5 1	15 0 0	100 0 0	10½	Held under lease for 20 years from 1878, purchase money given for the interest in the lease as there is no tenant-right on the farm.
	Carr,	Thos Armstrong,	Robert Barry, .	12 1 18	8 0 0	68 0 0	11	
	Killymaddy,	Edward Hughes, . .	John McGee, . .	50 8 2	50 0 0	210 0 0	7½	
	Malbeg,	John Dyer,	Patrick Fay, . .	8 2 22	8 0 0	58 0 0	11½	Held under lease for 20 years from 1878, purchase money given for the interest in the lease as there is no tenant-right on the farm.
November,	Malbeg,	Thos. A. Dwyer,	Henry Gorman,	24 2 28	40 20 0	210 0 0	7½	

Average Number of Years' Purchase of the above 14.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE AUGUST 22ND, 1881.

County.	Date of Sale.	Landlord.	Tenant.	Acreage.	Assessed Rent.	State Certification of Tenancy, whether Judicial or otherwise.	Amount obtained for Tenancy.	Number of Years' Purchase of Rent.	Remarks.
TYNSDALE.	9 March, 1882.	The Countess of Carlisle.	Thomas Duffin, . Ardale, Beg.	A. R. P. 50 3 0 21 1 0 20 3 20	A. R. D. 5 7 6	Year to year, .	S. A. D. 15 0 0	3	Nearly.
"	12 April, 1882.	"	Robert Harley, .	50 1 22	5 0 0	"	120 0 0	14½	"
"	18 Nov. 1882.	"	Margaret Eager, . Ardale, Monsie's Pasture,	52 3 0 20 0 0 3 0 0	2 0 0	"	140 0 0	21½	"
"	20 Dec. 1882.	"	Patrick M. Mallon, .	55 4 0	2 25 0	"	55 0 0	28	"
"	20 March, 1884.	"	William Whitmore, . Ardale, Beg.	51 1 14 23 2 26 3 2 12	7 22 0	Judicial, .	140 0 0	13	"
"	12 March, 1884.	"	Reps. John H. Gilman, .	17 8 0	6 3 7	Year to year, .	118 0 0	20	Nearly.
"	20 March, 1884.	"	John Hamilton, . Ardale, Beg.	13 3 2 12 0 24 3 0 20	3 10 0	Judicial, .	55 0 0	5½	"
"	30 April, 1884.	"	Ross Curry, .	15 1 4	3 50 0	Year to year, .	55 0 0	25½	"
"	10 Aug. 1884.	"	John Brown, .	12 0 22	40 0 0	Lease, 3 years to run.	410 0 0	11½	"
"	20 Sept., 1884.	"	Richard Easter, .	20 3 0	10 0 0	Year to year, .	517 30 0	15½	"
"	4 Feb., 1885.	"	Reps. John Gray, . Ardale, Monsie's Pasture,	5 0 0 0 2 0 2 2 25	4 5 0	Judicial, .	60 0 0	4½	Nearly.
"	8 May, 1885.	"	Peter Gilman, .	14 1 25	5 0 0	Year to year, .	55 0 0	40½	"
"	14 May, 1885.	"	Michael M'Gurk, . Ardale, Beg.	12 0 24 11 0 27 3 0 20	1 0 0	"	30 20 0	10½	Monsie's pasture.
"	30 March, 1885.	"	John M'Lea, .	15 0 27	2 0 0	"	55 0 0	45	"
"	7 April, 1885.	"	Michael O. Egan, .	50 3 0	5 0 0	"	22 0 0	28	"
"	31 April, 1885.	"	Bernard Mallon, . Ardale, Beg.	11 0 0 12 0 22 4 0 25	4 7 28	"	52 0 0	51	"
"	17 Aug., 1885.	"	John Gwynne, .	20 0 20	3 0 0	"	165 0 0	24½	"
"	15 Aug., 1885.	"	Edith Conway, .	17 0 27	0 0 0	Judicial, .	110 0 0	17½	"

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE 1ST NOVEMBER, 1883.

TYNSDALE.	Dec., 1883.	Earl of Castle- account.	John Spott, .	35 0 0	3 0 0	Yearly, .	55 0 0	27½	"
"	20 April, 1884.	"	Mary Monaghan, .	24 1 22	2 25 0	"	50 0 0	90½	"
"	31 Oct., 1884.	"	John Dwyer, .	0 0 0	2 5 0	Judicial, .	55 0 0	27½	"
"	"	"	Henry Donnelly, .	35 0 0	30 0 0	Year to year, .	140 0 0	21½	Nearly.
"	10 May, 1885.	"	Henry Cooper, .	54 0 25	14 0 0	"	750 0 0	20	"
"	"	"	Hugh Berpet, .	27 2 5	11 0 0	"	800 0 0	40	Nearly.
"	24 April, 1885.	"	Michael Corran, .	3 0 23	2 27 0	"	63 0 0	31	"
"	20 May, 1885.	"	Patrick Longhena, .	50 0 20	3 25 0	Judicial, .	70 0 0	15½	"
"	24 Aug., 1885.	"	Isabella Neil, .	0 0 0	4 57 0	"	50 0 0	11½	"
"	30 Sept., 1885.	"	Joseph M'Gillik, .	54 1 0	0 54 0	"	40 0 0	10½	"
"	April, 1885.	"	Joseph Robinson, .	27 0 0	3 7 0	Year to year, .	215 0 0	35	"
"	10 Nov., 1885.	"	Mary Dwyer, .	3 0 0	3 10 0	Judicial, .	30 0 0	30	"
"	Dec., 1885.	"	Robert Park, .	14 2 24	3 4 0	"	517 0 0	14	"
"	20 Jan., 1885.	"	Patrick Fox, .	18 0 0	3 25 0	Year to year, .	155 0 0	20	"
"	25 Jan., 1885.	"	Reps. James Moore, .	7 0 20	3 27 0	"	52 25 0	18½	"
"	8 Feb., 1885.	"	Peter M'Connell, .	3 0 0	3 5 0	Judicial, .	137 0 0	20½	"
"	5 April, 1885.	"	Reps. of Owen Gilson, .	120 0 20	7 11 0	Year to year, .	360 0 0	24	Nearly.
"	25 Sept., 1885.	"	James Gwynne, .	25 0 25	5 0 0	"	130 0 0	10½	"

Average Number of Years' Purchase of the foregoing Lists = 24½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE JANUARY, 1886.

County.	Date of Sale.	Landlord.	Tenant.	Acreage.	Annual Rent.	State description of Tenancy, whether Judicial or otherwise.	Amount obtained for Tenancy.	Number of Years' Purchase of Rent.	Remarks.
Armagh.	22 Dec., 1875.	Earl of Caledon.	James Matthews.	2 2 9	2 12 6	Judicial.	21 10 0	21	Private order, approved out of Court.
Tyrone.	22 Dec., 1875.	"	Robert Reid.	20 2 28	12 12 6	At will.	100 0 0	50	Sold by order of County Court, July.
"	20 Dec., 1875.	"	Reps. Patrick Clarke.	20 2 28	12 12 6	"	55 0 0	7	Private sale.
"	22 Feb., 1876.	"	Thomas Campbell.	5 2 12	2 12 11	"	120 0 0	50	Private sale.
"	8 Nov., 1875.	"	Reps. Owen Delany.	20 2 28	9 2 6	Judicial.	110 0 0	15½	Private auction, by solicitation.

Average Number of Years' Purchase of the above = 11½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE JANUARY, 1881.

Tyrone.	10 March, 1875.	James Brown.	Reps. of David Harton.	7 1 2	7 12 6	Non Judicial.	30 0 0	16	
"	"	"	Reps. John Donnelly.	9 1 32	2 2 6	"	20 0 0	9	
"	20 May, 1875.	"	William Nicholson.	5 1 24	5 0 6	"	42 0 0	14½	
"	10 Dec., 1875.	"	Reps. of Wm. Woods.	21 1 12	12 0 0	"	110 0 0	12	
"	9 Feb., 1875.	"	Margaret Walker.	20 2 12	12 10 0	"	105 0 0	10	
"	20 July, 1875.	"	Mrs. M. McVeigh.	10 0 18	17 0 0	"	230 0 0	13½	
"	12 Dec., 1875.	"	Joseph Kern.	8 0 30	20 2 0	"	120 0 0	12½	
"	7 March, 1875.	"	James Donnelly.	2 0 29	2 12 6	"	22 10 0	20½	
"	2 March, 1875.	"	Reps. of M. Fritsch.	4 0 25	5 0 0	"	33 12 10	14½	
"	8 May, 1875.	"	Arthur Curry.	20 0 22	2 12 0	"	100 0 0	13½	
"	20 Aug., 1875.	"	Thomas Gray.	51 0 22	21 12 0	"	150 0 0	10½	
"	19 Sept., 1875.	"	Robert Thibbo.	8 0 22	20 0 0	"	247 12 3	24½	
"	20 Jan., 1876.	"	Mary A. Burton.	12 0 22	20 12 0	"	228 0 0	10½	
"	10 Feb., 1876.	"	John Haglan.	2 1 27	2 2 0	"	35 0 0	2½	
"	8 April, 1876.	"	Reps. of Felix Daly.	0 2 25	0 12 0	"	64 10 0	3	
"	10 Dec., 1876.	"	Reps. of The Widow.	21 1 30	21 0 0	"	800 0 0	12½	
"	22 March, 1876.	"	John Haglan.	5 0 25	9 2 0	"	27 10 0	7½	
"	"	"	"	8 0 20	8 4 0	"	27 0 0	10½	
"	10 Dec., 1876.	"	John McWilliam.	12 1 27	2 20 0	"	111 0 0	12½	
"	30 Feb., 1876.	"	John Hetherington.	10 0 2	14 0 0	"	32 0 0	2	
"	10 April, 1876.	"	Reps. of M. Campbell.	3 2 0	7 0 0	"	60 0 0	5½	
"	20 Sept., 1876.	"	Reps. of The McNeven.	14 0 22	0 20 0	Judicial.	160 0 0	14½	
"	12 Jan., 1876.	"	Reps. of Jas. Keating.	10 0 0	14 0 0	Non Judicial.	100 0 0	10½	
"	"	"	Patrick Keating.	1 0 0	8 20 0	"	205 0 0	20½	
"	12 May, 1876.	"	Samuel Keating.	7 0 7	2 2 0	Judicial.	60 0 0	7½	
"	8 April, 1876.	"	Reps. of R. Williamson.	8 0 21	2 2 0	Non Judicial.	60 0 0	15½	
"	4 Oct., 1876.	"	Richard Courtney.	5 0 25	0 22 0	"	74 0 0	12	
"	10 Nov., 1876.	"	Charles Burton.	20 2 0	22 12 0	Judicial.	481 0 0	19	
"	10 Jan., 1876.	"	Reps. of Jas. Keating.	12 0 0	14 0 0	Year to year, non Judicial.	100 0 0	10½	
"	"	"	Patrick Keating.	1 0 0	8 20 0	"	205 0 0	20½	
"	11 May, 1876.	"	Samuel Keating.	7 0 7	2 2 0	Judicial.	60 0 0	7½	
"	8 April, 1876.	"	Reps. of R. Williamson.	8 0 21	0 2 0	Year to year, non Judicial.	60 0 0	11½	
"	4 Oct., 1876.	"	Richard Courtney.	5 0 25	0 22 0	"	74 0 0	12½	
"	10 Nov., 1876.	"	Charles Burton.	20 2 0	22 12 0	Judicial.	481 0 0	19½	

Average Number of Years' Purchase of the foregoing Lots = 13½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE JANUARY, 1881.

Tyrone.	February, 1875.	R. W. Lorry.	Francis Kelly.	20 2 28	14 0 0	Q.M. rent.	124 0 0	over 12	
"	"	"	Robert Reid.	7 2 8	5 0 0	"	45 0 0	9	
"	March, 1875.	"	Andrew Haggan.	5 2 12	5 12 0	"	120 0 0	26	
"	"	"	Robert Reid.	3 2 8	9 0 0	"	30 0 0	24½	
"	"	"	Robert Reid.	7 0 24	7 0 0	"	70 0 0	10	
"	March, 1875.	"	James Haggan.	7 0 25	5 12 0	"	61 0 0	19	
"	"	"	James Green.	0 2 3	4 12 0	"	60 0 0	21	
"	January, 1876.	"	James Yarny.	5 1 15	5 0 0	Judicial.	66 0 0	19	
"	March, 1876.	"	Richard Reid.	5 0 3	9 0 0	"	40 0 0	20	
"	"	"	David Carson.	4 0 24	5 0 0	"	90 0 0	7	
"	"	"	Edmund Hughes.	21 0 25	8 0 0	"	40 0 0	20	
"	March, 1875.	"	David Quinn.	8 1 22	2 4 0	"	58 0 0	25	
"	November, 1875.	"	Archibald Johnston.	20 2 0	0 0 0	"	27 0 0	21	

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE JANUARY, 1880—continued.

Year.	Date of Sale.	Lessor.	Tenant.	Acreage.	Annual Rent.	State description of Tenancy, whether Judicial or otherwise.	Amount obtained for Tenancy.	Number of Years' Purchase of Rent.	Remarks.
1880.	March, 1880.	H. W. Lowry.	A. McFadden.	5 1 0	3 0 0	Judicial.	45 0 0	13	
"	March, 1880.	"	Richard Reid.	5 3 0	2 10 0	"	180 0 0	23	
"	March, 1880.	"	Andrew McCracken.	16 0 0	2 0 0	"	92 0 0	12	
"	October, 1880.	"	Michael Ward.	3 0 20	3 0 0	"	40 0 0	24	
"	"	"	George Kipper.	12 1 30	3 0 0	"	104 0 0	13	
"	October, 1880.	"	Sam Hilly.	34 5 30	1 0 0	"	371 0 0	16	
"	July, 1881.	"	Reps. Wm. Armstrong.	9 2 10	4 10 0	"	79 0 0	12	
"	July, 1881.	"	Reps. J. F. H. Lowry.	10 1 10	10 0 0	"	373 0 0	9	
"	June, 1881.	"	W. B. Dally.	16 0 10	4 0 0	"	72 0 0	12	
"	October, 1881.	"	Michael Donnelly.	8 0 20	1 10 0	"	37 0 0	37	
"	February, 1882.	"	John Gilgry.	8 1 10	2 0 0	"	180 0 0	36	
"	February, 1882.	"	Roswell M'Whelan.	18 1 10	7 10 0	"	590 0 0	21	
"	March, 1882.	"	Edw. Graham.	12 0 20	8 0 0	"	61 0 0	23	Private Sale.
"	April, 1882.	"	William Ellison.	12 3 30	4 10 0	Old rent.	75 0 0	23	"
"	September, 1882.	"	John Ellison.	8 0 0	0 0 0	Judicial.	33 0 0	7	"

Average Number of Years' Purchase of the foregoing Lists = 19½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE AUGUST, 1881.

1881.	May, 1881.	Colman Lowry.	Reps. of Jas. Giffen.	31 2 12	15 0 0	Lease.	270 0 0	34	
"	December, 1881.	"	J. McCord.	27 0 20	11 10 0	Lease broken and rent at same.	300 0 0	6	
"	March, 1882.	"	E. Fields.	27 3 10	20 0 0	Lease, 3 Dec. 1882.	270 0 0	12½	
"	"	"	J. Fields.	7 2 20	4 0 0	"	30 0 0	30	
"	March, 1882.	"	M. Head.	8 0 17	4 10 0	Twenty rent.	40 0 0	6	
"	August, 1882.	"	Anna Connor.	7 0 10	5 10 0	Year to year.	30 0 0	1	
"	January, 1883.	"	Mrs. Maguire.	5 0 20	4 10 0	Lease of 1881.	—	—	
"	April, 1883.	"	R. Dargh.	5 0 20	3 10 0	Year to year.	40 0 0	21	
"	December, 1883.	"	J. Wang.	8 1 2	9 10 0	"	300 0 0	21	
"	March, 1884.	"	Mrs. Engh.	21 0 10	1 10 0	Lease, 1882.	30 0 0	1	
"	July, 1884.	"	Frederick Watt.	30 0 20	10 10 0	"	160 0 0	21	
"	April, 1885.	"	Anna Rodin.	1 0 10	1 0 0	Year to year.	5 10 0	7	
"	Nov., 1884.	"	C. Lea.	5 0 0	3 10 0	"	61 0 0	8	
"	March, 1885.	"	Mrs. Shepherd.	30 2 10	10 10 0	"	30 0 0	2½	
"	February, 1886.	"	James Barker.	25 2 10	20 0 0	Judicial.	200 0 0	31	
"	October, 1887.	"	Mrs. McDonald.	1 2 10	1 10 0	"	34 10 0	0	

Average Number of Years' Purchase of above = 10½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE AUGUST, 1881.

1881.	September, 1881.	Harold Stuart.	John Fwy.	48 3 30	20 10 0	Lease, dated 1872, was let and being	410 0 0	17½	A nice holding also on which the tenant, Rev. J. Brown, has done well a good house.
"	January, 1883.	"	John Thompson.	16 0 0	22 0 0	Partly old lease and partly judicial	180 0 0	14	
"	November, 1883.	"	Joseph M. McGee.	46 0 0	23 0 0	Judicial rent.	460 0 0	over 18	Old rent 220. McGee reserved a house and garden for himself for his life. Mr. White God Spring 1878, and his executor sold the house. The house is in the best of the office (old and shod). Home in good order.
"	"	"	Matthew White.	30 3 10	20 10 10	Lease, 1878, 1880.	1200 0 0	12	
"	"	"	"	45 1 10	20 0 0	Judicial.	—	—	
"	"	"	"	20 0 0	10 10 0	"	300 0 0	over 18	Old rent 410 in 74. A farmer's house this farm has the dwelling house and an acre of 210 for his life, he is about 70 years of age. I mean the farm is subject to that charge, payable by the tenant.

Average Number of Years' Purchase of the above = 16.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE AUGUST, 1881.

County.	Date of Sale.	Landlord.	Tenant.	Acreage.	Annual Rent.	State description of Tenancy, whether Judicial or otherwise.	Amount obtained for Tenancy.	Number of Years' Purchase of Rent.	Remarks.
Tyrone.	December, 1884.	F. Grant, esq.	Ego John Brown.	14 0 30	£1 30 0	Judicial.	£40 0 0	10	
"	"	"	Ego John Brown.	2 0 00	4 10 0	"	20 0 0	10	
"	"	"	Ego John Brown.	3 0 30	5 0 0	"	30 0 0	21½	
"	August, 1884.	"	William J. Howard.	30 2 15	20 0 0	"	300 0 0	20	Dwelling house, no. 2300.
"	August, 1885.	"	Ego Pat Campbell.	0 0 10	0 0 0	"	0 0 0	2½	Value increased by land in holding.
"	January, 1885.	Thos. Grier, esq.	Ego W. Martin.	22 1 18	10 0 0	"	20 0 0	40	
"	March, 1885.	"	P. McElhinney.	3 0 00	0 0 0	"	30 0 0	40	
"	August, 1885.	"	Joe Fleming.	10 0 00	0 0 0	"	100 0 0	15½	
"	November, 1885.	"	Do. Charles.	0 0 30	0 0 0	"	300 0 0	50½	
"	February, 1885.	"	Thomas Nieldhead.	20 0 00	0 0 0	"	100 0 0	17	
"	August, 1885.	"	Ego R. Berday.	0 0 20	4 10 0	"	40 0 0	10	
"	January, 1885.	Col. Lindsay.	W. O. McKay.	20 0 00	20 0 0	"	300 0 0	7	

Average Number of Years' Purchase of the above—12½.

SALES OF TENANTS' INTERESTS IN THEIR HOLDINGS SINCE JANUARY, 1885.

Tyrone.	May, 1885.	Miss Dunbar.	Charles Smith.	0 0 00	0 0 00	Yearly; not Judicial.	£0 0 0	30	
"	December, 1885.	Neenan Shill.	John Clarke.	10 0 00	0 10 0	"	100 0 0	20	
"	February, 1885.	Lady Adela Goff.	John Keenan.	21 1 30	10 10 0	Judicial.	300 0 0	20	
"	March, 1885.	"	Hugh Kelly.	0 0 20	0 0 0	"	0 0 0	30	
"	June, 1885.	John Lindsay.	Phoebe Wall.	0 0 17	0 0 0	Yearly; not Judicial.	60 0 0	17	
"	July, 1885.	General Irwin.	John Johnston.	10 0 00	10 00 0	Judicial.	0 0 0	7½	
"	October, 1885.	Miss Dunbar.	Robert Simpson.	10 0 00	10 00 0	Yearly; not Judicial.	200 0 0	15½	
"	January, 1885.	"	Ellen McDonald.	0 0 00	0 0 0	"	0 0 0	20	
"	"	Lady Adela Goff.	Thomas McWilliam.	20 1 20	0 10 0	Judicial.	0 0 0	50	
"	February, 1885.	Trustees Major Cole Hamilton.	Mat Lopez.	20 1 00	11 10 0	"	400 0 0	24½	
"	March, 1885.	Lady Adela Goff.	Owen H'Gee.	0 0 20	0 0 0	"	0 0 0	25	
"	"	"	Mary Murray.	10 0 30	0 0 0	"	0 0 0	7	
"	July, 1885.	Miss Dunbar.	John Ferguson.	0 0 00	0 00 0	Yearly; not Judicial.	150 0 0	10½	
"	January, 1885.	Neenan Shill.	Catherine O'Sullivan.	10 0 00	10 00 0	Judicial.	0 0 0	1½	
"	February, 1885.	Rev J. Hamilton.	Damon McAlister.	21 0 30	10 00 0	Yearly; not Judicial.	120 0 0	0	
"	May, 1885.	Lady Adela Goff.	John Murray.	00 0 20	20 00 0	Judicial.	000 0 0	0	
"	August, 1885.	Robert Neenan.	Robert McCaffrey.	10 0 20	0 00 0	"	00 00 0	11	
"	September, 1885.	John Lindsay.	John Quinn.	10 0 00	10 00 0	Yearly; not Judicial.	100 0 0	7	
"	October, 1885.	Rev J. Hamilton.	William Campbell.	0 0 00	0 00 0	"	100 0 0	10	
"	"	Trustees Major Cole Hamilton.	John Allen.	00 0 30	10 00 0	Judicial.	000 0 0	9½	
"	November, 1885.	"	Edward Park.	0 0 00	0 00 0	"	00 00 0	20	
"	"	"	Alexander Hamilton.	00 1 00	20 00 0	"	100 0 0	20½	

Average Number of Years' Purchase of the foregoing—17.

PAPER No. 11.

PAPERS handed in by Colonel WM. B. FORDE

No. 1.

AVERAGE PRICES of AGRICULTURAL PRODUCE for the past Seven Years, viz.,—1880 to 1886 compared with the previous Thirty Years, viz.,—1851 to 1880, and also with the Basis of Griffith's Valuation, having special reference to the County Down.

PRODUCES.	1.	2.	3.	4.	5.	6.	7.
	Average for last 7 years.	Average for previous 30 Years.	Basis of Griffith's Valuation, 1850.	Average last 7 Years compared with previous 30 Years	Ditto compared with Griffith's Valuation.	Average Price in 1886 not in Year of Griffith's Valuation	Sources of Information
1 Wheat, per owl.	£ s. d. = 4 5 = 10 10½	£ s. d. = 7 8	£ s. d. = 7 1½ Below.	0 6 Above.	—	—	Arranged last 7 years taken from Market Returns of Belfast and Downpatrick, and Fairs held at Rathfriland, Downpatrick and Rathfriland, Crosser, Rathfriland, and Keshmole.
2 Oats, "	£ s. d. = 3 5½ = 7 7½	£ s. d. = 4 50	0 2 "	2 7½ "	—	—	
3 Hay, "	£ s. d. = 3 0 = 6 8	—	0 8 "	—	—	—	
4 Straw, "	£ s. d. = 2 10 = 2 0½	—	0 3 Above.	—	—	—	
5 Potatoes, "	£ s. d. = 81 00 = 43 2	£ s. d. = 85 0	7 10½ "	30 0½ Above.	—	—	
6 Beef, "	£ s. d. = 79 0 = 84 ½	£ s. d. = 85 8	4 18 "	56 8 "	—	—	
7 Mutton, "	£ s. d. = 59 0 = 64 4	£ s. d. = 61 0	22 2 "	37 2 "	—	—	
8 Potatoes, "	£ s. d. = 2 11½ = 3 3½	—	0 7½ Below.	—	—	—	
9 Flax, "	£ s. d. = 65 00 = 72 0	£ s. d. = 69 0	5 15 "	7 1½ Above.	—	—	
10 Eggs, per 124.	£ s. d. = 0 8 = 8 2	—	6 3 Above.	—	—	—	
11 Butter, per owl.	£ s. d. = 137 8 = 150 0	£ s. d. = 85 4	5 3 "	10 10 Above.	—	—	The average of the previous 30 years from "Foods of the Atlantic and "Ocean."
12 Milk Cows, "	£ s. d. = 15 4 5 = 16 8 0	—	—	—	—	16 8 0	
13 2 Year Old Cattle, "	£ s. d. = 16 16 8 = 16 0 0	—	—	—	—	16 0 0	
14 1 " " "	£ s. d. = 8 2 0 = 8 10 0	—	—	—	—	8 10 0	
	From Local Markets	From all Ireland.	—	Local Markets, Co. Down	—	—	

* After Potato Famine.

No. 2.

AVERAGE PRICES of AGRICULTURAL PRODUCE for each of the last Seven Years, viz., 1880 to 1886, in County Down.

PRODUCES.	1880	1881	1882	1883	1884.	1885	1886.	Average.	Sources of Information
1 Wheat, per owl.	£ s. d. = 3 4½ = 3 5½	£ s. d. = 3 7½ = 4 15	£ s. d. = 7 5½ = 7 8	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	Published Market Returns of Belfast and Downpatrick, and following Fairs — Rathfriland, Downpatrick, Rathfriland, Crosser, Rathfriland, Keshmole.
2 Oats, "	£ s. d. = 3 8½ = 7 8	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	£ s. d. = 7 8½ = 7 8½	
3 Hay, "	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	
4 Straw, "	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	£ s. d. = 3 8½ = 3 8½	
5 Potatoes, "	£ s. d. = 81 00 = 43 2	£ s. d. = 85 0	£ s. d. = 85 0	£ s. d. = 85 0	£ s. d. = 85 0	£ s. d. = 85 0	£ s. d. = 85 0	£ s. d. = 85 0	
6 Beef, "	£ s. d. = 79 0 = 84 ½	£ s. d. = 85 8	£ s. d. = 85 8	£ s. d. = 85 8	£ s. d. = 85 8	£ s. d. = 85 8	£ s. d. = 85 8	£ s. d. = 85 8	
7 Mutton, "	£ s. d. = 59 0 = 64 4	£ s. d. = 61 0	£ s. d. = 61 0	£ s. d. = 61 0	£ s. d. = 61 0	£ s. d. = 61 0	£ s. d. = 61 0	£ s. d. = 61 0	
8 Potatoes, "	£ s. d. = 2 11½ = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	£ s. d. = 3 3½	
9 Flax, "	£ s. d. = 65 00 = 72 0	£ s. d. = 69 0	£ s. d. = 69 0	£ s. d. = 69 0	£ s. d. = 69 0	£ s. d. = 69 0	£ s. d. = 69 0	£ s. d. = 69 0	
10 Eggs, per 124.	£ s. d. = 0 8 = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	£ s. d. = 8 2	
11 Butter, per owl.	£ s. d. = 137 8 = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	£ s. d. = 150 0	
12 Milk Cows, "	£ s. d. = 15 4 5 = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	£ s. d. = 16 8 0	—
13 2 Year Old Cattle, "	£ s. d. = 16 16 8 = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	£ s. d. = 16 0 0	
14 1 " " "	£ s. d. = 8 2 0 = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	£ s. d. = 8 10 0	

A s s a

PAPER No. 11.

No. 3.

TENANT RIGHT SALES on some of the large Estates in the North of Ireland, principally in the County of Down.

SEAFORDE ESTATE.

Date of Sale.	Townland.	Vendor.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Year Purchase.	Observations.
1841.				A. R. P.	£ s. d.	£ s. d.		
Sept. 2nd.	Tymonah.	Chadland, Jas. A.	Kerrison, William.	51 1 30	26 6 6	541 13 0	42	Land deteriorated by sub-letting.
Nov. 2nd.	Cumber.	Thompson, Jas.	Storley, Robert.	10 1 0	12 8 16	340 0 0	14	
Dec. 2nd.	Brankmore.	Gilmer, John.	Gilmer, John.	3 1 5	6 1 8	40 0 0	12	
1842.								
Jan. 18th.	Dunbrack.	Carron, Thomas.	Lorrey, James.	31 0 0	0 0 0	120 0 0	15	
" 17th.	Terradara.	Hagart, Thomas.	Malton, Robert.	12 9 22	34 2 4	600 0 0	13	
Feb. 4th.	Cumna.	Dorrien, Sirs of Wm.	McGill Patrick.	67 9 30	41 7 0	600 0 0	14	
" 16th.	Drumkilly.	Donny, John.	Tate, Samuel.	10 1 16	18 0 0	140 0 0	16	Judicial Rent paid, January, 1842.
" 18th.	Dunbrack.	Smith, James.	Smith, Henry.	12 0 22	9 12 10	200 0 0	14	
" 18th.	do.	Smith, James.	McEldin, Hugh.	15 1 12	12 0 0	270 0 0	22	
March 2nd.	do.	McEldin, Hugh.	Shannon, Henry.	15 1 12	12 0 0	270 0 0	22	
" 2nd.	Drumkilly.	Smith, Michael.	Edel, Samuel.	10 0 10	0 13 9	210 0 0	16	
" 2nd.	Dunbrack.	Maguire, Thomas.	McKay, Hugh.	47 3 30	30 0 4	612 16 0	26	
April 2nd.	Dunbrack.	Wrightson, Mary.	Wrightson, William.	10 2 22	3 17 2	34 17 0	5	Mother to son.
June 2nd.	Drumkilly.	Down, Hugh.	Brown, William.	0 9 12	7 0 0	117 10 0	14	
August 18th.	Drumkilly.	O'Sullivan, Ann.	O'Sullivan, Arthur.	4 0 20	0 6 6	40 0 0	21	Mother to son.
Sept. 2nd.	Magheranagary.	Andrews, John.	McNair, Edward.	12 0 10	10 7 0	150 0 0	14	
Oct. 18th.	Drumkilly.	Burns, John.	Maguire, James.	0 0 24	0 8 19	0 0 0	14	
Nov. 2nd.	Castleside.	Rogers, John.	Rogers, Peter.	0 0 24	0 7 8	140 0 0	24	
Dec. 18th.	Sevagh.	Cumna, Mary.	McEldin, David.	0 1 0	7 15 0	120 0 0	14	
1843.								
Jan. 18th.	Drumkilly.	Marston, William.	McGulley, Wm.	22 1 10	22 17 2	260 0 0	9	Wet, north-lying down.
" 17th.	Drumkilly.	Thomas, Patrick.	Thomas, John.	0 1 10	0 10 4	20 0 0	13	Partly arranged.
" 18th.	Terradara.	McKay, John.	McNair, Owen.	0 0 10	0 14 0	40 0 0	24	
" 20th.	Drumkilly.	Cumna, John.	Walton, James.	0 0 20	0 12 12	67 16 0	17	
Feb. 2nd.	Drumkilly.	Darcy, John.	Whitehead, Joseph.	20 0 10	20 0 0	400 0 0	20	
" 2nd.	Drumkilly.	Thompson, James.	Gilmer, John.	10 0 0	12 17 0	310 0 0	24	
March 2nd.	Dunbrack.	Kelly, John.	Darcy, John.	0 0 9	7 10 0	114 0 0	20	
April 2nd.	Dunbrack.	Hugh, John.	Hugh, James.	10 0 20	4 0 4	60 10 0	14	Family arrangement.
April 2nd.	Drumkilly.	McEldin, Rev. John.	Kerrison, William.	60 2 20	34 15 10	1,400 0 0	20	
" 2nd.	Magheranagary.	O'Hagan, Thomas.	Sevagh, John.	20 0 0	20 17 0	1,400 0 0	20	
July 18th.	Drumkilly.	Gilmer, John.	Ken, Samuel.	40 1 0	37 10 0	610 0 0	21	
Sept. 2nd.	Magheranagary.	Cumna, John.	Cumna, James.	34 1 0	17 7 0	610 0 0	21	
October 1st.	Sevagh.	Cumna, John.	Cumna, Patrick.	15 1 2	12 0 4	150 0 0	17	
" 4th.	Drumkilly.	Sevagh, David.	McEldin, John.	12 2 20	0 11 2	10 0 0	27	
Nov. 1st.	Cumna.	Johnson, Thomas.	Smith, William.	20 0 20	20 0 0	200 0 0	24	
" 2nd.	Drumkilly.	Wald, Mary.	Flanagan, James.	0 0 0	4 20 0	67 10 0	21	
" 2nd.	Cumna.	Johnson, James.	Cumna, Henry.	24 0 20	10 0 4	160 0 0	24	
1844.								
January 2nd.	Drumkilly.	McEldin, James.	Stewart, John.	0 1 0	2 0 4	104 0 0	14	
" 2nd.	Terradara.	Patterson, John.	Stell, James.	50 0 0	40 17 0	3,810 0 0	24	
" 2nd.	Terradara.	Harrison, Hugh.	Orr, Wm. Francis.	30 0 0	16 0 4	520 0 0	21	
Feb. 2nd.	do.	Montgomery, Hugh.	Hagarty, John.	20 0 0	12 0 0	100 0 0	17	Land deteriorated by sub-letting.
" 2nd.	Dunbrack.	Thomas, Ann.	McEldin, Charles.	20 0 0	18 7 0	317 0 0	21	
March 1st.	Drumkilly.	Blackwood, John.	Blackwood, Charles.	20 0 0	40 0 0	1,400 0 0	20	
" 2nd.	Dunbrack.	Milnes, Peter.	McEldin, John.	10 0 0	0 4 0	100 0 0	21	
" 11th.	Terradara.	Malton, George.	Malton, Robert.	50 1 0	12 9 0	210 0 0	11	
July 18th.	Drumkilly.	Fulton, Joseph.	Chambers, Hugh.	31 0 0	16 0 0	400 0 0	20	
August 1st.	Magheranagary.	Sevagh, David.	Edel, Samuel.	42 0 0	20 2 0	600 0 0	24	
Sept. 12th.	Drumkilly.	King, David.	Edel, Samuel.	0 0 0	7 0 0	70 0 0	22	
Nov. 12th.	Drumkilly.	Roberts, Wm. John.	McEldin, John.	34 0 0	16 0 0	512 10 0	24	
"	Terradara.	Edel, Samuel.	Edel, Samuel.	50 0 0	21 0 0	600 0 0	24	
"	Drumkilly.	McEldin, Joseph.	Murray, Henry.	20 0 0	7 0 0	30 0 0	7	Mostly rough—high-lying.
"	Drumkilly.	Blackwood, Charles.	Blackwood, James Taylor.	40 0 0	2 0 0	10 0 0	24	
Dec. 2nd.	Terradara.	Sevagh, George.	Rogers, Patrick.	10 0 0	7 20 0	140 0 0	18	
"	Magheranagary.	Cumna, John.	Malton, Robert.	40 0 0	20 10 0	410 0 0	20	

PAPER No. 11.

REARDED ESTATE—continued.

Date of Sale.	Townland.	Vendor.	Purchaser.	Acreage.	Res.	Annual Sold for.	No. of Years Pur- chase.	Observations.
1881.				A. R. N.	L. A. E.	L. A. E.		
May 18th.	Highvale, ..	Campbell, John.	Gen. John.	64 3 4	37 7 8	600 0 0	51½	House and Garden adjoining Lepor's own farm.
Sept 18th.	Terravale, ..	Wilson, James.	Lyne, Patrick.	0 0 00	0 0 0	20 0 0	185	
October 18th.	Geenagh, ..	Nadine, Betty.	Bailey, Bernard.	13 3 0	30 14 8	160 0 0	16½	
Dec 18th.	Do., ..	McGillivray, Rev. William. Esq.	Crofted, John.	18 3 0	10 0 0	270 0 0	16½	
1888.								
Jan. 18th.	Highvale, ..	Lowe, Agnes.	Brown, Robert.	4 3 0	0 10 8	75 0 0	31	Chiefly rough. Boundary arrangement. Do. Do.
March 18th.	Geenagh, ..	Harbour, John.	Henry, George.	13 0 0	7 0 8	70 0 0	9½	
April 18th.	Castlemore, ..	Freely, P. J., Esq.	Freely, John.	7 1 0	0 5 0	60 0 0	9½	
October 18th.	Terravale, ..	Martin, Pat.	Martin, John.	8 3 0	4 8 8	50 0 0	15½	
Dec 18th.	Drumcolumbkille, ..	Lennox, Samuel.	Thompson, Wm. Jas.	20 3 0	12 13 12	100 0 0	23	
Nov 18th.	Highvale, ..	McFert, Robert.	Gen. William.	60 1 0	35 18 12	650 0 0	25	

MARQUESS OF LONDONDERRY'S ESTATE, COUNTY DOWNS.

1841.								
1st January.	Castlemore, ..	Reps. of Mrs. Frances.	Adam Mackinnon.	42 0 11	43 10 8	770 0 0	17	Household land. Fielded tenancy.
18th "	Fullinmore, ..	Agnes O'Brien.	Andrew Johnston.	5 3 34	0 10 4	30 0 0	15	
18th "	Whitewater, ..	Alexander Gower.	Thomas MacIntosh.	19 6 9	5 3 4	120 0 0	40	
18th "	Ballyvaughan, ..	James O'Connell Esq.	John Moore.	56 0 56	11 0 0	500 0 0	27	
18th April.	Kilmead, ..	Agnes O'Brien.	Thomas H. Graham.	64 0 1	62 0 3	900 0 0	15	Fielded tenancy.
22nd August.	Downpatrick, ..	Kennedy McKee.	Robert McKee.	20 0 11	11 7 4	140 0 0	18	
18th Oct.	Barrow, ..	Anna Connolly.	Mary Connolly.	20 0 0	19 10 0	120 0 0	6	
18th "	"	"	John Davidson.	51 3 35	10 0 0	240 0 0	1	
18th Dec.	Cullagh, ..	Henry D. Riddle.	Thomas and Emma Conlon.	75 2 41	40 4 0	1,650 0 0	39	
1843.								
18th January.	Ballyvaughan, ..	John Colville.	James McKinnon.	54 0 19	10 0 4	210 0 0	13	Household land. Fielded tenancy.
18th Feb.	Loughlincross, ..	James Ryan.	Thomas Murphy.	0 0 22	7 16 4	100 0 0	39	
18th April.	Downpatrick, ..	Samuel Nicholson.	Thomas Nicholson.	4 1 14	4 15 4	200 0 0	44	
18th Nov.	Cromore, ..	John Wallace.	Wm. John Moore.	21 1 19	15 10 0	800 0 0	16	
18th "	Cullagh, ..	John Taylor.	Thomas and Emma Conlon.	87 0 39	20 0 0	680 0 0	12	
1851.								
6th April.	Castlemore, ..	Joseph Dwyer.	Hugh Ferguson.	35 0 1	62 12 3	1,050 0 0	51	Household land. Fielded tenancy.
18th August.	Whitewater, ..	James Gibson.	Thompson Ferguson.	20 0 0	0 4 0	120 0 0	30	
18th Sept.	Ballyvaughan, ..	Wm. John Kennedy.	Robert Ryan.	34 5 9	33 0 4	440 0 0	20	
22d Feb.	Ballyvaughan, ..	Thomas Thompson.	John Orr O'Connell.	12 1 22	15 10 0	200 0 0	14	
22nd Sept.	Ballyvaughan, ..	James Lenthall.	John McKinnon Esq.	15 2 20	20 0 0	310 0 0	7½	
18th Oct.	Downpatrick, ..	John Smyth.	Robert McKinnon.	13 0 1	16 0 0	220 0 0	20	Household land. Fielded tenancy.
18th "	"	William Dwyer.	John Smyth.	17 0 20	31 4 10	410 0 0	30	
18th "	"	H. and N. McKinnon.	John McKinnon.	32 3 20	40 10 4	610 0 0	30	
18th Nov.	Whitewater, ..	Charles Brown.	Alexander Wilson.	7 3 0	8 4 0	210 0 0	27	
18th Dec.	Cullagh, ..	John Moore.	Robert Pedra.	46 3 3	84 18 0	920 0 0	22	
1861.								
22nd March.	Ballyvaughan, ..	William McKinnon.	William McKinnon.	37 8 4	14 14 0	210 0 0	17	Household land. Fielded tenancy.
18th April.	Loughlincross, ..	Joseph Dwyer.	David McKinnon.	50 0 14	43 10 0	1,200 0 0	20	
1st Nov.	Ballyvaughan, ..	Anthony Boyd.	Wm. Henry McKinnon.	30 3 21	14 10 0	400 0 0	18	
1st "	Downpatrick, ..	James McKee.	James McKinnon, Jr.	19 2 58	16 10 0	210 0 0	15	
18th "	Ballyvaughan, ..	John Lenthall.	George and John Lenthall.	12 1 22	14 14 0	350 0 0	16	
18th Dec.	Downpatrick, ..	John McKinnon.	Samuel McKinnon.	22 1 8	34 1 0	310 0 0	20	
1880.								
18th Feb.	Loughlincross, ..	Henry Stewart.	Samuel Edgar.	51 0 16	16 12 4	200 0 0	18	Household land. Fielded tenancy.
18th April.	Whitewater, ..	James Blackstock.	Samuel C. Kelly.	8 2 0	7 5 4	120 0 0	16	
1883.								
14th Feb.	Loughlincross, ..	Samuel Smyth.	William McKinnon.	13 0 30	12 12 4	200 0 0	16	Household land. Fielded tenancy.
17th "	Geenagh, ..	Mrs. Mackay.	Dr. W. D. North.	12 0 30	15 10 0	140 0 0	16	
24th April.	Geenagh, ..	Urbis Mackay.	Wm. Mackay.	28 0 30	24 10 0	410 0 0	15	
18th Sept.	Ballyvaughan, ..	William McKinnon.	Robert Ryan.	31 0 20	30 10 10	550 0 0	21	
18th Oct.	Loughlincross, ..	Mrs. Wagh's Esq.	Wm. Henry McKinnon.	20 0 14	30 10 10	310 0 0	21½	

PAPER No. 11.

EARL OF KILMOREY'S NEWBY ESTATE.

Date of Sale	Townland	Venue	Purchaser	Acreage	Rent	Amount sold for.	No. of Years Purchase	Observations
1846.				(1846.) A. R. P.	£ s. d.	£ s. d.		
1st Nov.	Ballynascrag.	Alexander Ralph.	Robert Moore, jun.	3 2 31	5 9 9	35 0 0	34	House and land.
1851.								
11th Dec.	Altanascrag.	Widow Sally Thompson's Express-attache.	Ross Clarke.	3 1 31	5 18 8	43 0 0	35	Land only.
1853.								
1st March.	Ballyholmead, Upper.	Margaret Taylor.	John Martagh, jun.	2 2 15	3 8 4	12 8 8	8	House and land.
January.	Commons, Upper.	Robert Whigham, sen. and jun.	Wm. J. McConnell.	5 5 25	3 2 8	113 8 0	29	Judicial rent.
	Lower.	Wm. H. Ansell.	Thomas H. Longhills.	7 8 7	3 12 8	113 8 0	29	Land only.
15th Dec.	Ballyholmead, Upper.	Henk Moyle.	Patrick Keenan.	7 1 7	3 0 0	308 0 0	35	House and land.
12th Dec.	Lower.	Michael Greah.	Mary A. Green.	18 8 31	39 5 3	590 0 0	0	House and land only.
1855.								
1st February.	Commons, Upper.	Joseph Marple, sen.	W. J. McConnell.	3 4 33	4 14 4	46 0 0	34	Land only.
"	"	George Johnston.	Michael McDonnell.	1 3 35	2 14 3	20 0 0	34	"
"	Doerrybeg.	Thomas Lyons.	Luke Malton.	3 1 25	2 8 8	13 0 0	8	"
30th March.	Ballyholmead, Lower.	Samuel Chambers.	George McAloon.	9 1 27	27 0 2	165 0 0	34	House and land. Judicial rent.
"	"	Thomas H. Patrick.	Michael McAloon.	5 1 27	2 12 1	40 0 0	134	"
31st April.	Ryan.	Margaret Charles Egan.	James Connolly.	5 1 15	6 11 10	30 0 8	15	Judicial rent.
12th March.	Only.	James Patterson.	David Waddell.	7 1 8	13 8 8	35 0 0	21	Land only.
"	Commons, Lower.	Joseph Egan, sen. and jun.	Rodger O. McElk.	4 0 1	8 11 10	154 0 8	19	House and land.
26th July.	Ballyholmead, Upper.	Sam's Curran.	Catherine Mulhol-	1 1 1	1 8 4	18 8 8	21	"
"	Doerrybeg.	James Egan's Egan.	Stewart H. Knight.	10 7 25	42 4 10	548 8 0	171	Judicial rent.
1854.								
1st Feb.	Ballynascrag.	George H. Campbell.	James Johnston.	4 0 1	3 1 0	138 8 0	141	House and land. Judicial rent.
"	Ballynascrag.	Joseph and Wm. Har-	Wm. Boyd.	1 0 26	2 3 0	58 8 0	84	"
"	"	David M. Roberts.	John O'Brien.	1 0 26	2 3 0	54 8 0	84	"
"	Ballyholmead, Lower.	James Smith.	Henry McAlister.	7 1 13	14 8 4	258 8 0	15	Judicial rent.
21st May.	Upper.	Henry Keady.	John McAloon.	3 0 28	3 12 1	42 12 8	24	"
26th March.	Grassha.	John Hartmann, sen.	Alex. Harrison.	16 2 8	33 10 0	443 12 0	121	"
1855.								
15th March.	Dromahaire.	John Potts.	Hugh B. Jennings.	3 2 20	0 2 0	70 0 0	129	House and land.
14th April.	Dromahaire.	Isabella Egan.	George B. Campbell.	4 3 35	20 8 8	138 0 0	32	Judicial rent.
"	Grassha.	William Nislock.	James Wright.	28 0 5	18 10 8	380 0 0	34	"
2d March.	"	John Nislock.	Samuel Wright.	14 1 39	29 13 8	290 0 0	8	"
15th June.	Chesep.	Donald McVey.	James McElk.	2 2 25	5 3 10	40 0 0	13	Land only.
1856.								
15th Dec.	Only.	William King.	Robert M. Bradford.	14 2 30	15 8 4	150 0 8	23	House and land. Judicial rent.
25th January.	Commons, Upper.	Robert Moore.	Patrick Keenan.	4 5 22	7 13 8	125 0 0	29	"
19th March.	"	John Paxton.	Henry W. Glade.	7 2 28	12 9 10	162 12 8	134	"
14th February.	Lower.	Wm. Baird.	Peter Woods.	3 8 31	1 18 8	32 0 8	104	Judicial rent.
2nd June.	Ballyholmead, Lower.	David Chambers.	George H. Ansell.	4 2 9	3 14 8	42 12 8	21	"
15th June.	Dromahaire and Liddrumhills.	Andrew Davidson.	Charles Moore.	4 0 28	5 8 8	80 8 8	61	"
"	Ballynascrag.	Robert Moore, jun.	Robert Moore.	5 5 15	5 8 8	37 0 8	184	"
"	Grassha.	William Robinson.	Thomas Davidson.	39 2 25	27 16 4	245 12 8	8	"

EARL OF KILMOREY'S MOURNE ESTATE.

1851.								
2d Nov.	Grassha.	Mrs. M. Egan.	Samuel Skene.	42 1 18	43 8 0	360 0 0	32	Very good houses.
1851.								
June.	Doerrybeg.	James Martin.	Catherine Martin.	18 1 8	9 6 0	166 0 0	25	"
1853.								
October 18.	Carganagh.	Alexander M. Graham.	Henry Galt.	17 1 39	4 16 8	245 0 0	45	"
August 18.	Ballypamphry.	John and Robt. Wilson.	Thomas Barley.	21 5 14	53 6 0	665 0 0	130	Judicial rent.
October 18.	Ballyholmead.	James Wilson.	Pat Fitzgerald.	7 2 15	7 8 8	260 0 0	54	Land alone; no buildings.
"	"	"	Thomas Bingham.	9 8 14	7 6 0	215 0 0	27	"

PAPER No. 11.

Estate of KILMOREY'S MOUNTAIN ESTATE—continued.

Date of Sale.	Townland.	Vender.	Purchaser.	Acres.	Best.	Amount Sold for.	No. of Years' Purchase.	Observations.
1881.								
October 8.	Ballykeel.	James Wainman.	William Irvine.	55 5 13	10 0 4	170 0 0	15	Land along the buildings.
"	"	"	Francis Orr.	4 2 29	4 15 0	148 0 0	21	"
"	Brough.	Joseph Orr.	William Connolly.	23 1 2	15 10 0	36 0 0	12	Judicial rent.
Dec. 14.	Moodyparagon.	John Oulfield.	Alex. Nevill.	8 0 20	3 4 0	593 0 0	50	"
" 19.	Cresfield.	Mary Moore.	Diana Hamilton.	20 1 12	20 0 0	265 0 0	40	"
Nov. 30.	Ballymorederby.	Thomas Mager.	William Clifton.	6 5 28	0 18 0	40 0 0	40	Home and garden.
" 3.	Highborough.	Richard Trumble.	James Campbell.	14 2 28	15 10 0	412 0 0	20	"
" 23.	Deroyoga.	Fat Mager.	Hugh Mager.	0 0 15	1 1 0	18 0 0	15	"
" 15.	Cresfield.	John D. Moore.	Arthur Fawcett.	34 3 22	67 0 0	176 0 0	100	Judicial rent; no buildings.
" 15.	Tollymore.	Mary Sloan.	John Quinn.	14 2 2	2 20 0	16 0 0	8	"
" 26.	Cargagh.	Peter Doran.	Fat Conaghan.	13 0 0	2 22 0	126 0 0	40	"
October 28.	Lurganough.	William Reynolds.	James Doran.	1 2 20	1 20 0	61 0 0	45	"
1884.								
January 13.	Cargagh.	Thomas Hanna.	James Annett.	39 0 23	3 13 4	314 0 0	25	"
" 16.	Ballymorederby.	Joseph George.	James Hanna.	5 1 38	1 10 0	41 0 0	31	"
February 6.	Cresfield.	Joseph Moore.	Charles Knox.	15 0 1	20 0 0	418 0 0	50	"
" 19.	Moodyparagon.	William Boyd.	Alex. Rasthew.	32 2 0	10 0 0	350 0 0	20	"
" 26.	Anglin.	Daniel Kinney.	James Wilson.	32 2 25	16 0 0	340 0 0	22	Judicial rent.
March 12.	"	John Kean.	John Mahon.	6 0 17	2 0 0	164 0 0	42	"
" 26.	Ballykeel.	John Hanna.	James Stevenson.	6 0 19	7 1 2	84 0 0	15	"
April 5.	Anglin.	James Hanna.	George Hanna.	6 0 29	4 12 0	213 0 0	45	"
" 10.	Ballymorederby.	John McKee.	Richard Dunlop.	4 0 25	4 10 0	64 0 0	24	"
" 19.	Ballymore.	George Annett.	Elizabeth Moore.	84 3 20	4 0 0	18 0 0	25	A rough moon.
July 4.	Lurganough.	Pet Macdonald.	Hugh O'Hara.	34 3 10	14 10 0	260 0 0	35	Judicial rent.
" 15.	Ballymorederby.	John Oul.	Robert Irvine.	3 0 0	3 11 8	70 0 0	28	"
Sept. 1.	Anglin.	Francis Smith.	John McKee.	2 0 10	9 20 7	80 0 0	50	"
August 17th.	Anglin.	Mary J. Savage.	Samuel A. Quinn.	8 1 0	6 0 0	70 0 0	28	"
May 17th.	Anglin.	Stephen McKee.	James Morgan.	10 2 10	4 11 18	65 0 0	16	"
1885.								
Jan. 1st.	Anglin.	Owen McKee.	Thomas Conaghan.	14 1 2	4 9 0	100 0 0	16	"
" 20th.	Cargagh.	William Scott.	James Scott.	13 1 8	6 18 0	90 0 0	6	Judicial rent.
Feb. 14th.	Glennamund.	Mary J. Stevenson.	O. O'Neill.	8 0 13	1 18 3	67 0 0	24	"
March 20th.	Moodyparagon.	James Savage.	Fat McKee.	2 1 23	2 8 2	67 0 0	44	"
Aug. 18th.	Ballymorederby.	James Conaghan.	John Niblock.	37 1 39	11 0 0	121 0 0	14	"
"	Anglin.	"	Arch. Wilson.	5 5 0	1 14 0	8 0 0	8	"
"	"	"	James Elio.	9 1 19	6 1 0	50 0 0	25	"
Oct. 17th.	Moodyparagon.	Mary Digby.	Daniel Hughes.	3 1 15	3 16 0	34 0 0	22	"
Nov. 18th.	Glennamund.	Samuel Conaghan.	Thomas Keeney.	8 3 21	7 8 0	15 0 0	7	"
Dec. 21st.	Anglin.	Samuel Hanna.	Alexander Beck.	21 0 0	7 11 0	618 0 0	48	"
1886.								
Jan. 20th.	Moodyparagon.	Martha Mathia.	William Young.	5 0 20	1 7 0	20 0 0	21	"
" 20th.	Ballymorederby.	Ex'or of Rev. G. Maguire.	John D. Moore.	10 2 20	10 10 0	308 0 0	12	"
Feb. 20th.	Anglin.	Arch. Wilson.	William McKee.	3 2 0	1 14 0	38 7 0	8	"
" 20th.	Ballymorederby.	John Dolgan.	Fat Kinney.	10 2 20	8 0 20	80 0 0	11	Judicial rent.
March 18th.	Moodyparagon.	R. & P. Rodgers.	Fat McKee.	30 8 12	8 25 0	177 0 0	20	Judicial rent.
April 18th.	Deroyoga.	Sam Grant.	James McKee.	5 0 20	7 0 20	62 0 0	28	"
Aug. 18th.	Anglin.	Richard Quinn.	C. McKee.	6 0 0	3 0 0	64 0 0	7	"
Sept. 7th.	Highborough.	Alexander Connolly.	Ellis Shannon.	10 2 20	10 15 0	312 0 0	24	"
" 18th.	Anglin.	Ellis Flood.	T. & O. Conaghan.	8 2 20	1 10 30	34 0 0	24	"
" 18th.	Glennamund.	Fat Treason, Rpt.	Henry McKee.	5 2 12	4 2 4	85 0 0	20	"
Nov. 18th.	Anglin.	Henry Wainman.	Robert Quinn.	6 0 20	12 20 20	180 0 0	17	No buildings.

PAPER No. 11.

ESTATE OF THE TRUSTEES OF THE MARQUESS OF DOWNSHIRE, COUNTY OF DOW.

Date of Sale	Tenanted.	Tenants.	Purchase.	Average.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
1841.								
Feb 24	Belknap, East.	Mary Doyle's Esgs.	Neil McLaughlin.	12 2 14	7 12 0	615 0 0	36	
March 24	Mythenburgh and Mount.	William Stuart.	William Bell.	7 0 12	2 22 0	210 0 0	24	
Aug 5.	Beamel.	James Robinson.	James Esbery.	48 2 4	20 0 0	1,100 0 0	22	
Oct 12.	Baymuck.	William McKiss.	Alexander Armer.	34 1 32	24 0 0	402 0 0	16	
" "	Largerville.	Patrick W. Smith.	William J. Dillon.	50 0 37	18 1 0	303 0 0	15	
" "	Ballygowan.	R. Walker's Esgs.	William Browne.	28 2 12	10 14 0	317 0 0	10	
" 25.	Laudon and Drum- mole.	John Burton.	Wm. John Thompson.	17 0 7	27 0 0	306 0 0	17	
" 25.	Teaghmore.	Wm. Standish's Esgs.	Robert Standish.	12 1 24	11 17 0	155 0 0	10	
Nov 5.	Teaghmore.	William Gibson.	James Johnston.	7 1 12	2 14 0	125 0 0	12	
" 18.	Edinrish.	William Dele's Esgs.	Robert Maly.	10 4 34	12 4 0	246 0 0	16	
Dec 2.	Concey.	J. and H. Walsh.	James Johnston.	27 1 12	18 4 0	472 0 0	20	
" 20.	Ballyknock.	A. Nicholson's Esgs.	Samuel Shaw.	27 0 00	10 10 0	326 0 0	11	
" 25.	Kerrymore.	Hugh McGinn's Esgs.	H. MCG. Wallace.	58 0 18	11 24 0	680 0 0	22	
" "	Stanz.	O and A M. Malt's Esgs.	Patrick McMill.	11 2 21	2 4 0	164 0 0	10	
1842								
Feb 7.	Largerville.	F. M. Currie.	B. M. Adams.	34 0 0	12 0 0	505 0 0	21	
" 24.	Mythenburgh.	John Rogers.	John Shaw.	31 2 12	19 10 0	590 0 0	21	
" 24.	Ballygally.	John McEvoy's Esgs.	James Lyons.	12 0 38	10 0 0	210 0 0	16	
Feb 11	Mythenburgh.	John Currie.	James Graham.	12 0 30	21 0 0	350 0 0	20	
" 25.	Ardsley.	H. Wright's Esgs.	John Wilson.	10 0 7	4 18 0	121 0 0	12	
" "	Mallesmore.	John Kelly.	Samuel Fitzpatrick.	20 0 0	7 12 0	55 0 0	7	Mountain land.
" "	Drumshook.	John McLaughlin.	Joseph Shannon.	10 0 37	14 12 0	206 0 0	10	
" 13.	Ballygally (Eden- wood).	John Brown, junior.	James Colman.	30 2 14	8 12 0	305 0 0	21	
" "	Lisachan.	Robert Smith.	William Young.	31 2 4	12 10 0	325 0 0	14	
March 18.	Cullin.	F. Maguire.	W. G. Cowan.	7 0 12	0 22 0	120 0 0	12	
" "	Ballygally.	R. Kearney's Esgs.	James McLeod.	12 2 2	1 18 0	261 0 0	20	
" "	Lisachan.	R. Maguire's Esgs.	James Barrow.	15 0 0	20 12 0	560 0 0	22	
April 1.	Carr.	R. McGinn's Esgs.	Thomas Craig.	15 0 32	31 0 0	250 0 0	24	
July 31.	Clontarf.	G. A. Knox.	George A. Knox.	34 0 34	56 0 0	327 0 0	12	
" 22.	Carr.	J. Ebdley's Esgs.	A. Craig.	20 0 0	32 12 0	400 0 0	14	
Aug 21.	Twined.	Thomas Ridgen.	James Oliver.	0 0 24	0 0 0	160 0 0	12	
October 21.	Clontarf (Eden- wood).	W. J. Hickey's Esgs.	W. Ebdley.	31 0 4	30 12 0	400 0 0	12	
" 21.	Concey.	Frederic Grant.	James Grant.	0 1 10	7 12 0	172 0 0	25	
" 21.	Drumshook.	John Fitzpatrick.	John Stewart.	14 1 12	15 14 0	410 0 0	20	
" 28.	Ballygowan (Eden- wood).	Thomas Graham.	D. Maxwell.	22 1 27	50 0 0	700 0 0	21	
Nov 1.	Seagay.	James Gentry.	W. McLaughlin.	21 1 28	4 12 0	100 0 0	22	
" 21.	Ballyknock.	L. Harver's Esgs.	W. Armstrong.	0 0 12	0 0 0	120 0 0	12	
" 27.	Lisachan.	R. McKee.	John McKee.	20 0 12	12 4 0	215 0 0	16	
Dec 11.	Clontarf.	John Currie's Esgs.	James Malone.	0 2 22	0 0 0	40 0 0	12	Mountain land.
" 20.	Concey.	James Roney.	Wm. Davis.	45 0 20	09 4 0	615 0 0	14	
1843								
January 6.	Aghastish and Lis- achan.	A. Hickey's Esgs.	Edward Hood.	22 2 16	10 12 0	370 0 0	14	
" 28.	Barnmore.	H. Smith.	Francis McKee.	0 0 20	0 17 0	210 0 0	22	
" "	Lisachan (Eden- wood).	John Watson.	Wm. Brown.	67 0 24	22 14 0	1,200 0 0	20	
" "	Cullin.	J. Copeland's Esgs.	Robert Smith.	18 0 10	12 12 0	312 0 0	20	
" 20.	Concey.	R. Hayes.	James Lawrie.	50 0 0	12 0 0	300 0 0	25	
February 3.	Ardsley.	John McCannell.	Samuel McLaughlin.	15 0 18	10 14 0	240 0 0	24	
" 12.	Ballygowan.	Joseph Halliday.	Wm. Lill.	0 1 54	0 7 0	140 0 0	22	
" "	Seagay.	Edward Morgan.	Patrick Woods.	7 1 2	2 0 0	70 0 0	22	
March 27.	Drumshook.	Thomas Bradford.	James Murphy.	19 0 10	12 2 0	345 0 0	20	
April 1.	Ballygowan (Eden- wood).	H. R. McKinn.	James Caldwell.	7 0 8	0 0 0	240 0 0	22	
" "	Lisachan.	R. Smith.	H. H. Gentry.	28 0 20	12 0 0	212 0 0	14	
" 28.	Mallesmore.	D. McKee.	Hugh McKee.	0 0 20	7 4 0	100 0 0	12	
May 27.	Lisachan.	W. McLaughlin.	Hugh Lill.	26 0 12	42 14 0	400 0 0	22	
" 31.	Ballygowan.	Robert Malt.	Wm. Scott.	16 2 20	12 10 0	212 0 0	12	
August 11.	Clontarf (Eden- wood).	S. McKee.	James Clarke.	30 1 0	10 4 0	375 0 0	18	
" 18.	Ballygowan (Eden- wood).	J. Scott's Esgs.	Wm. Graham.	12 0 21	10 0 0	310 0 0	20	
Sept. 14.	Largerville.	Rev. J. Deane.	Thomas & Bostell.	30 1 0	21 12 0	640 0 0	20	
" 28.	Mallesmore.	W. Malt's Esgs.	Thomas Foster.	0 1 0	0 0 0	200 0 0	20	
October 20.	Aghastish.	M. Boddy's Esgs.	John McNeill.	26 0 20	21 12 0	430 0 0	24	
" "	Ardsley.	M. Wright.	Thomas Kearney.	16 2 14	12 12 0	340 0 0	20	
" 25.	Concey.	Thomas Gill.	John Kelly.	17 0 27	10 10 0	400 0 0	20	
Dec 12th.	Concey.	G. Esbery's Esgs.	James Hayes.	20 0 21	14 2 0	310 0 0	18	

PAPER No. 11.

ESTATE OF THE TWENTIES OF THE MARQUESS OF DOWNSHIRE, COUNTY OF DORSET—continued.

Date of Sale.	Townland.	Tenitor.	Purchaser.	Acreage.	Rent.	Amount sold for.	No. of Town Purchasers.	Observations.
1858.				A. R. P.	£ s. d.	£ s. d.		
January 24th.	Lampwells.	Reps. John Cettory.	John Cettory.	18 2 2	18 24 9	362 0 0	16	
" 18th.	Cerrydell.	Reps. John Crawford.	Samuel Gibbs.	16 0 22	16 0 0	370 0 0	20	
Feb 10th.	Begney.	Reps. John Widdow.	Samuel Campbell.	6 3 6	6 1 0	14 0 0	8	Halfy run out by Tenor.
" 24th.	Dromedrough.	Joseph Wood.	John McIlroy.	17 8 4	16 10 0	374 0 0	20	
" 24th.	Lend.	Reps. A. Bredges.	Patrick McEvoy.	7 1 12	6 4 0	140 0 0	22	
" 24th.	Lampwells.	Charles Smith.	T. Alexander.	6 2 28	6 4 0	140 0 0	20	
" "	Cerrydell.	Reps. F. Maoney.	Stephen O'Hagan.	17 9 12	17 10 0	380 0 0	21	
" "	Lend.	Reps. E. Stannan.	William Christie.	20 3 20	21 1 0	450 0 0	20	
" "	Ballygreen.	John Duffield.	James Gregg.	7 1 27	7 1 0	130 0 0	17	
" "	Cerrydell.	John Magowan.	H. Widdow.	65 10 12	75 14 0	170 0 0	19	
" "	Ballymaghy.	John Magowan.	James Corbale.	42 2 22	42 22 0	420 0 0	12	
" "	Mart.	John Magowan's Reps.	Robert Haddock.	6 8 27	7 7 0	127 0 0	20	
" "	Ballydell Bredges.	Reps. N. Beatty.	Martin Beatty.	16 8 22	16 8 0	440 0 0	20	
" "	Stap.	Henry Downey.	Andrew Woods.	15 8 0	6 1 0	144 0 0	20	
March 21st.	Malghobrin.	John Gower.	John Jem.	16 0 18	6 11 0	140 0 0	19	
" 21st.	Maydell.	William Peck.	Wm. Patterson.	17 8 2	17 11 0	375 0 0	19	
" 21st.	Cerrydell.	G. Armstrong.	James Cunningham.	46 2 22	46 2 0	1,000 0 0	20	
" 24th.	Ballygreen.	R. Holmes.	Henry Walsh.	6 5 8	7 0 0	150 0 0	20	
April 1st.	Lend.	Reps. E. M. Laughlin.	Edw. M. Laughlin.	50 2 12	14 14 0	350 0 0	22	
" 1st.	Lampwells.	James Kenna.	M. McCarville.	22 1 24	12 6 0	615 6 0	24	
May 1st.	Ballymaghy.	John Widdow.	William Kenna.	27 2 24	21 10 0	1,130 0 0	20	
" 1st.	Ballygreen.	Reps. S. Mair.	A. Mair.	27 0 20	20 20 0	460 0 0	15	
July 10th.	Cerrydell.	Reps. T. Kirk.	Robert O'Hagan.	44 2 22	40 20 0	880 0 0	22	
August 1st.	Cerrydell.	Robert Scott.	James Loder.	5 2 14	6 20 0	240 0 0	20	
" 10th.	Cerrydell.	Thomas Young.	John Duffield, Jr.	55 1 20	41 27 0	450 0 0	19	
Sept 1st.	Malghobrin.	Joseph McCandless.	James McCandless.	12 1 12	12 0 0	260 0 0	19	
" 1st.	Ballygreen.	Edward Grant's Reps.	Henry Doyle.	6 0 20	6 0 0	41 0 0	9	
October 2nd.	Cerrydell.	John McKerr.	Moore Fisher.	16 0 19	11 0 0	412 0 0	20	
" 12th.	Lampwells.	Matthew Maguire.	Alex. M. Deane.	40 2 16	40 20 0	780 0 0	19	
" 12th.	Cerrydell.	Edward Hiles.	A. W. Stacker.	6 2 24	6 0 0	75 0 0	12	
Nov. 1.	Ballygreen.	James Devry.	James Kingston.	6 10 12	7 10 0	150 0 0	16	
" 1.	Dromedrough.	High Martin, Reps.	John Alexander.	28 2 21	28 20 0	220 0 0	19	
" 4.	Cerrydell.	High Martin.	John Owens.	6 2 24	6 0 0	200 0 0	20	
" 4.	Ballydell Bredges.	John N. Duffield.	Thomas Tiley.	12 1 12	12 0 0	260 0 0	20	
" 13.	Cerrydell.	Margaret J. Walker.	James M. Conley.	6 1 12	6 10 0	87 0 0	20	
" 17.	Ballygreen.	J. J. N. Hiles.	Wm. John Murphy.	21 0 0	14 0 0	1,800 0 0	10	
" 20.	Barydell.	High Widdow.	David Higgins.	6 1 0	6 10 0	245 0 0	20	
" 21.	Dromedrough.	Samuel Leron.	James Anderson.	16 0 20	16 0 0	420 0 0	21	
" 25.	Ballygreen and Lampwells.	Thomas Maguire.	William G. Martin.	6 5 55	6 14 0	24 0 0	22	
December 8.	Tollydell.	Reps. J. Burns.	John McEvoy.	7 3 12	6 1 0	314 0 0	22	
" 15.	Ballydell.	John Murphy.	Thomas Murphy.	21 0 12	16 0 0	360 0 0	19	
" 17.	Cerrydell.	Reps. F. Stannan.	Robert W. Kenna.	20 0 27	10 0 0	560 0 0	12	
1859.								
January 13.	Lampwells.	Reps. J. Kelly.	Robert Johnston.	24 0 20	21 22 8	450 0 0	20	
" 17.	Cerrydell.	J. J. Hiles.	Joseph McCandless.	24 0 20	40 0 0	875 0 0	14	
" 21.	Stap.	Owen Widdow.	John Widdow.	11 5 21	5 6 0	90 0 0	20	
" 22.	Ballygreen.	John McIlroy.	Deane M. Conley.	16 1 6	6 17 4	81 0 0	9	
Feb 14.	Cerrydell.	Thomas McCherry.	John Butterford.	17 1 24	15 15 0	365 0 0	27	
" 25.	Cerrydell.	Arthur Widdow.	John Flanagan.	7 1 24	6 10 0	93 0 0	20	
" 28.	Ballydell.	John Widdow.	James Kenna.	10 0 6	6 7 0	210 0 0	27	
March 1.	Cerrydell.	John Duffield's Reps.	James A. Stannan.	40 1 18	42 18 0	875 0 0	20	
" 15.	Barydell.	Joseph Gibbs.	Alexander Martin.	24 1 12	16 0 0	244 0 0	20	
" 21.	Cerrydell.	Henry Hiles.	Joseph Kenna.	0 1 6	6 6 0	114 0 0	17	
April 1.	Dromedrough.	Reps. W. East.	Robert Adams.	7 0 20	4 20 0	240 0 0	20	
May 7.	Cerrydell.	James Chambers's Reps.	James Hiles.	14 0 6	7 24 0	60 0 0	19	
" 20.	Cerrydell.	John Widdow's Reps.	James Widdow.	15 0 20	11 8 0	270 0 0	20	
June 15.	Ballydell.	James Hiles.	James Hiles.	11 5 27	11 24 0	390 0 0	27	
August 27.	Ballydell.	James Hiles.	James McCandless.	24 0 20	21 0 0	490 0 0	12	
Sept 7.	"	Andrew Blackburn.	Edward Blackburn.	20 1 24	21 0 0	360 0 0	11	
" 17.	Stap.	George Hiles.	James East.	6 2 27	6 9 0	160 0 0	17	
" 27.	Cerrydell.	Reps. S. McCandless.	John Widdow.	20 0 9	16 6 0	445 0 0	19	
" 27.	Ballydell.	James East's Reps.	John Gibbs.	40 0 20	45 14 0	620 0 0	20	
" 28.	Widdow.	Thomas Robinson.	J. Robinson and E. East.	40 0 0	41 0 0	400 0 0	12	
" 28.	Dromedrough.	James Robinson.	E. East.	12 0 28	12 15 0	160 0 0	16	
" 28.	Tollydell.	W. Kenna's Reps.	W. Johnston.	22 0 20	18 0 0	210 0 0	15	

PAPER No. 11.

ESTATE OF THE TITHEES OF THE MARQUESS OF DOWNSHIRE, COUNTY OF DOWE—continued.

Date of Sale.	Townland.	Vendee.	Purchaser.	Arrears.	Rent.	Amount Sold for.	No. of Years For- feited.	Observations.
1801.				A. R. S.	£ s. d.	£ s. d.		
October 10.	Begany, . . .	James Campbell, . .	J. Campbell, . .	24 0 18	18 4 0	312 0 0	10	
" 13.	Naughton, . . .	John Lennon, . . .	J. Armstrong, . .	7 0 20	4 7 0	48 0 0	23	
" 17.	Clontarf, . . .	Moore Fisher, . . .	J. Douglas, . . .	20 8 12	61 0 0	640 0 0	30	
Nov. 22.	Waterloo, . . .	W. Smyth's Reps., . .	J. McGroarty, . .	4 5 04	4 24 0	118 0 0	61	
" "	Currygraw, . . .	Henry Holpin, . . .	John Holpin, . . .	16 0 00	34 4 0	180 0 0	36	
" "	Deansdownagh, . .	E. Hannon's Reps., . .	D. McCauley, . . .	16 0 00	17 16 8	480 0 0	22	
" 17.	Townmore, . . .	David Ewin, . . .	John Norton, . . .	50 2 30	50 16 8	900 0 0	8	
" 20.	Magheraness, . . .	W. Dunsin's Reps., . .	James Kennedy, . .	21 1 20	7 10 0	300 0 0	20	
Dec. 18.	Bucknashagh, . . .	E. Knox's Reps., . .	A. Knox, . . .	30 3 8	18 10 0	540 0 0	30	
" 18.	Brumashagh and Keshinagh, . . .	G. Montgomery, . . .	J. Knox and D. Mason, . . .	42 3 12	70 3 0	420 0 0	14	
" 16.	McLoughlin, . . .	Hugh M'Kay, . . .	John M'Kay, . . .	7 1 18	4 0 0	60 0 0	36	
" 12.	Magheraness, . . .	J. Robinson, . . .	Charles Green, . .	16 4 16	24 10 0	320 0 0	16	
1802.								
January 12.	Ballymore, . . .	J. Poulson's Reps., . .	James Douglas, . .	2 1 0	2 6 0	20 0 0	40	
" 20.	Man, . . .	E. Tappin, . . .	Robert Hann, . . .	7 2 22	6 12 0	504 0 0	30	
" "	Edwardsfield, . . .	E. Knox's Reps., . .	D. A. Davidson, . .	40 0 12	32 10 0	610 0 0	24	
February 2.	Magheraness, . . .	J. M'Kee, . . .	R. English, . . .	50 8 12	30 3 0	180 0 0	8	
" 20.	Leach, . . .	Patrick Giblin, . . .	T. M'Gee, . . .	10 2 20	4 0 0	120 0 0	30	
" "	Ballybrook and Lurganville, . . .	Thomas M'Gee, . . .	W. Gilman, . . .	8 2 28	6 14 8	70 0 0	18	
March 4.	Green, . . .	W. Armstrong, . . .	John Chaffy, . . .	41 1 9	48 10 0	610 0 0	24	
" 16.	Ballymore, . . .	W. Russell, . . .	M. M'Gee, . . .	35 2 20	22 6 8	410 0 0	16	
April 10.	Lisnashagh, . . .	A. Malcomson, . . .	James White, . . .	24 1 14	18 10 0	480 0 0	24	
August 10.	Lurganville, . . .	Wm. Martin, . . .	Mgt. Martin, . . .	26 1 00	16 10 0	160 0 0	16	

ESTATE OF THE TITHEES OF THE MARQUESS OF DOWNSHIRE, COUNTY OF ANTRIM.

1811.								
July 28.	Derryland, . . .	A. Malcomson, . . .	W. M'Gee, . . .	17 2 16	17 0 0	410 0 0	24	
October 28.	Clement's Hill, . .	Robert Poulson, . .	Edward Knox, . . .	30 2 22	20 16 0	370 0 0	16	
1812.								
January 21.	Slieve, . . .	W. J. Rodgers, . . .	John Simpson, . . .	38 1 10	18 17 8	600 0 0	42	
Nov. 11.	French Park, . . .	W. Vint, . . .	Samuel Ross, . . .	17 0 20	20 16 0	300 0 0	17	
1813.								
March 4.	Strid, . . .	Wm. Hall, . . .	Patrick Giblin, . . .	6 1 10	6 10 0	215 0 0	36	
June 16.	Clement's Hill, . .	Barth Kirk, . . .	John Kirk, . . .	37 2 20	16 17 0	370 0 0	14	
August 1.	St. Mary's Land, . .	A. Morron, . . .	James Wetherby, . .	16 1 22	14 10 0	270 0 0	16	

EARL ANNESLEY'S ESTATE.

1811.								
May, . . .	Ballymaginnane, . .	Henry M'Donnell, . .	Harry and John Ross, . .	4 1 24	0 30 0	125 0 0	10	annuity
1812.								
July, . . .	Clontarf, . . .	James Charlton, . . .	Michael Blay, . . .	12 1 16	0 30 0	140 0 0	27	
November, . . .	Legnashagh, . . .	Patrick Leroy, . . .	Lawrence Connolly, . .	8 0 14	2 15 0	51 30 0	24	
December, . . .	Lisnashagh, . . .	Mrs. M. Martin, . . .	Robert Fox, . . .	3 2 22	6 12 0	122 0 0	18	
1813.								
January, . . .	Ballymaginnane, . .	Ellen Magrath, . . .	James Magrath, . . .	4 0 0	1 10 0	50 0 0	30	
" "	Cross, . . .	Ellen Dore, . . .	Hugh Cunningham, . .	0 0 0	0 0 0	65 0 0	27	
February, . . .	Ballymaginnane, . .	Arthur O'Brien, . .	William Horro, . . .	14 0 22	6 0 0	120 0 0	20	
" "	Legnashagh, . . .	John Bennett, . . .	Robert Armstrong, . .	7 0 20	4 0 0	180 0 0	20	
March, . . .	Cross, . . .	Thomas Connors, . .	Thomas Agor, . . .	10 0 20	3 0 0	64 0 0	21	
" "	Ballymaginnane, . .	James Lorton, . . .	John Murphy, . . .	6 1 10	7 10 0	440 7 8	40	
" "	Legnashagh, . . .	J. Bell, Esq. and John Martin, . . .	Robert Martin, . . .	—	0 31 0	65 0 0	18	Full payment made, etc.
" "	Ballymaginnane, . .	Patrick M'Mann, . .	Robert Duffell, . . .	0 0 20	2 0 0	48 0 0	20	
April, . . .	Cross, . . .	Hugh M'Call, . . .	Thomas Taylor, . . .	10 0 27	0 4 0	55 0 0	20	annuity

Date of Sale.	Townland.	Tenant.	Purchaser.	Acreage.	Rent.	Amount Paid for	No. of Years' Purchase.	Observations.
1848.				A. R. P.	£ s. d.	£ s. d.		
January.	Duckerry.	Edward McGowan.	Michael McGowan.	34 1 38	5 2 0	120 0 0	25	over
October.	Dundale.	Thomas McCullough.	W. H. Thompson.	34 1 6	12 0 0	200 0 0	16 1/2	
"	Ballymaghagh.	John Eash.	Michael Shields.	7 1 14	6 0 0	125 10 0	25	over
November.	Lislin.	Edward McGowan.	James Kelly.	4 5 20	5 12 0	120 0 0	24 1/2	
December.	Tollymore.	John Dunn.	Michael Quinn.	4 3 30	10 12 0	125 0 0	13 1/2	
"	Ballygoleagh.	Patrick Kearney.	Daniel Collins.	4 0 0	5 14 0	112 10 0	20 1/2	
"	Buckderry.	Widow E. Savage.	James Moorey.	3 0 0	4 0 0	125 0 0	24 1/2	
"	Lislin.	Patrick Campbell.	James Dunn.	4 3 25	5 0 0	112 0 0	20	
November.	Ballygoleagh.	James McIlven.	Daniel Collins.	14 0 35	11 15 0	150 0 0	20	over
1849.								
November.	Silkenbury.	Daniel Smyth, jun.	Daniel Smyth, jun.	17 0 35	3 0 0	170 0 0	25 1/2	
1849.								
January.	Lislin.	Reps. David Martin.	Robert Bell.	24 0 0	32 0 0	1,200 0 0	23	over
February.	Tullymore.	John McCann.	John Moorey.	22 3 18	6 0 0	200 0 0	40	Judicial tenancy.
March.	Lagunney.	Edward O'Hare.	Patrick Burns, jun.	20 0 30	4 7 8	160 0 0	25 1/2	
"	Mayall.	William McClellan.	William Greer.	14 0 0	3 20 0	80 0 0	20	over
December.	Annaburgh.	Eliza Martin.	Daniel Spies.	13 0 37	30 10 0	265 10 0	20	
February.	Lislin.	Robert Bell.	William McTilly.	4 0 18	7 0 0	200 0 0	25 1/2	
"	Ballymaghagh.	Owen Ross.	James Eash.	4 5 35	5 0 0	60 0 0	20	
"	Mayall.	James James Eway.	Hugh Cunningham.	18 0 0	5 0 0	120 0 0	20	
March.	Tullymore.	Mary Doyle.	Patrick Traynor.	12 2 0	3 10 0	140 10 0	21	
1850.								
January.	Lagunney.	Erldget Eweness.	Henry Holmes.	8 0 30	4 14 0	160 0 0	20	over
"	Ballygoleagh.	Arthur Higgins.	Patrick Council.	11 1 18	6 0 0	110 7 8	20 1/2	
"	Tullymore.	John Bradley.	John Trainor.	3 0 18	1 10 0	60 0 0	20	
February.	Lislin.	James McTilly.	Stewart McTilly.	28 2 10	16 10 0	400 0 0	20 1/2	
"	Buckderry.	A. and F. Owens.	F. Magrath.	10 0 37	4 20 0	120 0 0	20	
April.	Ballymaghagh.	Reps. J. Magrath.	James Eash.	7 0 0	3 20 0	80 0 0	17	
1851.								
February.	Lislin.	Daniel McTilly.	William McTilly.	8 3 22	0 0 0	200 21 8	20	over

JOHN BLAKISTON HOUNTON'S ESTATE.

1851.								
1st February.	Dundale, co. Down.	Alex. Gordon.	George Chapman.	8 1 30	8 10 0	50 0 0	10	Judicial rent.
1st February.	Ballymacross, co. Down.	John Lynch.	Hugh Colwell, sen.	20 0 10	20 0 0	200 0 0	10 1/2	Ordinary freely tenant.
1852.								
11th April.	Ballymacross, co. Down.	Alex. Agnew.	Alex. Kennedy.	50 0 0	50 21 0	220 0 0	10 1/2	" "
1853.								
21st January.	Cottown, co. Down.	Michael Hays.	Thomas Hays.	18 2 30	50 0 0	100 0 0	10 1/2	" "
2nd April.	Ballymacross, co. Down.	John Agnew.	John Alden.	11 0 1	10 0 0	100 0 0	10 1/2	Leaseholder.
2nd July.	Clontarf, county Antrim.	Wm. Boney.	James McElroy.	22 2 54	120 0 0	5,000 0 0	21	Judicial rent.
10th August.	Ballymacross, county Down.	Reps. Hugh Warrack.	Anthony Boyd.	70 1 0	64 14 10	1,200 0 0	20 1/2	" "
21st August.	Ballymacross, co. Down.	William McKel, jun.	Samuel Palmer.	40 0 10	40 10 0	600 0 0	20	Ordinary freely tenant.
10th August.	Cottown, co. Down.	Reps. John Warden.	Alex. Warden.	10 2 0	60 0 0	100 0 0	21	Judicial rent.
2nd October.	Ballymacross, co. Down.	William Kennedy.	James Bowley.	28 0 0	10 11 0	270 0 0	10	Leaseholder.
2nd October.	Ballymacross, co. Down.	Reps. Hugh Warden.	Alex. Kennedy.	30 0 0	27 24 0	180 0 0	21	"
1854.								
2nd Nov.	Clontarf, county Antrim.	Henry Leroy.	James McElroy.	12 2 20	15 10 0	200 0 0	10	Judicial rent.
10th Dec.	Ballymacross, county Down.	John Kennedy.	Adam Palmer.	40 0 0	40 0 0	700 0 0	24	" "
21st Dec.	Ballymacross, co. Down.	Charles Hughes.	Robert Palmer.	10 2 37	10 0 0	220 0 0	10	" "
1st Feb.	Ballymacross, co. Down.	John Orr.	Adam McKel.	20 0 30	14 0 0	210 0 0	20	" "

PAPER No. 11.

BALLYVAUGHN ESTATE OF THE TRUSTEES OF KEL.

Date of Sale.	Townland.	Vender.	Purchaser.	Acreage.	Res.	Amount sold for.	No. of Years' Purchase.	Observations.
1844.				A. B. P.	C. A. L.	C. A. L.		
January 19,	Ballymore.	Lynday, William.	Ferguson, Joseph.	6 0 28	6 12 0	35 0 0	104	
" 14,	Glendrummond.	McMaster, Robert.	Totten, James Ed- ward.	21 0 0	15 8 0	445 0 0	50	
" 20,	Ballykine.	McGillivray, John.	Quinn, Samuel.	7 2 7	5 2 4	60 0 0	404	
February 26,	Ballymore.	Long, James, widow.	Long, Hugh.	6 3 28	8 8 0	220 0 0	94	
March 4,	Corrymore.	Armstrong, Thomas.	Dunlop, James.	14 2 12	22 2 0	415 0 0	72	
April 12,	Ballykine.	Maguire, Henry.	Graham, William.	1 1 8	0 12 8	12 14 8	164	
" 18,	"	Maguire, Catherine.	Carlin, John.	8 2 28	4 35 0	74 20 0	50	
October 26,	"	Chase, James.	Dunlop, John.	8 0 20	6 7 8	160 0 0	31	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 16 years' purchase.
Nov. 4,	Ballymore.	Scott, David.	Kee, William.	95 0 56	90 12 0	520 0 0	17	
1845.								
January 20,	Glendrummond.	Hesse, James.	Burrows, William, and Co.	5 0 0	4 8 8	102 20 0	12	
Nov. 14,	Ballykine.	Tate, David.	Davis, John.	36 0 0	14 2 0	268 0 0	144	
"	Clontarf.	Shane, William, and Co.	Hesse, William.	7 0 2	6 1 0	218 0 0	20	175. A poor rocky farm, and little competition.
1846.								
January 4,	Ballymore.	Davis, Thomas.	Barrows, George.	42 3 20	40 20 0	690 0 0	144	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 16 years' purchase.
" 13,	Ballymore.	Murray, Thomas.	Tate, Joseph.	12 2 0	12 2 8	180 0 0	124	Indifferent land, and little competition.
February 1,	Ballymore.	McDonald, Thomas.	Flynn, James.	16 1 20	16 16 4	236 0 0	12	
January 20,	Magheramock.	Shilly, Mathew.	Bogers, James, and son.	20 8 21	22 18 2	600 0 0	164	176.
February 26,	Ballymore.	Foran, William.	Greene, Michael H.	28 2 21	22 16 0	406 0 0	12	
March 5,	Glendrummond.	Woolfield, Arthur.	Smith, William.	13 5 35	8 16 0	210 0 0	204	
April 1,	Ballykine.	McKee, Long, John.	Armstrong, Andrew.	11 0 56	8 0 0	210 0 0	184	Vender obliged to sell owing to financial difficulties.
June 22,	Ballymore.	Stewart, John.	McCarthy, Andrew.	10 0 59	10 8 8	290 0 0	204	
Dec. 26,	"	McVale, John.	Greene, Andrew.	17 1 1	14 0 0	306 0 0	204	
1847.								
January 6,	Ballykine.	Oliver, Andrew.	Brown, Francis.	51 1 8	16 14 0	248 0 0	144	Four farms and little com- petition.
February 16,	Ballymore.	Parker, David.	Cady, Joseph.	4 5 56	4 2 0	198 0 0	174	
March 2,	Glendrummond.	Emeson, Samuel.	McVale, William.	6 0 21	6 7 0	218 0 0	20	
April 8,	Ballymore.	Davis, John.	McCarthy, John.	8 8 0	6 0 0	210 0 0	20	176.
"	"	"	"	"	"	"	"	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 17 years' purchase.
May 13,	Burren.	McKeown, David (Kerr).	McKeown, Bernard.	15 8 0	30 1 0	280 0 0	20	Sold under Judicial rent.
Nov. 2,	Glendrummond.	Shilly, Delia (Kerr).	Bayly, James, and son.	8 0 56	6 20 0	320 0 0	24	
1848.								
February 16,	"	Self, William.	Hall, Samuel.	8 2 20	6 17 8	180 0 0	27	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 36 years' purchase.
" 17,	Ballymore.	Dobbin, William.	Greene, Thomas.	2 0 28	2 18 6	41 5 0	37	
" 26,	Glendrummond.	Maguire, Margaret.	McConn, Alexander.	7 1 8	6 2 0	75 0 0	164	Four land and little com- petition.
April 10,	Corrymore.	Foran, John F.	Martin, Samuel.	8 0 8	6 12 0	180 0 0	54	
Sept. 11,	Ballymore.	Quinn, Robert.	Brown, William.	14 1 8	11 12 8	304 0 0	17	
October 16,	Corrymore.	Robinson, James.	Self, John.	0 0 16	5 7 8	140 5 0	140	177. Judicial rent.
November 4,	Corrymore.	Patterson, Samuel.	Patterson, James.	7 0 28	7 1 0	156 0 0	10	
" 6,	Clontarf.	Bogers, Thomas.	Patterson, John.	24 1 8	12 8 0	270 0 0	54	Judicial rent; little com- petition.
" 8,	Ballymore.	Dobbin, William.	Ferguson, William.	21 2 16	8 14 0	600 0 0	22	
1849.								
Nov. 8,	Corrymore.	Edgar, William.	Patterson, James.	35 2 12	26 16 0	312 0 0	144	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 18 years' purchase.
Dec. 12,	Glendrummond.	Bennett, Hugh (W.C.).	Coulter, Hamilton.	25 0 0	30 0 0	600 0 0	20	
" 14,	Ballymore.	Dobbin, William.	Dobbin, William.	8 1 20	8 8 0	70 0 0	210	178.
1850.								
January 21,	Corrymore.	Foran, James.	Patterson, Charles.	48 2 28	24 0 0	1080 0 0	410	
March 4,	Ballymore.	McDonald, Thomas.	Flynn, James.	30 5 41	30 0 0	480 0 0	110	Judicial rent fixed here at 2s. of which "amount sold for" is equal to 18 years' purchase.

PAPER No. 11.

BALLYMORRIS ESTATE OF THE TRUSTEES OF KIR—continued.

Date of Sale.	Townland.	Vendor.	Purchaser.	Acreage.	Roofs.	Amount Sold for.	No. of Years' Purchase.	Observations.
				A. R. P.	R. A. d.	£ s. d.		
				20 2 12	20 0 0	400 0 0	15	Judicial rent fixed here at 22s. of which "amount sold for" is equal to 14 years' purchase.
				1 0 10	1 0 0	75 0 0	15	20.
				7 1 8	7 10 0	140 0 0	14	
				2 8 8	2 10 0	60 0 0	15	
				25 1 12	14 0 0	300 0 0	14	
				7 2 2	8 0 0	150 0 0	15	
				34 8 30	0 0 0	150 2 8	17	
				2 2 12	1 0 0	50 0 0	20	
				8 0 10	1 0 0	50 0 0	17	21.
				4 1 17	1 10 0	100 0 0	20	
				32 5 20	12 11 8	210 0 0	17	
				7 1 30	7 20 0	180 0 0	20	
				20 2 14	21 0 0	300 0 0	24	41.) Judicial rent fixed here at 21s. of which "amount sold for" is equal to 10 years' purchase.
				1 0 21	0 0 0	150 0 0	21	
				1 0 22	7 0 0	50 15 8	14	
				18 0 20	20 0 0	150 0 0	15	Judicial rent fixed here at 21s. of which "amount sold for" is equal to 14 years' purchase.
				18 0 21	20 0 0	150 0 0	20	
				0 1 12	0 0 0	120 0 0	22	
				20 1 12	0 0 0	150 0 0	20	21.
				0 1 20	0 0 0	170 20 8	20	
				0 1 2	1 20 0	60 0 0	20	
				22 0 0	10 0 0	400 0 0	20	Judicial rent fixed here at 20s. of which "amount sold for" is equal to 20 years' purchase.
				20 0 8	8 0 0	120 0 0	14	
				4 1 12	1 10 0	50 0 0	15	Judicial rent fixed here at 21s. of which "amount sold for" is equal to 24 years' purchase.
				20 2 20	20 20 0	300 0 0	14	21.
				2 4 20	0 0 0	120 0 0	18	Judicial rent fixed here at 21s. of which "amount sold for" is equal to 20 years' purchase.
				40 2 8	40 0 0	700 0 0	14	
				28 2 12	00 0 0	420 12 8	14	
				17 4 12	11 0 0	300 0 0	20	Judicial rent fixed here at 21s. of which "amount sold for" is equal to 24 years' purchase.
				44 0 0	04 0 0	1,012 0 0	20	21.
				12 1 20	15 10 0	200 0 0	20	
				7 0 12	4 4 0	120 0 0	20	Judicial rent fixed here at 21s. of which "amount sold for" is equal to 20 years' purchase.
				0 0 0	0 0 0	180 0 0	20	

CAPTAIN MEADE'S ESTATE.

Year.	Townland.	Vendor.	Purchaser.	Acreage.	Roofs.	Amount Sold for.	No. of Years' Purchase.	Observations.
1841.								
20th May.	Twoberys,	James Costley.	Richard Harris and George Costley.	8 2 25	8 15 0	500 0 0	40	
1844.								
20th Jan.	Ballymossney,	Andrew McAuley.	James Rawson,	50 4 12	16 4 2	607 0 0	23	
	"	"	Widow Spence,	8 1 2	4 24 8	165 0 0	20	
11th August.	Teekilly,	William McCullagh.	John Knox.	18 1 12	12 3 20	240 0 0	25	This land was consistently cultivated by neglect and had 14 bags.
"	Drumcliffe,	Stephen Lenson.	Hugh Mulligan.	11 1 0	10 0 0	440 0 0	45	

PAPER No. 11.

CAPTAIN MEADON'S ESTATE—continued.

Date of Sale.	Townland.	Tenants.	Purchaser.	Acreage.	Ext.	Amount Sold for.	No. of Years' Purchase.	Observations.
1804.				A. R. P.	£ s. d.	£ s. d.	Over	
24th Oct.	Terakilly.	Samuel McCullagh.	William Bush.	31 2 0	32 3 0	400 0 0	37½	These lands were sold by order of, and under the sanction of the County Court Judge. The lands were partly exhausted by neglect and bad tilage.
24th Oct.	"	"	W. J. Martin.	16 2 12	11 10 0	300 0 0	27	
1801.								
12th March.	Derrydown.	Robert Mulligan.	David McCullagh.	48 1 18	86 0 0	618 0 0	81	Sold by private contract without competition.
10th Nov.	Drumartin.	Hugh Kearney.	John Tully.	8 0 0	2 2 0	510 0 0	20	
1800.								
2nd April.	Cross.	Daniel Price.	James Cunningham.	8 2 8	2 4 10	180 0 0	48	This land is out of the best quality and is very much exhausted.
11th Nov.	Drumdown.	John Bell.	Samuel Waller.	14 0 10	10 11 8	240 0 0	32	
11th "	Ballymacarney.	Ross Mitchell.	J. Kelly.	6 0 30	2 18 2	204 0 0	48	

VICE-ADMIRAL EARL OF CLANWILLIAM'S ESTATE.

1800.								
1st Nov.	Inlanderry.	Ross Wm. Mulligan.	W. J. Mulligan.	16 2 0	18 15 0	300 0 0	—	The tenant died in very embarrassed circumstances. The land was sold after his decease and is consequently exhausted.

COUNTIES OF MONAGHAN AND TYRONE ESTATES OF SIR JOHN LESLIE, BART.

1801.								
Dec. 10.	Clashkerry.	Thomas Armstrong.	John Cuyll.	61 0 18	10 0 0	410 0 0	120	
1800.								
Feb. 10.	Enny.	Peter Cunningham.	Edward Brown.	8 0 21	5 0 0	45 00 0	120	
" 10.	Enny.	James Cunningham.	Robert Fallow.	18 0 20	14 10 10	170 0 0	114	
" 10.	Killybegs.	James Clow, Junior.	John McWilliams.	18 0 20	12 0 0	170 0 0	142	
" 10.	Tully.	John Brown.	Thomas Nisbett.	14 0 8	3 2 0	40 0 0	8	
March 10.	Yongarney, &c.	George Connet.	Robert Graham.	56 0 30	42 12 0	560 0 0	18	
" 10.	Portlough, &c.	George McKay.	John Halcott.	24 0 0	18 17 0	110 0 0	21	
" 10.	Wick.	John Halcott.	George Graham.	24 0 0	20 0 0	300 0 0	144	
1800.								
Jan. 10.	Enny.	R. D. Smyth.	Robert Brown.	10 0 20	4 11 2	40 0 0	144	
" 10.	Enniscappan.	James Buchanan.	George Nall.	10 2 30	10 10 10	100 0 0	32	
Feb. 10.	Drumagilly.	Bernard McKenna.	Arthur Davidson.	8 8 30	11 8 10	80 0 0	78	
April 10.	Carleton.	John McKenna.	Charles Burgess.	50 0 14	10 10 4	100 0 0	120	
"	Derryreen.	A. Harrison.	James Lamb.	30 0 40	17 1 10	140 0 0	8	
July 10.	Cavan Cope.	Peter Kenna.	John Murray.	10 0 40	11 10 0	40 0 0	84	
Nov. 10.	Kegval.	Mrs. Lewis.	John Delaney.	3 0 0	2 8 8	30 0 0	16½	
Dec. 10.	Drumagilly.	Robert McKay.	Samuel McKillop.	48 1 20	18 0 0	210 0 0	78	
1800.								
Jan. 10.	Enny.	John O'Connell.	George Moore.	8 0 10	4 0 0	30 0 0	120	
Feb. 10.	Enny.	John Lee.	James Kelly.	10 0 20	10 0 0	100 0 0	8	
Aug. 10.	Terragh.	Robert Roberts.	John McKenna.	10 0 0	7 10 0	70 0 0	80	
Dec. 10.	Fenagh.	John Kemp.	John Walker.	31 0 20	16 10 0	320 0 0	120	
1800.								
Jan. 10.	Kilfenny.	Reps of Charles Page.	Linda McClean.	20 2 12	7 14 8	85 0 0	120	
" 10.	Ennisk.	McCall Walker.	Thomas John.	11 1 10	10 10 0	70 0 0	80	
1800.								
March 10.	Ennisk.	Henry John.	Samuel Brown.	10 0 17	7 10 0	87 00 0	110	
" 10.	Derryreen.	James Mullin.	Patrick Conley.	8 2 20	5 10 10	60 0 0	120	
April 10.	Ennisk.	Alexander Stewart.	Robert McCullagh.	2 0 0	5 10 0	50 0 0	8	
"	Enny.	Joseph Neville.	Alexander Stewart.	1 0 0	4 10 0	40 00 0	30	
March 11.	Enny, &c.	Reps of Wm. Ferguson.	Hugh McKenna.	16 0 17	8 8 8	88 0 0	70	
Sept. 11.	Drumagilly.	John Wilson.	John McKenna.	7 2 0	6 0 0	40 0 0	48	
1800.								
Sept. 11.	Desert.	Mrs. Wilson.	Rev. John Davidson.	8 0 8	7 0 0	100 0 0	144	
Oct. 11.	Drumagilly.	Eden Mack.	William Mack.	12 0 0	7 10 0	140 0 0	144	
1800.								
March 11.	Terragh.	Reps of Owen Conley.	Patrick Kenna.	20 2 30	10 0 0	110 0 0	78	

LAND ACTS ROYAL COMMISSION.

PAPER No. 11.

COUNTY OF DOWRIGL ESTATE OF SIR JOHN LEBLIE, BART.

Date of Sale.	Townland.	Tenants.	Purchaser.	Acreage.	Rent.	Amount Sold For.	No. of Years' Purchase.	Observations.
1887.				A. R. P.	£ s. d.	£ s. d.		
July 26,	Lettismas, . .	Joseph M'Barry, . .	James Morris, . .	20 2 10	1 4 0	20 0 0	10½	
1891.								
May 21,	Carrickoughter, . .	James Gurnley, . .	William Moore, . .	5 1 0	5 0 0	40 0 0	10½	
Sept. 18,	Gurteeney, . .	Mrs. Robinson, . .	Thomas Allen, . .	40 0 0	87 17 6	435 0 0	17½	
"	Backwood and Fir,	do.	Thomas Egan, . .	50 0 0	20 12 6	100 0 0	13	
"	Carrig, . . .	John Ehlard, . .	David Jackson, . .	30 0 0	10 0 0	225 0 0	15½	
1894.								
March 12,	Seahamilly, . .	Elizabeth Brown, . .	James Henderson, . .	10 1 21	11 10 0	255 10 0	24½	
1895.								
Jan. 26,	Carrickoughter, . .	James M'Gillivray, . .	Lawrence M'Gill, . .	7 2 0	8 12 6	71 0 0	20	
Feb. 24,	Kilmeena, . .	William Abraham, . .	Joseph Wilson, . .	7 2 2	2 1 0	40 0 0	27	
1898								
Feb. 4,	Beldy, North, . .	James Cooper, . .	John M'Gill, . .	10 1 0	0 20 0	42 0 0	10½	

ESTATE OF THE EARL OF ROBIN IN THE COUNTY OF DOWRIGL.

1885.								
November 3,	Anglemoyle, . .	Edna Graham, . .	John Cunningham, . .	6 2 10	0 5 0	22 0 0	100	Unreclaimed bog.
1892.								
November 6,	Anglemoyle, . .	Mrs. Kay, . . .	G. W. Sparkis, . .	10 1 20	10 10 0	500 0 0	20	Large house on place.
1895.								
November 8,	Burnmore, . .	Valentine Stewart, . .	Henry Halliday, . .	1 0 0	1 1 0	60 0 0	50	No house on place.
1896.								
November 6,	Tullymore, . .	William Cassels, . .	Joseph Smyth, . .	10 0 0	10 10 0	210 0 0	22	
1898.								
November 6,	Tollymore, . .	Francis Quin, . .	Thomas Egan, . .	5 1 20	4 10 0	50 0 0	25	
1898.								
April 4,	Tollymore, . .	William McCurtain, . .	William Holmes, . .	7 0 25	5 2 1	100 0 0	20½	
1891.								
May 25,	Tollymore, . .	William Dun, . .	Owen King, . .	7 0 10	0 6 0	700 0 0	42	
1891.								
May 25,	Ballyhafy, . .	E. C. Jackson, . .	G. W. Sparkis, . .	20 0 24	10 0 0	120 0 0	24	
1891.								
Sept. 18,	Ballyhafy, . .	G. W. Sparkis, . .	Henry Halliday, . .	7 0 0	5 0 0	87 0 0	25	This farm was divided and sold to H. Halliday and Miss Halseley.
" 18,	do., . .	do., . .	Miss Halseley, . .	0 0 10	0 0 0	25 0 0	7	
" 18,	Anglemoyle, . .	do., . .	William Stewart, . .	10 1 10	10 10 0	200 0 0	10½	
1893.								
August 30,	Tullymore, . .	Rev. J. H. Smith, F.R.S., . .	John Brown, . .	4 2 20	7 10 0	50 0 0	45	do. do.
1893.								
February,	Papay Bann, . .	Edward Hanrahan, . .	Owen Doyle, . .	0 1 10	0 0 0	40 0 0	25	partly
April 15,	Clonsilla, . .	Joseph Shaw, . .	Patrick Kane, . .	54 0 0	0 10 0	50 0 0	5	
1897.								
Nov. 11,	Tullymore, . .	Thomas Kettle, . .	John Down, . .	10 0 10	0 0 0	62 0 0	25	
1897.								
December 2,	Tullymore, . .	William Waring, . .	Robert Doyle, . .	10 0 20	10 0 0	400 0 0	21	Lease for life of Prince of Wales, good house, 1000 lb. butter for 2500 s. year without any land.
March 18,	Papay Bann, . .	Denis M'Connell, . .	M. Doyle, . .	15 0 0	2 0 10	40 0 0	20½	
July 17,	do. Rough, . .	John M'Connell, . .	Michael Rafferty, . .	2 0 0	5 20 0	60 0 0	17½	

EDMUND FRANCIS VERT KNOL'S ESTATE IN COUNTY DOWRIGL.

1893.								
"	Kilgilly, . .	James M'Gillivray, . .	James Fallon, . .	02 2 25	40 0 0	710 0 0	20	Lease reduced by Land Com. valuations from 240. Now sold shortly after.
1894.	do.	Ann M'Gillivray, . .	Hugh Macdonald, . .	02 0 0	00 0 0	1,100 0 0	21½	Lease reduced by Land Com. valuations from 240.

PAPER No. 11.

HIS GRACE THE DUKE OF MANCHESTER'S ESTATE.

Date of Sale.	Overland.	Tenants.	Purchasers.	Acreage.	Bank.	Amount Sold for.	No. of Tons of Produce.	Observations.
1841.				A. R. P.	S. A. A.	S. S. S.		
Dec. 21.	Balsburgh.	Duke of Manchester.	Thomas Ray.	4 5 18	8 15 8	10 2 8	15 1/2	Judicial rent.
	Brigste.	Executors of Ben. L. D. Elliot.	Samuel Wilson.	2 2 18	10 15 8	17 1 8	8	Old rent. New fixed at 4 1/2.
	"	Duke of Manchester.	"	1 0 0	2 0 0	30 0 0	18	Judicial rent.
1842.								
February.	"	"	Thomas Wilson.	12 5 13	31 0 0	132 0 0	1 1/2	Old rent. Judicial rent now fixed at 4 1/2.
	Mellington.	"	John Johnston.	0 8 15	1 5	4 11 0	4	Judicial rent. Spent-top.
April 8.	Limbury.	"	John Wilson.	5 0 0	6 12 0	51 1 18	4 1/2	"
Dec. 15.	Corrasmagh and Therryburgh.	John McCallan.	Patrick Quinn.	13 5 5	20 2 0	179 0 0	7	"
		George Goodfield.	Thomas Janet.	4 0 0	4 10 0	48 0 0	14	"
1843.								
Feb. 29.	Limbury.	John Watson.	Edward McGee.	5 0 8	4 17 0	31 0 0	11	"
	Balsburgh.	McMullen and Andrews.	William Grady.	8 3 28	10 8 0	100 0 0	11 1/2	"
	Drumcannon.	Noel McNeil.	Robert Lynn.	7 5 5	7 8 0	31 0 0	5	"
	Ballymore.	John Healy.	Bernard Burns.	7 5 0	10 18 8	210 10 0	10	"
	"	"	George McCallagh.	20 0 11	10 18 7	417 1 18	11 1/2	"
October 26.	Anglish.	Thomas Fraser.	Andrew Clarke.	43 3 8	10 0 0	1,000 0 0	30	"
	"	Robert Emerson.	Joseph Donnell.	8 0 28	3 10 0	60 0 0	17	"
	Shanglish.	John McFarlane.	Patrick Tate.	1 3 30	1 20 8	20 10 0	10	"
	Chasels.	Duke of Manchester.	Elizabeth Wilson.	28 1 0	31 0 0	200 0 0	13 1/2	This farm was run out. Judicial rent.
	Balsburgh, Drumcannon.	"	William Grady.	18 1 10	10 0 0	121 0 0	12	Judicial rent.
1844.								
Sept. 15.	Corrasmagh.	"	Anthony Maginnis.	5 1 0	0 8 10	20 8 10	3 1/2	"
1845.								
Sept. 18.	Mallesford.	"	James McFadden.	7 5 21	7 11 6	40 0 0	12	"
" 14.	Ballymore.	"	Thomas Goodenough.	20 0 0	27 12 0	125 0 0	8	"
December 5.	Balsburgh.	"	Patrick Lavery.	8 5 11	8 12 4	44 2 2	14 1/2	"
	Corrasmagh.	"	Henry Dixon.	11 5 15	11 11 7	57 18 0	8	"
1846.								
January.	Limbury.	"	William Hays.	8 0 1	8 10 0	40 10 7	12	"
	Mellington.	"	David McHenry.	8 1 2	8 0 0	13 1 2	1 1/2	"
	Corrasmagh.	"	Thomas J. Jones.	21 3 18	12 10 0	80 10 0	10	"
	Balsburgh.	"	William Grady.	4 5 20	2 10 0	18 8 0	8	"
1846.								
June 10.	Corrasmagh.	Alexander Turner.	Patrick Quinn.	20 2 28	17 10 0	110 0 0	14 1/2	"
April 4.	Ballymore and Therry.	Execs. of John McCallan.	Bernard McGee.	8 1 13	2 0 0	110 0 0	10 1/2	"
Feb. 15.	Mallesford.	Martha Jane Joyce.	Benjamin Matchett.	22 8 8	27 8 0	379 14 0	10	Old household rent.
March 19.	Limbury.	Robert McHenry.	John Holmes.	45 0 8	44 10 0	314 10 0	22	Judicial rent.
Feb. 28.	Anglish.	Francis Whitmore.	William Anderson.	3 0 4	3 5 0	40 0 0	11 1/2	"
1847.								
March 15.	Balsburgh.	James Kerr.	William Grady.	24 1 28	20 18 0	301 18 8	14 1/2	"
" 24.	Ballymore.	Isabella Maginnis.	David Hays.	25 1 0	22 0 0	120 0 0	8	"
May 12.	Corrasmagh and Therry.	J. and E. Burns.	Joseph Wray.	20 0 0	120 0 0	400 0 0	14 1/2	"
June 11.	Ballymore.	Robert Gault.	George Taylor.	0 1 8	8 13 0	35 0 0	4 1/2	Judicial.
July 10.	Limbury and Mellington.	Reps. of Joseph Hays.	George Bellamy.	72 3 18	80 0 0	200 0 0	5	"
Oct. 10th.	Mallesford.	James Kemp.	Charles Maginnis.	20 1 18	17 10 0	210 0 0	12 1/2	"
Nov. 12th.	Drumcannon.	William Best.	John Macdonald.	1 0 20	2 10 0	40 0 0	8 1/2	"
" 12th.	Ballymore.	Thomas Malone.	John Harcourt, now John Kelly.	27 0 20	12 0 0	41 0 0	12	Mrs. Harcourt, a judgment seized, sold this farm by auction.
" 20th.	Tamblington.	Thomas Gibson.	Wm. Woodhouse.	18 0 18	17 0 0	71 0 0	14 1/2	Judicial rent.
Dec. 1st.	Corrasmagh.	Thomas Devlin.	Thomas Deasy.	19 0 0	8 20 0	110 0 0	12	"
" 18th.	Chasels.	John Moore.	William Thomas McCallan.	22 5 18	23 0 0	265 0 0	16	"
Jan. 18th.	Corrasmagh.	Hon. James Storr.	Bernard Farrell.	8 8 0	16 17 0	101 0 0	16	"
" 19th.	Keshmonee.	William Trueman.	Robert Trueman.	20 0 20	20 10 0	140 0 0	12	"
" 20th.	Corrasmagh.	George Mallory.	David Bellamy.	13 2 20	15 0 0	214 18 8	16	"
" 27th.	Terryburgh.	Reps. Jane Stewart.	Wm. Buchanan.	14 0 0	16 10 0	140 0 0	14	"
1848.								
Feb. 20th.	Mallesford.	E. Miller.	Joseph Fowler.	1 0 8	1 2 0	18 0 0	14	"
March 17th.	Selous.	James Trueman.	Elizabeth Annand.	4 1 10	8 20 0	64 0 0	12	"
May 17th.	Brigste.	Alex. Russell.	Robert Lynn.	15 0 20	12 0 0	165 0 0	12	"

LAND ACTS ROYAL COMMISSION.

PAPER No. 11.

PORTSMOUTH, STRANGFORD, AND QUINCY ESTATES.

Date of Sale	Townland.	Vendor.	Purchaser.	Leased.	Amount.	Rent.	Amount paid for.	No. of Years Purchase.	Observations.
1864.					A. R. P.	£ s. d.	£ s. d.		
Mar. 18 13.	Ballybraden.	Margaret Gilmore.	John Dineen.	Gen. A. Napier.	12 8 30	29 39 8	100 0 0	8	Judicial holding.
April 14th.	Ballybraden.	James Maginnis.	James Dineen.	Lord de Ros.	18 0 01	36 8 8	100 0 0	8	Since purchase made Judicial, 413 176.
1865.									
May.	Ballybraden.	John Allen Gensling.	Mary Anne Williams.	Gen. A. Napier.	60 1 04	28 8 0			Judicial holding.
"	Ballybraden.	Anna.	Anna.	"	11 3 8	28 0 0	100 0 0	8	"
May 18th.	Ballybraden.	Robert John Moreland.	William Dineen.	"	17 0 2	28 0 0	100 0 0	8	"
"	Corrag.	Anna.	Anna.	"	30 1 22	29 0 8			"
May 29th.	Rose Castle.	Robert Dwyer.	John McAlister.	Lord de Ros.	28 1 27	28 2 8	400 18 8	17	Twenty tenancy.
"	"	Anna.	Robert Dwyer.	"	20 8 38	28 2 8	400 18 8	28	"
June 9th.	Dwyer.	Charles Park.	William Park.	Wm. E. Anker- 181, 181.	20 0 18	28 0 0	241 14 8	7	Judicial holding.
Aug. 3rd.	Whitehill.	Trustees of William Stockdale, Esq.	Edward Connor.	Lord de Ros.	46 1 26	50 0 0	279 0 0	7	"
Sept. 21st.	Kewagh.	Robert McKinnay.	William Hall.	Gen. A. Napier.	7 2 2	5 39 8			"
"	"	Anna.	Anna.	"	17 3 16	25 38 8			Leasehold.
"	Tara.	Anna.	Anna.	"	7 0 27	5 18 8	107 11 8	81	Judicial holding.
"	"	Anna.	Anna.	"	8 9 18	5 8 0			"
"	Tierroghy.	Anna.	Anna.	"	8 8 8	15 18 0			"

COLONEL G. R. HAMILTON'S ESTATE.

Date of Sale.	Townland.	Vendor.	Purchaser.	Amount.	Rent.	Amount paid for.	No. of Years Purchase.	Observations.
1865.				A. R. P.	£ s. d.	£ s. d.		
Nov. 1.	Ballymorenigham.	James Farrell.	William Farrell.	10 8 23	104 1 0	400 0 0	21	
"	Killybegh Corporate.	David Marshall.	William McClary.	5 5 7	0 18 0	50 0 0	21	
1866.								
Nov. 1.	Killybegh Corporate.	Archibald F. McCreary.	William McCreary.	7 0 28	5 10 0	100 0 0	21	
"	Lisnabegh.	Hugh Beattie.	James Patterson.	10 2 21	10 25 0	—	—	Not known. Was a debt portion.

TENANT RIGHT SALES ON ESTATE OF A. SHANNAN CRAWFORD, ESQ., D.L.

Names of Vendors.	Names of Purchasers.	Townland.	Date of Sale.	Area of Farm. Statute Acres.	Gross Annual Rent.	Price Realised.
				A. R. P.	£ s. d.	£ s. d.
Mrs. Jane England.	William Jackson.	Overynasham.	August, 1865.	25 0 22	18 0 0	308 0 8
Reps. William Tanshill.	John Nixon.	Baldwin.	October, 1865.	40 0 8	10 0 0	434 0 0
James R. Hamilton.	H. and J. Kilpatrick.	"	October, 1865.	22 1 13	25 23 4	261 0 0
Reps. Robert Gilchrist.	Robert Stewart.	Overynasham.	Nov. 1865.	22 3 16	17 5 0	349 0 0
Reps. Mary Gibson.	Adam Sloan.	Baldwin.	Dec. 1865.	41 2 25	38 17 8	412 0 0

PAPER No. 11.

LIEUTENANT-GENERAL THE RIGHT HON. LORD DE ROE'S STRANFORD ESTATE.

Date of Sale.	Townland.	Vicar.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
1812, December 20.	Ballykeale.	John McIlvenna.	John Henning.	18 2 30	11 2 0	11 6 0	7	Yearly annuity.
1814, April 4.	"	James McIlvenna.	James Down.	18 6 21	16 6 0	110 0 0	7	Judicial tenancy.
1818 May 21.	Bane Carle.	E. Hart Dwyer.	John McAlister.	25 1 30	54 3 8	405 3 0	17.	Yearly tenancy.
" 25.	"	"	Robert Deane.	21 2 10	50 1 0	410 10 0	20	"
August 1.	Whitfield.	Trustees of Wm. Shackleton, deceased.	Edward Connor.	21 1 20	10 0 0	219 8 0	7.	Judicial tenancy.

WILLIAM ROBERT ANSKETELL, Esq., QUINCY ESTATE.

Date of Sale.	Townland.	Vicar.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
1812, August 1.	Keshmulla.	Ellen M. Gwynne.	John McIlvenna.	10 2 30	13 15 8	485 0 0	17	Judicial tenancy.
1818 June 5.	Dooey.	Charles Park.	William Park.	20 0 10	20 0 0	241 10 0	7	And annuity of £200 Judicial tenancy.

MAJOR-GENERAL ANDREW NUGENT'S PORTAFFRY ESTATE.

Date of Sale.	Townland.	Vicar.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
1810, February 8.	Ballydonnell.	John and Jane Gray.	John Alexander Gunning.	40 1 30	10 0 0	2000 0 0	nearly 12	Judicial tenancy.
" 8.	Ballyweil.	"	"	21 5 2	10 0 0	"	"	"
April 25.	Ballysherry.	Christy Leslie.	Thomas Maxwell.	5 8 10	4 2 20	70 8 0	nearly 20	"
" 25.	Corrag.	"	"	0 1 10	1 0 0	12 10 0	"	Judicial tenancy, with annuity of 10s weekly, and 10s weekly to wife should she survive her husband.
August 17.	Threavilly.	Barbara Daughy.	James Leeson.	14 8 0	14 0 0	181 0 0	11	Judicial tenancy.
December 21.	Derry.	Edmund Taylor.	Michael Hayes.	4 1 0	7 15 8	165 0 0	nearly 37	Judicial tenancy. In close to town of Portaffry.
1812 March 21.	Ballysherry.	Margaret Gilmore.	John Dwyer.	13 1 20	12 10 8	150 0 0	8	Judicial tenancy.
April 5.	Tues.	Rams. of Eliza Murphy.	George McHale.	24 1 30	51 0 8	320 0 0	nearly 20	"
May	Ballydonnell.	John Alexander Gunning.	Maryanne Wilson.	10 1 30	40 0 0	"	"	"
"	Ballyweil.	"	"	21 4 0	10 0 0	100 0 0	7	"
" 15.	Ballysherry.	Robert John Maxwell.	William Denham.	12 3 0	20 0 0	240 0 0	8	"
" 15.	Corrag.	"	"	0 1 10	1 0 0	"	"	"
Sept 21.	Keshmulla.	Robert McHenry.	William Kerr.	7 1 0	5 10 0	"	"	"
" 21.	"	"	"	27 9 10	50 10 0	"	"	"
" 21.	Threavilly.	"	"	7 0 12	5 10 0	107 11 0	12	Judicial tenancy.
" 21.	"	"	"	0 2 10	0 0 0	"	"	"
" 21.	Threavilly.	"	"	0 2 0	12 10 0	"	"	"

JAMES CHARLES PRICE'S ESTATE IN COUNTY DUBLIN.

Date of Sale.	Townland.	Vicar.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years' Purchase.	Observations.
1812.	Lonsdown.	James Kibben.	Andrew Robinson.	41 0 20	10 1 0	645 8 8	50	"
1812.	Killymore.	John Glen.	Thomas Lowe.	5 2 20	1 0 0	41 8 0	41	"
1812.	"	Thomas Todd.	John Tutton.	20 5 30	10 8 0	410 0 0	24	"
1812.	"	David Shaw.	John Scott.	8 0 30	8 8 0	210 0 0	10	"
1814.	Wicklow.	John Hamilton.	James Haasell.	11 2 0	14 0 0	210 0 0	10	"
1814.	"	James Gillett.	James Scott.	10 2 30	10 0 0	870 0 0	10	"
1815.	Wicklow.	William J. Francis Esq.	— Kewell.	20 0 20	20 0 0	600 0 0	10	Yearly.
1815.	"	John McAuley.	Katharine Grigg.	10 1 6	12 8 4	215 0 0	10	Yearly.
Nov. 1815.	Lonsdown.	Samuel Wilson.	William Johnson.	0 1 10	0 0 0	137 0 0	10	Yearly.
1816.	Tullbrook.	William Doherty.	William Bennett.	0 1 30	1 0 0	80 0 0	50	Yearly.

PAPER No. 11.

MOLLASLASH ESTATE, THE PROPERTY OF WILLIAM JAMES HALL, Esq.

Date of Sale.	Townland.	Vendor.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years Purchase.	Observations.
1832.				a. r. p.	£. s. d.	£. s. d.		
10th Jan.	Glendrumet.	Joseph Murphy.	Henry Feen.	7 3 24	2 14 0	135 0 0	55	
10th March.	Cloughnagh.	Mary McCoy.	Patrick Donnelly.	2 9 0	1 14 0	30 0 0	15	No house on this.
1833.								
20th May.	"	Michael Shan.	"	2 9 20	2 1 0	15 0 0	15	"
12th June.	McLaglan.	John Brown.	Edw. Shinnason.	6 2 21	5 9 0	114 15 0	20	"
1834.								
10th May.	Gough.	Bernard Tynally.	Robert Feenye.	2 2 20	2 10 0	140 0 0	30	
10th "	McLaglan.	John Brown.	Edw. Shinnason.	2 2 12	2 5 0	38 10 0	25	No house on this.
12th June.	"	Reps. T. Burke.	Thomas Alderton.	11 9 20	9 0 0	157 17 0	25	"
1st Feb.	Gough.	George Clarke.	John Foster.	15 1 30	12 10 0	185 0 0	140	
1835.								
10th Jan.	"	Henry Woods.	Josh. Whigham.	15 1 10	12 0 0	200 0 0	12½	
1836.								
10th March.	McLaglan.	John Gormley.	Wm. McChesney.	2 0 20	2 0 0	100 0 0	20½	
1837.								
10th June.	Cloughnagh.	James James Shuter.	And. H. Williams.	12 2 20	20 0 0	1,200 0 0	600	There is a public house on these premises.
"	Gough.	"	S. M. Foster.	2 2 0	12 0 0	200 0 0	25	A valuable dwelling house on this estate is now in process.
1838.								
10th May.	McLaglan.	John Brown.	Edw. Shinnason.	2 2 20	2 0 0	100 0 0	17	
1839.								
10th April.	Gough.	Reps. Wm. Gilchrist.	James McWhorter.	23 1 10	30 0 0	220 0 0	12	
"	Cloughnagh.	James McWhorter.	John Best.	16 2 20	25 10 0	185 10 0	12½	
1840.								
10th "	"	John Henry Foster.	Wm. Buchanan.	20 0 21	30 0 0	600 0 0	21	
1841.								
1st Feb.	Leff.	Reps. Josh. Short.	Henry Douglas.	10 0 0	10 0 0	600 0 0	14	
1842.								
20th Nov.	McLaglan.	John Brown.	Wm. Carley.	1 5 20	1 10 0	200 0 0	20	

NARROW WATER ESTATE, CO. DOW, THE PROPERTY OF WILLIAM JAMES HALL, Esq.

1840.								
10th Sept.	Ballypatrippa.	Henry Feeney and Charles Quinn (Heirs. at the will of Patrick Savage).	Doris Marrow.	10 1 0	18 0 0	110 0 0	11½	
1841.								
10th Dec.	Donaghway.	Samuel Gibbons.	Richard Nugent.	8 0 10	8 0 0	70 0 0	6½	In 1837 Gibbons gave his premises, paying nothing for several years, and he died last Oct. 17th 41, through former tenant refusing to pay rent.
1842.								
10th Mar.	Barnes.	Edw. McAnoy.	Daniel McAnoy.	7 1 20	9 10 0	81 0 0	20	
1843.								
10th April.	Ballypatrippa.	John Murphy.	James Burns.	5 0 40	8 10 0	66 15 0	15	
10th Feb.	Ringsmally.	Reps. Mary Crawford.	Wm. Law.	10 2 20	12 0 0	240 0 0	200	
1844.								
7th Jan.	Clondon.	Wm. James Hall.	Benjamin Wilson.	15 0 20	10 0 0	150 0 0	7	
1845.								
10th April.	Ballypatrippa.	James McAnoy.	Samuel Martin.	12 0 14	21 0 0	60 30 0	8	
1846.								
10th "	Aughamore.	Reps. E. Collins.	Edward Rogers.	7 1 30	8 0 0	25 0 0	14	

PAPER No. 11.

THE LORD FAIRMAN'S ESTATE IN COUNTY CAYAN.

Date of Sale	Townland	Vender	Purchaser	Acres.	Rods	Amount Sold for.	No. of Years Purchase	Observations
1871	Berryman.	Richard Sutherland	William Frost	35 0 0	35 15 12	480 0 0	19	Leasehold.
1871	Chapin.	Joseph Montgomery	Lawrence Brady	47 5 15	54 6 3	280 0 0	12	Leasehold.
"	Berryman.	Thomas Morrow	Arthur McDonald	34 2 8	26 0 0	330 0 0	15	"
1871	"	Robert Fagan	Robert White	13 2 2	12 35 0	540 0 0	14	Leasehold.
"	Quattrone.	Eliza Black	Robert Keady	36 0 0	34 11 6	150 0 0	6	Leasehold. Farm very much neglected.
1874	Camkane.	Harris Beattie	William Hamilton	35 1 0	35 6 16	530 0 0	21	Leasehold.
1875	Tcher.	Thomas Mahonson	Joseph Owsa	32 4 7	24 1 0	360 0 0	21	"
1875	Chapin.	James Henders.	John Brady	25 8 6	33 12 4	510 0 0	14	Twenty tenancy.
"	"	Joseph Power	Patrick Lynch	13 1 4	12 8 2	180 0 0	19	"

DEEDMANSHIP AND ACTS ESTATES—THE PROPERTY OF MAXWELL C. CLOSSE, Esq.

1875	Bathowville.	William Bushman	Alex. Bushman	5 0 12	4 19 6	130 2 8	12	"
1875	Carum.	William Clemons	Thomas Robinson	6 1 12	7 15 0	327 0 0	17	"
1875	Llanur.	John Lynch	Wm. James Frost	3 4 20	5 31 4	64 24 5	12	"
1875	Bellough.	Mrs. Focke	John Alderton	5 1 0	5 2 6	45 0 0	12	"
1875	Camkane.	Mr. Focke and E. S. Hideo	Rev. Wm. Reid	54 3 32	15 8 6	308 0 0	12	"
1875	Carwickbrook.	John Clarke	James Clarke	32 1 6	10 0 0	240 0 0	14	"
1875	Lanck.	Hugh Stewart	John Clarke	37 8 0	34 0 0	424 0 0	12	"
1875	Therapier.	Robert Stevenson and Others	A. H. Williamson	15 8 1	12 12 0	564 0 0	10	"
1875	Glendowood.	Richard Smith	William Heaton	5 1 32	5 4 6	25 0 0	12	"
1875	Bellough.	Mary Campbell	Elizabeth McKeen	6 2 20	4 4 6	167 0 0	12	"
1875	Devinaghagh.	John and James Cullen	Peter Quinn, esq.	5 0 8	5 0 0	40 0 0	16	"
1875	Tullymore.	George Whitford	William Calvert	30 8 32	10 0 0	120 0 0	20	"
1875	Arghindaghagh.	John Jones and Sister	James McNamee	4 3 1	4 20 0	47 50 0	12	"
1875	Devinaghagh.	Mary McCook	Charles Hafferty	31 0 27	17 8 9	120 0 0	12	"
1875	Llanur.	Mrs. Sarah Moody	John Little	31 2 8	28 0 0	258 0 0	12	"
1875	Glendowood.	Mrs. Sarah Moody	William Heaton	14 1 36	12 10 0	156 0 0	12	"
1875	Kilbuckagh.	Ree McCook	Patrick McCook	6 3 2	6 20 8	120 0 0	12	"

SUNDRY ESTATES.

Date of Sale	Landlord	County	Townland	Vender	Purchaser	Acres.	Rods	Amount Sold for.	No. of Years Purchase	Observations
1875	G. J. J. Alexander	Armagh	Carrollstown.	Michael Sheehy	James Murphy	5 0 20	1 15 8	22 50 0	10	"
1875	"	"	Arghindaghagh.	Michael McCoy	Joe & John Dally	30 7 12	18 13 8	120 30 0	10	"
1875	"	"	Lanck and Chapin.	Chas. McFarland	John Gashy	11 2 4	10 6 8	120 0 0	10	"

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PAPER No. 11.

SUNDRY ESTATES—continued.

Date of Sale.	Landlord.	County.	Townland.	Vendee.	Purchaser.	Acreage.	Rent.	Amount Sold for.	No. of Years Purchased.	Observations.
1446. Feb.	G. H. J. Alexander.	Armagh.	Carrishadickes.	Pat Murphy.	Peter McCann.	2 0 22	*1 7 12	26 12 6	15	*12 per cent donation allowed on this.
1448. Dec.	"	"	Lathingsh.	Owen McCann.	Owen McCann.	10 0 22	*2 2 6	26 6 0	15	"
1449. 12 Feb.	"	"	Tullymacsherry.	Thomas Macdon.	John McCoy.	7 0 8	*3 3 6	218 6 0	48	"
1450. 14 "	Francis late Edward Quinn.	"	Donnelly.	Jph. McCann.	Lake McCann.	2 1 24	*4 6 0	30 0 0	35	*12 per cent donation allowed on this.
"	A. H. Spragg.	"	Tullyvallen.	Adam G. Morris.	Robert Arden.	4 0 14	1 10 0	146 0 0	34	"
1451. 25 Feb.	"	"	Tullyvallen.	Patrick Lory.	Francis Rooney.	12 1 20	3 0 0	125 0 6	26	"
1452. 2 Dec.	"	"	Tullyvallen.	Wm. Jan. Preston.	Samuel Copeland.	6 2 0	6 12 0	225 0 6	21	"
1453. 15 Mar.	"	"	"	Max M. A. Carr.	Edgell Murphy.	12 2 22	12 0 0	218 0 0	22	"
1454. 26 Oct.	Secretary and Donor	Down.	Tullyvallen.	Catherine Burns.	Thomas Sweeney.	2 1 16	6 0 0	127 8 6	14	"
1455. 10 May.	"	"	"	Edward Sweeney.	Michael McCann.	15 6 8	*14 6 0	125 10 0	12	*4s. per cent donation allowed on this.
1456. 20 May.	"	"	"	Alfred Burns.	John Rafferty.	4 3 0	*5 27 12	60 0 6	6	"
1457. 2 Feb.	"	"	"	John Burns.	Thomas Sweeney.	15 9 0	*16 6 0	150 0 6	3	"
1458. 10 Sept.	"	Armagh.	Ballydonoherty.	Edw. E. Paul.	James Sweeney.	6 2 12	*7 30 6	202 8 0	16	"
1459. 10 Oct.	"	"	Lack.	James Bradley.	James McManus.	4 0 0	4 20 0	100 0 0	23	"
1460. 14 April.	"	"	Ballydonoherty.	James Ashman.	Mary McManus.	4 0 0	*6 7 6	45 12 0	10	"
1461. 26 "	"	"	"	"	Lydia Ashman.	3 1 12	*1 6 6	31 8 0	10	"

CAPT. No. 12.

Source: *U.S. Department of Commerce, Bureau of Economic Analysis, "U.S. International Trade in Goods and Services, 1997-2001," Table A-101-1, U.S. International Trade in Goods and Services, 1997-2001, Washington, D.C., 2002.*

Directed to by J. H. FRANKS.

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SUMMARY of TENANT-RIGHT SALES on certain ESTATES in COUNTY of LONDONDERRY since passing of LAND ACT of 1881

Headed in by EDWARD MURPHY.

No. of Cases.	Parishes.	County.	Owner's Name.	Acreage.	Rent.	Amount sold for.	No. of Years Purchase.	Observations.
				£ s. p.	£ s. d.	£ s. d.		
14.	Erlaghy,	Derry.	Part of Redfield, Land Belonging, and Right of Lady E. Trench.	101 1 30	75 12 0	1,000 10 0	34 years	
8	"	"	Lord Edward C Barry.	61 0 0	75 0 0	1,000 0 0	Nearly 10 years.	
9	"	"	Cecilia, Lady Garraugh.	24 1 00	24 10 0	270 0 0	Nearly 20 years.	
4	"	"	James S. Stephenson.	—	20 0 0	210 0 0	20 years.	
5	"	"	Margaret of Londonderry and Lord Donmore.	22 0 25	55 0 0	970 10 0	12 years	
6	"	"	Col. John S. Dewling.	57 0 25	25 7 7	400 0 0	10 years.	
4	"	"	Thomas S. Ash.	130 0 37	50 0 0	1,500 0 0	10 years.	
2	"	"	General Green.	90 0 33	37 17 0	250 0 0	8½ years.	
2	"	"	Calistine Fleming.	51 0 30	34 0 0	250 0 0	24 years	
20	Madameau.	"	"	121 0 00	60 10 0	1,400 0 0	12 years	
20	Garraugh.	"	"	200 0 20	65 5 12	1,070 0 0	22 years.	
6	"	"	James J. Clark.	37 0 32	39 10 0	480 0 0	24 years.	
2	"	"	C. Y. McCasland, late Waterford.	70 0 7	60 0 0	600 0 0	Nearly 10 years	
2	"	"	C. Y. McCasland.	600 0 14	200 10 0	5,000 0 0	14 years	
20	Drumcreeper Company.	"	"	810 0 20	100 0 0	10,000 0 0	10 years.	
8	"	"	Trustees of late Sir Samuel Martin.	140 0 10	100 0 0	1,200 0 0	8 years.	
2	"	"	Charles Thomas Scott.	50 0 0	50 17 0	500 0 0	35 years	
2	"	"	Thomas Wm. Cuthbert.	90 0 0	20 10 0	1,200 0 0	10 years.	
1	"	"	Trustees John Martin.	57 0 0	50 0 0	700 0 0	5½ years.	
4	"	"	James O'Flynn.	242 0 20	40 10 0	900 0 0	15 years	
1	"	"	Henry Tyler.	70 0 33	40 0 0	70 0 0	5 years	
2	"	"	Miss McMill.	—	10 0 4	420 10 0	20 years.	
2	"	"	Michael Lam.	40 0 00	5 10 0	300 0 0	4½ years.	
1	"	"	Col. R. H. Sutherland.	—	15 10 0	200 0 0	Over 10½ years.	
2	"	"	Major Brown.	42 0 25	10 0 0	600 0 0	22 years.	
1	"	"	James O'Flynn.	70 0 0	7 10 0	100 0 0	30 years	
1	"	"	W. E. Scott.	70 0 0	20 0 0	90 0 0	4 years.	
1	"	"	W. E. Digges.	10 0 0	7 0 0	270 0 0	30 years.	
1	"	"	H. Tynes.	20 0 0	10 00 0	100 0 0	12 years	
1	"	"	S. H. Marvey.	20 1 30	10 0 0	600 0 0	10½ years	
1	"	"	Mrs. Campbell.	2 0 0	0 10 0	110 0 0	30 years	
1	"	"	Rev. E. Gaps.	60 0 0	40 0 0	210 0 0	6½ years.	
2	"	"	J. Fenton.	50 0 0	20 0 0	250 0 0	10 years.	
2	"	"	R. P. Maxwell.	100 0 1	20 10 0	2,010 0 0	20 years	
40	"	"	Essex Company.	1,000 0 10	100 0 0	10,000 0 0	Nearly 20 years.	
27	"	"	Essex Company.	—	100 0 0	8,000 0 0	20 years.	
Total.				5,000 0 27	2,500 0 7	50,000 0 0	17 years.	

SUMMARY of TENANT-RIGHT SALES on certain ESTATES in the COUNTY of DONEGAL and COUNTY of TROUBA since passing of LAND ACT, 1881.

2	Redfield.	Donegal.	Wm. Stewart.	70 0 10	20	0	0	510	0	0	15 years.	
2	"	"	"	50 0 37	27	0	10	600	0	0	12 years.	
1	"	"	Captain Barton.	50 0 10	0	0	0	210	0	0	2½ years	
1	"	"	J. H. Boyd.	70 0 1	10	0	0	200	0	0	10 years.	
1	"	"	Mrs. Ward.	40 0 0	30	0	0	200	00	0	7 years	
1	"	"	Mrs. Ash.	20 0 0	0	0	0	170	0	0	20 years.	
1	"	"	Henry Cooke.	0 1 30	0	10	1	70	0	0	20 years.	
2	"	"	Sir A. B. Stewart.	100 0 00	10	1	10	600	0	0	20 years.	
1	"	"	Sir Samuel Hayes.	51 0 0	10	10	0	150	0	0	25 years.	
1	"	"	David Orlphson.	20 0 0	0	0	0	300	0	0	15 years.	
1	"	"	Captain Norman.	20 1 10	0	0	0	210	0	0	20 years.	
12	"	"	H. G. W. Stewart.	200 0 0	20	10	0	1,500	0	0	20 years.	
7	"	"	John E. and James McQuinn.	70 0 30	30	0	0	210	10	0	20 years.	
				510 0 37	210	0	0	4,000	1	0	15½ years.	
20	"	Tyrone.	James Brown.	200 0 10	200	0	0	8,000	10	7	Nearly 10 years.	

PAPER put in by Mr. JAMES G. BARRY, referred to in his Evidence.

PAPER No. 14.

SCHEME for the CREATION of LAND DEBENTURES, referred to in Evidence, page 419, question 14423, &c.

Under the Purchase Act of 1883 (Lord Ashbourne's) the whole of the purchase money may be advanced to the occupying tenants, repayable by an annuity for forty-nine years at 4 per cent.

As soon as the purchase money is carried to the account of an estate sold under this Act, the claims of the immediate landlord, and all other persons interested in the estate—including incumbrances—are satisfied in cash.

The gist of my scheme is—(1) That on the transfer by purchase of the landlord's property to the occupiers, the mortgages, family, and all other charges affecting the lands, shall be paid off in land debentures (bearing interest at 3 per cent.) and not in cash. (2) That these land debentures are to be utilized for the purchase of the landlord's property.

It is computed that at least one-half of the net agricultural rental of Ireland is actually paid away for interest on these incumbrances.

By paying off all these charges in land debentures, on the completion of a sale, instead of in cash, one-half, at the lowest estimation, of the amount required for the conversion of the occupiers into landowners, would be available.

The State would be only required to advance the difference in amount between the capitalized value of

these charges, and the total price of the estate to be sold.

The new proprietors would pay for 49 years an annuity estimated at 4 per cent. on the total purchase money.

The State would guarantee three per cent. to the debenture holders.

The difference, one per cent., would go annually to form a sinking fund to pay off both the debentures, and any money advanced by the State.

For example—A has an estate, with a net rental of £5,000 a year. The incumbrances and family charges amount to £50,000, on which he pays four-and-a-half per cent., or £2,250 a year. He sells to the occupiers, under this scheme, for twenty years' purchase, viz., £50,000. The whole of the purchase money being advanced by the Land Commissioners, repayable in forty-nine years, by an annuity at four per cent., which will amount to £2,400 per annum, or twenty per cent. under the old rents. The Land Commissioners will issue debentures to the amount of £50,000, to pay off all the charges, according to priority of claim. The vendee will receive, either in cash or consols, the remaining £30,000.

The Dr. and Cr. accounts would be then:—

The State in account with		Estate, late A.	
Dr.	£ s d	Cr.	£ s d
To interest on £50,000 land debentures, at 3 per cent.	500 0 0	By annual annuity, at 4 per cent. on £50,000,	2,400 0 0
To interest on £10,000 Consols, at 2 per cent.,	500 0 0		
		Annual receipts,	2,000 0 0
Annual interest payable,	1,000 0 0		

£800 annually, would be, in this case, available for a sinking fund. One-fifth of the debt incurred would be, at this rate, paid off in seventeen-and-a-half years. As there was no antecedent advance of money by the State, in the case of the debenture holders, the public treasury would be the gainer, by the annual accumulations from the sinking fund. In seventeen-and-a-half years the accumulations would have amounted to £12,000.

The annual increment of one per cent., of which this £12,000 is the result, would have been available, during these years, for advances by the Treasury, for reproductive works.

The land debentures would be negotiable and transferable by simple endorsement, and redeemable by the State at par. Land is unsaleable at present. Mortgages and incumbrances cannot realize the amounts of their charges. The reserved interest, generally four-and-a-half per cent., is not now punctually paid. It is not unfrequently for years in arrear, and often unremovable. Incumbrances, under this scheme, would receive, in land debentures, the full amount of their claims. For an uncertain and precarious income they would receive, punctually, three per cent. guaranteed by the State; and would have the option of ex-

changing their debentures for cash in the open market.

These debentures would be readily negotiable; they would encourage depositors in the Irish Banks to invest their money on such good security, and at a rate of interest which the banks cannot afford to offer.

The holders of these debentures would be, to some extent, guaranteed against separation, and would act as a sort of buffer between the State and the new proprietors.

My proposal contemplates the compulsory sale of the estates of absentee proprietors, of corporations, and all estates fully mortgaged.

I do not suggest the general expropriation of land-holds.

By tying down the rents of the better class of tenants, and turning their tenants into free firms, resident landlords would retain an interest in the country, and a conservative yeomanry would be created with little cost to the State.

There are three serious defects in Lord Ashbourne's Act. 1. The expense of the legal machinery in effecting the transfer. 2. The absence of a compulsory power for the redemption of head rents, &c. 3. The retention of one-fifth of the purchase money as a guarantee.

antee deposit. Should a compulsory scheme of purchase be adopted by the Legislature on the lines indicated there can be no sufficient reason why a guarantee for the punctual payment of the annuities should not be exacted from the local bodies, be they the present Boards of Guardians or County Boards to be created in place of our County Grand Juries.

The ratepayers would be practically the parties benefited. They would have become owners of their holdings on most advantageous terms. It would not be, under the changed circumstances, unreasonable to require from them the necessary security according to their valuations or assessment.

A power might be given the local authority, or in default the central authority, to levy a special rate when the payment of annuities were over twelve months in arrears.

The interests of the defalcators to be sold to recoup the ratepayers.

It would, obviously, be then the interest of every ratepayer that the annuities should be paid with all due punctuality.

Assuming that land debentures under this scheme to the amount of fifty millions would be issued to pay off incumbrances, the annual interest guaranteed by the State at three per cent. would amount to one and a half millions. The annuities at four per cent. received from the new proprietors would amount to two millions a year. Half a million a year would, consequently, be available for a sinking fund. This annual contribution to the public exchequer could be utilised for loans—say for reproductive public works—until it was required to pay off the land debentures.

The congested districts might be dealt with differently.

One-third of the agricultural holdings in Ireland are rated under four pounds. A line drawn on the map from Londonderry to Skibbereen would separate these impoverished districts from the rest of the island. The net agricultural rental of Ireland at present, amounts to £28,000,000 a year. About one-

fourth being contributed by the congested districts. It may be safely assumed that the amount required for the purchase of estates within the line indicated would not exceed sixteen years' purchase of the net rental—many estates will not realise twelve years' purchase. The annuities to be paid to the State would be, consequently at least, thirty-five per cent. under the old rents. This would be no inconsiderable boon to the occupiers in these impoverished districts. As a rule these estates are fully mortgaged, the greater portion of the purchase money would, therefore, be found under the debenture scheme. These estates should be, at first, vested in the Land Commission, might afterwards be transferred to the local authorities. Full powers should be given for squaring and enlarging the holdings in "ranchos"; for regaining facilities to reclaimable waste land; for assisting the surplus population to emigrate in families. The annuities might be turned into a kind of land tax, to be assessed on certain defined areas, such as townlands, the holdings to be assessed proportionately.

On occasions of famine, when the land tax could not be recovered without intensifying the existing distress, a national rate in aid might be levied proportionate to a grant from the State. A fund should be at the disposal of the Land Commission for developing the fishing industry—for the building of piers and harbours—for purchasing fishing boats and gear, and for supplying to local central depots seed at cost price. Experience proves that advances made for reproductive works have been punctually repaid by these poor people. An exceptional state of society requires exceptional treatment. Indiscriminate charity tends to demoralisation.

Loans judiciously expended in reproductive works will, undoubtedly, repay the State a hundredfold, by causing abundance and contentment where at present there exists chronic poverty and discontent.

J. G. BARRY,

Limerick.

APPENDIX F.

No. I.

MEMORANDUM HANDED IN BY SIR CHARLES WILSON, SHOWING THE
NECESSITY OF A LARGE SCALE SURVEY.

Handed in by Sir CHARLES WILSON, Royal Engineers, R.E.R., R.C.M.G., late head of the Ordnance Survey Department, Ireland, on the necessity of having a large Scale Survey made.

Memo.—

1. All civilised countries have recognised the necessity for a cadastral survey of cultivated land on a scale analogous to the 25 inch survey of Great Britain.

2. Ireland is the only civilised country in Europe which has no cadastral survey on a large scale, though the holdings in that country are small as compared with those in Great Britain and continental countries, and the tendency of recent legislation has been to increase the number of peasant proprietors. It would thus seem that a large scale is more necessary in Ireland than in Great Britain.

3. The six inch scale was found to be too small for England after the Northern Counties had been surveyed, and a scale of $\frac{1}{2500}$, commonly known as the 25 inch scale, on which a square inch very nearly represents an acre, was adopted for all cultivated districts.

4. The Ordnance Survey of Ireland was commenced for valuation purposes, and as at the time of its commencement the townland was used as the basis of valuation, the 6 inch scale was sufficiently large. The original survey was, however, incomplete in not showing details, such as fences, farm boundaries, etc., which were not required for a townland valuation. When, therefore, the Poor Laws were introduced into Ireland, a revision became necessary to carry out a rateable valuation in townlands.

5. This revision has been completed on the 6 inch scale for about half the counties in Ireland, but it is found that, on that scale, the areas of the small holdings cannot be calculated with all the accuracy that is desirable.

6. The only county in Ireland surveyed on the 25 inch scale is Dublin, and the maps of that county have been found most satisfactory by the Valuation Department and the Land Judges Court.

7. Sir Richard Griffith, a high authority on all questions connected with land in Ireland, was a strong advocate of the 25 inch scale; and Sir John Ball Green, Mr. Stanislaus Lynch, and other gentlemen who are connected with matters relating to the valuation and sale of land in Ireland, are equally desirous to have a large-scale survey of the country.

8. It will, I believe, be impossible to give full effect to the various Acts passed during recent years to facilitate the sale and transfer of land in Ireland, and to introduce a proper system of land registration without a large-scale survey.

9. In view of further legislation in the direction of the Land Purchase Act, it is most important that maps of unquestioned accuracy should be provided to accompany deeds of conveyance or transfer, and that such maps should be on a sufficiently large scale to show accurately the boundaries of the property conveyed or transferred. For this the six-inch scale is too small.

10. The tendency of the most recent Act seems to be to create local land registries for the registration of title in connection with some future scheme of Local Government. These local registries will be of comparatively little value without large-scale maps, and the absence of such maps would inevitably lead to much confusion and endless litigation.

11. About one-seventh of Ireland has been surveyed since 1839 by the Ordnance Survey Department for sale or for registry of title, and the property boundaries settled by law. There is thus an accurate map record of a large amount of the landed property in the country; and I think we should look forward to a time when the boundaries of all holdings in Ireland will be judicially settled. The holdings are very often so small that the boundaries cannot be shown on the six-inch scale; and I have attached a few examples to show the necessity for a large scale.

12. The surveys of the estates alluded to above have been paid for by the owners, who have had to pay heavily for the want of a twenty-five-inch survey. The average cost of a survey for the Land Judges' Court in a county surveyed on the six-inch scale is over three times that of a similar survey made in County Dublin where a twenty-five-inch survey is available, when a large scale survey is ordered by the court; and is an even greater when a six inch scale is ordered.

13. Specimens A, A₁, A₂, A₃, is a good example of what is going on in the country.

Map A shows a small estate in Mayo as surveyed by the Ordnance Survey in 1878.

Map A₁. The same estate surveyed in 1886.

The two tenant lists A₂, A₃ show the areas of the holdings at the two periods.

Map B shows a portion of an estate, with its enlargement, and the impossibility of conveying holdings, or even showing them with a six-inch map.

Map C, C₁, and C₂ show how the holdings of tenants are scattered about in small parcels of ground.

C. W. WILSON,

18th November, 1886.

Tenant Lists A₂ and A₃

THE ESTATE OF DENIS BINGHAM, COUNTY MAYO.

LIST OF AREAS SURVEYED, SEPTEMBER, 1873.

Informant Number on Map	Tenant's Name.	Area, - Statute Measures.	Tenure and other Remarks.
THE ESTATE OF DENIS BINGHAM.			
TOWNSHIP OF DOUGHERTY, COUNTY MAYO.			
		A. R. P.	A. R. P.
1 to 12	The Owner,	345 1 14	No. 1 contains 345 2 22 " 2A " 12 1 14 " 3B " 12 0 3
2 and 2A	Patrick Sweeney and Mary Glaty (Widow),	2 0 11	" 3 " 2 0 2 " 2A " 2 0 2 Held in common.
3 to 28	Bridget Keenan (Widow),	4 0 34	No. 3 contains 1 2 80 " 3A " 10 3 16 " 3B " 3 1 85
4 to 48	Anthony Gaughan (Sgt.),	4 2 23	" 4 " 1 2 58 " 4A " 0 3 3 " 4B " 3 2 35
5 to 58	Richard Gaughan (Tobacco),	2 1 34	" 5 " 1 2 59 " 5A " 3 3 0 " 5B " 2 2 22
6	Phelim Henry,	12 5 0	—
7	Mary Keenan and James Gaughan,	12 0 34	—
8	Bridget Gaughan (Widow) and Anthony Gaughan (Son),	12 0 2	Held in common.
9 and 2A	Oliver Toole,	1 5 2	No. 6 contains 1 5 34 " 6A " 0 0 13
10 and 12A	Anthony Gavin,	1 3 30	" 10 " 1 2 2 " 12A " 0 0 13
11 and 13A	Anthony Douglas,	2 0 2	" 11 " 2 0 3 " 13A " 0 0 2
12	James Maguire, Larky Gaughan, Neal Connor, Bridget Keefe,	12 2 32	Held in common
13 to 128	William Lavelle,	35 0 1	No. 22 contains 15 2 24 " 22A " 3 2 10 " 22B " 12 3 0
14 and 14A	Margaret Keane (Widow) and James Keane,	18 1 34	" 24 " 18 1 2 " 24A " 0 0 22 Held in common.
15 to 158	Henry Gaughan (Sgt.),	6 2 22	No. 25 contains 1 2 2 " 25A " 0 0 12 " 25B " 2 2 27
16 to 168	James Menaghan,	2 2 30	" 16 " 1 2 2 " 16A " 0 2 55 " 16B " 2 2 25
17 to 178	William Menaghan,	2 2 18	" 17 " 1 2 55 " 17A " 2 0 17 " 17B " 3 2 13
18 to 188	Patrick Maguire, Richard Gaughan (Brother), Edward Maguire,	10 0 24	" 18 " 10 1 22 " 18A " 2 2 5 " 18B " 0 0 2 Held in common
19 to 198	Patrick Gaughan (Brother) Mary Keane (Widow) Michael Gaughan (Brother) Thomas Dunn, Patrick Coffey, Mary Lavelle (Widow),	10 0 23	No. 26 contains 12 2 39 " 26A " 5 2 22 " 26B " 2 1 9 Held in common.
20 to 208	Mary Keane (Widow) Michael Keane, Patrick Maguire (Sgt.), Thomas Gaughan (Brother),	12 1 18	No. 27 contains 12 1 2 " 27A " 2 2 20 " 27B " 0 0 18 " 27C " 0 0 16
21 to 218	Patrick Gaughan (Sgt.), Thomas Keane, Richard Keane, Michael Coffey,	21 1 22	" 28 " 12 2 22 " 28A " 0 2 11 " 28B " 20 1 86 " 28C " 0 0 12 Held in common.
22 to 228	Thomas Maguire, Henry Gaughan (Son), Anthony Gaughan (Sgt.) John Connor,	18 2 30	No. 29 contains 10 2 2 " 29A " 0 2 12 " 29B " 0 2 10 " 29C " 0 0 17

D d d d

DENIS BISHAM ESTATE—continued.

Reference Number in Map.	Tenant's Name.	Area, Statute Measure.	Tenure and other Remarks.
		A. R. P.	A. R. P.
17	James Mangin (Solely), Richard Swamy (Langlands), James Mangin (Solely), Michael Caffrey,	2 2 0	Held in common.
24	Patrick Mangin (Solely), Patrick Caffrey, James Mangin (Solely),	10 1 24	Held in common.
25 to 26	John Glynn, Patrick Mangin (Solely), Thomas W. Manning,	12 2 9	No 25 contains 14 2 12 " 26A " 0 0 8 " 26B " 4 0 1 Held in common.
27 and 28A	James Moriarty,	2 0 18	No 28 contains 0 0 4 " 28A " 2 2 12
27 to 27B	Daniel Cusack, Phelim Cusack, James Cusack, Phelim Marry, Lucky Gaughan (Frank), John Gaughan (Red), Neil Conway,	10 1 6	No 27 contains 19 8 26 " 27A " 0 8 3 " 27B " 0 8 2 " 27C " 0 8 2 " 27D " 0 8 2 " 27E " 0 8 1 Held in common.
28 and 28A	James Cusack,	1 8 26	No 28 contains 1 0 18 " 28A " 0 8 12
29 and 29A	Phelim Cusack,	2 1 24	" 29 " 8 0 21 " 29A " 1 2 0
30 and 30A	Phelim Marry,	1 8 0	" 30 " 0 2 21 " 30A " 0 1 22
31 and 31A	Daniel Cusack,	0 6 24	" 31 " 0 2 21 " 31A " 0 2 12
32	Lucky Gaughan (Frank),	1 8 21	—
33	Neil Conway,	1 0 4	—
34	John Gaughan (Red),	1 3 14	—
35 and 35A	John Gorman (Kane),	0 0 14	No 35 contains 0 0 1 " 35A " 0 0 14
36	James Mangin,	2 0 4	—
37 and 37A	Mary Gray (Widow),	4 0 34	No 37 contains 0 0 12 " 37A " 1 2 20
38 and 38A	Patrick Swamy,	6 1 20	" 38 " 1 2 2 " 38A " 0 2 50
39	Neil Conway and Lucky Gaughan,	4 8 12	Held in common.
40	Phelim Cusack and James Cusack,	4 2 24	Held in common.
41	Henry Kane,	0 6 12	—
42 and 42A	Patrick Conway,	4 9 27	No 42 contains 4 2 24 " 42A " 0 0 12
43 and 43A	John and Patrick Conway,	5 0 21	" 43 " 5 2 7 " 43A " 0 0 20
44	Lucky Gaughan (Frank),	2 0 25	—
45 and 45A	John Conway and John Conway,	5 0 24	No 45 contains 2 5 21 " 45A " 0 0 12 Held in common.
46 and 46A	Blissard Mangin and Frances Glynn,	4 1 30	No 46 contains 4 1 18 " 46A " 0 0 9 Held in common.
47 and 47A	James Swamy,	4 9 37	No 47 contains 4 2 14 " 47A " 0 0 22
48	Anthony Donohoe, Gern Telle, and Anthony Gerta,	5 9 29	Held in common.
49	Patrick Kane,	17 2 8	—
50 to 50B	Anthony Gorman, Anthony Mangin, Thomas Dore, and Anne Fortham (Widow),	14 5 12	No 50 contains 14 9 20 " 50A " 0 8 2 " 50B " 0 6 14
51 and 51A	John Gorman, Anthony Gaughan (Hugh), James Mangin, and James Mangin (Solely),	20 9 32	" 51 " 20 5 29 " 51A " 0 0 1 Held in common.
52 to 52B	James Mangin (Solely),	7 9 24	No 52 contains 2 5 9 " 52A " 1 5 4 " 52B " 0 2 21
53 to 53A	Patrick Monaghan,	7 1 28	" 53 " 2 2 2 " 53A " 2 5 23 " 53B " 2 3 24
54 to 54B	Henry Gaughan (Beryl),	4 0 24	" 54 " 4 2 1 " 54A " 2 1 27 " 54B " 0 0 4

DENIS BINGHAM ESTATE—continued.

Reference Numbers on Map.	Tenants' Names.	Area, Statute Measure.	Tenure and other Remarks.
		A. R. P.	A. R. P.
25	Michael Caffrey, Michael Sweeney (Laughlin),	4 1 43	—
26	James Mangin,	8 0 17	—
27	James Mangin (Milly),	4 5 10	—
28	Patrick Caffrey, James Mangin (Senior), and Patrick Mangin (Junior),	6 0 34	Held in common.
29	Thomas Mangin,	2 8 44	—
30	Michael Sweeney,	1 5 33	—
31 and 31A	Anthony Goughan (Blaw),	3 2 2	No. 45 contains 1 0 1 " 31A " 0 0 0
32	Thomas McMahon,	2 0 14	—
33	John Gough,	8 0 0	—
34	Richard Goughan (Brother),	1 4 44	—
35	Patrick Caffrey,	0 4 20	—
36	Thomas Goughan (Brother),	0 1 04	—
37	Patrick Mangin (Wife),	4 2 5	—
38	Twenty-two tenants,	120 1 14	Held in common.
39	Maria Walsh,	1 0 33	—
40	John Laville and Michael Danahoe,	4 2 22	Held in common.
41	Thomas Goughan,	4 2 43	—
42	Edmond Dermott,	13 2 3	—
43	Mary Henelly (Widow), Maria Walsh and Anthony Caffrey,	4 0 30	Held in common.
44	Edmond Dermott, M. Henelly (Widow), Michael Sweeney, Roger Goughan, and John Gough,	8 2 40	Held in common.
45	John Dwyer,	7 0 16	—
46 and 46A	Mary Henelly (Widow),	0 0 31	No. 46 contains 1 1 27 " 46A " 0 1 24
47	Patrick Corp,	2 0 14	—
48	James Keane,	22 5 30	—
49	John Caffrey,	10 3 23	—
50	Henry Goughan (Black),	5 0 21	—
51	John Gough,	7 1 32	—
52	Grass-plot,	0 1 0	—
	Portions included,	4 3 34	—
	Total,	3,184 3 2	
	Includes of adjoining Township,	2 1 15	

ORDNANCE SURVEY OFFICE, PRINCE'S PARK,
22nd September, 1873.

LIST OF AREAS SURVEYED, MAY, 1886.

Reference Numbers on Map.	Tenants' Names.	Area, Statute Measure.	Tenure and other Remarks.
		A. R. P.	A. R. P.
1 and 1A	THE ESTATE OF ELIZABETH H. BINGHAM & ANOTHER. TOWNSHIP OF DROGHEDA, COUNTY DUBLIN.		No. 1 contains 7 0 26 " 1A " 02 2 14 " 1 whole, 1A boy
2	The Owners, Philip Caffrey, James Henelly, Lucky Goughan, Anthony Caffrey, James Goughan, Philip Henelly,	13 5 2 2 1 0	Yearly, held in common

DENIS BINGHAM ESTATE—continued.

Reference Numbers on Map.	Tenant's Name.	Area, Statute Measures.	Tenure and other Remarks.
		A. R. P.	
4 to 10	Phelim Caslick,	5 3 14	No. 2 contains " 2A " 5 1 0 " 2B " 0 2 0 " 2C " 0 2 15 " 2D " 0 2 15 " 2E " 1 2 10 " 2F " 1 1 35 " 2G " 0 3 24 " 2H " 0 0 3 " 4 " 1 1 30 " 4A " 0 0 28 " 4B " 0 0 35 " 4C " 0 0 32 " 4D " 0 2 09 " 4E " 1 1 09 " 5 " 2 1 14 " 5A " 0 1 0 " 5B " 0 1 14 " 5C " 1 1 4 " 5D " 0 1 34 " 5E " 0 2 23 " 5F " 1 0 17 " 5G " 0 3 8 " 5H " 1 2 20 " 5I " 2 2 14 Yearly.
4 to 12	James Humally,	5 3 34	No. 3 contains " 3A " 0 2 25 " 3B " 0 0 32 " 3C " 0 2 8 " 3D " 0 2 30 " 3E " 0 1 30 " 3F " 1 1 32 " 3G " 0 1 22 " 3H " 1 2 29 Yearly.
4 to 14	Lucky Gaughan	21 0 01	No. 7 contains " 7A " 0 0 28 " 7B " 0 2 4 " 7C " 1 2 30 " 7D " 0 2 30 " 7E " 0 1 18 " 7F " 0 2 10 " 7G " 0 2 25 " 7H " 1 2 29 " 7I " 0 1 25 " 8 " 0 2 27 " 8A " 0 0 25 " 8B " 0 2 30 " 8C " 0 2 17 " 8D " 0 1 05 " 8E " 0 0 2 " 8F " 1 2 34 Yearly.
4 to 16	Anthony Galpin,	2 2 0	No. 11 contains " 11A " 0 2 5 " 11B " 2 1 0 " 11C " 0 0 20 " 11D " 1 0 24 " 22 " 2 2 30 " 22A " 12 0 20 Yearly.
17 to 21	James Caslick	2 1 55	No. 14 contains " 14A " 0 0 21 " 14B " 0 2 2 " 14C " 0 0 12 No. 15 contains " 15A " 2 0 0 " 15B " 2 1 29 " 15C " 1 2 13 Yearly.
17 to 23	Phelim Caslick, James Caslick,	9 1 19	No. 16 contains " 16A " 2 2 19 " 16B " 1 1 8 " 16C " 9 0 11 Yearly.
17 to 25	Richard Gaughan (Belton),	7 1 36	No. 17 contains " 17A " 0 0 9 " 17B " 2 1 14 " 17C " 0 2 20 " 17D " 2 2 07 " 17E " 2 1 00 " 17F " 0 0 20 " 17G " 0 0 20 Yearly.
17 and 26A	Phelim Henry,	10 0 50	No. 18 contains " 18A " 1 2 28 " 18B " 0 0 9 " 18C " 2 1 14 " 18D " 0 2 20 " 18E " 2 2 07 " 18F " 2 1 00 " 18G " 0 0 20 " 18H " 0 0 20 Yearly.
25	Petrak Cooney,	10 2 10	No. 19 contains " 19A " 1 2 28 " 19B " 0 0 9 " 19C " 2 1 14 " 19D " 0 2 20 " 19E " 2 2 07 " 19F " 2 1 00 " 19G " 0 0 20 " 19H " 0 0 20 Yearly.
14 to 24B	John Cooney	0 2 05	No. 20 contains " 20A " 0 0 21 " 20B " 0 2 2 " 20C " 0 0 12 No. 21 contains " 21A " 2 0 0 " 21B " 2 1 29 " 21C " 1 2 13 Yearly.
13 to 24B	David Glasz,	0 0 8	No. 22 contains " 22A " 2 2 19 " 22B " 1 1 8 " 22C " 9 0 11 Yearly.
16 to 24B	Frank Glasz,	1 0 22	No. 23 contains " 23A " 1 2 28 " 23B " 0 0 9 " 23C " 2 1 14 " 23D " 0 2 20 " 23E " 2 2 07 " 23F " 2 1 00 " 23G " 0 0 20 " 23H " 0 0 20 Yearly.
17 to 25B	Edmond Morgan (Offert),	0 2 25	No. 24 contains " 24A " 1 2 28 " 24B " 0 0 9 " 24C " 2 1 14 " 24D " 0 2 20 " 24E " 2 2 07 " 24F " 2 1 00 " 24G " 0 0 20 " 24H " 0 0 20 Yearly.

DESIS BINGHAM ESTATE—continued.

Reference Numbers on Map.	Tenants' Names.	Area, Statute Measures.	Tenure and other Remarks	
			A. R. P.	A. R. P.
14 to 21a	James Sweeney, " " " " " "	2 2 31	No. 18 contains " 21A " 2 2 31 " 21B " 0 2 30 Yearly, " 0 2 3	
18 to 21c	William Lavelle, " " " " " "	21 2 6	No. 18 contains " 17A " 12 2 32 " 17B " 2 0 13 " 17C " 4 2 7 " 17D " 7 1 32	
20 to 21d	James Higgins, " " " " " "	25 2 2	" 20 " 2 2 2 " 20A " 0 1 0 " 20B " 8 2 48 " 20C " 2 0 2 " 20D " 0 1 32	
22 to 21e	Mary Glady (Widow), " " " " " "	2 2 32	" 22 " 1 2 14 " 21A " 2 0 39 " 21B " 0 2 30 " 21C " 0 2 17 " 21D " 0 2 2 " 21E " 0 2 32 Yearly, " 0 2 32	
22 to 21f	Patrick Sweeney, " " " " " "	2 0 32	No. 22 contains " 22 " 1 2 32 " 22 " 1 0 2 " 22 " 0 1 2 " 22 " 0 0 7 Yearly, " 0 0 7	
22 to 21g	Michael Meekham, " " " " " "	4 0 2	No. 22 contains " 21A " 2 1 2 " 21B " 0 2 17 " 21C " 0 2 17 Yearly, " 0 0 18	
24 to 21h	Anthony Gaughan (Bapt), " " " " " "	4 0 2	No. 24 contains " 24 " 2 2 2 " 24 " 1 2 0 Yearly, " 0 0 2	
24 to 21i	Rep. of Mrs. Meekham, " " " " " "	2 2 7	No. 24 contains " 21A " 4 2 22 Yearly, " 0 2 22	
24 to 21j	James Gaughan, " " " " " "	2 2 23	No. 24 " 0 2 23 " 21A " 2 2 23 " 21B " 0 0 26 " 21C " 3 2 13 Yearly, " 3 2 13	
24 to 21k	Anthony Gaughan (Deceased), " " " " " "	2 2 27	No. 27 " 2 2 27 " 27A " 0 0 14 " 27B " 3 2 30 Yearly, " 3 2 30	
24 to 21l	Bridget Gaughan (Widow), " " " " " "	2 2 28	No. 28 " 2 2 2 " 27A " 0 0 14 " 27B " 2 2 32 Yearly, " 2 2 32	
24 and 21a	Common to all tenants, " " " " " "	0 2 14	No. 28 " 0 0 28 " 21A " 0 1 22	
24 to 21m	The Admiralty, " " " " " "	2 0 2	" 28 " 0 0 4 " 21A " 1 2 0 " 21B " 0 2 2	
24 to 21n	Owen Toole, " " " " " "	2 2 24	" 28 " 0 2 2 " 21A " 0 2 29 " 21B " 1 2 13 " 21C " 0 2 30 " 21D " 0 0 29 " 21E " 0 0 27	
24 to 21o	James Higgins (Junior), " " " " " "	4 2 14	" 28 " 1 2 30 " 21A " 0 1 24 " 21B " 1 1 16 " 21C " 0 2 32 " 21D " 0 0 21	
24 to 21p	Anthony Donohue, " " " " " "	4 2 23	" 28 " 0 1 2 " 21 " 1 0 33 " 21 " 0 2 1 " 21 " 2 2 32 " 21 " 0 0 2	
24 to 21q	Bridget Manganly (Widow), " " " " " "	2 0 23	" 28 " 1 0 27 " 21 " 0 0 28 " 21 " 0 1 30 " 21 " 0 1 31 " 21 " 0 0 7	
24 to 21r	Ellen Kean (Widow), " " " " " "	2 2 27	" 28 " 2 1 19 " 21 " 0 0 39 " 21 " 0 0 2 " 21 " 2 1 16 " 21 " 2 1 16	

• Subsequent Number on Map.	Tenant's Name.	Acres, Roods, Poles.	Years and other Remarks.
		A. R. P.	A. R. P.
36 to 36a	Henry Goughs (Anthony).	5 1 0	No 36 contains 8 2 3 " 36A " 8 2 21 " 36B " 0 9 8 " 36C " 1 1 6 " 36D " 0 2 30 " 36E " 0 1 4 " 36F " 0 0 23 " 36G " 1 0 22 Yearly.
37 to 37a	Henry Goughs (Smith).	5 2 10	No 37 contains 0 6 14 " 37A " 0 2 21 " 37B " 0 2 3 " 37C " 1 3 21 " 37D " 8 9 25 Yearly. Inclosure in dispute.
38 to 38c	James Monahan.	10 0 10	No 38 contains 0 6 31 " 38A " 1 0 8 " 38B " 0 1 2 Yearly.
39 to 39c	James Ketch.	5 0 8	No 39 " 3 5 9 " 39A " 1 3 8 " 39B " 0 2 26 " 39C " 0 2 8
40	William Lovell, Anthony Goughs, James Maguire, Patrick Mangin (Kof), Mary Goughs (Widow), Daniel Henry, John Goff, James Malahan.	20 5 38	Yearly held in common.
41 to 41a	Patrick Mangin (Kof).	10 2 4	No 41 contains 0 1 24 " 41A " 0 1 12 " 41B " 1 0 23 " 41C " 1 2 30 " 41D " 1 0 8 " 41E " 0 2 12 " 41F " 0 1 0 " 41G " 2 1 8 " 41H " 0 9 20 " 41I " 8 1 23 " 41J " 0 1 22
42 to 42c	John Goughs.	37 1 23	" 42 " 0 1 27 " 42A " 5 3 25 " 42B " 7 1 13 " 42C " 7 0 22
43 to 43F	Mary Goughs (Widow).	10 2 3	" 43 " 8 0 34 " 43A " 8 1 15 " 43B " 9 1 27 " 43C " 0 8 30 " 43D " 1 2 32 " 43E " 6 8 30 " 43F " 2 1 27 Yearly.
44 to 44c	Mary Dean (Widow).	10 2 23	No 44 " 0 0 20 " 44A " 0 1 23 " 44B " 0 2 15 " 44C " 1 3 24 " 44D " 0 3 30 Yearly.
45 to 45F	Patrick Caffery.	10 0 5	No 45 " 4 1 27 " 45A " 0 1 3 " 45B " 0 0 54 " 45C " 5 3 23 " 45D " 2 1 26 " 45E " 2 3 6 " 45F " 2 0 11
46 to 46c	Thomas Goughs (Widow).	5 0 5	No 46 contains 3 6 37 " 46A " 8 0 13 " 46B " 9 1 13 " 46C " 1 2 21 Yearly.
47 to 47c	Terence Doran.	35 3 37	No 47 contains 8 1 3 " 47A " 0 1 3 " 47B " 1 0 30 " 47C " 8 1 24 " 47D " 2 2 3 " 47E " 0 1 12 " 47F " 0 0 9 " 47G " 0 2 16 " 47H " 0 3 5 " 47I " 1 3 8 " 47J " 1 3 33 " 47K " 0 1 30 " 47L " 0 2 23 " 47M " 0 2 23 " 47N " 0 3 27 Yearly.

DENIS BINGHAM ESTATE—continued.

Reference Numbers on Map	Tenants' Names.	Area, Statute Measures	Tenure and other Remarks.
		A. R. P.	A. R. P.
43 to 437	Frank Colney,	20 6 1	No. 43 contains 2 3 54 " 44 " 0 6 37 " 45 " 2 1 35 " 46 " 1 3 4 " 47 " 2 2 12 " 48 " 1 6 8 " 49 " 0 1 32 Totally.
44 to 440	Anthony Kegan,	2 2 5	No. 49 contains 2 6 0 " 49A " 1 8 32 " 49B " 0 1 0 " 49C " 2 8 27 " 49D " 0 1 34 Totally.
45 to 450	Michael Caffrey,	14 3 23	No. 49 contains 2 8 3 " 49A " 2 9 0 " 49B " 0 9 15 " 49C " 1 2 32 " 49D " 0 8 37 " 49E " 2 1 0 " 49F " 0 6 12 " 49G " 1 8 4 Totally.
46 to 456	Anthony Goughan (Barn),	7 0 2	No. 51 contains 2 3 32 " 51A " 2 3 3 " 51B " 2 8 25 " 51C " 0 1 12 Totally.
47 to 458	John Gosman,	2 2 23	No. 52 contains 1 3 37 " 52A " 2 6 22 " 52B " 2 1 22 " 52C " 1 1 12 " 52D " 2 0 12 " 52E " 2 1 46 " 52F " 0 2 2 " 52G " 1 8 14 " 52H " 1 1 32 Totally.
48 to 459	Harry Goughan (Rodger),	22 1 26	No. 53 contains 2 3 8 " 53A " 2 3 15 " 53B " 1 5 25 Includes 1 lb. chapel. No. 53b contains 1 3 32 " 53C " 2 0 22 " 53D " 2 1 22 " 53E " 2 1 32 Totally.
49 to 461	Thomas Mangra,	2 9 24	No. 54 contains 2' 5 22 " 54A " 0 6 22 " 54B " 0 1 22 " 54C " 0 1 4 " 54D " 0 8 4 " 54E " 0 1 22 " 54F " 2 0 12 " 54G " 2 0 24 " 54H " 2 0 14 Totally.
50 to 462	Michael Dwyer,	4 3 2	No. 55 contains 1 3 32 " 55A " 0 3 22 " 55B " 1 0 " 55C " 0 2 22 Totally.
51 to 463	James Mangra (Mare),	2 0 22	No. 56 contains 0 9 12 " 56A " 2 1 22 " 56B " 2 0 17 " 56C " 2 0 31 " 56D " 2 0 22 " 56E " 2 1 17 " 56F " 1 1 22 " 56G " 0 2 22 " 56H " 1 3 7 " 56I " 1 0 1 " 56J " 0 3 2 " 56K " 0 2 22 Totally.
52 to 464	James Mangra (Riley),	12 2 2	No. 57 contains 4 3 37 " 57A " 2 1 22 " 57B " 0 2 2 " 57C " 0 8 22 " 57D " 1 3 22 " 57E " 0 8 22 " 57F " 4 2 27 Totally.
53 to 465	Patrick Mangra (Rudolf),	12 5 16	No. 58 contains 0 8 12 " 58A " 2 2 22 " 58B " 2 4 2 " 58C " 2 8 12 " 58D " 0 2 14 " 58E " 1 5 8 " 58F " 2 8 27 " 58G " 1 1 22 " 58H " 0 2 22 " 58I " 2 1 0 " 58J " 0 2 22 " 58K " 0 1 27 Totally.

Ecco

DENIS BINGHAM ESTATE—continued.

Referenced Numbers on Map.	Tenants' Names.	Area, Statute Measure.	Tenure and other Remarks.
		A. R. P.	
29 to 376	Thomas McManis,	6 5 32	No. 58 contains = 58A " 1 0 1 = 58B " 1 1 19 = 58C " 0 0 4 = 58D " 0 0 1 = 58E " 0 0 19 = 58F " 1 1 20 Yearly.
29 to 388	Michael Perkins,	6 1 11	No. 59 contains = 59A " 1 0 0 = 59B " 0 0 4 = 59C " 0 0 24 = 59D " 0 0 21 = 59E " 0 0 22 Held in common.
31	Mary Deas (Widow), Anthony Goughan (Baron), Thomas McManis, Patrick Coffey,	0 0 60	do.
32	Thomas Deas, Frank Comer, Anthony Keegan,	0 0 18	do.
33	Patrick Kease,	0 1 35	Yearly.
34 to 398	Hugh Goonan (Widow),	4 2 38	No. 64 contains = 64A " 0 0 8 = 64B " 0 0 20 = 64C " 0 0 10 = 64D " 0 0 8 = 64E " 0 0 4 = 64F " 2 0 0 = 64G " 1 0 0 = 64H " 0 0 38 = 64I " 0 0 8 = 64J " 0 0 11 = 64K " 0 0 7 = 64L " 0 0 35 = 64M " 0 0 22 Yearly.
35 to 410	John Mangin (Patrick),	20 0 30	No. 65 contains Yearly, held in com- mon.
46 and 48A	James Mangin (Ellen) and Thomas Mangin (Widow),	0 0 18	No. 66 contains = 67 do.
47	Thomas Deas and Frank Comer, Patrick Kease, James Mangin (Ellen), James Mangin (Widow), Patrick Mangin (Robert), P. Coffey, Henry Goughan (Robert), P. Mangin (Widow), John Goughan, Edward Mangin (Widow), Thomas Deas, Mary Goughan (Widow), John Goonan, Thomas Goughan (Robert), Mary Deas (Widow), Michael Comer, Frank Comer, Michael Coffey, Anthony Goughan (Baron), Thomas McManis, Michael Perkins, Anthony Keegan, Henry Goughan (Anthony), Hugh Goonan (Widow), John Mangin (Patrick),	0 1 14	do.
48	John Goonan, Thomas Goughan (Robert), Mary Deas (Widow), Michael Comer, Frank Comer, Michael Coffey, Anthony Goughan (Baron), Thomas McManis, Michael Perkins, Anthony Keegan, Henry Goughan (Anthony), Hugh Goonan (Widow), John Mangin (Patrick),	12 4 2	do.
49 to 492	Michael Donohoe,	8 0 38	= 68 contains = 68A " 1 0 35 = 68B " 0 0 35 = 68C " 0 0 38 Yearly.
50 to 508	John Barrett,	8 1 22	No. 70 contains = 70A " 0 0 8 = 70B " 0 0 34 = 70C " 0 0 34 = 70D " 0 0 34 = 70E " 0 0 34 Yearly.
51	Maria Walsh,	3 0 32	do.
52 to 512	Michael Mearns,	12 0 18	No. 72 contains = 72A " 0 0 34 = 72B " 0 0 34 = 72C " 0 0 34 = 72D " 0 0 34 = 72E " 0 0 34 = 72F " 0 0 34 = 72G " 0 0 34 = 72H " 0 0 34 = 72I " 0 0 34 = 72J " 0 0 34 = 72K " 0 0 34 = 72L " 0 0 34 = 72M " 0 0 34 = 72N " 0 0 34 = 72O " 0 0 34 = 72P " 0 0 34 = 72Q " 0 0 34 = 72R " 0 0 34 = 72S " 0 0 34 = 72T " 0 0 34 = 72U " 0 0 34 = 72V " 0 0 34 = 72W " 0 0 34 = 72X " 0 0 34 = 72Y " 0 0 34 = 72Z " 0 0 34 Yearly.
53 to 516	Mary Barrett (Widow),	18 0 8	No. 74 contains = 74A " 0 0 34 = 74B " 0 0 34 = 74C " 0 0 34 = 74D " 0 0 34 = 74E " 0 0 34 = 74F " 0 0 34 = 74G " 0 0 34 = 74H " 0 0 34 = 74I " 0 0 34 = 74J " 0 0 34 = 74K " 0 0 34 = 74L " 0 0 34 = 74M " 0 0 34 = 74N " 0 0 34 = 74O " 0 0 34 = 74P " 0 0 34 = 74Q " 0 0 34 = 74R " 0 0 34 = 74S " 0 0 34 = 74T " 0 0 34 = 74U " 0 0 34 = 74V " 0 0 34 = 74W " 0 0 34 = 74X " 0 0 34 = 74Y " 0 0 34 = 74Z " 0 0 34 Yearly.
54	Patrick Grady,	5 1 32	do.
55	John Comer,	0 0 32	do.
56	Richard Mearns,	0 0 8	do.
57	Patrick Goughan,	0 0 94	do.
58	Mrs. Goonan,	0 0 11	do.
59	Mrs. Goonan,	0 0 12	do.
60	Catherine Goughan,	0 0 94	do.
61	Mary Goughan,	0 0 94	do.
62	Deceased,	1 1 38	do.
63	Gravestone,	0 1 8	do.
64	Thomas McManis,	0 1 38	do.
Total		1,100 0 14	

ORDNANCE SURVEY OFFICE, FINSBURY PARK,
November, 1886.





ENLARGEMENT BY THE POSTED TITLED FIRM ON MAP 12

Killeely Bog



LAND JUDGES
LAND
WATER
ROAD

Roverburgh

ENLARGEMENT OF PORTION TINTED YELLOW ON MAP 12

*Cakecapheepa**R*

THE VERY REV. A. W. WEST



ORDNANCE SURVEY

OF

IRELAND.



